## Council Proceedings of the City of Shreveport, Louisiana July 28, 2009

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Ron Webb at 3:01p.m., Tuesday, July 28, 2009, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Wooley.

The Pledge of Allegiance was led by Councilwoman Bowman.

On Roll Call, the following members were Present: Councilmen Calvin Lester (Arrived at 3:32 p.m.), Monty Walford, Michael Long, Bryan Wooley, Ron Webb, Joe Shyne, and Joyce Bowman. 7. Absent: None.

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

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

Councilman Webb: Mr. Mayor, you have any distinguished guests you'd like to recognize?

Mayor Glover: Yes we do Mr. Chairman.

Councilman Shyne: Mr. Mayor, look like you got so many of them young ones there, and I used to be a school teacher, so if you need a little help, you can always call on me.

Mayor Glover: Well now see I'm the nice teacher Mr. Shyne. You would were the mean teacher.

Councilman Shyne: Oh, please, don't talk like that, I'm nice.

Mayor Glover: We're not going to do any paddling in here today, but I thank you for the offer, and if they get out of hand, I will call on you for a little bit of seasoned assistance.

Councilman Shyne: Thank you Mr. Mayor.

Mayor Glover: Cpl Lifford Jackson, with the Caddo Parish Sheriff's office would please come up and join us?

Sheriff Prator: Sergeant.

Mayor Glover: Oh, Sergeant. Got a field promotion right here. I'm sorry Sheriff.

Councilman Shyne: Is that our Sheriff over there?

Mayor Glover: That is. I'm going to ask - - - we might be calling him Sheriff next.

Councilman Shyne: Yeah, I used to enjoy him coming up to the Council Meeting.

Mayor Glover: Would you come up and join us as well, and is that your daughter you got back there with you Sergeant?

Sgt Jackson: No, that's my wife.

Mayor Glover: Mrs. Jackson, would you join us as well?

Councilman Shyne: Is the Chief? Chief Whitehorn, I'm going to have to tell you what Sheriff Prator told me one day, hear?

Chief Whitehorn: Yes sir.

Councilwoman Bowman: You know not to tell him nothing else.

Mayor Glover: Mr. Chairman and Members of the Council, I am honored to be standing here today with Sergeant Clifford Jackson, who is a native of Shreveport, one who is known throughout these parts, not only for his law enforcement effort, but prior to becoming a member of the Caddo Parish Sheriff's office, he was one of the most prolific athletes in the history of Shreveport area, but that's another story for another day. Being an old Green Oaks Giant, I won't talk about the exploits of a ex Gator, while we're standing here right now. But Sergeant Jackson has been with the Sheriff Department for a number of years and has rendered outstanding service, but this year he has been singled out for an honor that I believe that is without question, worthy of recognition. Known for developing highly successful crime prevention programs for all ages, Sgt Lifford Jackson has been selected for national recognition by the Forty and Eight Club. Sergeant Jackson was honored earlier this month in Alexandria, as the state's Law Officer of the Year. This coming September, he will travel to Rochester, New York to receive the National Forty & Eight Law Officer of the Year at the organization's 90<sup>th</sup> Annual Promenade Nationale. Sgt Jackson bested nominees submitted by Forty & Eight Organizations from across the country and throughout the world. Sgt Jackson has been employed as a deputy with the Caddo Sheriff's office since 1992. He is assigned to the Community Programs Division, where he has conducted and created programs designed to keep citizens of all ages safe and crime free. Sgt Jackson is a volunteer with Think First, First Offenders, Volunteers of America, and Volunteers for Youth Justice. He has developed programs including Reality Check, Scared Straight, MAD, which stands for Making a Difference, CHOICE, which stands for Choosing Healthy Options Instead of Criminal Engagement. Sgt Jackson is joined here today with our good friend, former Chief and now our current Sheriff Steve Prator and his lovely wife, Sonya Jackson, who I mistook for his oldest daughter.

Councilman Shyne: Wait a minute Mayor?

Mayor Glover: He's also joined by

Councilman Shyne You say his oldest daughter?

Mayor Glover: That's who I thought, Mr. Shyne. I'm sorry, I'm sorry. Such a young looking young lady, I thought she might have been a senior in high school, or a freshman in college, and he may even have some other family members who are here as well. Pastor Ron Perkins is there in back. Great to have you (inaudible) Pastor, great to have you here as well. And I personally communicated with his mother-in-law this past week, via email who wanted to let me and all of Shreveport know, how proud she is of her outstanding, outstanding son-in-law. So, in recognition, Sgt Jackson, and looks like we've got to get this corrected Gwen.

Ms. Campbell: I know, and we will.

Mayor Glover: In recognition of your outstanding accomplishment, it's my honor and privilege to present you this Mayor's Award of Excellence, in recognition of your outstanding honor and achievement. And it's also my honor to make you a Deputy of another sort, by presenting you with an official Deputy Mayor Pin. Please would you share some words with the Council?

Sgt Jackson: First of all, I want to thank the Lord for giving me the opportunity to be here today. And also I'd like to thank the Forty & Eight Club for recognizing me as the Law Officer of the Year, and also my wife, for being there for me because it's a lot of hours I put in just to volunteer my time. And she understood, and she was there for me. And I'd also like to thank my church and my pastor is back there in the back. He's like a rock for me, he's always there for me. My motto is this right here. I am one, but I am only one. I cannot do everything, but I can do something. That I can do, I should do, and with the help of God, I will do. I live by that and I thank you.

Councilman Shyne: Mr. Mayor, I have a question for him before he leaves. You said your wife was behind you, you said your pastor stood behind you, now how about your boss there, the Sheriff? Is he standing behind you?

Sgt Jackson: Did I forget the Sheriff?

Sheriff Prator: He's back to Corporal. I can't say it any better than you, but I would like to say something, and congratulations to you. I had a newspaper article the other day I was looking at. And it was quoting Council Member Cedric Glover, who when Chief Appointee Steve Prator came before them, said "We don't quite know him well enough to confirm him today."

Councilman Shyne: I remember that, I remember that.

Sheriff Prator: And so I just want to tell you thank you for finally confirming me, an dI don't thank I ever told you that.

Mayor Glover: Well you're more than welcome. Glad I went along with (inaudible) Mayor.

Councilman Shyne: I remember that.

Mayor Glover: Thank you Sergeant, appreciate it. And Sheriff, while you're at the mic, would you, because we've got it on the agenda for introduction or final passage regarding the Mariner?

Mr. Sibley: Introduction.

Mayor Glover: Don't know if you want to take advantage of the opportunity to share a word, tell 'em about it on yesterday, but hopefully two weeks from now, we'll be passing the final.

Sheriff Prator: Okay, 20 seconds real quickly. We thank you for the opportunity to take over the mariner, if you see fit, we will add a law enforcement presence down there, the Shreveport Police, and the Shreveport Fire Department will also be present down there at any point that they want to be part of the operation. Any time that they need it for special operations. So it's going to be a truly a joint thing, with us maintaining it, and I think it'll be a good presence down there. We'll have a law enforcement presence, we're going to hire someone to man the what we'll call a sub station. So, I think it'll be a good thing if y'all see fit, I'd appreciate it.

Mayor Glover: Thank you Sheriff, we're looking forward to the partnership, and I just got reminded by my staff that it'll have to sit over for two weeks. So, it won't be the next, but it'll be the last meeting in August. Absolutely.

Councilman Shyne: And Mayor, just before you say that, Mr. Chairman, excuse me? I was glad to hear the Sheriff say that so, sometimes when I'm a little hesitant about confirming somebody, I learned that from you hear? Thank you Sheriff.

Mayor Glover: But now also understand as he just mentioned, that I did eventually come around. Thank you Sheriff, and I'd love a copy of that if you get a chance. Gwen, do we have the - - -

Ms. Campbell: Ms. Jackson is not here, but we do have the students.

Mayor Glover: Alright, then we will - - - I see them all there behind me. I want to ask at this point in time and in addition to the young people we've got up here on the front row, I want to ask all of the members of the Parks and Recreation Department who are here as well as the Community Oriented Police Division, all the folks who were involved in helping to organize a history making event that took place here in Shreveport over the last week. The 1<sup>st</sup> Annual Law and Youth Academy that was put on here in the City of Shreveport. So all you guys on the back row, you know who I'm talking about, get on up. Neighborhood Assistance Team, Cpt Willis, alright. Now you guys are going to come and you're going to stand behind

these young folks here who are on this front row who represent, Mr. Chairman and Members of the Council the first class of the Law and Youth Academy put on by the City of Shreveport. For some years, the City of Shreveport has put on a Citizens Police Academy which I'm proud to be a member of the Class of 2006. We also have an auxiliary program that those who served in the Citizens Academy can go on, so they can even be able to offer an even greater and larger level of service. For the first time in the City's history, as the brain child of these outstanding people that you see standing here behind us, the decision was made to put forth an academy that would focus on the young people of Shreveport. And the young people that you see here sitting still behind me, represent the individuals who were a part of that first class. And so at this point, I want Cpt Willis, and Assistant Chief Jeter to join us up here and tell you all a little bit more about this effort and this program, and then we're going to recognize each of these young people not only with the trophies and the certificates that they've already received as graduates of the program, but we're also going to present them with Mayor's Awards of Excellence as well. So Cpt Jeter? I'm sorry, Assistant Chief Jeter and Cpt Willis, please join us. I'm giving promotions and demotions all over the place.

Councilman Shyne: I was checking that out.

Asst Chief Jeter: Good afternoon, as the Mayor mentioned this is the first ever youth academy that we have had, and we had an outstanding group of young people in this academy. They listened, they paid attention, they took the lessons to heart. We opened communications between the officers that you see standing behind us. The police department and these young people, I believe they had a wonderful time. They learned basically the Criminal Justice System, from beginning to end. They learned what goes into being a police officer, a detective, a crime scene investigator. What's involved in investigating a case over a period of time. They learned about the Criminal Justice System, they put on a mock trial in City Court, and we were told by Judge Kelly that they were the most prepared group that he had ever seen. They did an outstanding job, and they convicted one of my CLOs of burglary. But we had to ask the Judge to intervene, because they convicted him and gave him lethal injection as the sentence. We had to ask for him to intervene, because we really need to keep Cpl Dunn. I think he's here somewhere back there, isn't he? Good, okay. But anyway, the goal was to enhance the relationship between the youth and the police and I think we were successful, I think they had a good time and I think they learned a lot. And they did an outstanding job.

Chief Whitehorn: Mr. Chairman and Members of the Council, it started with a vision. A vision that I had as far as trying to enhance the relationship between the youth and the police. We know that we have many confrontations out there, and many times our young folks don't really understand why we do what we do. And this was an opportunity to give them some experience as to why police do the things or say the things that they say, and why do we investigate things a certain way. Not only to give them a better understanding of what we do, but hopefully, we may have developed some young police officers behind this as well. At one point, we had an Explorer Program, in fact, when I was a kid in St. Louis, I went through the Explorer Program. And it really matured me and it gave me an appreciation of right and wrong. And I hope that as a result of this academy, that these young folks sitting behind us also have a better appreciation, not only of what police do, but of right and wrong. I charged the CLO Bureau with developing this program. They did an outstanding job. We even brought in some information from White Plains Police Department, that's also doing some very innovative youth initiatives up in New York. And I think it's a success, first time ever, but not the last time. So we did make history, hopefully next year, we can make the program a little bit longer. We had even talked about, the Mayor and I even talked about the Summer Youth Program, where we pay youth to work. This may be some way we can enhance this to have a

little stipend for these youth as they go through the academy. And so another incentive to get our youth off the street and to give them something meaningful to do during the summer programs. I also want to thank SPAR for the support that they gave us. They did the transportation to and from, and without them, we probably couldn't have accomplished this. So, I want to thank SPAR also.

Mayor Glover: Outstanding Chief, you said it very well, and I'm glad you mentioned the folks from Parks and Recreation. Because it was the blending together of not only the Police Department, neighborhood assistance teams, but also Parks and Recreation. And you see behind us the actual center directors from the Valencia Center, from the David Raines Center, and from the Lakeside Center, did I get them all, who identified young people within their program and as the Chief said, made sure that those individuals got either down to the Police Station where classes were held or over to the Lakeside Center, where the graduation function was held or any other areas around the city where they held the various functions. The City Court building as well. Chief?

Chief Whitehorn: Right, and I forgot to mention some sponsors that were very instrumental in this program. Bumble Bee Cakes, Earnestine Thompson, from Caddo Council Action Agency, Don Ellis, Lakeside Area Neighborhood Association, the North Shreveport Business Association, the Louisiana Technical College, Ms. Irma Rogers of the MLK Neighborhood Association, Mr. Wilbert Williams, President at MLK Neighborhood Association, Shreveport Police Pastors, Dr. Thomas Johnson and Staff of Chiro Plus, Lyndon Johnson with Omega Psi Phi Fraternity, and Shreveport Police Department's Crime Scene Investigative Unit.

Mayor Glover: Thank you Chief, great partnership, great program, and we, as the Chief mentioned look forward to having this as the start of something that we truly believe will be even bigger and better for years to come. At this point and time, we want to invite the young people up to receive their Mayor's Award of Excellence, and I know we may be missing just a couple of them but as I call your name, would you step up and we're going to line you up in a line right behind us here. We're going to start with Akiyah Bivens, Angel N. Braxton, Kendrick Brittentine, Jacoby Brooks, LeDarius Chitman, Shehala Collins, Alexis Rodriquez, Taylor Davis, Adrian Dorsey, Johnny Dorsey, Deniseia Drew, Jimmy Hampton, David Holmes, Calvin James, Darrin Johnson, Destiny Kelly, Shytoya Kennedy, Brandon Lewis, DeTavion McDonald, Joshua Minnefield, Joseph Minnefield, Lon-Travia Morris, Lerona Owens, Issac Pogue, Issiah Pogue, Dontaveous Robinson, Falontrel Ridley, Deauqanita Russell, Shanecicia Q. Smith, Devin Swanton, Monica Thomas, Alajha White, and Jatavion Williams. Thank you all so much. Congratulations to each of you.

Councilman Webb: Mr. Mayor, I wonder how many - - - the Chief mentioned that we might have some future new recruits. I wonder how many, if they would like to raise their hands if they would like to be a future police officer.

Mayor Glover: Future police officers? Would any of you all like to share anything with the Council about what you learned, or why you might be becoming a police officer?

Councilman Webb: Might be the new Chief one day.

Mayor Glover: Anybody here the next Chief?

Unknown: I want to be Mayor.

Mayor Glover: Uh! The Mayor, we have one that wants to be the Mayor.

Councilman Shyne: Hey, she knows who the boss is.

Mayor Glover: Again Councilman Members, please don't (inaudible). Cpt Willis, I'm going to give these to you so that we can make sure that we get them to the respective (inaudible). Thank you young people, and before we conclude Mr. Chairman, I want to ask

while I have these young people here standing with me, if you all would join me in a moment of silence in honor and in recognition of the passing of a young lady who was well known, not only throughout the Shreveport/Bossier area, but throughout the country if not the world. Her brother may have been a name that many of us recognize more readily than her own, but if you were a fan of great television, if you were a fan of great theatre, or if you were a patron of the Arts, then certainly you knew the name of Judi Ann Mason. Judi Ann Mason, unfortunately passed away very suddenly on last week, and she is greatly missed by me and many, many others. And so I want to ask that you all would join us in a moment of silence. I want to also thank before we do that, Councilman Michael Long for making sure that this was something that was on my mind and that we made a point to recognize.

Councilman Long: And I have a friend of hers who'd like to come up and speak when you're through.

Mayor Glover: Absolutely. Thank you so much. So at this point, Mr. Chairman, at your direction, I'd ask that we have a moment of silence. Thank you Mr. Chairman. Thank you all and congratulations.

Councilman Webb: Were you finished Mr. Mayor? Go ahead Councilman Long. Councilman Long: I invited a good friend of Judi Mason's as my friend Dave Aiken is here, I'd like to invite him to come up and say a few words about Judi as we get everything under control here. C'mon Dave and say a few words for us.

Mr. David Aiken: I have a business here in town called EPK Louisiana, it's a broadcast, production business. Coach Shyne may not remember me, but - - -

Councilman Shyne: I remember you. Mr. Aiken: I'm from Green Oaks too!

Councilman Shyne: Now Mr. Mayor, I was very, very young.

Mr. Aiken: Yeah, he was. He was the youngest coach that was actually there. And I don't want to take much time here, actually I was just surprised by Councilman Long who gave me a few words that I wrote on my Facebook page of all things, that I wasn't really prepared to deliver, but I will. Because you went to the trouble to do that. But just in brief, Judi was a daughter of Shreveport, was a playwright, screenwriter, producer, many, many things. Behind the scenes a lot. You know the actors get all the credit all the time, but she wrote for programs that we all know, things like the Cosby Show, Different World, Sanford and Son, movies with Whoopie Goldberg, Good Times, that is actually how I met Judi Ann. I do a lot of work for some of the entertainment shows, for Entertainment Tonight, several years back, I interviewed her for that program when she was residing here in town. She passed away when she was residing in Los Angeles, but that's how we met. And we became fast friends, we ended up working together with Pastor E. Edward Jones at Galilee Baptist Church in getting Pastor Jones on television, which is something he wanted for years, and Judi is really responsible for him (inaudible) that vision. So you know all those shows that you see, and that you see and you hear those jokes, and you hear those clips, and you hear those things, that's a little piece of Shreveport. That's a little piece of Red River mud, a little piece of this area that will live on forever that she's been involved with and that she's written. And I'm actually working on two projects that we are going to complete. One that will feature Shreveport prominently, a play about Katrina, called how Katrina plays, that's going to debut in Los Angeles August 29<sup>th</sup>. And a large portion of that play will deal with her brother, Mr. B. J. Mason who passed away, but who was really responsible for helping a lot of the evacuees at Hirsch Coliseum when Hirsch Coliseum was used as a Katrina evacuee center. So that's a large part of that play. And then she's got a motion picture in pre-production called Motherland about a group of African-American students who go back to the motherland to Africa. Going to be a big picture, and I'm just so sorry that she's not going to be around to realize that whole vision, but it's a screenplay that she wrote. And I'll say this (inaudible) my buddy, Councilman Long (inaudible), I had just written a few words on my Facebook page to describe her, and they are just words. But "Loving mother, hip chick, social activist, producer, playwright, screenwriter, ground breaker, risk taker, innovator, rule breaker, smart, saucy, sassy, sexy, classy, funny, sunny, brazen, beautiful, modest, outspoken, never token, reserved, respected, respectful, soul shaker, play maker, poet, princess, word siren, teacher, preacher, Jesus power true seeker, sweet spirit and spirit filled, that's the Judi Ann Mason I knew." Thank y'all so much.

Councilman Shyne: Okay, it's good to see somebody from Green Oaks too.

Mr. Aiken: Absolutely.

Mayor Glover: Mr. Chairman, words well spoken, and certainly a blessing to me and all those who loved Judi Mason. And also I know he's here, because there's a resolution in recognition of him. So, I don't know if the Council is going to suspend the rules and move up, but we're very happy, very proud to see Shreveport's own, Stromile Swift here with us today.

Councilman Webb: Yes sir, Councilwoman Bowman's going to recognize him from the Council Members here.

Mr. Thompson: Mr. Chairman, I don't believe that we did the minutes.

Councilwoman Bowman: Right.

Mr. Thompson: Could we go back and approve the minutes?

Councilman Webb: We pass right by that, didn't we? Alright, lets do that. I'll take a motion to approve the minutes.

Motion by Councilman Shyne, seconded by Councilman Wooley to approve the minutes of the Administrative Conference, Monday July 13, 2009, and Council Meeting, Tuesday, July 14, 2009. 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.

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

Councilman Webb: Okay, Councilwoman Bowman, you want to do your recognition? Councilwoman Bowman: Yes sir, I would like to take the time to - - - Councilman Long is signing right now, but take the time to read the resolution, and then - - -

Mr. Thompson: Mr. Chairman, I believe we have this on for introduction, I think we need to suspend the rules to bring it up for introduction, and then after that - - -

Councilman Shyne: I'll second it if - - -

# Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Shyne</u> to suspend the rules to add Resolution No. 148 of 2009 to the agenda.

Mr. Thompson: Mr. Chairman, we also need to know whether or not there is anybody who wishes to speak for or against - - -

Councilman Webb: Okay. Is there anybody in the Chamber who would like to speak for or against adding this to the agenda? Okay. Lets vote then please.

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.

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Shyne</u> to add Resolution No. 148 of 2009 to the agenda. 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 Webb: Okay, now we can do it.

Councilwoman Bowman: Okay. Lot of procedures. Mr. Chairman, at this time, I would like to invite Mr. Stromile Swift up, please.

Councilman Shyne: Look like he went to Fair Park doesn't he?

Councilman Webb: Yes sir.

Councilman Shyne: Mayor, I've been around. Green Oaks, Fair Park, Booker T.

Councilwoman Bowman: Before I read this resolution, I certainly want to let you know how I personally feel as Council Person representing District G. Want you to know that I appreciate so much you giving back to our community especially. Want you to know that even before you had this foundation formed, that your mother gave out the Thanksgiving Baskets, and the Christmas toys, and bicycles to our community. We appreciated that. And now through your foundation, you have the kidney foundation in your mother's name. And believe me, she's proud of you today. And so am I. I thank you for giving back to Fair Park and for all the things that you do, not just for Queensborough and that community, but for the City of Shreveport as well. You are what I consider to be a true role model, and I thank you so much for all that you do. I want to read this resolution from the Council.

Councilwoman Bowman read the following:

#### **RESOLUTION NO. 148 OF 2009**

A RESOLUTION RECOGNIZING MR. STROMILE SWIFT AND THE SWIFT FOUNDATION FOR THEIR CHARITABLE WORKS IN AND AROUND SHREVEPORT, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY: COUNCILWOMAN BOWMAN

**WHEREAS,** Mr. Stromile Swift was born in Shreveport, Louisiana, attended Fair Park High School, LSU, and is currently a Power Forward in the NBA; and

**WHEREAS**, Mr. Stromile Swift believes in the importance of making a difference in the lives of Shreveport-Bossier City's underserved families; and

**WHEREAS,** Mr. Stromile Swift founded the Swift Foundation in the summer of 2008 after completing his eighth year in the NBA; and

**WHEREAS**, the Swift Foundation's primary focus is promoting the dreams and aspirations of academically challenged youth by supporting local community, educational, and personal development programs and organizations.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport recognizes Stromile Swift and the Swift Foundation for their many charitable works.

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

Councilwoman Bowman: This is signed by our Honorable Chairman, Mr. Ron Webb, and the entire Council for the City of Shreveport. And before I present this, we finish our presentation, I'm going to ask all of our fellow Council Members and our Mayor to come down and congratulate you and take a photo op.

Councilman Shyne: Joyce I just want to say this from the Council seat. Stromile, I want you to know that we are extremely proud of you. We have too many professional athletes who leave their community, who never go back, who never give back, and it just goes to show you how big you are. And when people talk about Christianity, this is what Christianity is all about. It's not about just jumping up and shouting, and waving your hands and falling out on Sundays, but this is about, am I my brother's keeper. You are demonstrating that you are your brother's keeper. And you would be surprised now, remember this, you would be surprised at how many young people that are watching you, that you don't even know anything about. So, make sure that you keep on living. I mean the best sermon that anybody can preach is the life that you live. I have watched you, cause I taught at Fair Park for a long time. Now I'm not going to tell anybody how long, cause they'll be trying to add my age up. But I want you to know as a Fair Park Indian, we are extremely proud of you, and it makes me feel good because I tell people, hey, this is what we instill in Fair Park folks. If you went somewhere else, you didn't get that. If you come to Fair Park, you'll get that. You'll learn how to give back. So, I just wanted to let you know continue to do what you're doing, because we're all watching you, and keep on. God bless you.

Councilman Walford: Mr. Chairman, he's not going to remember this, but one year he had the booth next to mine at the Gentleman's Cooking Classic, and we got the biggest kick out of watching him because he was like a kid magnet. And he took the time for all of them. And I mean, I never knew that many young small children went to the Cooking Classic, but they were there, he was signing autographs, and they were just in awe. So, it was fun to watch.

Mr. Thompson: Mr. Chairman, since he took the resolution, we probably need to adopt it.

Councilwoman Bowman. Yes. So moved.

Councilman Shyne: Second.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Shyne</u> to adopt Resolution No. 148 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Councilman Webb: Mr. Thompson, I had a couple of representatives here from the IMAX that filled out a card to speak.

Mayor Glover: Mr. Chairman, before we get that far, could I make a comment regarding Stromile before he leaves?

Councilman Webb: Okay. Stromile, before you leave.

Mayor Glover: Before you leave, just wanted to let you know again, speaking from the Mayor's office, how much we support the resolution being done here today by the Council, and again, in line with what Councilman Shyne just said, the life that you have led and are leading speaks volumes to the young people of this city, so we appreciate you. And the great weekend,

that you and your family put on as the inaugural kick off for your foundation was outstanding, but I tell you the part of it that was the most fun, cause I know there were a lot of VIPs enjoyed all the great things that happened with all the various celebrities and what have you, but the thing that spoke most to me and I believe to this city, was the Sunday afternoon that you put on and that you sponsored, Mr. Chairman out in your part of town, at the Southern Hills Park, where you made a day of family fun for literally hundreds of Shreveport's young people who had a chance to come out and had chance to meet you, and have a great day of fun and enjoyment. So, we appreciate you, we honor you and we look forward to continuing to work with you. Thank you. Appreciate it. Thank you Mr. Chairman.

Councilman Webb: That was actually for introduction and not adoption. Is that correct?

Mr. Thompson: That's correct. We're not talking about Mr. Swift.

Councilman Webb: On the Sci-Port thing, I was going t ask if we needed to suspend the rules to allow them to come up as well.

Mr. Thompson: Yes, if you want them to speak now, then you would need to suspend the rules.

Motion by Councilman Shyne, seconded by Councilman Bowman to suspend the rules to allow Sci-Port representatives to speak. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Ann Fumarolo: (7549 University Dr) I did pass out a bunch of information, because I know that the IMAX contract has kinda come up at your meeting yesterday after meeting with Shelly and Terri, and Rick. And what I wanted to do is just give you just some additional information. If you look at the front, as I understand history, because I wasn't there, this was a collaboration between the City and Sci-Port and the city does own the lease on the IMAX. And if you look at the beginning how the IMAX is run, was that there are admissions that we receive for the IMAX, and we've been using about \$200,000 of the city's support that we were given every year for that IMAX. And then the expenses against the IMAX have been the staffing, our benefits, marketing (indirect), and if you look at IMAX costs, you will see them on the next page what the IMAX costs which we pay so much for every film we use. We pay so much for every person who sits in the seat, and all of those things. And I just kinda wanted you to have this, but I also put in the packet, three years of our expenditures, of what we use the City money for, and you'll see that the City money was always designated for IMAX and the travel exhibits. And because we have a wonderful working relationship with the city, and we appreciate everything the Council has done for us. It is a delight working with Shelly Ragle and Terri Scott, and Rick and Russell, and it has not ever been an issue. I think this is an awesome collaboration. Collaborations are great when there's a lot of money, but at this point, we want to be someone who collaborates with the city and we're just giving you the information about what the IMAX was. So that when you have further discussion, you have what that information is. It is an expensive center. It's always been used as a marketing tool for a science center. I think there are very few IMAX domed theatres who make money. It's always a loss leader. It's something that brings people to the Riverfront and it's used as a marketing tool. But again, I want to thank everybody cause it's been a delight working with them. And I'm going to turn it over to Robert Stroud. We did bring a contingency from Sci-Port's staff, and our Board, 1) says thank you. And if anybody has any questions, feel free to ask 'em.

Mr. Robert Stroud: (8917 E. Kings Hwy) I'm also Chairman of Sci-Port, the current Chairman of Sci-Port. Honorable Mayor and Honorable City Council Members, I could stand before you and expound upon all the benefit that our area garners from what is considers and is one of the top 10 science centers in the nation. I could expound on the importance of having students from all the schools in this region visit for hands on learning. I could mention the prolonged impact having such a fantastic attraction at our Riverfront, drawing attendees from our region to our area. But we all know these facts, so I'll delve into the need of this subject. Sci-Port was conceived, fostered and has been sustained as a partnership between the City of Shreveport and Sci-Port. This is it's history and should be it's future. In the past the funds provided by the City of Shreveport were used as Ann has talked about for the maintenance and the projector fees associated with maintaining the IMAX theatre. As she also mentioned the IMAX is actually a lease with the City of Shreveport, it is not a lease with Sci-Port, it's a lease with the City of Shreveport. The funds have also been used for some of the traveling exhibits, which we contract and bring to Sci-Port. Since it's opening, Sci-Port has done it's part, and I insure you that it's facilities programs are state of the art. Granted these are challenging economic times for non-profits, businesses, individuals, and even government. During the past year, Sci-Port has done the following to reduce our costs, without ever compromising the quality of our offerings. We've closed on Monday, we've reduced our programming expenses, administrative expenses and payroll expenses by 19%. We've increased earned revenue by over \$400,000, we set up a school buss scholarship program to provide transportation for the schools in the area. We were having a problem. The schools had funding to come to Sci-Port, but they didn't have funding to get to Sci-Port, so we've set up a scholarship program to alleviate that problem. Regardless of canceling all the traveling exhibits, all of our traveling exhibits that we were bringing in, we've cancelled all of those for a cost savings of \$90,000 in the coming year. Our current funding loses include \$273,000 from the City of Shreveport. \$20,000 from Caddo Parish, and \$150,000 from the State of Louisiana. Totaling \$443,000, or 13% of our annual operating budget. It should be noted at our present levels, funding from the City of Bossier and Bossier Parish exceeds that of the City of Shreveport and Caddo Parish. They support us more than our own, more than the people where we're located. We are doing everything in our power, not only to maintain, we're not saying status quo, but we're building upon our reputation of excellence in this community, and have garnered national and now international exposure for this. We bring not only families to the Riverfront, but a very positive recognition to Shreveport and our area exhibiting our commitment to education. We have surpassed our contractual commitments with the City of Shreveport. This as I said was done as a collaborative project between the City and Sci-Port, and should continue.

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

#### Reports:

Councilman Webb: Thank you. Okay, we want to go to Property Standards Report. Mr. Holt?

Property Standards Report

Mr. Holt: Thank you Mr. Chairman, as a follow up to yesterday's Work Session, I've laid a piece of paper in front of each of you that outlines the amendment to Ordinance No. 84

which is on first reading. I can answer questions about that now, or at anytime over the next two week period if you have 'em. Other than that I'll take any concerns you have.

Councilman Wooley: Jim, Mr. Barnes is the gentleman that lived on the corner Willard and E. 63<sup>rd</sup> Street. His number is 617-0564. He called saying that he had gone through the process of purchasing a piece of adjudicated property. Obviously took some time to go to the legal process, and now they want to demolish the home, and he just got recently got the property about three months ago. I don't know all the details, he just kinda briefly explained it, and we had to get off the phone at the moment. Could you call him and get the details from him, and find out exactly what's going on?

Mr. Holt: He acquired adjudicated property?

Councilman Wooley: Or some property, I don't know if he - - -

Mr. Holt: And we tore it down?

Councilman Wooley: He's got some property, I don't know all the specifics, just had a brief conversation. I had to go to a meeting. So I just took the number.

Mr. Holt: I've got his name and number. E. 63<sup>rd</sup> and what?

Councilman Wooley: Willard. He said he received some letter from the City saying they're going to demolish the house that he just recently got.

Mr. Holt: I'll find out in the morning.

Councilman Webb: Anybody else got anything? Alright, thank you Jim. Mr. Sibley, Revenue Collection Plan.

## Revenue Collection Plan & Implementation Report

Mr. Sibley: Thank you Mr. Chairman. Let me first of all apologize to Sharon. I gave that to her and said Property Standards, so she was about to pass it out a moment ago. But as indicated last time, we were going to go into more detail on the process and procedures for Code charges and Adjudicated Property charges. You have it there in written format. And as usual if there are any specific questions, we'll take them, but also wanted to take a moment to say that in response to the Council's decision to postpone the matter that was discussed yesterday, we're actually trying to take that particular matter and use it as a model to demonstrate exactly how the collection process works in determining what those charges are, what we can do about those charges, which ones are collectible and which ones are not. So, we're going to take advantage of the time in postponing that matter to use that in order to demonstrate what's there in theory, how it actually works as a practical matter. But if there are any specific questions that you have right now, we'd be more than happy to take them.

Mayor Glover: Mr. Chairman, just want to make sure - - - I don't know if - - - I know my Chief Administrative Officer is always one to be delicate when it comes to dealing with these sorts of matters, but I want to be very specific and direct. He's referring to the Bear Grigsby matter from yesterday, so that there's no - - - I want to make sure that that's on the record.

Councilman Walford: One of the things that we were supposed to get though is how collections are going, and we're about 100 days since I brought all this up. How much are we collecting?

Mr. Sibley: The biggest problem we have Mr. Walford, and what you'll see when you read the information is most of the processes that are available to us end up in us basically receiving adjudicated properties and absent the tax sale, where we received a fairly significant amount this year, that really doesn't leave us a whole lot of options. One of the things we've discovered though - - -well in addition to the adjudicated property program which we actually

think is going to help unload some of that property, but one of the things that we've discovered is there's been a change in the IRS laws that may allow us to do more in occupational licenses collections because apparently there's a program, that if your city's above 100,000 that number has been reduced to 240,000. We're talking about collaborating with the Parish to do a joint collection that will give us access to more business tax returns and putting us in a better position to verify what businesses are and what taxes they're supposed to pay. But the major part of those monies that are due that fall within that adjudicated property context, which ultimately ends up with us having more property than money. So, one of the things that we think may happen now, and it's been a policy decision as I appreciate it historically, there is a provision that may allow us to, and I think it's been discussed before, offer some of those properties for sale, even though they may have a tax sale interest in them. And we're examining that, but other than being able to adopt a policy where the city goes out and advertises these properties for sale, what we're basically stuck with ending up with quite a bit of adjudicated property and then having to dispose of it through one of the adjudicated property programs.

Councilman Walford: But when somebody just decides to quit paying the taxes, does that alleviate them of all responsibilities that they may have?

Mr. Sibley: We can only go by what the law says Mr. Walford. And the processes that are outlined there are what the city does.

Councilman Walford: (Inaudible) believe that.

Mr. Sibley: And we're a little bit limited. As I said ultimately, you get a judgement against a person, and like any judgement you try to collect, if you lucky, you can, but if not, we seize the property, and then we have the property.

Councilman Walford: One thing we have to do is quit rewarding those who have adjudicated property, and we've had two examples of it. One of them, as you could tell, I was not happy. He was actually the reason that Councilman Lester and I worked on that ordinance and then to find out that he was rewarded with a \$191,000 just galled me to no end. I asked you last time how you checked folks that you hired. One of our bond team had adjudicated property when you hired them. It was taken care of when I brought it to the previous CAO's attention. Another attorney that we hired, owed taxes. I just don't want to see us rewarding anybody who thumbs their nose at us as far as owing taxes and not paying.

Mr. Sibley: I think the steps that y'all have taken, and that which we're taking as the Administration is addressing those issues is as we continue to identify them as the ones you pointed out, then we'll correct that. But a lot of that Mr. Walford, as you know is historical. And we're trying to catch it and we're trying to correct it, and we're trying to fix the system so that it can happen in the future. But the processes are there, and they're moving and they're catching a lot of it, but there's a lot of it that we simply can't get in dollars. We end up with property, but we don't have the dollars.

Councilman Walford: How are we doing on parking?

Mr. Sibley: The DDA has ordered the automated boots. There is a question though that the Council is going to have to address, and that is the issue and basically we asked them to provide us information so that we can provide it to you. But one of the things that Mr. Shea indicated is they'd like to raise the booting fees from the current \$30 to \$130.00. Our concern was the additional \$100, simply goes to the provider. And we wanted a little bit more explanation, and Mr. Shea and the DDA has kinda sent us some more data comparing what we charge for boots versus what other people charge for boots, but that's one of the issues that will have to be addressed by the Council in terms of changing that ordinance to increase that boot fee that's directly tied to the automated boots that they're currently ordering. There are three of

the old type boots. We asked why can't we go ahead and get started with those, but the problem with the old type boots is then you've got to have people manually go out, put them on, take them off, and that requires working with SPD or working with the DDA security guys to work that system out. So that process is moving, the hearing officer indoctrination is going on, they're waiting to get the automated boots in, but there are a set of additional steps that the Council will have to consider in terms of what fee is attached to that booting process. So that process is still moving.

Councilman Walford: Do we have any time frame? I'd understood the boots could be shipped in like two days from when they were ordered.

Mr. Sibley: Yes sir, and when I spoke to Mr. Shea last, they'd just got the authorization. They wanted to get the authorization from us to order the boots. And until actually we have the discussion with you guys in terms of whether or not you want to increase that fee, because that's directly tied to the company that they want to order the boots from. If the Council is not inclined to increase that fee to \$130.00, then the company that they're talking to, they won't go forward with that particular company. But what it seemed from the information that he submitted, almost all those companies have a similar arrangement where there is a fee that they want tacked on top of the base fee and by ordinance that's \$30 that basically goes to them.

Councilman Walford: But that's the convenience fee for getting the boot off immediately? Am I correct?

Mr. Sibley: That's correct.

Councilman Walford: Otherwise you wait until DDA's available, and then you get our car back.

Mr. Sibley: But as I appreciate it Mr. Walford, the and I won't speak for the DDA, but as I appreciate it, what's been shared with me, that \$100 or \$130 if in fact y'all do that, would apply whether you swipe it right there and get it off, or whether you go down to the impound and get it off.

Councilman Walford: Okay, thank you.

Councilman Long: I'm think that probably some of this adjudicated tax collection is also entwined in the whole state's tax sale program. Which is Terri, I mean that's kinda of what's - - - that's part of the complication of all this?

Ms. Scott: It's part of the complication, but it's now part of the solution, that Act 819 from last year.

Councilman Long: That's what I was going to ask you. What happened in this last legislative session?

Ms. Scott: There was an amendment to 819 that allowed us to go back and reinstitute, if you will, our \$1 program, and it also gave us some additional authority that we didn't have. Which was to expand to another program. Let me back up. Our previous \$1 program allowed us to sell property for \$1. And that was our decision to sell it for the \$1.

Councilman Shyne: If it was next to - - -.

Ms. Scott: Exactly, to the adjoining property owner provided they'd maintained the property for at least one year prior to the date of the sale. The new legislation does not include the same limitation of selling only a vacant lot as the previous legislation did. This new legislation that will become effective on the 15<sup>th</sup> of August will allow us to sell any adjudicated property to an adjoining landowner, and we can adopt an ordinance that sets up the type of program that we want to have. So, it was bad in that we lost the ability to the \$1 vacant lot program, but under the new law, we have the opportunity to come in and expand our program

beyond the vacant lots. We can now sell any adjudicated property an adjoining landowner subject to the same condition that they maintained the property.

Councilman Long: Whether it's vacant or not. Right?

Ms. Scott: Whether it's a vacant lot.

Councilman Long: If there's a structure on it or whatever? Okay. Correct me if I'm wrong. I know that the old states tax sales program, theoretically anybody that steps in and buys the tax interest, they're supposed to be maintaining future taxes to uphold their interest. Is that correct?

Ms. Scott: In theory.

Councilman Long: Or is that where it's all vague.

Ms. Scott: But what happens is that a person may buy a property at a tax sale one year, and then the next year not pay the taxes. The property is then assessed in the previous tax sale purchasers name, and there is no state law dictates what our authority is and the mechanism and the procedure in order to sell that property again. Because once it's not sold at a tax sale, it becomes adjudicated property. And state law dictates the procedure for tax sales as well as gives us the authority and sets the procedure for using the authority to sell or otherwise convey any of the adjudicated properties. So unlike a property standards property, that where the amount of the property standards liens have not been added to the property taxes, just the traditional property where the city has gone out and cut a house or cut the grass or removed an inop or whatever, and the amount of those charges are sent as a bill to the property owner, and then a lien is subsequently filed against that property. We can collect or attempt to collect that money in any number of ways that are spelled out in the report that you have. However, once those lien costs are added to the tax bill, then state law dictates how we collect that amount, because it now becomes part of the tax bill. And once it becomes a part of the tax bill, we are extremely in what we can do. So, we can't go out and file a lawsuit against that property owner to try to collect the amount of that property standards charges or the amount of the taxes.

Mr. Sibley: And Mr. Chairman, if I may, that's one of the things. Some of the things that you'll see in that report will have to come back because they're policy decisions. As I appreciate it, the decision that was made to add the lien charges to the tax rolls as Terri just indicated, was simply a policy decision that was made. So it could be that we go back, reverse that, leave them separate because then they're on two separate tracks, where one may result in a judgement that may end up in money, and the other result in an adjudicated property that we then have to dispose of under the adjudicated property program. So, there'll be some things that will be coming back, going okay, these are policy decisions that you guys have to guide us in how you want to do certain things.

Councilman Long: Well I'm hopeful that over time that we can, or somebody can go back to the legislature and keep tweaking this thing, because it's obviously broke. These tax sale buyers go in and take a position of property. And you know that's their whole thing, they just take little pieces of many properties, in hopes to try to make a return on their money. And from my understanding is we have billion dollar companies that are spending a lot of money here. Because at the rate of return they get on their investment is much greater than they can do otherwise. It's wild, but at the end of the day, it just leaves a wreck for all of us, trying to figure out what to do with all this property, and it's a disservice to what it was all intended to do in the first place. I'll just continue to try to talk to our local area legislators and maybe we'll get some more help.

Councilman Lester: I just wanted to, real briefly, the problem that we're facing in terms of adjudicated property isn't just a Shreveport problem. I mean it is a national problem. There is an organization that I (inaudible) their website, and I know that Ms. Glass has as well, is the

National Vacant Properties Campaign. And nationally, you have that problem because as you said Councilman Long, most of the companies that are coming and buying up the interest in them are almost all either headquartered in Atlanta, Virginia, or Florida. Because they can get the tax shield and the rate of return on that in some cases, 14, 15, and 19%. And so a lot of times to bring this home to the people that are watching, when you're up late at night and you watch these shows where people are talking about, oh I got this property for \$500, blah, blah, blah, that's a lot of what they're talking about. And the problem that it comes on at a municipal level is you know we're left chasing them in terms of it's an out of state, nonresponsive person who has a lawyer or an agent within your jurisdiction who actually comes down and actually physically buys them because how could someone in Hampton, VA know about a property on Logan Street? They can't. They have someone locally that's just buying these things (inaudible). And for what it's worth, there are a number of local companies that trade in this particular business also. What's going to wind up having to happen is we're going to have to make a decision as a city to get rid of these properties. I mean, period, end of sentence. I mean in terms of we can go the route and Councilman Walford, we've been down here long enough. We've tried sending the green cards. Well when you \$5 a green card times 5,000 properties, it gets expensive real fast. And then those cards are not being returned and then you've got to wait before we turn Jim Holt and his guys loose and cut the grass, and then you've gone the grass season and no grass is cut. And then you say well you know what, we're just going to cut the grass, and then you look up and Jim tells you, oh by the way, this year we spent another \$800,000 cutting grass, about \$500,000 of that is adjudicated property. So at some point, we're going to have to use those tools that we have, and we've got a couple on the agenda today with some stuff we're trying to do in Allendale in terms of just identifying property that has been adjudicated for more than at least three years or the five year program and just have the city go and literally file monition suits on it, call it ours. Because if we've been cutting the grass for five years, it's ours. I mean it has been abandoned for all intents and purposes. And I think it would be much better for us in the long term to actually get it, because clearly we're maintaining it, bundle it and finding some developers or (inaudible). I mean whose to say that we've got to spend \$80 or \$100 a cut to enrich a contractor for a property that's going to be problematic. I mean there's got to be a way for us to do it a lot better than that. And I want to, I guess say thank you to Representative Burrell because in that legislation that they did the session before, they helped us in terms of getting clear title. Because one of the other issues was getting clear title once you decided to do something with it. But then we had the problem that they had to correct, and at least they did correct that, and we've got additional powers. But it's not a solution that's just a Shreveport solution, it's going to have to be, it's a problem that everybody has. And I think we're going to have to look at doing something outside the box because in these budgetary times, it absolutely makes no sense for us spending \$500,000 cutting grass on property that is ours, but technically is not ours. Lets just go make it ours and heck if we just did anything but get it and sell it, you know that could be some income and that could be less money that we would have to spend and we could do some of these other things.

Ms. Scott: Mr. Lester, if I may, to follow up on something you just said, the Mayor repeated about four times yesterday rather forcibly that one of the things he's looking for is to get outside of that box. And one of the things if you'll notice on your report and Subsection A, under Property Standards, is one of those out of the box things that we will consider. State law allows us to sell with regard to Property Standards to collect property standard lien charges, the ability to sell the property for the amount of the lien cost. It also provides that we utilize the same process that we do for tax sale property. We have not heretofore, and this is not

legislation that is specific to the City of Shreveport, it is just general legislation. But it provides the authority that at least in this city, we have not used or considered using before because of some reservations about it. However, the time has come for us to step outside of that box, and to utilize any remedies or options that we have, and this is one of them. And so we will be exploring the possibility of actually selling property for the amount of the lien cost, and if we can do that and sell those properties, then it saves that property or those lien costs from becoming a part of the tax notice that are a part of the tax bill, such that it may or may not be sold at a tax sale. So as many of those properties as you can keep off of the tax rolls, or as much of that costs that you can keep off the tax rolls, then that's probably provides a better environment and the likelihood that those properties may be sold at a tax sale.

Councilman Lester: We need to do something and just by way of (inaudible), I mentioned to the Mayor and to the CAO, and I think to Councilman Walford was with me, as it relates to the whole DDA thing, I don't even know why we're still having this conversation with DDA administering the parking fees. I mean, if you look and see what - - - look at the amount that we're paying them to administer the parking contract, which is somewhere in the neighborhood of about \$400,000, Councilman Walford? And if you look at what's outstanding of what they have not collected, it's over \$200,000, I mean we continue to supplement a program through DDA that's not working. I mean, why are we paying them \$400,000 to administer a parking program that is ostensibly what four gentlemen that walk around and operating dealing with the citations. You've got an administrator. To me, it just doesn't make sense. And whenever we have pressed them about doing things, they always throw their hands up and say well the city needs to. Well if the city needs to, the city needs to take that contract back, do what - - - something that Council Member Bowman said is use that \$400,000 and we have suggested to, and hire some collection folks to not only collect the \$200,000 that's owed from a parking standpoint, but go out and do other municipal collections in house. And deal with it from that perspective since all the decisions that have to deal with parking are going to have to be made by us anyway, it just doesn't make sense for us to even spend the money. I mean, you know in the neighborhood, excuse me Joe for using a colloquialism, they would say that's hustlin' backwards. Thank you Mr. Chairman.

Councilman Walford: Y'all are making my day. I'm hearing two things that I really like. C. on your list, if this doesn't go on the tax bill, we can go after the owner in Caddo District Court. And Mr. Lester and I know that some of these people have got lots of money. And there's nothing I would love better than seeing us go after that in court. And Ms. Scott, what I'm hearing you say is that under A. is that we could sell the property much earlier before we have to wait three years for a dilapidated structure to be unsalvageable. If we file our liens and then sell it for the lien amount?

Ms. Scott: Yes sir, we file our liens and wait six months. The property owner has six months and if the lien charges are not paid within six months of the filing of the lien, then we have the authority of the state law to sell the property, offer the property for sale for the amount of the lien cost.

Councilman Walford: And what I'm hearing from the CAO is this is just a policy change that - - -

Mr. Sibley: That's my appreciation Mr. Walford. The decision was made to add those costs to the tax sale portion of it, but by reversing that, that we may be allowed to go on those separate facts. One in terms of taxes, one in terms of liens and code charges.

Councilman Walford: Well sounds to me like the other policy is a failed one, and now we're getting outside the Mayor's box he's talking about. I think it's a policy we need to change.

Mr. Sibley: That's what (inaudible)

Councilman Walford: We will discourage people from adjudicating their property and thumbing their nose at us when they start losing some properties much earlier than they would the other way. And most of them know just like the gentleman who stood here yesterday. That piece of property was adjudicated in 1993. But you heard him talking about collecting his rent on it. We've got to break that cycle. And instead of him getting money, lets get the money here. But I mean, you've got two things on here that look to me like what I want to hear. And I would imagine these other folks up here, instead of spending money, it's time we start collecting money. And I would think a lot of these properties would sell for the lien amount.

Mr. Sibley: We will move in that direction Mr. Walford.

Councilman Shyne: Mr. Mayor, I think you know that this is not a new problem. We were dealing with this problem the first day you stepped on the Council, was it 16 years ago, or?

Mayor Glover: Almost 20 Mr. Shyne. Councilman Shyne: Ooh. Don't scare me.

Mayor Glover: November 1990.

Councilman Shyne: You know we had that problem then. This is a problem that we're just going to have to cut at a little bit at a time, and this is not something that we're going to be able to overcome overnight. But I really believe that if we- - - in some communities, and of course this is not about the DDA downtown, putting boots, but in some of these communities like Mooretown, and Queensborough, and maybe Allendale, and Cooper Road and Hollywood and Cedar Grove, there are a lot of people out there that live next door to a piece of adjudicated property. If we push this program, where they can get this lot for \$1, I really believe that we could take 3 or 4,000 pieces of property off the rolls, that probably in the long run would save Jim maybe a couple hundred-thousand dollars or more in cutting this property. Because I've had a lot of people to call me that are in these neighborhoods that would buy the lot next door to them. Even if it's on both sides, they would buy it, they would keep it clean. They would keep it cut. This would save us money. So, we do have one tool that if we really push it, we can get some of these off. But now a lot of this that we're talking about, I think you and I both might be out of city hall before we come up with a solution, because when the Mayor got here, I hate to say it, I might have been here then about 12 years, and we had the problem then. We still got the problem now. So we're just going to have to chop at it a little bit at a time, that's the only way we're going to be able to get rid of it.

Councilman Walford: But they're showing us two good tools to do it with.

Councilman Shyne: Right, but that's what I'm saying, we've got to push it. And we've got to experience the success that we're getting, if I'm making any sense to you.

Mayor Glover: Mr. Shyne, yes you are. And as Councilman Walford just mentioned, what we've given you all today represents two good tools to add to our belt, but also Mr. Shyne, a third tool is the one that you just referenced, a program that when we started it off was extremely popular, literally hundreds of pieces of property ended up going back onto the tax rolls, back into commerce, unfortunately, we ended up with a mixed blessing last year as Councilman Lester just mentioned, one piece of legislation made it easier for us to get clear title to property, also took away our ability to be able to continue to administer that program. Again, thanks to Representative Burrell and members of the legislature, that inadvertent act was corrected this year. And so, effective and Terri correct me if I'm wrong, August 17<sup>th</sup> or 15<sup>th</sup>? August 15<sup>th</sup>, that \$1 adjudicated lot program will return back to the City of Shreveport, and it will be as I think Councilman Long just referenced, even better than what it was

previously. It won't just have to just simply be a vacant lot. It can be any piece of adjudicated property, vacant or otherwise.

Councilman Shyne: Can we advertise that day? I mean so the people in the community will know when the program will start back?

Mayor Glover: I believe that hopefully Trish Williford and Mr. Adam Causey will help us with that, but I can assure you that we will do a press release that we will prepare. We'll do it jointly with the Council, in fact we may even ask that Jim and Mike and Bonnie get together and find us a couple of pieces of property that may be a good example on a particular street. We'll even do it in District F.

Councilman Shyne: Great!

Councilwoman Bowman: I've got some in District G.

Mayor Glover: Or we can do a tour. And show an example of some of the property that would be immediately available for that \$1 program again. And so all the names that I just called off, anybody else whose connected to it, please go to work on that.

Councilman Shyne: I know Adam will. I believe Trish will too!

Mr. Sibley: That' concludes it Mr. Chairman, if there are no further questions.

Councilman Walford: Only that it was a very good report Mr. Chairman. They gave us some good news.

Councilman Webb: It's getting better everyday.

Public Hearing: None.

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

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])

*The Clerk read the following:* 

- 1. **Resolution No. 149 of 2009**: A resolution ratifying the execution of a cooperative endeavor agreement with Sportspectrum, INC., in conjunction with the River Cities Triathlon and to otherwise provide with respect thereto.
- 2. <u>Ordinance No. 91 of 2009</u>: An ordinance amending the 2009 Information Technology Internal Service Fund Budget, and to otherwise provide with respect thereto.
- 3. **Minutes of the Special Council Meeting** held on July 24, 2009.

Councilman Webb: Are there any persons in the chamber that would like to speak in favor or in opposition to adding this to our agenda?

Motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Wooley</u> to add Resolution No. 149 of 2009, Ordinance No. 91 of 2009 and the Minutes of the Special Council Meeting, July 24, 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Mr. Thompson: Mr. Chairman, since we've passed the place on the agenda to approve the minutes, it may be in order to approve these special or consider the Special Meeting Minutes at this point.

Councilman Walford: So moved on the approval of the minutes for July 24th.

Councilman Wooley: Second.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to approve the minutes of the Special Meeting, July 24, 2009.

## SHREVEPORT CITY COUNCIL SPECIAL MEETING MINUTES July 24, 2009

The Special Meeting of the Shreveport City Council was called to order by Chairman Ron Webb at 3:00 p.m., Friday, July 24, 2009, in the Government Chamber Conference Room, Government Plaza 505 Travis Street, Shreveport, LA (The meeting was called by Chairman Ron Webb, and a public notice was posted, to hold a Special Meeting to consider Resolution No. 130 of 2009, and convene an Executive Session to discuss the following litigation:

Louisiana Proteins, Inc. v. City of Shreveport, Cedric B. Glover, Calvin B. Lester, R. M. Walford, Michael D. Long, Bryan K. Wooley, Rob Webb, Joe Shyne, and Joyce Bowman Civil Action Number: 5:08cv334 United States District Court Western District of Louisiana Shreveport Division

Invocation was given by Councilman Lester.

The Pledge of Allegiance was led by Councilwoman Shyne.

The following members were present: Councilmen Calvin Lester, Monty Walford, Michael Long, Bryan Wooley, Ron Webb, Joe Shyne, and Joyce Bowman. 7.

#### **Public Comments:**

Chairman Webb: I don't have any cards, is there anybody in the Chamber that wanted to come to forward and address the Council, I'll allow you to do so. Mr. Thompson, would you read our resolution?

*The Clerk read the following:* 

#### Amendment No. 1 to Resolution No. 130 of 2009.

Delete the resolution as introduced and substitute the attached resolution.

### Explanation of amendment:

This amendment clarifies that the resolution authorizes the Mineral Board to execute the leases. This language was not in past resolutions of the city or other public bodies (although it was understood that the Mineral Board would execute the leases), but has now been requested by

the Mineral Board staff. It also contains language revisions to clarify that the city has the complete discretion to withhold consent to use the surface of the land.

## **RESOLUTION NO. 130 OF 2009**

A RESOLUTION DIRECTING THE CHIEF ADMINISTRATIVE OFFICER TO REQUEST THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF THE STATE MINERAL AND ENERGY BOARD, TO LEASE CERTAIN MINERAL INTERESTS OWNED BY THE CITY OF SHREVEPORT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATIVE TO SAME; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Webb

WHEREAS, the City of Shreveport may own mineral rights underlying the property described in Attachment "A" (collectively "the property"); and

WHEREAS, City desires to lease its interest in the property for oil, gas and other minerals subject to conditions contained herein; and

WHEREAS, pursuant to LSA-R.S. 30:151 et seq., the City may, by resolution, direct the State Mineral and Energy Board to lease the City's interest in the property for such purposes; and WHEREAS, City desires to avail itself of the provisions of the aforesaid statutes by this resolution requests the Louisiana Department of Natural Resources, Office of the State Mineral and Energy Board to lease the property for oil, gas and other minerals subject to conditions contained herein and accordance with applicable provisions of law.

NOW, THEREFORE, BE IT RESOLVED by the Shreveport City Council in due, regular and legal session convened, that the Chief Administrative Officer is directed to request the Louisiana Department of Natural Resources, Office of the State Mineral and Energy Board, to lease certain mineral interests owned by the City of Shreveport and the Mayor is hereby authorized to execute all documents relative to said request.

BE IT FURTHER RESOLVED that the Louisiana Department of Natural Resources, Office of the State Mineral and Energy Board be and it is hereby requested and authorized to seek public bids for oil, gas and mineral leases covering the property described in Attachment "A" attached hereto and made a part hereof, to evaluate the bids received and accept the best bid, and to execute the oil, gas and mineral lease or leases on behalf of the City of Shreveport.

BE IT FURTHER RESOLVED that any such lease shall contain a No Surface Operations provision to read the same or substantially the same as the following:

"No use of the surface of the leased premises may be used by Lessee, its successors or assigns without the prior written consent of Lessor which may be withheld for any or no reason. Except as otherwise expressly authorized in writing by Lessor, Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises only by drilling from a surface location on other lands."

BE IT FURTHER RESOLVED that any such lease shall contain a horizontal Pugh clause to read the same or substantially the same as the following:

"Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commissioner of Conservation of the State of Louisiana has established a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in such pooled unit, and this lease shall expire as to that part of the land herein leased not included in such unit, and Lessee, its successors and assigns agree to relinquish by formal recordable instrument (in a form

acceptable to Lessor) any portion of the leased land not included in a unit created by the Commissioner of Conversation while this lease is in effect."

BE IT FURTHER RESOLVED that any such lease shall contain a vertical Pugh clause to read the same or substantially the same as the following:

"Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such determination to be made on a unit by unit basis. Lessee and its successors and assigns agree to relinquish by formal recordable instrument (in a form acceptable to Lessor) all such depths as to which this lease is terminated. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis."

BE IT FURTHER RESOLVED that any such lease shall contain a provision requiring minimum royalty payments to Lessor of not less than one-fourth or twenty five (25%) percent. BE IT FURTHER RESOLVED that any such lease shall contain a provision requiring minimum bonus payments to Lessor of not less than \$1500.00 per acre.

BE IT FURTHER RESOLVED that any such lease shall contain a maximum primary term not to exceed three (3) years.

BE IT FURTHER RESOLVED that such lease shall contain a provision expressly stating that any lease granted by the City of Shreveport and accepted by Lessee shall be without warranty of title and without recourse against the City, whether expressed or implied, even for the return of any monies paid, and further, that City shall not be required to return any payments received or be otherwise responsible to Lessee therefore.

BE IT FURTHER RESOLVED that any error in any legal description contained in Attachment "A" which may be discovered by the State Mineral and Energy Board or its staff during its review of the City's application which are subsequently corrected by the City of Shreveport, provided such irregularities do not materially change the property being herein authorized for lease, shall not affect any authorization granted or conveyed herein and the State Mineral and Energy Board is hereby authorized to advertise and subsequently lease the said property as correctly described.

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 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 <u>Shyne</u>, seconded by Councilman Walford.

Councilman Long: Are these in our (inaudible)?

Mr. Thompson: Okay. Ms. Glass: Are they?

Councilman Lester: If you refresh, they might be. I have Amendment (inaudible)

Ms. Glass: Yeah, I have them, they should be on there.

Councilman Long: Oh, there it is, got it, got it, got it. Thank you.

Mr. Thompson: Mr. Chairman, do you want to vote on these one at a time?

Councilman Webb: Yes, lets do it that way please.

Councilman Lester: Mr. Chairman, could we ask before we vote that he give us a run through of all three and then we could vote?

Councilman Webb: Yes.

### The Clerk read the following:

## Amendment No. 2 to Resolution No. 130 of 2009

In the sixth "Be It Further Resolved" paragraph, delete the number "\$1500.00" and substitute the number "\$2200.00".

### Explanation of amendment:

Increases the minimum bonus payment per acre required

### The Clerk read the following:

#### Amendment No. 3 by Mr. Walford to Resolution No. 130 of 2009

In the fifth "Be It Further Resolved" paragraph, delete phrase "one-fourth or twenty five (25%) percent" and substitute the following: "twenty-six (26%) percent."

## Explanation of amendment:

Increases the minimum royalty payment required.

Councilman Lester: I have a question. Well, I guess - - - I'll - - - is there a motion on the floor?

Councilman Webb: There is not a motion on the floor.

Councilman Lester: Okay, well I'll put a motion on the floor to accept Resolution No. 130 for discussion purposes.

Councilman Webb: We've got to do the amendments first.

Councilman Lester: Okay, okay, alright. So we can have comment. Well I tell you what, lets start at the back. I'll move for adoption of No. 3.

Councilman Long: Second for discussion.

## Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to adopt Amendment No. 3 to Resolution No. 130 of 2009.

Ms. Glass: Mr. Chairman, the way Amendment No. 1 is written, if you adopt it last, you're going to undo what you did in Amendment No(s). 2 and 3. So, if you don't mind - - -

Councilman Lester: Well, I'll do a substitute.

Ms. Glass: If you do 'em in 1, 2, and 3, it would - - -

Councilman Lester: That's fine. Well I'll do a substitute for No. 1. So we can start the discussion.

## Substitute motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to adopt Amendment No. 1 to Resolution No. 130 of 2009.

Mr. Thompson: Well, let me clarify. You withdrew your previous amendment and making a motion now to (inaudible)

Councilman Lester: I withdrew my motion to adopt Amendment No. 3.

Councilman Webb: So you withdrew your motion and the second was removed also.

## Substitute motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> to adopt Amendment No. 1 to Resolution No. 130 of 2009.

Councilman Webb: We're open for discussion. Go ahead.

Councilman Lester: Okay, alright. My first question is on Amendment No. 1, the royalty payment requested in there is what? 25%? Okay. I guess my question to staff and also to legal counsel would be when we put these things on the Mineral Board, as I appreciate it, we set what we believed to be the minimum that we would ask in terms of the bonus payments and things of that nature, and acreage, and what - - - it's like an open bid process. Whoever comes back with the most competitive offer that matches our minimum is the one that gets the mineral rights. Is that correct?

Ms. Glass: Well it's correct, but it may not match the minimum, obviously it may be (inaudible) but it's at least the minimum.

Councilman Lester: Okay, so I guess my question is if we want a greater number in terms of the base payment or if we want a greater amount as it relates to the royalty, then would - - - I guess our recourse would be either to leave it alone and be subject to the open market, or if we wanted something greater, we would actually have to set a higher minimum, which is as I appreciate is the purpose of Amendment No. 2 and Amendment No. 3?

Ms. Glass: Correct.

Councilman Lester: Okay. Now I guess I would ask to Councilman Long, since he's certainly the most aware of dealing with this on a daily basis, what is - - - what would - - - if you use your crystal ball for lack of a better term would be the effect in your mind of changing the minimum in terms of the up front bonus payment as well as the percentage requested in terms of royalty? I mean, do you think that increasing both of those numbers or either one of those numbers would be dispositive of any one actually bidding on that, and they would say no, we don't want to touch that? Or what?

Councilman Long: Let me explain this relationship as the first part of my answer to your question. Typically when negotiating, landowners are negotiating with oil companies or gas companies for these situations, if you try to hold out for a higher royalty rate, the tendency is to pay a lower up front bonus amount. The inverse is true, or the opposite is true. If you want a big ole hunk of bonus money now, then you're probably going to pay whatever the going royalty, or you're going to accept whatever the going royalty rate will be. At this point in the market locally, the (inaudible) of your standard royalty rate is basically a quarter, it's 25%. That is sort of the defacto. It's not set in stone, it's all negotiated, but there are more people who are accepting that royalty rate, than who are not. The oil company has an incentive to try to get a lower royalty rate because the lower the royalty rate they pay, the more revenue they enjoy from their side. But in the same breath when you have a competitive situation like that that was very much so in place a year ago, you know you had to pay what people were demanding at the time, or you wouldn't get the lease. Okay? Another thing that impacts the amounts of the bonuses especially as we saw into play last year was the price of natural gas. The commodity price back at that time, was such that you know \$13 (inaudible) never seen - - a gas price level like that before in history. And that was one of the big fueling determinants or

fire or fueling things that fueled the big run up in the bonus prices back then, and a lot of it too related to the shale plate that was going on in Ft. Worth, the Barnett Shale, and what was being paid over there. I used to get my little monthly newsletters from the American Association of Petroleum Landmen, and they would give scout reports/field reports of what was going on in other parts of the country. And I would read about the Barnett Shale, and it was like they're paying \$12,000 an acre? I mean, that's insane. Well all the time that was going on the gas prices were beginning their run up from the \$3, 4, 5, 6.00 in MCF to the \$7, 8.00 and of course all of that was coming into play. And also as that particular gas play moved into the urban areas, you know that's where the play was headed. So, the oil companies competed, when there's competition, and limits apply, prices will go up. Alright, where are we today? Well today, it varies. I think what the Parish as recently done, is a very good indicator of where we are in the market place. Obviously they went out and the last least sale with a minimum of \$1500 and just basically the terms we have now. \$1500 and a quarter on a three year term with delay rentals on an annual basis in lieu of a drilling situation. And they enjoyed bids anywhere at the low of \$2200 to a high of \$6900 and some change per hundred per acre, which I believe if I heard correctly, I believe it was Petrohawk of that particular lease sale. So, right now, that's kinda what it is. I'm aware of other oil companies our there that are all back in the market place and they're competing again, so you know the prices are kinda a little bit all over the map from the standpoint of where you are and whose working a particular area. Anywhere from a low of say a thousand an acre to a high of around \$5,000. So that appears to be somewhat the operating range of that this is all occurring at right now. You know so does that answer your question at all?

Councilman Lester: You do. Alright my next question - - - and thank you for that. My next question I guess to the Administration with the - - - or I guess anyone who is equipped to answer this, would be what information do we have relative to the price that was paid, or bid, or accepted on leases in the areas where this particular, these particular lands are situation? Do we have any information?

Councilman Long: That was the Parish bid. That was the Parish sale. It was land that was right next door to some of the land that we're proposing to put up today.

Councilman Lester: So, we've got that from the Parish, and there is the City land. Do we know we have any information in terms of private citizens or anything of that nature? The reason I ask that question is the concern that I have is certainly I think that once we move forward, you know will we be setting basically what the price is, and what affect will that have on any contiguous neighborhoods around where that particular action is, for lack of a better term, and what if any affect that would have moving forward on other neighborhoods?

Councilman Long: I would suggest that we, Mr. Mayor, I think that question was directed to you, as I recall.

Mayor Glover: I think he said anyone who was inclined to - - -

Councilman Long: Oh yeah, well - - - you might want to hear - - - my opinion is, I don't think we're necessarily setting a price. Setting the market. The market changes everyday.

Councilman Lester: Right.

Councilman Long: Okay. What we're doing in here today to me personally speaking, this is just my opinion, what we're doing is doing for the whole of the entire city. Okay? And for what - - - my goal here is to try to set up a situation that hopefully we can realize the short term revenue to help shore up our income balance sheet and our income statements. Okay? And - - - for lack of a better term, cash flow. As far as the neighborhoods, again, that's a situation that Twin Cities or any of the other landmen that are working the rural areas, or the

urban areas in the southern part of the city of what they're offering or what they're - - - and what people are willing to accept, relative to all that. You know? And you know, I guess my position is that those people are going to have to basically do their deal on their own, just like we're doing our deal on our own right now. And that's where I'm coming from.

Councilman Lester: And again, I don't have a problem with that, I just want to make sure that's a concern because I've had constituents ask me, that once the city starts getting involved, and with these large chunks of land, how is that going to affect individuals, because everyone you know when it comes down to the green, everyone's interest stops right at their front door. Civic pride goes out the door, and it's like what does it mean - - - every man for himself, and God for us all.

Councilman Long: I guess you know at that point, you know right now, there seems to be the southern part, southwest part of the City and the Parish, when I say the Parish, the Parish that is adjacent to our southwest borders of the city limits, those areas have actually been in play for a while and they continue to be in play, and therefore those areas at this moment in time today as we're talking about it, will probably enjoy some benefit of that from the standpoint that they can command a little bit higher bonus than now, since opposed to say me living in Broadmoor or you living where you live, which there is really no activity right now, so there is - - - you know, as a result of that that there is not a lot of demand and there is lot to supply, so rates are down from that standpoint.

Councilman Lester: Okay. Again, I just - - - I wanted to ask those questions going in, because I think at the end of the day, I'm comfortable that the market is going to dictate what the market is going to dictate. I mean once you put it out there, it's going to be what it is.

Councilman Long: Right, right.

Councilman Lester: I just want to make sure that I have asked those questions, and I can make an intelligent decision relative to that. Thank you Mr. Chairman.

Councilwoman Bowman: I just (inaudible) Councilman Long. Bottom line is we basically broke, we don't have any money. We need the money, and this is one sure way of at least putting something into our coffers. And that's my opinion about it. We'll deal with the other when we get to it. You know? This is only - - - how many acres?

Councilman Webb: A little under 700.

Councilwoman Bowman: Right, it's not like we're doing everything. You know?

Councilman Long: I wanted to also, and I might - - - I want to make if I could with your permission ask Kevin McCotter to step up and talk a little bit, and the reason I want to do that, part of what's happening here, in our last lease thing that we did, and Julie, you might want to weigh in on too, last year, it was us basically putting out a bunch of acreage to the Mineral Board, saying okay, here's our stuff, you know we prepared this big package and sent it down there and blew it all out there, and of course our timing was way off on the minimum amounts that we have, because we obviously got "0" bids and "0" revenue, while our friends at the Parish managed to get before it was all said and done with their delay rentals that they just recently received over \$30,000,000, but - - - and that's good for them, and they're in good shape. And we still have that opportunity and of course, they've been lucky from the standpoint, a lot of their acreage was (inaudible) in play as opposed to closer into the city where we are now

Mr. McCotter: I think a lot of that (inaudible)

Councilman Long: A lot of that comes into play as well. But the net of the whole thing is what's happening now is Chesapeake has come to us and said look guys, we want to - - - we're interested in this acreage over here, we're willing to nominate - - - they're going to do all the - - - correct me - - - at this point, I'll let Kevin take over, they're going to do the heavy

lifting about going to the Mineral Board, presenting the information and making the application. Once all that's done, then it will go to a public sealed bid process, and at that time, may the best guy win.

Councilman Webb: We could get overbid.

Councilman Long: Right, so Kevin if you would kinda take over from there.

Councilman Shyne: But Mr. Chairman, before Kevin speaks, let me make this observation. And I think Joyce made a very important point, and if I'm wrong, somebody from the Administration stop me, correct me. This particular time, we're not in the same mindset that we were in when we went to the Mineral Board before.

Councilman Long: Oh yeah, of course.

Councilman Shyne: This time, we need some money, and if we don't get any money, we just have to pay SRAC. There are some programs, and I don't want this to be taken out of context, there are some programs and some employees and maybe some services that we will probably have to be - - - we'll probably have to cut back on unless Monty Walford would be willing to make us a \$10,000,000 loan from his trust. You know because I don't know about you all, but I'm having folks who are calling me and asking about - - - I mean just grass cutting. And I have to explain to them that, look we don't have - - - Mike Strong doesn't have the same crew that he had two or three years ago. You know? "Joe, when are you all going to get this house down?" And I have to explain to them that Code Enforcement doesn't have the dollars that we had in the beginning to get this house down, so we're going to have to live with it like you do at home. And we're at a point that we just actually need some money. And I think it's good to take into consideration when you can the feelings of citizens, but if Ron doesn't mind me saying this, I think he and I kinda agree that sometimes you can't let other folks make tough decisions for you, because we're on the hot seat. And if those services don't go good, or if the services are not delivered, I can't lay it on Dale Sibley, because they're going to say, well Joe, you know you're a part of it too. If I'm making any sense to you all.

Councilman Webb: Absolutely.

Councilman Shyne: So, you know this might not be the ideal thing, but we're in a position where we've got to make a decision, because we've got to get some money in, because if not, Joyce we're talking about those employee raises that they have been talking about, not only will they not get their raises, but some of them won't even have a job. Because to be truthful with you all, I do not see the economy turning around. And I know some of you all have probably lived longer than I have Michael Long, and I don't see the economy turning around over the next six or seven months, where our sale tax will increase 10 to 15%, and you know we'll be looking at a good budget Dale, when budget time comes. I just don't - - - I don't see that. I did not see that last year. And I've been labeled as a conservative, and I am Bryan, but I just don't have that "R" before my name.

Councilman Webb: We can change that.

Councilman Shyne: No. Ron just set me up. I'm through.

Councilman Webb: Mr. McCotter, come on up.

Mr. Kevin McCotter: (333 Texas, Room 1100) And if I could get some assistance on let see - - - is the overhead on?

Councilwoman Bowman: Art, can we help me?

Ms. Johnson: I might break it.

Councilman Webb: Mr. Thompson? Somebody knows how to do that.

Ms. Oliver: I could try.

Councilman Shyne: Cause Joyce, I think Rick is probably going to need Sharon from time to time. Budget time is coming up.

Mr. Thompson: There it is Lynette.

Mr. McCotter: Well Members, thank you again, and Councilman Lester specifically had the question about what is the market. And that's always a difficult question to answer because there is no public record of what the market is. You may hear one thing at the coffee shop and you may hear something else at the barber shop, you may hear something else at the grocery store, and so it's just all over the map on what people are actually receiving for their lease bonuses as well as the terms of their lease. So it is our opinion that a state sale, a state mineral board sale always represents a very documented public bid procedure where all of the results are an open book. So, what I presented to you today is the same document that we brought to the meeting on June 13<sup>th</sup> and June 14<sup>th</sup>, and it expresses Chesapeake's interest in leasing the city's minerals in these 16 sections within these two blocks here that we have depicted. Most of the acreage is acreage that's under streets, under the rights of way, under the alleys of city owned property, and the teal sections represent the targeted sections that Chesapeake has an interest in. And when I say interest, it's more than just a passing interest. It's a drilling schedule that we believe will take place over the next six months, next 12 months, and will be into production as we move into this rising commodity price market, as Councilman Long mentioned earlier.

Councilman Long: That we hope for.

Mr. McCotter: That we hope for. That's exactly right. The best source of data then is the what took place recently in areas that were contiguous to areas that we are interested in that are owned by the city. And just on July 8th, Caddo Parish, leased about 150 acres in those gold colored sections, and they received four bids from four very reputable companies. The lowest bid was \$2200, the highest bid was \$6,978 per acre. Almost \$7,000, and that was by Petropolis Land Service Company, out of Baton Rouge. So I think it's safe to say that at that time, the documented public record market was \$7,000 per acre. Now at the time that we met on June 13<sup>th</sup> and June 14<sup>th</sup>, we had identified the legal description of property owned by the city in these 16 sections, but if you'll remember, there were four sections where our folks had not completed that process working with Malcolm Stadtlander and the other members of the Office of Property Management. Since that time, that process has been completed. The number now is 717 acres that is in the lease documents that we furnished to assist Attorney Julie Glass. So, those are the actual numbers today, 717 acres, and I'd like to respectfully remind you that in the state lease sale, remember that lease bonus takes place for the first 12 months. There is a rental payment that's due each year during the term of the lease that represents 50% of the amount of the bonus. So, right there an operator has a built in incentive to drill and start producing that royalty income. And then finally, to Councilman Long's point about the abstract work, the legal description work, the reason that we were here the last two meetings and that we thank you for calling this meeting today, Monday, July 27th is the deadline to submit an application to be on the October 14<sup>th</sup> Mineral Board Agenda, otherwise we wait until November. We've completed the legal work, we've completed identifying the tracts. We're prepared to work collectively with the City Attorney's office and there's been precedence set that when a resolution is passed by a public body, that's acceptable to the Mineral Board while that resolution lays over to become effective. So we're confident that if this resolution is passed today, a place holder will be set on the Mineral Board Agenda on Monday and granted for the October 14<sup>th</sup> state sale. So that concludes - - - that's the new information that I wanted to bring with you today. We can't thank Malcolm Stadtlander, Assistant Attorney Julie Glass over the last few days as we put together all of the legal descriptions, we've got a CD document just as the Mineral Board requires with all of the "I"s and the "T"s crossed in order

to be able to submit with the city's authority on Monday of next week. So at this time, I'm happy to answer any questions.

Ms. Glass: Mr. Chairman, could I clarify one thing. I talked to Dannye Malone about this earlier today, but you may not have received the email before you left your office. Yesterday, y'all had asked to specify adjudicated property in part of the whole property description. And we found that there was an additional 23 acres of adjudicated. So, the 717 has increased by the 23 acres, approximate I think it's 740.38 something now. Just wanted to clarify that.

Councilman Webb: Any other Council questions? Okay, thank you.

Mayor Glover: Mr. Chairman? Councilman Webb: Yes Mr. Mayor.

Mayor Glover: While Mr. McCotter was at the mic, I wanted to ask a couple of questions. Is that okay?

Councilman Webb: Sure.

Mayor Glover: Kevin, have you all or representatives of Chesapeake engaged in direct negotiations for the acquisition of minerals before?

Mr. McCotter: Yes sir, we certainly have.

Mayor Glover: Large tracts of land? Small tracts as well?

Mr. McCotter: We have relationships with 25 different land service brokers over this three and a half million acre area, and Mayor at the last meeting, your discussion centered around neighborhood associations and coalitions. So, our exclusive lease broker for the City of Shreveport and the City of Bossier City is Twin Cities Development. And Matthew Montgomery, the President of Twin Cities Development is here today. Matthew would be more than happy to answer questions about some of the specifics, but it would certainly be my opinion that there have been larger tracts, medium sized tracts, and smaller tracts leased.

Mayor Glover: But my line of questioning at this point doesn't have anything at this particular yet to do with the refusal or to continue to negotiate with neighborhood coalitions. At least not at this point, but more along the lines of why does it appear to be you all's preference to ask that the City Council place or the city to place these minerals up for the state mineral board process rather than being open, or are you in fact open to a direct negotiating process that wouldn't necessarily hold itself to the hard and fast rules of the Mineral Board?

Mr. McCotter: Mayor, we think that any public body is always best represented in the State Mineral Board process. They have the legal advice, they have the staff, it's something that they do on a routine basis, it ensures that the acreage is bid according to public bid laws, and advertised with the proper advance notice. Bids are due on a certain date. If they're five minutes late, that bid is rejected. So, we believe that that's the best process for a municipality, that maybe not be as familiar with handling that process and it's something that they do on a daily basis.

Mayor Glover: But Kevin, cities higher bring on expertise and skill sets that they don't posses on the normal staffs all the time. I mean that's a routine process that we engage in here at the city, other governments do all the time. So it sounds to me what you're saying is that somehow governments or those who are eligible to engage in the Mineral Board process have an advantage over the private landowners or groups out there who otherwise engage in direct negotiations with your company or others?

Mr. McCotter: Mayor, I would say that the advantage would be that they've got the legal expertise in house there to make sure that the process according to state statute is followed, is properly advertised, it goes before the State Mineral Board, and any municipality can always have a representative at a State Mineral Board meeting, and if there is some factor

about a lease bid that the municipality is unhappy with, then they could certainly advise the Mineral Board, we think we'll pass on that. We think we'll go a different direction.

Mayor Glover: But now to use the example that you just gave of how the Mineral Board uses this process, that it's well delineated, defined, has very specific parameters, be it comes in five minutes late because it does not meet the guidelines, it's not eligible for negotiation?

Mr. McCotter: Yes sir, as an example that we talked about that will take place on October 12<sup>th</sup>, the bids will be due 24 hours prior to noon, October 24<sup>th</sup>. So, operators have a very strong desire to make sure that they've got their bids in on deadline, otherwise they'll possibly miss that meeting.

Mayor Glover: But now for a group that's going through a negotiated process, that's not bound by the particular rule that you just laid out under the circumstances that would be the guideline of the Mineral Board. They would have the option of being able to consider that.

Mr. McCotter: Are you talking about a private group Mayor?

Mayor Glover: Just a direct negotiation process where you have the opportunity to say to Chesapeake, Twin Cities, whomever were interested in leasing our minerals, let's talk about the general terms that you may be open to?

Mr. McCotter: Yes sir, and I certainly respect that position there. I think that from an operator's - - -.

Mayor Glover: But to go back to the example that you just gave, if that's the State Mineral Board, that particular bid that you just said is five minutes late, comes in, it cannot be considered. Correct?

Mr. McCotter: That's my understanding of their rules, yes sir. I would just think that as a public bid, that's maintained very strictly.

Mayor Glover: And if that's the bid of the four that you just made reference to under the Caddo situation from the last Mineral Board process where you had the low of \$2200, the high of \$7000, if that fifth bid that came in, might have been for \$8,000, because it did not meet the deadline, that's not one that can be considered?

Mr. McCotter: Yes sir, and I think it would fly in the face of the state statutes that have set up and established that process at the Mineral Board.

Mayor Glover: But if that were a negotiated process, where that particular either individual, group of governmental entity engaged in an negotiated process, it would be free and have the flexibility of being able to say well, we just had someone else who has apparently made a better offer that's now at \$8,000 with a 28% royalty, and so we feel that that's one that we want to give some consideration to, we want to make sure that it's otherwise in line and appropriate, but they'd have the option of being able to do that? Is that not in fact similar to what private landowners who have negotiated large parcels of land have been able to engage in, in terms of how they've negotiated and leased their minerals?

Mr. McCotter: If I could Mayor, may I introduce our outside counsel Dannye Malone? Mayor Glover: Certainly.

Mr. McCotter: Mr. Chairman?

Councilman Webb: Yeah, go ahead.

Mr. Dannye Malone: If I may, Kevin and Mr. Mayor, under the provisions of Title 30 of the Louisiana Revised Statute, if a public body and an agency as defined under Title 30, elects not to avail itself of the public procedures established by the Mineral Board, the public agency itself would also have to advertise and receive bids as the Mineral Board has to so

itself.

Mayor Glover: Under what parameter? Could we just like we do with our public bid process, are we bound to accept the highest, or are we bound to accept - - - cause under this circumstance, one could come in at \$7,000 bonus and 27% royalty, another one could come in at \$8,000 in bonus per acre, with only 26(%) per acre in royalty. And so at that point, how does one determine which one is the highest of the two bids?

Mr. Malone: Well the bid process is very specific, I mean it's very specific and defined under our Revised Statute 30.156 and that entire statutory scheme. And I would tell you that I would more than likely follow the same procedures established by the Mineral Board.

Mayor Glover: So you say that we would not have the latitude as a government to be able to engage in direct negotiation?

Mr. Malone: No, I think the public body would have to advertise and accept bids just as the Mineral Board would.

Mayor Glover: But we could make a determination as to which one of those that we accepted or not?

Mr. Malone: That is correct.

Mayor Glover: Is that an option that we have at our disposal?

Mr. Malone: Yes, I mean the Revised Statute 30.151 specifically authorizes agencies and the City of Shreveport is defined as an agency under the statute to elect not to avail itself of the bid procedures established by the Mineral Board, but yet can actually advertise for bids itself, as an option.

Mayor Glover: But if we avail ourselves of the Mineral Board process, right? And we walk that road, who makes the determination that whether or not the bid that we accept there is an acceptable one or not?

Mr. Malone: The City of Shreveport. And as Mr. McCotter indicated earlier, the city's representative can elect to accept or reject the bids that's received by the Mineral Board.

Mayor Glover: How do you define that?

Mr. Malone: The City of Shreveport?

Mayor Glover: Correct.

Mr. Malone: I would define that as a representative of this body. The City of Shreveport itself.

Mayor Glover: And who makes that designation?

Mr. Malone: Who would make that designation? I think that is a matter to be determined by this Administration and the Council.

Mayor Glover: Under what process?

Councilwoman Bowman: Wow!

Mr. Malone: You may need to defer to your City Attorney, under those circumstances, and that may be Ms. Glass or Ms. Scott.

Mayor Glover: And I guess - - - I see Terri is no longer, is she - - -?

Mr. Thompson: I think she was talking to the City's counsel for mineral rights, trying to get some information.

Mayor Glover: Alright, I'll wait until Terri returns.

Councilman Webb: That was one reason why I wanted to go before the Mineral Board because if they want to be in on this, they won't be five minutes late. And we don' have anybody knocking down our doors right now and haven't for quite some time saying hey, we want to lease your land. So, now we're showing what's available, and what we would like to lease. If they want to get in on this, may the top bidder get the award.

Councilman Long: Plenty of notice, plenty of time.

Councilman Shyne: I want to ask Dannye and Kevin - - - I'm not really a gambler, wouldn't this be kinda like a crap shoot, if you're going to get a private agency to come in and I know the Mayor is saying well maybe the bid might be \$8,000, but couldn't it also be lower? I mean doesn't have to be necessarily have to be lower, and tell me if I'm wrong, but it seems like to me that other governmental agencies that have been going before the State Mineral Board have been coming out pretty good.

Councilman Webb: Yep.

Councilman Shyne: I mean I haven't been reading where they've been complaining, I've talked to some of the people down in Mansfield, and I've talked to some of the people here who've you all have worked with on the Parish Commission, and if I didn't know any better, it'd kinda be like Christmas. I mean, they're just as happy as can be with what they got. Right now, we need a source where we can get some money. Now if we want to do this later on, you know we might look at that, but my position right now is we would be a whole lot better off, because the Mineral Board, the state is set up for this. The state is set up for this, and I've been kind of skeptical about some of these experts that we've been hiring. I don't want to make any personal reference right now, but I think I'd be a little bit more satisfied Mr. Chairman, with the state Mineral Board, than I would about pulling some experts who might not know a whole lot about. And I don't want to be involved in a crap shoot.

Mr. Malone: And your comments are duly noted Councilman Shyne.

Councilman Webb: The Mayor was wanting to ask a question or you to explain something if you don't mind. Thank you Dannye.

Mayor Glover: Mr. Chair, my questions were along the lines of the process through which a governmental entity can avail itself of outside of the mineral board process in terms of leasing it's mineral.

Ms. Scott: There is a process and a state law that allows us to actually go out and solicit our own bids so to speak, but it would still require us to bid those leases. And once we've then determined which of the bidders bid we will accept, then we would still be required to go back to the State Mineral Board for that.

Mayor Glover: And I guess the question was based on the fact that those bids could come in, in different combinations, for instance if we set a minimum of whatever that number might be, but the higher of the two bids or three bids appear to come in, in a combination of one at a \$7,000 per acre bonus, with 26% royalty, another comes in at \$8,000 per acre, but at a 25% royalty, what calculation is used to make the determination as to which one of those would be considered "the winning bid" or the highest bid?

Ms. Scott: Mayor, to my knowledge, there is no formula or provision that addresses that particular situation. That would be something that we would have to determine, and I would assume it would be based on the amount of acreage involved where they may be a higher royalty on one tract versus a higher bonus payment on the other tract. And that would be the consideration that we would make on the front end, anticipating that we may very well end up with a scenario like that. That would also be something that we may want to put in our solicitation as well, as to how we will actually make that determination in the event we receive a combination of higher royalty, higher bonus on the other.

Mayor Glover: So in other words, we could write up a process that is tailored to specifically what our goals and objectives would be as opposed to following through what are the general practices of the Mineral Board?

Ms. Scott: Yes sir. When we solicit the bids ourselves, again that would be part of what we would put in our solicitation, what our minimum requirements would be in terms of leasing, in terms of the term of the lease, and those things, pretty much that are reflected in this

current resolution. At that time, after we make the selection of who the successful bidder or bidders would be, then again, that information would be forward to the State Mineral Board, mainly for confirmation.

Mayor Glover: Now as this current resolution stands, calls for \$1500 minimum bonus per acre?

Ms. Scott: No sir, there's an amendment proposed that would take it believe to \$2200.

Councilman Webb: Well we haven't voted on them.

Councilman Long: We haven't vote on 'em. Right now (inaudible).

Councilman Webb: \$1500-2200.

Mayor Glover: But they pass as the Council would desire, and that is at \$2200 an acre, plus a 25% royalty?

Councilman Lester: I think the 3<sup>rd</sup> amendment goes to \$26%

Mayor Glover: Those are the terms for this resolution to pass under?

Ms. Scott: Amendment No. 2 proposes to amend the current resolution to increase the bonus payments to \$2200, and Amendment No. 3 proposes to increase the royalties from 25% to 26%.

Mayor Glover: And lets say that that ends up being the maximum bid. We get four bids in all at \$2200 an acre bonus and 26% royalty. Which puts us some \$4800 or so less than the last maximum bid that was managed by Caddo Parish? What at that point becomes our obligation with regard to leasing those minerals?

Ms. Scott: I'm not sure Mayor, honestly whether or not we would then be obligated to execute leases with any of the bidders. I believe we would still have the option however to decide to not lease the property.

Mayor Glover: We would have the option not to?

Ms. Scott: I believe, I'm not absolutely sure on that, and I would be hesitant to say one way or the other. But it's something we can find out fairly quickly.

Mayor Glover: John Frazier is actually our mineral expert, and that's who I was trying to get in touch with.

Councilman Webb: Mr. Mayor, let me ask you a question. If the bids come back at \$7,000, are you going to reject the bids?

Mayor Glover: The bids came back at \$2200 per acre, I probably would be inclined to reject the bids. What I'd rather do is be in a position to be able to - - -

Councilman Webb: And this Council might could understand that.

Mayor Glover: What I'd rather do is be in a position to fully maximize that opportunity through a process that we - -

Councilman Webb: But I think that if the bids come back kinda like what they did with the Parish, then I think it would be a same if we bypass this opportunity.

Mayor Glover: What I'd rather do is be in a position to be able to fully maximize that opportunity through a process that we helped to control and dictate and direct as much as possible as opposed to leaving it into the hands of our friends down in Baton Rouge.

Councilman Webb: But it still has to go back to 'em anyway.

Councilman Shyne: Right.

Mayor Glover: At that point, it goes back to them for affirmation. It doesn't go back to them for the process itself.

Councilman Webb: As I said, we haven't had anybody beating down our doors and this one we're (inaudible), and I think if they want our business, if they want to drill on it, they'll come forward and bid on it, and I think it's going to be very competitive, just like it was with the Parish. I truly believe that.

Councilman Long: Well I just was going to say, if we don't like the bid that the final outcome of the Mineral Board auction, that we can reject it.

Ms. Glass: Mr. Chairman, I don't think that's correct.

Councilman Long: Oh really?

Ms. Glass: Well possibly in a situation Mr. McCotter mentioned the last time where if a City Representative goes down there at the bid opening, but I did determine I think you all received my email this week that we did determine that the leases do not come back to the city for the Mayor to sign, or the Council to approve.

Councilman Webb: Yeah, right I got your email.

Ms. Glass: Once you've sent it down to the Mineral Board, they have the authority to award the bids and sign the lease. Now whether you could stop it at the point before they sign the leases, I don't know, but that would be contrary to the Council resolution which was we want this bid out at these minimums.

Mayor Glover: And I think you all have unfortunately diminished our negotiating position. Because while we are facing challenging times as a city without question, fiscally we are better off than lots of other folks in lots of other places. And we are managing quite well under the circumstances that we are in the midst of. Statements that you all have gone on record in open and public meeting saying that we're broke, we need money and all of those other sorts of things, that put you in a very, very diminished position form my perspective as both a citizen and as the Mayor of this City, when it comes to engaging in these types of financial dealings and negotiations. And so, that's part of the reason as to why I think that there might be some better scenarios for us to discuss which I suggested at the last meeting, Mr. Chairman and Members of the Council, that we have some discussion and dialogue about that before you all decided that this was a process and situation and a circumstance that did not need any input or consultation with the Administration, was one that you all could directly independently and in and of yourselves. And that's obviously no how anything like this should be engaged in, and the kind of comments that have been made here today are not the type that should be - - -

Councilman Webb: We're just doing our job Mr. Mayor.

Mayor Glover: That should be made when we're talking about dealing with these types of matters. Because if I'm in this particular business and I'm looking at this particular process, then one of the things that I might be inclined to say, well hey we bid \$7,000 per acre, and whatever for a percentage of the royalties for the guys with the Parish, but according to the City, they're in desperate need. So, let's give 'em something that'll make it enough to get them to agree to, but certainly not make it reflective of what the true value is. And to me that's not an appropriate thing to do.

Councilman Webb: I'm not going to bid \$3,000 if I think somebody else is going to bid \$3500 and take it away from me. And somebody else is not going to bid \$3500, if somebody else is going to bid \$4,000. So, we've got that scenario as well, so I mean, we could sit here and you can say if and if all day long, but Councilman Lester, go ahead.

Councilman Lester: Thank you Mr. Chairman. My question, and I'm listening, and I think I may understand where the Mayor and the Administration is coming from, and I think I understand where the Council is coming from. I guess my question would be these to Ms. Glass and to Ms. Scott. As I appreciate it, the process dealing with the Mineral Board is basically we would turn over, would it be a fair statement to say that we would delegate to the Mineral Board our authority to lease our minerals based upon a defined set of parameters that the City Council set? In other words, so long as someone gives me this minimum amount and this minimum amount as it relates to the royalties, and this minimum amount in terms of the up

front payment, whoever gives me the best deal of that, at this time, I'm locked into agreeing with. Would that be a fair characterization of the Mineral Board process?

Ms. Glass: I would think so. I don't see Ms. Scott saying anything contrary to that. Councilman Lester: Terri, Ms. Scott, would that be a fair characterization of the Mineral Board process?

Ms. Scott: What we do is, we ask the Mineral Board to handle the lease sales, the bids for us. Now again, this goes back to my response to the Mayor's question. At what authority, however do we have to reject any of the bids that were received by the Mineral Board on all of the parcels, or only on certain parcels, I'm not sure Mr. Lester. And I'm trying to contact Mr. Frazier now to see if he can get here. Because I think that's a critical question that needs to be determined. But I agree with your comment that to a certain extent, we delegate and request the State Mineral Board to act in our stead to handle the bids for these particular properties. Along the parameters that we've set up in our legislation.

Councilman Lester: Right. So, if someone were to come in and say (inaudible) make it easy, you know, \$100 per acre, 25%. Company X comes in at \$200 and 25% that is above what our minimum asking price was on both of those, so it meets that qualification, and their bid of \$200 was more than the other three companies that did \$150 or whatever, would it - - - I guess my question would be if we would be bound by that agreement? Because if that is the case, I may understand where the Administration is coming from in terms of that process. Now the other side of the coin is, in as much as we are a public body, I don't know listening to what Mr. Malone said, whether or not there is the ability for the city as a municipality body to enter into negotiations with a sole source, or a single individual beyond a bid process. I still think that either way we go, would it be fair to say that there has to be a bid process?

Ms. Scott: Yes sir. There are two approaches that can be taken.

Mayor Glover: Mr. Chairman, can I interject just one second?

Councilman Webb: Go ahead.

Mayor Glover: And let me offer this perspective. Terri, would it not be probably more akin to an RFP process as opposed to a bid one, based upon the variables that are at work under a situation like this one?

Ms. Scott: We would request bids from interested companies in coming to lease the properties. It would be a bid, because they would be actually soliciting or submitting a bid to us, a competitive bid, to us for those particular parcels. Now, if we decide that we're going to handle the solicitation or the invitation for bids, then we could do that. Once we've received them, we evaluate each of the responses that are received, then we would then submit that information to the State Mineral Board. That's one scenario. The other scenario is that we could actually request the State Mineral Board to actually handle the bids or the solicitation for the bids on our behalf subject to the conditions that we would impose on that invitation for bid. Which is this process that we're using. But again, there is a second process that allows the City of Shreveport to actually go out and seek bids or solicit bids from perspective companies to lease it's properties. Those properties would then be submitted to the State Mineral Board. Two process, but as Mr. Frazier pointed out at the last Council Meeting, if we use the process whereby the City handles it, you still end up going to the Mineral Board and that is requires by state law.

Councilman Lester: Okay.

Mayor Glover: And I guess the point I'm making here is that because of the unlike a hard and fast bid, where you draw up specifications, and you know based upon what the number is in terms of the price given, (inaudible) qualified, then that is the individual who is the lowest qualified bidder. Under this situation where you could as I mentioned earlier, come

in with combinations or variables that may include higher bonus per acre, lower royalty, higher royalty, lower bonus per acre, then what process would we use to make a determination of which of those would represent the best and greatest value for the city?

Ms. Scott: Again, our determination as to whether or not we want to look at the long term pay out, and look at the actual royalty payments that we would receive, and again, that would be dependent on the amount of acreage that's involved with these particular bids. But whatever considerations that we make, it would have to be uniform and across the board. And if we decide, if the City decided that it was going to handle the solicitation for the bids on it's own, then we also could include some of the same conditions that would be included in this resolution, or a resolution where we ask the State Mineral Board to handle the solicitation for us. We set up parameters, and conditions in our own solicitation. It's just a question of who handles it. Us or the Mineral Board.

Councilman Webb: Hold on just a minute, lets go back to Councilman Lester. Go ahead Councilman Lester.

Councilman Lester: Thank you Mr. Chairman. I think where I'm going as I listen to what you have said, what Julie has said, and what Mr. Malone has said, it seems to me that it legally doesn't really make a difference whether or not the State Mineral Board handles the solicitation or the City handles the solicitation. Because as I appreciate it, No. 1, if the City wants to handle the solicitation, then there still has to be a set of parameters in terms of what a minimum is per acre, what a minimum is for royalty. So, in that respect, both processes are the same.

Ms. Scott: And you just used the key words. State law provides for two processes. Councilman Lester: Right.

Ms. Scott: One that the State Mineral Board would handle, the other that the municipality could handle its own bid.

Councilman Lester: Okay. Alright, so the next level is there is a solicitation that is sent out, both from the municipalities - - - on the municipalities I guess would be their letterhead. Using the state process, that solicitation would go out on the Mineral Board's letterhead, and they would say okay, this is what XYZ municipality as a minimum. The bids are due back at this particular time, you know to be sealed and opened, blah, blah, blah, blah. And, that would be the same thing as it relates to the municipality in terms of the way we handle our open solicitation process. So, on that level, I think we're talking about the same thing. Okay. The next thing would be when the bids are opened and received, then at the State Mineral Board, an evaluation is made by someone or their staff as I appreciate it, to determine of the bids that were received, what is the best offer, i.e., looking at the two variables, 1) the minimum – first, if you meet the minimum, then you get to play. Okay, that's done. Then the next thing would be how much per acreage, and then how much per royalty. And at some point, someone determines on that board, which of the offers that met the minimum were the best. Would that be a fair characterization?

Ms. Scott: Yes.

Councilman Lester: Okay. If we were to deal with the City process, then at the same time, someone would also similarly have to look at those bids that were offered, and No. 1, the first threshold would be whether or not they met the minimum. Well, everyone that meets the minimum goes onto the next stage and then the next conversation would be given what the minimum in terms of what the acreage is and what we were asking in terms of the royalty percentage payment, someone here locally would make that decision in terms of what's the best?

Ms. Scott: We would then rank those bids.

Councilman Lester: Now. Mayor Glover: Let - - -

Councilman Webb: Hold on a minute Mayor, I'll give you a minute.

Councilman Lester: I've taken a long time to - - -.

Councilman Long: I'm going to place a call down there and talk to somebody.

Councilman Lester: Okay, well you know what go ahead.

Councilman Long: To answer your first question right now, excuse me Terri. I asked a question of somebody at the Mineral Board. She indicated that in a situation where you get - - somebody offers a higher lease bonus, and a lower royalty, and the other guy offers a higher royalty and a lower lease bonus, staff geologist sit down and analyze that. And use technical data relative to the potential recoveries of the zone, and all that to arrive at some economic number to determine which is the better bid.

Councilman Lester: So basically what happens is someone sits down over a period of time and says okay, given the fact that we believe that this play is going to be 20 years, we look at what the percentage recovery is over the 20 years, add that to the what the - - - and then someone - - -

Councilman Long: Do a calculation.

Councilman Lester: It's a mathematical formula.

Councilman Long: Yeah, you got it. Councilman Lester: So, someone - - -Councilman Long: Staff geologist.

Councilman Lester: Okay, there is a way to rank that? Alright. So going back to where I was, in and as it relates to the City, it appears that someone with the City I would imagine would have to do that same thing. Because again as Councilman Long said, you would look at the acreage, and the bonus, and then the percentage over a period of time, and it's a mathematical equation. And you would get a number. And one number might be \$200, the second number might be \$201 and so the bid that's \$201 would be the best bid, because it is over a period of time, it might not meet what you want in the short term, but in the long term it was the better number. So going back to that, aren't we - - - wouldn't we still be in a position that, that bid that monetizes out to \$201 with our process as well as that bid, that same exact bid that monetizes at \$201 at the State, wouldn't we be bound, and I think the answer to that is we would be bound, to accept that same \$201 bid in Baton Rouge as we would if that bid process came through our process?

Ms. Scott: Again, that is the analysis that the state would use. I believe that the city would have some latitude to determine which bid we would consider to be the highest and bid for us. How we determine that is still subject to discussion on how we determine if in the case of a higher bid on a royalty versus a higher bid on a bonus payment, we would determine which would be the higher bid.

Councilman Lester: Okay.

Ms. Scott: What factors we would use to make that determination.

Councilman Lester: I guess, I guess where I'm going with this is this. At some point, whether or not the bid was determined to be the best bid in Baton Rouge or is determined to be the best bid through our process, lets take which bid is the best out.

Ms. Scott: Whatever process we'll use though will have to be a process that we can quantify that is subject to some mathematical calculation.

Councilman Lester: Right. I guess where I'm going is this. With all due respect to the Administration and to the Mayor, I think that regardless of which process we use, I think we're

still bound. My question is and where I'm trying to go is, we're still bound to accept the best bid?

Ms. Scott: Yes.

Councilman Lester: So, irregardless of whether the best bid is the \$201 monetized over a period of time in Baton Rouge or the \$201 bid monetized at the city level, I think the best we are required to accept the best bid. Because we are a public municipal body. I don' think that this falls in the category of an RFP, or RFQ where there is a scenario where we can - - - where there is a subjective quantity to it. I think by nature of what we're dealing with I think we're honor bound or not lets say honor, I think we are bound by the statutes to accept the best bids. And I guess, for Ms. Glass and whatever, and not getting to the Mayor, if that be the case, then the question becomes who determines what is the best bid. And if the Mayor's concern is who determines the best bid, then would not, could not we address what his concern is relative to what is best by saying in our document that goes to Baton Rouge that the bid from Shreveport, in our mind, that would be the best bid would be the bid that monetizes the most to the city over the period of the lease.

Ms. Scott: Mr. Lester, I believe Mr. Long just provided the answer to that. That the Mineral Board and it's staff already has a process where by they make that determination. Based on if there is any conflicts so to speak, with regard to the minimums that are requested and if there will be the same minimum that are provided or offered by competing bidders. I think Mr. Long already indicated there is already a process for them to do that type of analysis, to determine which bid is in fact the higher bid.

Councilman Webb: Point of order for a moment. I'm lost my quorum here.

Councilwoman Bowman: Oh, I'll go and get 'em Mr. Chairman.

Mayor Glover: More importantly you may have an illegal meeting going on in the hall. Councilman Lester: Right.

Councilwoman Bowman: Hey, I'm (inaudible) sunshine. Hey you guys.

Ms. Glass: Mr. Chairman, I will mention that the resolution does while the resolution will be incorporated in Amendment No. 1 does say that the authority to the Mineral Board is to accept the best bid.

Councilman Lester: Okay. Well, let me say this. Knowing that the Mineral Board has a process that calculates what's the best recovery to the City, over a period of time, and in my mind in talking this, walking through this, in conversations with both Ms. Scott, Ms. Glass, and Mr. Malone, I really don't see how there is an appreciable difference using the municipal model or the Mineral Board model, at the end of the day, I don't see it. Because if we were to calculate here what is best, what is the best offer, then we would at some point, we would still have to qualify and quantify that. In other words, lets say if the city's goal is the most in up front recovery, if that's what our goal is, to get the most cash on the bid, then should not we say in our submission to Baton Rouge, as well as if we were doing here that in our minds, the best deal for the city would be that deal that meets the minimum, but that also brings in the most to the city? I mean, I think we would have to - - - wouldn't we have to say that?

Ms. Scott: Well, if we're saying in the resolutions that they're authorized to accept the best bid, maybe the word that's missing there is 'highest'. And in the Mineral Board's mind, the best bid may be the highest bid. And so, I don't know that it's necessary for us to say we want you to basically accept bids that guarantee the highest money being paid to the City of Shreveport. That's already stated in the resolution.

Councilman Lester: But then, again, you know in our profession, we can argue over what is means, when it gets down to what is the best - - - I mean the highest bid, someone may offer a higher royalty and a lower up front payment which monetizes over time, might be wind

up with more money coming into the city coffers, but if the city's goal is to get the most money up front, then that's not the best offer, or that's not the highest offer. And I guess my question is if that's our concern, then could we not answer that by saying in our defining those actual parameters. Because as I appreciate it, the only thing that the Mineral Board is going to do, as I appreciate it, they're going to take what we give them. We give them the key by which to grade the test. And everyone is going to take the test, and based upon the answer key that we give them, they're going to score the exams. And if we want to give more points for neatness, then we need to say that we give more points for neatness.

Ms. Scott: But the resolution already provides for minimums. Minimum bids and the two critical issues here are on bonus and royalty payments. The original resolution as well as one of the amendments also provides for minimum payments that would be due to the city. If we want to make sure that we get a higher bonus payment, then we need to raise the minimum. If we want to make sure that get higher royalty payments, throughout the term of the lease, then we need to raise the minimum.

Councilman Lester: But even if we raise the minimums, all that does is raise the floor. That doesn't say anything to the ceiling.

Ms. Scott: If your intention however is to get the highest bonus payment, that's one time money, and your intention is to get the highest one time money, then it's incumbent for you all to determine where you think that limit is, and to raise your minimum to that amount. The minimum is just that. It is a minimum amount. But it does not preclude any bidder or perspective bidder from coming in offering bids in excess of that amount. It just sets the floor. It does not set a ceiling.

Councilman Lester: Right, and I'm perfectly aware of that, but my concern is in terms of what the ceiling is. Again, I don't have any displeasure, nor do I have any discomfort with us submitting what we have now today to the Mineral Board. I don't. I want to make sure that we flush out some of those issues at this stage, so at least in my mind, I can feel comfortable that I asked the questions that I asked. I say that because you know once before some of us, and I guess my colleague to my left and I were berated because we went through a process before that was the State Mineral Board's process twice and got what the going rate was at the time, and we were excoriated because, how dare you, how could you have accepted that particular amount? How dare you have done that? But you went through the process twice, and you accepted what the going rate was, so I just wanted to make sure.

Councilman Shyne: Point of order. I mean, this has been going on 30 minutes.

Councilman Lester: Well with all due respect Mr. Chairman, I was not here at the last Council Meeting.

Councilman Shyne: That's not our fault.

Councilman Webb: We didn't discuss it - - -

Councilman Lester: Well I mean, if you want to cut me off, cut me off, that's fine, but I just want to get my questions answered. And I would certainly not (inaudible).

Councilman Webb: Well you're not asking questions, you're making statements.

Councilman Lester Well I am at this point, but you know I'm having a conversation with you right now. I was in the process of trying to get some clarity on some things. I mean far be it from me to stop Joe Shyne from his colloquy, so.

Councilman Shyne: But I cut mine short.

Councilman Lester: When?

Councilman Shyne: Six minutes at the most. This has been going on 35 minutes. I've been out and used the latrine.

Councilman Webb: You got a final point you want to clarify, go ahead.

Councilman Lester: I mean, with all due respect Mr. Shyne, your reputation for brevity is not very well done.

Councilman Shyne: Why don't you speak to the lawyers and leave me out of this right now.

Councilman Lester: Well I'm trying to leave you out of it, but I'm just trying to exercise the - - - to do my job as my council colleague, yeah.

Councilman Webb: You got a final point you want to clarify?

Councilman Lester: Yeah, I appreciate that. Thank you for your Solomon-like indulgence. I think the thing that - - - my concern was that we have dotted those "I"s and crossed those "T"s. And at the end of the day, again, I'm not necessarily concerned about it, because I think the process is what the process is. So, I appreciate the answer to that question and certainly the information that Councilman Long has provided, giving me some level of comfort. I just want the record to be clear as we deal with those issues, that you know our faith in the Mineral Board now, versus our disdain for the Mineral Board process is just somehow interesting for what it's worth. Thank you Mr. Chairman.

Councilman Webb: Thank you. I would like to ask the Council, we've already passed the public comments portion of the agenda, but we do have two people that have filled out cards that wanted to speak on this resolution, and at this time, I'd really like to allow them to come up to speak without any objection.

Councilman Long: Well Mr. Chairman, we do have a motion on the floor that we need to vote on. And also

Councilman Walford: And my comments are on the motion.

Councilman Webb: Do we have to vote before we suspend the rules, if a motion is on the floor?

Councilman Lester: How about this Mr. Chairman, since I made the motion to start this, I will withdraw my motion to consider this so that we will allow the public to make comment prior to our vote.

Councilman Webb: Who seconded it?

Councilman Walford: I did.

Councilman Webb: And you withdraw you second? Okay, well then lets suspend the rules to allow the two comments on this.

## Motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Long</u> to suspend the rules to allow public comments.

Councilman Shyne: And Mr. Mayor, you and I no longer hold the record for verbiage in the Council Chamber. It was broken today. And it goes all the way back to the Hazel Beard Administration, when you and I first came on the Council.

Councilman Lester: I might break some more records before it's over with Mr. Chairman.

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

Mr. Ken Krefft: (157 Archer) A little unusual on a Friday. My main concerns are three-fold in this process, that we get something. We're not broke, but we're hurting. I'm glad a year ago, we didn't budget like the lady from one of the Arts organization said, when we get all the money from the October 10<sup>th</sup> mineral leases, because I think her agency was one of

those that, that was cut. And that my main concern is whatever we can get through whichever process. My second concern is to try to put as much of it as you can in the reserve. Out bond rating's taken two hits, may take a third. It's not like '98 when we were the highest bond rating. We've paid a lot of extra interest. We're going to pay about \$89,000,000 in next year's budget in debt. The highest bond rating by my calculation would save us several hundred-thousand dollars, about another thousand dollars an acre on the minerals y'all want to lease. I know we want to open pools never summer of 2010, and we want to do some things we couldn't do this year, but really, that budget reserve has slipped and should be shored up again. And the third and the final point would be I don't want to get too hung up in the details of whether we got a (inaudible) royalty or a reduced royalty over a per cent, over 25 of 26. But I do think this is a good time, and as long as we get a reasonable track. And we don't want to go back to a dollar an acre like a prior administration.

Councilman Shyne: I just wanted to make a statement, when you said that the city isn't broke, I hear the same thing from a lot of city employees and they say well Joe, you all are not broke, y'all just don't want to give us a raise. So, you know it's kind of a Catch 22, so if you understand what I'm saying. I guess it's good to say that, but then again, if they print it in the paper, and the city employees see that, I know they're going to call Joyce, and they're going to call me, and say Joe, you see, we haven't gotten a raise in the last three or four years. You all are not broke. Y'all just don't want to give us a raise. My thing to them is we just don't have the money right now to give you a raise. So, if we have the money to give them a raise, I'd like for us to give them one. And I think Bryan heard that a long time that didn't have the money to open the Fire Station up?

Councilman Wooley: But it's open.

Councilman Shyne: Yeah, it's open. So, now the other part you said, you're right. We really need the money. Now, I don't know if you remember the governor of California kept on saying California was alright, and they're \$28.6(billion) in debt. So you hear folks say it's alright, it's alright, and you look around, and you're in a hole. I appreciate you coming down and I really enjoyed what you said.

Mr. Krefft: Are y'all going to pursue it and hopefully, when we open, and I don't think it has to be in October, no offense. If we missed a month, and we opened in November, we would still have a figure by which we could appropriate, by the mid December for next year. October is certainly preferable, but I don't think it has to be in October. I think November is less advantageous, but not too late. If we lose a one month cycle.

Mayor Glover: Mr. Chairman, can I make a comment to Mr. Krefft before he takes his seat?

Councilman Webb: Yeah, go ahead.

Mayor Glover: Ken, I want you to know that if the city maintains the current pace that we're on right now, and we're just past the mid year, the city's reserve is going to be twice what we started out on, and it goes from around \$3,000,000 to somewhere north of \$6,000,000. So, we're on sound fiscal footing right now.

Councilwoman Bowman: Mr. Chairman, I sure would like to get this Point of Order. Mr. Mayor, thank you for telling us that in this meeting setting, because as you well know, we'll holler we're broke if somebody is holding the information back and don't tell us what's actually taking place. Thank you.

Mayor Glover: I don't understand your statement Councilwoman.

Councilwoman Bowman: You understood it.

Mayor Glover: No, I don't. I got my information the same way you all have.

Councilman Webb: Come up Mr. Farley and give us your name and address for the record.

Councilman Wooley: Point of Order Mr. Chairman. Point of Order Mr. Chairman, Point of Order Mr. Chairman.

Councilman Webb: Go ahead Mr. Farley. Mr. Farley come up to the mic and give us your name and address.

Mr. J. L. Farley: (326 Medowbrook) I am here as the President of the Captain Shreve Neighborhood Association. And as the Vice-President of the Shreve Center Coalition. And I seem to have this affect on people, they just get up and leave when I start talking. We would want in no way to derail anything towards this sale, but we realize the city needs the money, and we don't want to be the Grinch that stole Christmas here. We do want to, on behalf of both my neighborhood group and our coalition which is comprised of 40 different neighborhoods in Southeast Shreveport, thank Mayor Glover for his support of the neighborhood associations, and thank the City Council for any consideration they give in which groups such as the coalition seek to organize for the bid of maximizing the individual property owners benefit in selling his mineral rights. And that's our sole purpose as an organization. We wish you good luck and thank you very much for letting me speak.

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

Councilman Walford: I'd make a motion to adopt Amendment No. 1.

Councilman Long: Second.

## Motion by Councilman Walford, seconded by Councilman Long to adopt Amendment No. 1 to Resolution No. 130 of 2009.

Councilman Walford: Could I finally get to speak?

Councilman Webb: You get to speak Mr. Walford.

Councilman Walford: I was beginning to wonder. I'll be very brief, I would like to see us adopt Amendment No. 1. Following that, I will make a motion to not adopt 2 and 3, and I will be introducing a 4<sup>th</sup> amendment that will set a higher minimum.

Councilman Webb: Your Amendment No. 1 is what?

Councilman Walford: It is the corrected resolution. The one we just did all the discussing on.

Councilman Long: While everybody was talking earlier, I went and we looked up a phone number for the Mineral Board and I called down there and start asking questions. Okay? And this is what I found out. And this is not in depth or in detail, but the bottom line is this. If you go through the Mineral Board process, you know and whatever your minimum amount that you set, if the bids that come in meet that minimum or exceed it, then you have to go with the highest, what they deem to be the highest bid. There is no backing out. What happens, happens. You're bound by it. She further informed me that if we as a city, and this is what the Mayor has been alluding to, is that if we went out and did the same process, and that we have more flexibility, and we could potentially reject the bids if we don't like any of them, for whatever reason. So, but ultimately what does have to happen, if we do accept a bid, doing it on our own, by our own actions, we do have to go down to them and get approval, or I guess it's more or less rubber stamp approval from the Mineral Board, cause they just want to make

sure that what we've done is reasonably accurate and correct, and that was sort of a nutshell of what she told me. Okay? And then I asked the question that answers Councilman Lester earlier about what happens if this (inaudible). He sits down with a staff geologist come in and they do some volumetrics and some math and some calculations in what they think is the best offer. So, you know I guess and my concern about all this, is that to me, granted we're not broke, but we could sure use the money, is that what by virtue of what process is going to put us in a situation that we can account for several things. 1) That we do realize the most amount of money and not most amount of money, but the most amount of value given what our needs are at this moment in time. The second thing is that from the oil company perspective, where -- - what are they comfortable in dealing with, with regards to this process. When you go to the Mineral Board process, there is a certain amount of assurance that what happens there is everything is done properly, the openness and all that, that Mr. McCotter alluded to is all there, but there is also some other assurances that as far as the proper documentation and all that be the gas/oil companies whoever feel comfortable knowing that what they get is what they're going to get. So there is a certain amount of confidence shall we say or integrity in that process. So, whereas right now the city is, it's not that we couldn't attain that same level of confidence or integrity, but we're not there yet. I mean this is something, this is our first one that we're doing. So the question becomes in lieu of us cranking up our own sort of Mineral Department right now, which again is something that we should probably be looking at, at some point in time. But right now, the Mineral Board process is here in front of us. So again, these are the factors that are going to go into my decision as to what's going to go on today. The other part of it about, and this is what Councilman Walford is referring to is possibly raising the minimum, given that we think that we want to make sure that we get reasonable value for our land, and mind you this is the first 700 acres of how many acres that we know that are in play here, potentially 6 or 8,000. So it's a significant portion of it. So and from that standpoint, we want to try and make sure we realize good value. But in the same breath, you have the market at work. So how do you balance these needs and these situations in order to achieve the final affect of trying to get the best value you can, and not give up anything, yet not have the (inaudible) make sure you're still in a position that the market's willing to play and be a part of that process. So again, that's the part to me, the whole challenge of our decision here today is trying to negotiate that. Given what, and my personal opinion is, given where we are today, I would feel more comfortable in going to the Mineral Board process right now for this particular situation. But in the same breath, and I think this is where our discussion back stage here a while ago, was that maybe we raise our minimums so that we have a minimum expectation of what we might realize from the sale and in the hopes that if we set it to \$5,000 that hopefully, we are comfortable knowing that we'll get at least that much. Because you know that's what \$3.8(million) for 740 acres. So, if we're comfortable with that, then lets go with it and be done with it.

Councilman Shyne: I'm convinced. I ask for the vote.

Councilman Long: Then we can explore going out and doing it ourselves for future tracts.

Councilman Shyne: I'm convinced because we've been kicking this dog around.

Councilman Long: So that's my comment. I'll leave it right where it is.

Councilman Webb: Councilman Lester? Councilman Shyne: Oh Lord, deliver me.

Councilman Lester: He will Joe, stay prayerful. Thank you Mr. Chairman. Having listened to the conversation and I appreciate Councilman Long, the expertise that he brings to this particular scenario. I think he's exactly right, with all due respect to the Administration, I

do think that given where we are right now is probably I think in the long run, probably going to be in the city's interest to adopt some sort of policy where we deal with these parcels of land that are going to be put into play in a fashion that gives the city greater latitude. Certainly I don't think that this gives as much latitude as maybe we would want to change what our goals are relative to more up front versus something longer over a period of time, but at the same time, I do believe that the state Mineral Board's processes are accurate. I think they have improved over time, and I certainly support them. I supported them previously when we went back before the Mineral Board in the previous Administration, and the market is what the market is. And so I certainly support what this resolution entails and where we're trying to go. And so, moving forward I do think that we need to have more conversation in terms of crafting a policy where we have more control over the lands that we nominate, but where we are right now is - - - we're not desperate certainly by any means of the imagination, but this is probably not the best time for us to venture out on our own. And if you hadn't been listening, that's what I was saying the whole time some of my colleagues. But I guess I like the other gentleman, I guess I have that effect on folks. Thank you Mr. Chairman.

Councilman Shyne: I call for the vote.

Councilman Webb: Okay, any further discussion? Okay, lets vote on the Amendment No. 1.

Councilman Shyne: Ooh, thank you Jesus. Councilman Walford: Okay, Mr. Chairman?

Mayor Glover: Mr. Chairman? Again, for clarification, what did Amendment No. 1 do?

Mr. Thompson: This amendment clarifies that the resolution authorizes the Mineral Board to execute the leases.

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

Councilman Walford: Did that pass?

Councilman Shyne: Yes.

Councilman Walford: That passed 7-0 right?

Ms. Johnson: Yes sir.

Councilman Webb: Passes with a 7-0 vote.

Councilman Walford: Mr. Chairman at this time, I'd like to introduce Amendment No.

4. And if I could ask you to just pass those down?

Councilman Shyne: I'll second that.

Councilman Walford: This amendment sets a 25% minimum at a minimum per acre of \$5,000 and if I get a second, we'll - - -

Councilman Shyne: You got a second.

### Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Shyne</u> to adopt Amendment No. 4 to Resolution No. 130 of 2009.

Councilman Walford: I think that gives us the insurance that we talked about that we're not going to lease our property for a \$2,000 minimum or a \$1500 minimum. That would be like Councilman Long said about \$3.8(million). If we get what Caddo got, we'll have \$5.1(million). But I think we would be very comfortable going with a \$5,000 minimum, and I urge your support.

Mayor Glover: Mr. Chairman, you have a copy of the amendment for the Administration?

Councilman Shyne: I'll take him mine. Mayor Glover: Terri, do you have a copy?

Councilman Shyne: Here Terri, here Terri, here please. Okay. Councilman Webb: Joe, today is not your anniversary is it?

Councilman Shyne: No.

Councilman Lester: Ain't this the same Joe Shyne that says 'However long it takes, I'm here to serve the will of the people'?

Councilman Webb: That's what he said, when he was sitting under the Chair's seat, wasn't it?

Councilman Lester: I guess the will of the people is different on Friday.

Councilman Shyne: It is.

Councilman Wooley: I just wanted Mr. Walford again to clarify why you think - - - what makes you think 5, I guess is what (inaudible)?

Councilman Walford: Well I keep hearing the concerns that we might get \$2201, somebody meeting the minimum, and I think we'd be very comfortable with the bidding starting at \$5(thousand), and I hope it reaches \$6978, like Caddo.

Councilman Lester: Or \$8(thousand)

Councilman Walford: Mr. Shyne is very greedy. Go ahead, 10?

Councilman Shyne: Don't say that. I'm a Christian, I'm not greedy.

Councilman Long: I'm just thinking out loud here, my concern is if we go too high, is that we will - - -

Councilman Webb: Scare off the bidding?

Councilman Long: Yeah, I think we'll scare off some bidders, I really do.

Councilman Wooley: And I have to agree with that. I am concerned about that.

Councilman Walford: Mr. Chairman, Caddo went from a low of \$2200, which we don't want, to a high of \$6978. I don't know what the bids were in between, but --

Councilman Wooley: And I think that my thought on that is that it gave them room, because they're competing. They themselves are in the competing process, so somebody started on the low end, wherever that low end was, I guess it was (inaudible), and then from there, they played the bidding war. You start high, they may just - - -

Councilman Walford: I don't think they bid, they just put in - - -

Councilman Wooley: They put in a bid, but I'm just saying I think I go along with Councilman Long. There is some concern there.

Councilman Long: I think that, I'm sorry go ahead.

Councilman Webb: Councilwoman Bowman, you had a comment?

Councilwoman Bowman: Councilman Walford?

Councilman Walford: I don't have anything else. I'm comfortable with 5.

Councilwoman Long: I just think that I agree that maybe 1500 might be a little bit too low, but I would think, I would be comfortable somewhere like about \$2500. That's just me. You know?

Councilman Webb: You want to make a motion?

Councilman Long: Can we do that Julie?

Ms. Glass: Yes. You have to have it in writing though. I mean are you (inaudible).

Ms. Glass: Did Councilman Walford withdraw his motion?

Councilman Shyne: Give her the same thing and just scratch out 5 and put 25.

Councilman Walford: No. I'm not withdrawing my motion, I like 5.

Councilman Shyne: Julie, if you need it in writing, could he just scratch out the 5 and (inaudible)?

Councilman Long: Well yeah, I agree with that, make it \$3000

Councilman Shyne: Now make your mind up.

Councilman Lester: I guess - - - even - - - Mr. Chairman or Councilman Long even at \$3000, aren't we still putting ourselves in a situation where the land that the city is offering that is contiguous to this property would be at - - - I mean are we saying that the land just across the line, that they bid on July 8<sup>th</sup> at \$6978 per acre is of lesser value? I mean because even if we said \$5000, as a minimum, \$5,000 at a minimum bid is less than that which was offered that was the winning bid at the Parish. Are we saying that our land is worth \$4000 less?

Councilman Long: (Inaudible) is worth more than that. But I guess my point is that, one thing about this situation, each section stands alone as a rule. Each section, cause every section is considered to be a unit right now in the Haynesville play, as a gas unit, okay? So, it depends on what a particular company's position in that section is going to be after whether they perceive as putting more or less value on it, okay? I guess the question really what it boils down to here today, is if we're going to lease what's the minimum absolute expectation that we could try to hope to realize, you know? And then again the bonus is just the bonus. The real money in this whole deal is going to be to the royalty. Okay? That's where the real money is.

Councilman Shyne: Well, lets vote on it. You said 3?

Councilman Lester: But I guess Councilman Long, if the real money is at the royalty, then why are we even having conversation against what Councilman Walford said, in terms of what the bonus is? Because the bonus that he as amended his (inaudible) is less than that which was 1. And for us to continue to have this conversation almost - - -

Councilman Long: I know, but my point if you listen, I'm going to go back to the point that each section stands on it's own. Because Petrohawk, 1) bid on these sections here, they may have had a significant acreage position in those sections as opposed to other areas where they are now, which it may be that Chesapeake has a significant acreage position there. I don't know. I haven't' checked that. I couldn't tell you as I'm standing here. But - - -

Councilman Lester: But even assuming, and I don't think it's much of an assumption that Chesapeake has an interest, a large interest in this particular area versus someone else. Certainly due to the fact that they are the interested party, or at least the party that has been the catalyst for this conversation, wouldn't we not be discharging our fiduciary duty to the city to make sure that that which comes before the Board is the highest?

Councilman Long: Well I don't disagree with that, but in the same breath, there is a real possibly, possibility that there may be no bid on it again. And then we're right back where we started.

Councilman Lester: What? I mean, if that be the case, then we would then take it back out and tailor our scenario. I just think if the winning bid and land that was contiguous was \$6900, I don't think \$5,000 should scare folks off particularly if they're interested.

Councilman Shyne: Mr. Chairman, Councilman Long, if you're going to go with the 3, lets vote on it. If Councilman Lester is going to talk you out of it, tell us, and we'll go with --

Councilman Lester: I got the power?

Councilman Shyne: Yeah.

Councilman Lester: I got the power?

Councilman Long: Alright, I'd like to put a substitute motion for \$3,000 an acre.

Councilman Wooley: Second Councilman Shyne: Okay.

-

Ms. Glass: Mr. Chairman, that has been prepared as Amendment No. 5.

## Substitute motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to adopt Amendment No. 5, for \$3,000.

Councilman Webb: I'm open for discussion. Do we need that in writing passed to us? Ms. Glass: The only legal requirement is that the Clerk has it, unless you want us to --

Councilman Long: You've got it. Councilman Webb: Any discussion? Councilman Long: Vote it up or down.

Mayor Glover: Mr. Chairman, I'd like to make some comment to you. This may be a point where we get a chance to get some clarification in terms of what role the Administration plays within this process. Because I was heartened and pleased to see that Councilman Walford was willing to move forward with the amendment that he offered. I think that's part of what should have been a part of our deliberative process between the Council and the Administration before we got to this point, so that we could have had some of the give and take that's been done here this afternoon. Because that's one of the areas and one of the issues that's a concern for me. I can tell you looking at the maps, that have been so graciously provided to us by Kevin McCotter and the folks at Chesapeake, I would be highly, highly reluctant as the Mayor of the City of Shreveport to know that there has been activity on property within this type of proximity to the City of Shreveport property that goes for a value of \$7,000 per acre, and what royalty Kevin?

Mr. McCotter: 25.

Mayor Glover: At a 25% royalty, and to know that we are putting ourselves in a position where property for the City of Shreveport could go as low as \$3,000 per acre. That to me would be like having a home in a neighborhood, and you having the ability to be able to look at the other homes within the near vicinity that are of the same approximate size and square footage, and (inaudible) your own, and deciding that you are going to put yourself in a position to accept not even half, but less than half of what those homes have gone for. I think it's highly appropriate that you all would adopt the amendment that was offered by Councilman Walford. It's one that I hope you all would give some consideration to because I will tell you, that if there is an opportunity and a place for me as the Mayor of the City of Shreveport to place an objection in the event that we end up with bids substantially less than what's been received by what are approximations here. I mean by properties that are in approximate, or in the same proximity rather, as our property, that's going to be something that is highly problematic for me. So, I appreciate the wisdom that's been shown by Mr. Walford. I think it's one that would serve the City of Shreveport well. And I would hope that you all would reconsider what you're in the process of doing here. And if not, then what I do want to do is explore to the fullest extent possible, that I as Mayor of the City of Shreveport can have some say in terms of whether or not we do end up accepting these numbers when the final bids end up coming in.

Motion to approve Amendment No. 5 to Resolution No. 130 of 2009 approved by the following vote: Ayes: Councilmen Long, Wooley, Shyne, and Bowman. 4. Nays: Councilmen Lester, Walford, and Webb. 3.

Councilman Walford: Mr. Chairman, at this time, I'd like to make a motion for adoption of Amendment No. 4.

Councilman Webb: Which is? Councilman Walford: \$5,000

#### Motion by Councilman Walford, seconded by Councilman Lester to Amendment No. 4.

Councilman Walford: In the way of discussion Mr. Chairman?

Councilman Webb: Go ahead.

Councilman Walford: Again I think that this gives us some insurance and some protection. I don't think we want to put the public's property out there to cheap. So I think this would be the way to go. And if we adopt 4, it just overrides 5. So, I would urge a 'YES' vote.

Councilwoman Bowman: So we get a chance to revote again on something else.

Councilman Shyne: Okay, let's go.

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

Councilman Webb: So we vote on - - -?

Mr. Thompson: Well as amended unless somebody else wants to offer another amendment.

Councilman Webb: Okay, so we'll vote the original?

Mr. Thompson: Well as amended by 1 and 5.

Ms. Glass: Correct.

Councilman Long: Resolution as amended.

Councilman Wooley: Second.

## Substitute motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to adopt Resolution No. 130 of 2009 as amended.

Councilman Walford: Mr. Chairman, at this time, I'd like to offer a substitute motion for \$4500.

Councilman Lester: Second.

## Substitute motion by Councilman <u>Walford</u>, seconded by Councilman <u>Lester</u> to adopt Amendment No. 6 to Resolution No. 130 of 2009.

Councilman Walford: For discussion, I think it's going to look a lot better if we go to the Mineral Board with a unanimous vote, and I will not vote 'YES' at the lesser figure.

Councilman Webb: Well I agree with that.

Ms. Glass: Mr. Chairman, we need that to be in writing.

Councilman Walford: There it is.

Ms. Glass: Okav.

Councilman Shyne: Question Mr. Chairman.

Councilman Webb: Yes, Councilman Lester - - - uh, Shyne.

Councilman Shyne: I can understand why you said Councilman Lester.

Councilman Lester: We both talk a lot.

Councilman Shyne: No, he just talks so much. Councilman Long, you and Councilman Wooley, do you all have any - - - I mean since the motion at \$3,000 was given - - - I'm trying to wait till - - -

Councilman Long: Are you asking me a question?

Councilman Shyne: Yeah, I'm asking you what is your position on the compromise? Councilman Long: I'm just concerned that we'll get no bids. That's my concern. If that's what y'all want to do is go out at that level, and we get no bids, then we get no bids. It's a crap shoot.

Councilman Shyne: Right.

Councilman Walford: So is going in low.

Councilman Shyne: And I'm really - - - I have the same feeling that you have. At this particular time - - -

Councilman Lester: Substitute motion for \$4,000.

Councilman Walford: I'll second that. Here you can have my copy.

Councilman Webb: We're at Amendment No. 7?

Councilman Lester: Yes, at \$4,000.

## Substitute motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> to adopt Amendment No. 7 to Resolution No. 130 of 2009.

Councilman Webb: Any discussion on that?

Councilman Wooley: I guess just for entertainment purposes at this point, I mean, I guess - - - where is the rationalization on the different numbers I suppose. I mean I know we kinda jumped all over the place.

Councilwoman Bowman: I think they're trying to get to a comfortable number where -

Councilman Walford: Comfort level Ms. Bowman.

Councilman Lester: With all due respect, it's not about unanimous, I just don't understand how we can look our constituents in the eye, and say that land that across the line from something that was bid at \$6900 an acre is suddenly worth less because it's in the City of Shreveport. I don't think so. And certainly if there were not interested parties, it would just something completely different than what we dealt with before, when we submitted our properties, we submitted a whole (inaudible) and there was no drilling activity. And people can say what they want to say, but the reason why people didn't hit, because there was no other drilling activity in those areas. There is a lot of drilling activity in these areas. So much so that one particular company has brought this to the Council's consideration. So, this idea that suddenly that no one is going to bid on this is a fiction. Because we've got the local folks here who are ready to do it. So, you know I just don't see how I can look my constituents in the eye and say our land is worth less.

Councilman Shyne: Mr. Chairman, Ken I can look the people that I represent in the eye and say that the land in Broadmoor and down Youree Drive is a little bit more expensive than it is on Broadway. And I don't have no problem doing that. Because I think we have to face reality. And I can look folks in the face and say my home isn't valued like the homes are out on Ellerbe Road, and ain't no shame in my game.

Councilman Lester: With all due respect, can you make the same argument that land that's (inaudible) 22.

Councilman Shyne: No, look here, I'll cut my argument off and lets vote. Councilman Lester: (Inaudible)

Councilman Shyne: . I'll cut my argument off.

Councilman Lester: (Inaudible)

Councilman Shyne: You won. I cut my argument off.

Councilman Lester: (Inaudible) more than land in section 21? Councilman Shyne: I give up. Alright lets go. I call for the vote.

Councilman Lester: I mean, if we're going to go the hyperbolic route, let's go the

hyperbolic route.

Councilman Shyne: Alright, now we got it. Councilman Lester: I mean, let's be for real.

Councilman Shyne: Alright.

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

Councilman Webb: Okay, that passes with a 7-0 vote.

Councilman Walford: Motion on the resolution as amended.

Mr. Thompson: For the record, that was Amendment No. 7 that was adopted.

Councilman Webb: Amendment No. 7 for \$4,000, and it was approved with a 7-0 vote and Councilman Walford has made a motion to approve the resolution as amended.

Councilman Long: And I seconded it.

Councilman Webb: Second by Councilman Long.

## Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> adopt Resolution No. 130 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Councilman Webb: And that passes with a 7-0 vote.

Councilman Walford: Councilman Shyne, that was democracy at it's finest.

Councilman Shyne: Yes.

Mayor Glover: We now have Mr. Frazier here. And I wanted it on the record for clarity sake, have some comments in terms of how this process is being rejected, if that ends up being a necessity. Could we have an understanding of that?

Mr. John Frazier: The rejection can come from the City of any and all bids, after the bid is received by the State Mineral Board.

Councilman Webb: When the bid what?

Mr. Frazier: After the bids are received by the State Mineral Board, those bids can be rejected by the city.

Mayor Glover: How would that be done?

Mr. Frazier: Mayor, mechanically I don't know. I suspect, we send them a letter, certified or overnight mail to make sure that's done. I simply don't know the particular criteria for doing it. We haven't looked at that specifically, but I'm sure we can figure that out - - -

Councilman Webb: So we can hope the bids come back high, so there won't be a rejection.

Councilman Long: Mr. Chairman?

Mayor Glover: It would be our mutual - - -

Councilman Long: John, I called down and talked to a - - - who did I talk to? I talked to somebody in (Inaudible) Fontenot's office, just how to bid a tract, and I asked these questions. And just blew out a very quick scenario, explained that this is the City versus

whoever, and her comment to me was that once the Mineral Board, once those bids are opened, the high bidder gets the deal.

Mr. Frazier: Not necessarily. Because there are variables such as links, such as royalty --- well link is going to be the same as state lease. Royalty, and variables such as bonus, that the phrasing I think actually is that you can accept a bid that's most advantageous to the public body. That most advantageous language, which you'd better be able to articulate if you take something less than the higher bid. But you can take the most advantageous one, and I think you can reject them. I don't know to whom you spoke, and that gives me concern as I stand up here saying this, but I think.

Councilman Long: Alright, my question is, did you talk to a staff attorney down there? Mr. Frazier: No.

Councilman Long: Nobody's talked to anybody at the Mineral Board? None of our legal staff?

Mr. Frazier: I have not done so.

Councilman Long: Well hadn't somebody made a phone call down there and found this out, instead of sitting there just trying to read the law? You know and talk to the people that do this daily. I'm confused.

Ms. Scott: Mr. Long, the statue specifically provides - - -

Councilman Long: I don't care about the statute, what I care about is what they do, what's in practice down there.

Ms. Scott: Yes sir, but if what's in practice is contrary to what the law provides, then there would seem to be a question with the practice.

Councilman Long: Well possibly so, but I - - -

Ms. Scott: The language specifically in the statute that provides that the bids can be rejected. It's in Title 30, Section 148.5. The language is there.

Councilman Long: Well I'm a little - - -

Councilman Webb: Is there a time frame on it? Is there a time frame for the bids?

Councilman Long: What they haven't found out is what the procedure policy is and how it operates.

Ms. Scott: The question is what is the process to do that? But there is definitely language in the statute that provides for it.

Councilman Long: I mean, but how come somebody didn't make a freakin phone call? I mean, I'm confused by this.

Mayor Glover: Well it's you all's legislation.

Councilman Long: We're all in this together, hello? And then the situation I stepped out of the meeting and made a phone call and found out what I found out, and now I'm hearing that it's not accurate information. Because if that'd been the case, I would have definitely lowered my bid down to \$2,000 or something to get this ball rolling. You know to attract bidders to the table. You know now we're hearing with that piece of information, you know I would have definitely stuck to my guns on where I was head here earlier. I'm - - - I tell you, I'm very frustrated.

Councilman Webb: Yeah, I can tell.

Mr. Frazier: All I can tell you is what the law is. No, I haven't made the call.

Councilman Long: Well I wish somebody had before we had this meeting today. I don't mean to fuss, and I'm sorry.

Councilman Webb: What day is the Mineral Board going to be meeting? October 14<sup>th</sup>, and is that the day that they open the bids and say, this is the high bid?

Ms. Scott: Yes.

Councilman Webb: Okay. And then we will be notified the next day or the same day or whatever?

Ms. Scott: Yes sir.

Councilman Webb: What the bid was?

Ms. Scott: Yes, the day the bids are opened in October. We can get on that agenda.

Councilman Webb: Well I would very much like for this Council to be notified what those bids are, in fact, I think we're going to send a Council Member down there. Cause I'd like for us to be a part of it. So, October 14<sup>th</sup>? Okay.

Councilman Shyne: But Mr. Chairman, also wouldn't Monday be the deadline? Am I right or wrong? Monday would be the deadline for you all to turn in either \$2,000 or \$4,000, or \$5,000, I mean, wouldn't that be - - - wouldn't Monday be the deadline for the application? I'm asking Kevin?

Mr. McCotter: Councilman, yes sir. There is precedent that as long as a resolution is passed, then of course it lays over to become certified. But as long as it's passed, there's been precedent at the Mineral Board to accept the fact, there was a passed resolution that would then establish a place holder on that October agenda. So that's what will take place on Monday.

Councilman Webb: Okay.

Mr. McCotter: And Councilman Long was correct in that the higher that minimum number is, it decreases competition. The reason the Caddo Parish Commission was successful with attracting four very robust and rigorous bids - - -

Councilman Shyne: Cause that was \$1500, wasn't it?

Mr. McCotter: Was because they had a \$1500 minimum, a 25% minimum royalty, and they had the ability to reject that if they found it unacceptable. And so as we continue, or as in the wisdom of the Council, that the number continues to increase, you eliminate smaller bidders that could come in. As larger bidders, I'm cognizant of that. I'm trying to determine then whose going to be here. Whose been eliminated now with a \$4,000 minimum. And there's been a lot of people eliminated. So then the guessing game becomes challenging. If there were more bidders in the process, then it forces people to sharpen their pencil.

Mr. Thompson: How do you know how many people are going to bid?

Mr. McCotter: The lower the minimum, the more bidders.

Mr. Thompson: That's an assumption?

Mr. McCotter: That's a proven. If you were to look back Mr. Thompson at the results of State's sales, that's been documented time and time again. So it attracts more competition. Clearly with Caddo Parish, there was competition. There was high interest.

Councilman Shyne: And Mr. Chairman? And to me it seems like that would be the logic in any bidding. I mean you raise it - - - if I was bidding on a car, you know if you raise it up too high, you're not, cause I - - -

Mr. McCotter: I want competition.

Councilman Shyne: Right. Maybe I'm telling what I do at home some times, but I watch the bids on these antique cars although I enjoy it, because I don't have that kind of money. But I do watch it. And the bids are lower, you get more folks in on the bid. When you get to the high end, then you don't have anybody, but like a Michael Long, who can bid on it.

Mr. McCotter: The key is at the outset on July 13<sup>th</sup> and 14<sup>th</sup>, it was established that there's always precedence. As long as there's a representative of the City or the City Council there, there's not a lot of explanation, it's a simple communication to the Mineral Board to say, that's not an acceptable bid to us. We don't have to provide any reasons for that. The Mineral Board rejects it, for consideration.

Mayor Glover: Mr. Chairman?

Councilman Lester: Hold a minute Mr. Mayor. Councilman Webb: Yes, go ahead Mr. Lester.

Councilman Lester: But to the point I understand what Mr. McCotter is saying in terms of competition and what have you, but if \$4,000 eliminates someone from the process, that's somebody that wasn't going to bid \$4,000 in the first place. And at the same time, your interest and my interest aren't the same. With all due respect, your interest is acquiring the leases at the best prices for you, that's most economically beneficial to you. From our perspective, our perspective is to get the leases done in the fashion that's most economically beneficial to the City. So, if we set the minimum at \$1500 and 50 people bid, but at \$1500, the 50 people bid 1600, that doesn't make me feel good. It makes me feel better that I know that at \$4,000 only the big dogs are getting off the porch. And if you can't afford to bid for our property at \$4,000, then you know again, I mean we're talking about Sections 22 and 21 or something of that nature. The number of people competing isn't the issue. I think if it comes down to whose going to give the best bang for the City's buck.

Mr. McCotter: Yes sir, and with all due respect Councilman Lester, there's risk, the higher those bid prices go, it eliminates more operators. So therefore there becomes risk involved in the deployment of capital. Where am I going to earn the highest return on my investment? With 600,000 acres to drill out of a 3 ½ million acre, I have many, many choices. I get a rig count Paul produces for me every Monday morning. By the time it hits my In basket, it's obsolete. The schedule changes on a very daily basis. Our operations management folks are constantly making decisions about where to deploy those resources in order to earn the best return. So there's plenty of options out there. Companies don't have to drill. I've built a pad site at Taylor Potter off Ardis Taylor Drive. It's not etched in stone that that well will be there later on this year until we can reach the reasonable number of acres in those sections in order to get that ROI up where we need it to be. There's plenty of other opportunities. So, the risk for the City then is to not have drilling at all. The risk is to not have drilling in that area for 3, 4, 5 years down the road, because there's so many other opportunities. So when there's competition, bids drive higher, royalties stay at a great level, and you reach a rising commodity price environment next year as prices rise and as royalty or annuity income starts to come into the city.

Councilman Lester: Like I said, I understand where you're coming from, but I guess again, from where I sit, the responsibilities that we have on this side of the table are different from yours, because certainly if there was a scenario by which we could get those mineral rights at a lower rate, certainly you're going to bring your resource in. I mean, you don't have to be someone that's - - - you know?

Mr. McCotter: Yes sir, but it comes back to the time value of money. And so, if that ROI is not there next year or that internal hurdle rate is not there next year, I'm going somewhere else.

Councilman Lester: You're going go where it's the cheapest.

Mr. McCotter: And where I can make the ROI. And that may not necessarily fit into a City's budget requirements. Thank you Members.

Mayor Glover: Mr. Chairman, I need to offer a couple of things here. Kevin with all due respect, we have some common interest without question. We want to see Chesapeake, Petrohawk, and all the people in your industry here. And involved in doing what you all do, here in Shreveport, and throughout Caddo Parish, and throughout Northwest Louisiana. We understand that so much so, that unlike our neighbors across the river while we have at this point regulatory legislation on the agenda, that would seek to try and exert the City's ability to be able to direct and govern and limit even some aspects of what you all do, we're looking to

engage in that process, by working with you all to make sure that while we try to protect the interest of the City of Shreveport and our citizens, that we also don't do anything that ends up being unnecessarily burdensome on you all. Both as the folks who would do the drilling, the people who would do the pipelining and what have you. But when it comes to these types of matters, unfortunately, I have to disagree because when you have an industry driven process like this one is, we're here today because you all have driven this process. From my perspective. Now, Council Members may have a different viewpoint. And to say to us that when I always placed in the trash, well let me pull out, that we're going to somehow diminish, (oh here it is), that we're going to diminish our changes of getting maximum value for our minerals by not allowing ourselves to be in a position to where we could end up with a \$2200 bid, when from my perspective as Mayor, a \$2200 bid is not an option. The bid that is an option from this perspective is the \$7,000 bid. Now if there were three bids that were submitted, and one was at \$2200, and the other one was at \$1500, and the other one was at \$1800, and the one that's at \$7,000, the only one, as both a citizen and as Mayor, that I have any concern or consideration for is the one that's at \$7,000. So at that point, from my perspective, it only would have taken one bid. Because these other folks in my opinion, are not in the game. Now have we as a city, taken those bids, then it would diminish our value for our minerals, but it would accrue to your betterment. Because you would have gotten for a lesser price, and you would have a greater potential to get the kind of (inaudible) that you're looking for. And so while we have lots of common interest, without question and we're going to be there. Very proud today to be there with you and Aubry McClendon, and the Governor and all the other folks, because we want you all here. But at the same time, we're going to have to make sure that we do all that we can to maximize the value of the minerals that we have below us. Because unlike the example that Councilman Shyne tried to make earlier, there is not difference from an appearance standpoint. Only from a geological. And none of us are geological experts. So, while you can say that a home in Councilman Long's neighborhood may have an average higher value than the ones that are in Councilman Shyne's district. You can look at the demographic information. The census track information, and know that people who have an average income of \$45-60,000 a year, probably will have a nicer, larger home than folks whose average income is \$20-25,000 a year. But I don't know what the distinction is between the quality of the shale that lies beneath Mooretown in comparison to the quality of the shale that lies beneath Broadmoor. And I'm not as Mayor going to be the one that's going to be responsible for making that judgement without making every effort possible to maximize the value for the City of Shreveport. And so, we are joined in many things, but there are few that we are simply apart and that's the natural adversarial aspect of this type of process. So I want to just be clear about that.

Councilman Shyne: Mr. Chairman, and I'm going to make mine short. But Kevin, my analogy didn't have anything to do with the shale. My analogy had to do with the crime rate, if you understand what I'm saying? You know from one neighborhood to another neighborhood, quality of schools, and there are other tangibles in there that we can measure. And I understand that I'm not a geologist, and we don't have any employed by the city right now. So, I'm not in a position and my vote will not be determined on whether 50 yards out, you would have more natural gas there than you would 50 yards this way. But we do know that that is a possibility. That it could go either both ways. So, it does not necessarily say that my analogy was all out in left field, and the Mayor's analogy is right on it. I'm also concerned about what's best for the City of Shreveport, and I guess I probably have proven that over by, I hate to say this, but over about 25 or 30 years being an elected official. So, I am concerned about it. And that's why I want us to hurry up and get this process going, so you all can get it down there. And I know

the City is not broke, I hope no City Employees hear me say that, cause they're going to be coming up for a - - - they're going to want a raise, but we do need the revenue coming in. So that's my position on that.

Councilman Long: Mr. Chairman, motion to reconsider Resolution 130. In a second I'll - - -

Councilman Webb: A motion to reconsider Resolution No.130 by Councilman Long.

Councilman Wooley: Second.

Councilman Webb: Seconded by Councilman Wooley.

## Motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to reconsider Resolution No. 130 of 2009.

Councilman Long: Okay.

Councilman Webb: Do we have to vote on that?

Councilman Long: No, no don't vote. Do we have to vote just to talk about it or what?

Councilman Webb: To reconsider it, we do.

Councilman Long: Cannot have discussion before we vote? Councilman Shyne: No. Now, that's wrong, we got to vote.

Councilman Webb: No.

Ms. Glass: It is debatable. Yes.

Councilman Long: It is debatable. Okay. The reason I'm suggesting this or putting this motion forward is that I'm getting conflicting information about a very critical situation relative to this whole process. The reason I been a proponent of starting low and having a lower minimum bids is to attract competition. Now, what I'm hearing from one thing down at the Mineral Board down there was that we can do this. Have y'all found anything different in the meantime? Are y'all still unclear.

Mr. Frazier: (Inaudible) RS 30:127b provides the boards rights. The Mineral Boards rights. The Board can reject any and all leases. If the state agency leases, it has to follow the Board's guidelines. The procedure is, and the notification to answer the Mayor's question, is that they open the bids in the morning. They then go into Executive Session at the Mineral Board. They then as they get to each subdivision of the state, such as the city, or state agency, that state agency has a representative who enters the meeting, and they discuss what is most advantageous or not most advantageous to the particular state agency or subdivision of the state, and any and all bids - - - it's phrased as the Board may reject any and all bids, or may lease a lesser quantity of property than advertised and withdraw the rest.

Councilman Long: But the point is, is the City or say if a City rep is at that meeting, and at that moment in time says, gosh, we really don't like this stuff, but the Mineral Board could say, well sorry, we're going to go with it. I mean, that's a possibility. Correct? Maybe not a probability, but a possibility?

Mr. Frazier: We disagree. Certainly, it's possible.

Councilman Long: Okay, alright. You would hope and think that based on the recommendations, the representative to the Board, they would have follow along with that, and

Mr. Frazier: Well I think when you say that the agency is using the procedures, that you substitute the name agency for Board. But you know Obviously, as you pointed out, I have not talked to Neal Fontenot or the Commissioner, or any of the Members of the State Mineral Board, or (inaudible) Cordero for that matter.

Councilman Long: Right. And I guess, thank you John, and the point of all this is that I'm thinking if we lose a month, it's not going to kill us per say. I would like to have that answer to that question more clarified. Because that way, if we could in, my point is if we could go in with a lower minimum bid, we could attract more competition. If we don't like what we get, we reject. And move on and start over. But that's my point of all of that. So we're talking about getting better clarification of how that works, because I'm concerned if we might get no bids whatsoever. And then we got to wait until when are they open 'em up October? At this point?

Mr. Sibley: October, I think.

Councilman Long: October. Right, so we've got August, September, we got three months of time that has slipped by us, that we've got to start all over. Of course, we've gone this long anyway, so I guess it doesn't matter.

Councilman Shyne: That's right.

Councilman Long: So if we think this is a priority, then I would suggest that we - - - what I want to do is to delay this until the next regular meeting. Which would put it into the November cycle as opposed to the October cycle. So, vote it up or down, however y'all want to do.

Councilwoman Bowman: I just cannot believe we sat here, how many hours discussing this stuff over and over. If - - - I mean, I mean we're just like - - - I don't understand. I mean, not that I disagree with what you're saying Councilman Long, but I just can't figure out why we couldn't, just couldn't have come up at that particular time. You know what I mean?

Councilman Long: I agree.

Councilwoman Bowman: Before we sit here forever.

Councilman Long: All I can - - - personally I wished I'd had more clarification about this entire process, that way we could have made decisions accordingly.

Councilman Shyne: My point is if that's what Councilman Long, a reconsideration position is, I'm totally against it. I believe this is the time for us to go to the Mineral Board, to see what we can get. If it's not what we want, let's reject it. If it's something that we can live with, lets accept it. It's been a lot of time, a lot of time here debating back and forth, and which the process has been established already. I mean we have debated with all of us who are attorneys, and debate coaches and all this kind of stuff. We have debated this back and forth and the process is already spelled out in the law book, and each one of us have a different interpretation. My position is, I'm not totally satisfied with the \$4,000. I think it ought to be a little bit lower. But it's a lot of things that I've gone along with that I was not totally satisfied with. So, my position is to go along with the \$4,000.

Councilman Walford: I agree with Mr. Shyne. I compromised to come down to the \$4,000 to protect the citizens of the property, and I am voting 'NO' to reconsideration. I think we debated it, we passed it, lets go with it.

Councilman Long: Well, Mr. Chairman we can either vote or I can withdraw it right and move on. I'll withdraw it.

Councilman Webb: Motion to reconsider is withdrawn.

Councilman Walford: I would make a motion to go into Executive Session.

Councilwoman Bowman: Don't we need to vote on it?

Councilman Webb: No, it was withdrawn. We're done, we'll move on to Item No. 6 on the agenda.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Shyne</u> to go into Executive Session.

Mr. Thompson: Chairman, you need to state why we're going in. Councilman Webb: We're going into Executive Session to discuss the litigation Louisiana Proteins, Inc. v. City of Shreveport. The people that will be in the Executive Session will be all Council Members, Dale Sibley, Terri Scott, Arthur Thompson, Julie Glass, Mayor Glover and all Council Members.

Mr. Thompson: Mr. Chairman, for the record, that's Civil Action Number: 5:08cv334, United States District Court, Western District of Louisiana Shreveport Division.

Councilman Webb: Okay, thank you Mr. Thompson. Okay and we will take a five minute recess before we - - -

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

The Special Meeting reconvened at 6:24 p.m.

Adjournment: There being no further business to come before the Council, the meeting adjourned at approximately 6:25 p.m.

Motion to approve the Minutes of the Special Meeting, July 24, 2009 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)

*Mr. Jake Lawler:* (10525 Longfellow Trace) I'm here on behalf of me and my father. We're partners on E & L Development. We - - - many of you may know we develop land around the Shreveport/Blanchard area. We have a subdivision in Hideaway Harbor in Mr. Lester's district. We've developed about over the years, I think 12, 14 in all, but we're here today to talk about two. The two most recent ones, is Units 13 and 14. And we're kinda looking for answers. We're kinda of at a - - - for lack of better words, we're at wits end about what to do as far as getting something done with Mr. Lester. And we're just asking for help about getting our water and sewer lines approved. So we need to know what steps to take as far as that goes. Are you ready to help or? What can we do. I'm done, go ahead.

Councilman Webb: Councilwoman, you have a question?

Councilwoman Bowman: Yeah, I do have a question because I do know that this has been on the agenda for a while, but I thought that you all had worked things out when you - - - we had an Executive Session.

Mr. Lawler: Yes Ma'am and thank you for letting us come to that.

Councilwoman Bowman: In May?

Councilman Lester: June.

Mr. Lawler: It was at the end of June Ms. Bowman, I believe.

Councilwoman Bowman: Okay, and you all came and were - - - before we went into Executive Session, you wanted to speak with Councilman Lester.

Mr. Lawler: Yes Ma'am.

Councilwoman Bowman: So - - -

Mr. Lawler: And we got his number, and he was helpful and gave us his number, but we haven't - - - I think he's called one time on July 3<sup>rd</sup>, and asked to speak to - - - he was

talking to my dad and you were going to get with Mike Strong, correct Mr. Lester? About what issues was it? What issues was it with the water and sewer lines?

Councilman Lester: I said, Ms. - - -

Councilwoman Bowman: No, I just wanted to - - - I knew they came before us then and you were in the back to talk to them.

Mr. Lawler: Right, and we're back again.

Councilman Webb: Well what is it that you need to do?

Mr. Lawler: Get them approved for acceptance, and we've done - - - and the reason we brought Mike Strong down here today, and we'd like to thank him too.

Councilman Webb: He's here every meeting.

Mr. Lawler: Okay, and he'll tell you that we've done everything that we normally do for the past or have done for the past 17 years, 1992 since we've started developing Hideaway to get what we need to you guys to get it passed. And we've done all that, and we still are having problems. So that's why we're here today.

Councilman Webb: What kind of problems are you having?

Mr. Lawler: Well, getting it off the - - - I think the term is tabled? It's been tabled, I don't know what that means. I'm just a builder.

Councilman Webb: Is that Resolution No. 79 of 2009? Is that the one he's talking about Councilman Lester?

Mr. Lawler: I believe so, yes sir.

Councilman Webb: Mr. Strong, what can you add to this?

Councilman Lester: Mr. Chairman?

Councilman Webb: Yes.

Councilman Lester: If I could?

Councilman Webb: Yes.

Councilman Lester: Thank you. Mr. Lawler had the unfortunate I guess timing. This matter came up as I was preparing to do something that I haven't done in quite some time, which is go on vacation with my family. Heaven forbid I put City Council Business off for a couple of weeks. Went out of town for a while, took care of family business and came back. What I indicated to Mr. Lawler was that I wanted to talk to Mr. Strong because I had some questions. At the time that I called Mr. Strong, Mr. Strong was not in. He was gone for a couple of days, and then I went out of town for about a week. What has happened is I put my family - - -

Mr. Lawler: So this is normal?

Councilman Lester: Yeah, this is normal.

Mr. Lawler: Okay.

Councilman Lester: But for me- - -

Mr. Lawler: Okay.

Councilman Lester: I put my family and a vacation for a week before my City Council responsibility.

Mr. Lawler: I got you, and I can appreciate that.

Councilman Lester: Over the past six years, I've missed two Council Meetings. One because I was in the hospital, and the last Council Meeting. I've never missed. What I attempted to say to you and your father, but understandably you were upset and didn't want to talk was - - -

Mr. Lawler: Sure.

Councilman Lester: What I was going to tell you was I owe you a meeting. I am back now, as is most of the case when you go out of town and you've got issues that you deal with, things stack up. I do owe you a meeting.

Mr. Lawler: Yes sir.

Councilman Lester: And I will set that meeting with you and Mr. Strong to deal with those issues. Beyond that, that's all I can offer.

Mr. Lawler: What issues are there?

Councilman Lester: When I deal with bringing water lines in there are some questions that I have. And Mike Strong knows when I bring those in, I have conversations with him before I add those on. So, I want to sit down and talk to Mike about some of those issues, and we'll move forward. At the point that Mike answers my questions, we'll move forward.

Mr. Lawler: Okay, when can this meeting be, do you know, or are we just going to wait for you not to call?

Councilman Lester: Well, I mean we can go back and trade insults, but the reality of it is, I said I was going to call you, I did. I went out of town the day I think my flight left - - - if I called you the 3<sup>rd</sup>, which was a Thursday, I think I was gone that Sunday. So Heaven forbid I haven't communicated with you during that period of time I was gone for a week, and I'm back. So you can accept that for what it is, and we can continue to have dialogue or do whatever, but the reality of it is - - - and I do think it's not beyond the (inaudible) for me to put my Council responsibilities aside for a while and deal with family.

Mr. Lawler: You're exactly right. Mr. Webb, do you have any suggestions on what we can do today, or is this - - - are we at his mercy or?

Councilman Webb: I would like to know what the issues are now. I mean this has been going on for quite some time and I'm surprised that from May  $26^{th}$  - - -

Mr. Lawler: And in speaking with Mr. Strong, this has never happened before with any other development since he's been here in 25 years I think?

Councilman Webb: Mr. Strong: Come up please sir.

Mr. Strong: Yes sir.

Councilman Webb: Well I'm just trying to - - - I hate to see the gentleman continue to be held back. I don't know what issues Mr. Lester is reference to, but maybe you. He's not stating what they are. I just.

Mr. Strong: No sir, I do not know what the issues are, I have not spoken with Mr. Lester on it, and do not have any idea. I know this the criteria that is set forth and that's the way we presented it to the Council. But I don't know what the issues are.

Councilman Webb: Councilman Lester, if you were to bring this off the table today, would it be something that would have to lay over for two weeks or? Or would it be voted on and approved?

Councilman Lester: Well, I'm not in a mind to bring this off until I sit down and have my meeting with Mr. Strong. I mean it's in my district.

Councilman Webb: I understand that.

Councilman Lester: For what it's worth, the reason why it was tabled, and if you go back to the tape, I said, when I tabled this issue, I had some questions that I wanted to get with Mike about and the developer about. At the time, they came to have conversation with me in July after it had been tabled for at least two meetings. So, if the Council wants to move forward and bring it off the table and vote for it, you know that's the Council's prerogative, but I have said what my issues relative to having my conversation with Mike Strong. I have no ill will with Mr. Lawler, or his father. I don't even know those gentlemen. I've never had any problems with them, nor have I had any problems with - - - but I have some questions that I

want to get answered and I as any Councilman should be able to sit down with Mike Strong and whatever those questions are, have them answered. Again, I'm not going to apologize for not calling him while I was on vacation, and I'm not going to apologize for putting my City Council responsibilities aside while I dealt with my family and recreation. And if the Council is of the mindset to move forward, you know we can deal with it that way. But I mean, just like you would ask that a certain level of respect, I would ask that same thing. Thank you Mr. Chairman.

Councilman Webb: I'm just questioning why you waited over a month to set down and have a meeting with them?

Councilman Lester: Well, again - - -

Councilman Webb: You weren't on vacation for a month.

Councilman Lester: I know, but Mr. Chairman, with all due respect, if someone brings something to the Council, that I didn't put on, and I had some questions, is the responsibility mine to find them or them to find me. Now, they found me, I said that I would call Mike Strong, I did, Mike was gone, and the time it happened, me going to vacation. Take that for what it is.

Councilman Webb: Okay. Any other comments?

Councilwoman Bowman: I do want to ask Councilman Lester a question. I really do. Because this has been introduced April 14<sup>th</sup>, and tabled May 26<sup>th</sup>, and today's date is July 28<sup>th</sup>. And Mike Strong just said that he couldn't find anything wrong. I'm just curious what's going on. That's what I'm asking you.

Councilman Lester: And I'm going to say this again. I'm not going to vote on anything that has to do with anything in my district until I have my questions answered. And I'm not going to sit and justify that. I said that I wanted to talk to Mr. Strong. I said that I was going to talk to Mr. Strong and with these gentlemen. I said that I was going to do it. I called Mike he wasn't in. I went on vacation. Period, end of sentence. It's no difference than if any of us have an issue, and we have stood up on our hind quarters and (inaudible), if something is in my district, I want to deal with it the way I need to deal with it. Again, I don't have any ill will with these gentlemen. But if the question is whether in April I had a responsibility to have a conversation with Mike Strong, I don't think so.

Councilwoman Bowman: That wasn't the question. The question was taking so long from April to now. And yes I do have some things in my district, but I do try to handle those. I do expect the Council Members to honor what's going on as far as District G is concerned, but I don't - - - it just doesn't seem right to me.

Confirmations and Appointments: None.

CONSENT AGENDA LEGISLATION
TO INTRODUCE RESOLUTIONS AND ORDINANCES

**RESOLUTIONS:** None. **ORDINANCES:** None.

TO ADOPT RESOLUTIONS AND ORDINANCES

**RESOLUTIONS:** 

*The Clerk read the following:* 

RESOLUTION NO. 142 of 2009 A RESOLUTION AUTHORIZING JAMES BOOTH BURKE & LYNN SAMUELS BURKE, LOCATED AT 305 CYPRESS CREEK COURT, TO CONNECT TO THE

## WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, James Booth Burke & Lynn Samuels Burke 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 James Booth Burke & Lynn Samuels Burke be authorized to connect the structure, located at 305 Cypress Creek Ct. 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 <u>Wooley</u>, seconded by Councilman <u>Shyne</u> to adopt. Motion failed by the following vote: Nays: Councilmen Lester, Walford and Bowman. 3. Ayes: Councilmen Wooley, Webb, and Shyne. 3. Out of the Chamber: Councilman Long. 1.

Councilman Shyne: Mr. Chairman, I would suggest that we would maybe pause for maybe 30 seconds, lets get Michael Long back in the Chamber.

Councilman Walford: Only if one of the prevailing side wants to make a motion to (inaudible)

Councilwoman Bowman: Well, I'm on that side, there's Mike.

Councilman Webb: What do we do on this Julie?

Ms. Glass: The vote has been announced. You would need a motion to reconsider the vote.

Councilman Shyne: So moved to reconsider. Councilwoman Bowman: I made it Joe.

Councilman Shyne: Oh you did?

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Lester</u> to reconsider Resolution No. 142 of 2009. Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, Shyne, and Bowman. 5. Nays: Councilmen Lester and Walford. 2.

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Lester</u> to adopt Resolution No. 142 of 2009. Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, and Shyne. 4. 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

Mr. Thompson: Mr. Chairman, that was adopted at the Special Meeting on July the 24<sup>th</sup>, so we need to remove it from the agenda.

1. **Resolution No. 130 of 2009**: A resolution directing the Chief Administrative Officer to request the Louisiana Department of Natural Resources, Office of the State Mineral and Energy Board, to lease certain mineral interest owned by the City of Shreveport and authorizing the Mayor to execute all documents relative to same; and to otherwise provide with respect thereto. (E/Webb) (*Postponed July 14, 2009*)

Read by title and as read, Motion by Councilman Shyne, seconded by Councilman Wooley to remove Resolution No. 130 of 2009 from the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

*The Clerk read the following:* 

#### **RESOLUTION NO. 132 OF 2009**

A RESOLUTION AUTHORIZING THE MAYOR TO DONATE VIDEO CAMERA AND AN EMERGENCY LIGHT BAR LISTED IN APPENDIX "A" TO THE CADDO PARISH CONSTABLE FOR WARD 5, CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport Police Department desires to donate one police video camera and one emergency light bar listed in Appendix "A" to the Caddo Parish Constable for Ward 5 which serves a public purpose and renders a public service; and,

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

WHEREAS, the Caddo Parish Constable for Ward 5 has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, the camera and emergency light bar listed in Appendix "A" can no longer be used by the Shreveport Police Department, the camera is deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective manner to dispose of the property.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the Caddo Parish Constable for Ward 5 for the donation of the cameras and emergency light bars listed in Appendix "A".

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

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

## Read by title and as read, Motion by Councilman Shyne, seconded by Councilman Wooley to adopt.

Councilman Walford: Would it be improper to give you a substitute motion to include 133, and 134.

Councilman Webb: Yes, I like that move. Globo as we used to say.

#### **RESOLUTION NO. 133 OF 2009**

# A RESOLUTION AUTHORIZING THE MAYOR TO DONATE VIDEO CAMERAS AND EMERGENCY LIGHT BARS LISTED IN APPENDIX "A" TO THE CADDO PARISH CONSTABLE FOR WARD 7, CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport Police Department desires to donate two police video cameras, and two emergency light bars listed in Appendix "A" to the Caddo Parish Constable for Ward 7 which serves a public purpose and renders a public service; and,

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

WHEREAS, the Caddo Parish Constable for Ward 7 has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, the cameras and emergency light bars listed in Appendix "A" can no longer be used by the Shreveport Police Department, the cameras and light bars are deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective manner to dispose of the property.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the Caddo Parish Constable for Ward 7 for the donation of the cameras and emergency light bars listed in Appendix "A".

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

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

#### **RESOLUTION NO. 134 OF 2009**

## A RESOLUTION AUTHORIZING THE MAYOR TO DONATE VIDEO CAMERAS AND EMERGENCY LIGHT BARS LISTED IN APPENDIX "A" TO THE CADDO PARISH CONSTABLE FOR WARD 8, CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport Police Department desires to donate two police video cameras and two emergency light bars listed in Appendix "A" to the Caddo Parish Constable for Ward 8 which serves a public purpose and renders a public service; and,

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

WHEREAS, the Caddo Parish Constable for Ward 8 has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and, WHEREAS, the cameras and emergency light bars listed in Appendix "A" can no longer be used by the Shreveport Police Department, the cameras and emergency light bars are deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective manner to dispose of the property.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the Caddo Parish Constable for Ward 8 for the donation of the cameras and emergency light bars listed in Appendix "A".

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

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

## Substitute motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to adopt Resolution No(s) 132, 133, and 134 of 2009.

Councilman Walford: And just in the way of discussion, they're all on the same thing, just a donation.

Councilman Shyne: Mr. Chairman, I'm from the old school, I'm not using to moving that fast.

Councilman Webb: We'll wait on you.

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

#### **RESOLUTION NO. 135 OF 2009**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE MAY 11, 2007, SLUDGE PROCESSING/MARKETING CONTRACT BETWEEN THE CITY AND C. E. DELANEY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By:

WHEREAS, the City entered into an agreement with C. E. Delaney dated May 11, 2007, under which Delaney dries, screens and markets treated biosolids produced at the Ctiy's sludge treatment plant (which originate from the City's Lucas wastewater treatment plant); WHEREAS, Delaney is not currently paid for this service, but the City incurs substantial expense in collecting and delivering the materials to Delaney, and the sludge facility is currently unable to handle sludge generated at the City's North Regional wastewater treatment plant because of an ongoing backlog of product being generated at the sludge facility; WHEREAS, for a fee of \$20,000 per month, Delaney has offered to resolve the above inefficiencies by providing equipment and personnel to collect the materials as they come off the sludge plant process, in lieu of the City continuing to perform this function, and by agreeing that North Regional sludge will be processed and marketed;

WHEREAS, City staff has determined that the cost of Delaney's proposal is offset by the savings and benefits that it would generate;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Shreveport, in due, regular and legal session convened, that Cedric Glover, Mayor, be and is hereby authorized to execute on behalf of the City of Shreveport an Amendment to the May 11, 2007, Sludge Marketing/Processing Agreement with C. E. Delaney, in accordance with the terms and conditions contained in the draft of said amendment which was filed for public inspection with the original draft of the resolution in the Office of the Clerk of Council on July 14, 2009. 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 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 <u>Long</u>, seconded by Councilman <u>Shyne</u> to adopt.

Councilman Shyne: I had a conference with the Mayor, and we think that's a pretty good way to go.

Councilman Long: It's one of these situations I'm not really excited about it, but I know Mike Strong is working to try to get a better solution to this in the long run. I would hope and encourage him to do so as soon as possible if this passes.

Councilman Webb: And I'm going to vote on this myself this time, although I hope we will come up with a better solution.

Councilman Walford Can we get Mr. Strong to come up. I have some questions. On this. Mike, this has to be paid out of Water and Sewer is that correct?

Mr. Strong: That is correct.

Councilman Walford: How much are we paying now? This is all due to the Bioset thing right?

Mr. Strong: Pardon?

Councilman Walford: Is this the tied to the Bioset?

Mr. Strong: It depends on how you want to say tied to the Bioset. It's the same sludge facility, then the answer is yes.

Councilman Walford: How much are we paying now out of Water and Sewer towards Bioset? Towards settling that, if we pick this up at another \$20,000 a month?

Mr. Strong: I do not know what the exact dollar amount is for the - - - I would have to check on that, what the indebtedness is on that according to Bioset.

Councilman Walford: So, how close are we operating right now on the Water and Sewer?

Mr. Strong: I mean, you're operating very close.

Councilman Walford: And we're talking about picking up - - - I assume the votes are there for another \$11,000,000 worth of debt.

Mr. Strong: I don't believe this has anything to do the \$11,000,000.

Councilman Walford: I think it has everything to do with it. It's all part of a total debt. What I'm getting at is when are we going to have to raise water rates to cover everything that we're having to pay?

Mr. Strong: At this time, I cannot tell you.

Councilman Walford: Mr. Chairman, at this time, I'd like to make a substitute motion to postpone until we know what the total we're having to pay out is, if anybody wants to second.

Councilwoman Bowman: What's your motion?

Councilman Walford: To postpone for two weeks on this until we know what's having to be paid.

Councilman Wooley: Second.

## Substitute motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to postpone until the next regular meeting.

Councilman Shyne: Mr. Chairman, let me ask the Administration. How will this impact us?

Mayor Glover: Mr. Chairman, we have those numbers upstairs. I've been informed by Mr. Seaton, and I think that Mr. Walford may be trying to connect dots that don't necessarily appear on the same page. But I mean, I understand that he's continuing to swing. But we don't necessarily see the, as Mike just stated, the connection between the two.

Mr. Strong: And this is neutral money. This is we're doing away with a disposal, and also operations at the place.

Councilwoman Bowman: So, this has nothing to do with the \$11,000,000 right?

Councilman Webb: None whatsoever.

Mr. Strong: And understand this too. Now, whether Mr. Delaney leaves or not, I'm not sure, but this was his point. So, understand that.

Councilman Shyne: Mr. Mayor, I wanted to agree with you, but I've been accused of agreeing with too much. But I can understand what you're saying. And that's why I asked because it seems like, and if you've got the numbers, if that'll make Councilman Walford feel better, you know sometimes we just - - - we do things what we call 'feel good things'. If you could have your assistant to maybe get the numbers for Mr. Walford.

Mr. Sibley: Can we be sure Mr. Chairman, which number? Mr. Walford, you want the Bioset settlement debt?

Councilman Walford: Well actually, I have more questions that are going to come up. I'm looking for the total that we're having to pay out of Water and Sewer. If you want me to really get into it, Mr. Chairman, if I could go ahead?

Councilman Webb: Go ahead.

Councilman Walford: My understanding was we were going to refund \$25,000,000 of the Water and Sewer bonds. But now I'm being told that there's contract signed for some of that \$25,000,000. So, I think the truth is - - -Ms. Bowman does think the \$11,000,000 connects, I think all of this connects. You can connect all of the dots. I'm asking when each one of us is going to have face our constituents because to service the debt in Water and Sewer, we're going to have to go up on the rates. And it's going to happen. It's coming.

Mr. Sibley: Well Mr. Walford, we can get the total indebtedness out of that fund, but what you'll hear as a part of - - - if it comes up, as a part of your discussion on the Triton matter, what we spent the past few days, at least our Bond Team and our Finance Office is determining whether or not we in fact have the coverage within that fund to cover not only the \$25,000,000 that you referenced, but the additional \$11,000,000 if y'all choose to go forward with that. And based on the numbers that we have, that everyone agreed upon, there appeared to be coverage for that. So, that's a part of the discussion that I assume when y'all get to that particular resolution, but we can make those number available if that's what you're asking for.

Councilman Walford: To explain to why I'm nervous, Mr. Thompson and I sat in a meeting in the Mayor's Conference Room, where your financial advisor was very concerned that we could handle the current Water and Sewer debt, and now we're talking about \$11,000,000, plus \$20,000 a month? So, I don't care how you connect the dots, they all do connect. And I'm not comfortable with where we are, but if the Council is comfortable, they'll vote that way, and when the rates go up, I'm going to smile at my constituents and tell them I had nothing to do with it.

Mr. Strong: And the debt service on the Bioset, I just checked with Charles Madden, is \$890,000 a year.

Councilman Walford: So with this, we'll bump up over a million? About \$1.1(million).

Mr. Strong: And you're saying that's in here, and I've tried to explain this that the \$20,000 a month that you're talking about, we're going to reduce that same amount, by doing away with the disposal side that is from the north regional plant, plus we're doing away with the operations down at the sludge field itself. So, it's going to be a neutral dollar amount as far as the Water and Sewerage is concerned. You're not going to see an increase. This is moving the money around, as soon as we have this. But as it stands right now, we're still doing the disposal from the north regional.

Councilman Walford: And that's costing us?

Mr. Strong: \$160,000 a year there.

Councilwoman Bowman: I want to ask a question to Mike. We're on - - -

Councilman Webb: No. 135.

Councilwoman Bowman: Okay. The sludge coincides with the contract with this. Has nothing to do with the \$11,000,000?

Mr. Strong: No ma'am.

Councilwoman Bowman: That's coming up later on the---

Mr. Strong: That's correct.

Councilman Webb: I wondered what y'all were talking about.

Councilman Shyne: Mr. Mayor and Mike, the way I understand it is we got to take care of the problem some kind of way. So, if Peter don't take care of it, then Paul has got to take care of it. So, it seems like to me because I realize I'm young and I haven't been down here very long, but from a logical standpoint, and I hear Mike and Mike is a good ole Methodist, course somebody told me he was something else, I mean and I worked with Mike for a long time and Mike, I guess I'll have to hold my nose when I say this, but you've always seemed to be very truthful, to me, I've always found you out to be very truthful. If you say it's a neutral situation, and we've got to take care of the problem. Now, Mr. Mayor if you and Councilman Walford want to get together later on and connect those dots, but I don't see. But I mean, and it's not that I'm agreeing with you because I've been accused of that, and I don't - - - you know, and not that I have a problem with agreeing with you, but I mean it's a problem that we've got to take care of. And I don't see no sense in keep on kicking the football around and you say that it's a neutral situation, and we've got to take care of the problem.

Mayor Glover: If it helps you out Mr. Shyne, I'll be against it. And Mr. Chairman obviously, we would ask you for your consideration of a 'NO' vote on this.

Motion to postpone until the next regular meeting failed by the following vote: Nays: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Ayes: Councilman Walford. 1.

Councilman Wooley: Mr. Chairman, I just wanted to ask Mike if we could look at alternatives.

Councilman Shyne: Mr. Mayor, I'm glad you were against it, so I won't be accused of voting with you.

Councilman Wooley: I wanted us to look at all alternatives to deal with the sludge.

Mr. Strong: That is a total commitment, we're already doing it. In fact, I spoke with one of the companies today over the phone, and one of them was here today. And they've already left. So the two companies that we're talking with, we've been in contact with today. All this is, is to get us by (inaudible). As Councilman Shyne said, if this man doesn't do it, and he walks off, then we're going to do it, and I'm going to come down and do a budget amendment to move some money around so we can do it. So it's going to be done one way or the other.

Councilman Wooley: I just know this company is out there, and that (inaudible) take his product and make some byproduct with it, so I definitely want to encourage and hope that we're seeking those alternatives.

Mr. Strong: That has already been done, and we're looking into that.

Mayor Glover: Mr. Chairman, Mike before you go, for clarification, that's where we started off. I mean, because this was a situation where this gentleman, Mr. Delaney thought that he could do it for no cost.

Mr. Strong: That is correct. At the beginning of where he started on it, of being able to take the sludge itself, after we process it, and of course the RFP is to - - - when we get to that point is to look at the full processing and the handling of all of our sludge.

Mayor Glover: Thank you Mike.

Motion to adopt Resolution No. 135 of 2009 approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: Councilman Walford. 1.

#### **RESOLUTION NO. 136 OF 2009**

A RESOLUTION RATIFYING THE WAIVER OF BUILDING PERMIT FEES AND THE DONATION OF BUILDING MATERIALS AND SUPPLIES TO 12 TO 14 QUALIFIED LOW TO MODERATE INCOME HOMEOWNERS IN THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO. BY:

WHEREAS, World Changers Ministries, an organization sponsored by the North American Mission Board of the Southern Baptist Church, will paint and/or repair 12 to 14 homes within the City of Shreveport between July 27 and July 31, 2009; and

WHEREAS, all persons assisted by World Changers will be low to moderate income homeowners residing in the Broadmoor, Caddo Heights, Cedar Grove, Country Club, Highland, Lakeside, Mooretown, Queensborough, and Westwood Park areas of the city; and WHEREAS, all work will be performed by volunteers and will enhance the quality of life for the citizens of Shreveport and directly improve the housing conditions for 12 to 14 families in the City of Shreveport thus providing a public benefit; and

WHEREAS, World Changers has sponsored at least ten (10) previous repair projects within the City of Shreveport; and

WHEREAS, the City of Shreveport through its Department of Community Development desires to participate with World Changers by donating materials and/or supplies to the 12 to 14 homeowners that will be used by World Changers to repair and/or paint these properties and

by waiving the building permit fees required by the City of Shreveport Comprehensive Building Code for the repairs; and

WHEREAS, the donation of the materials and/or supplies and the waiver of the building permit fees is a permissible exception to Article 7 § 14 of the Louisiana State Constitution of 1974. NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the waiver of the building permit fees to paint and/or repair 12 to 14 homes by World Changers Ministries between July 27 and July 31, 2009 and the donation of material and supplies to the qualified homeowner participants for purposes of the World Changers program is hereby ratified.

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

## Read by title and as read, Motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Long</u> to adopt.

Councilman Long: Where is this going on?

Mr. Sibley: All over town.

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

#### **RESOLUTION NO. 137 OF 2009**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT OF WAY AND EASEMENT (20 year term with renewal options) WITH LOUISIANA MIDSTREAM GAS SERVICES, L.L.C., FOR THE CONSTRUCTION AND MAINTENANCE OF PIPELINES AND RELATED FACILITIES ON CITY PROPERTY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

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

WHEREAS, the City of Shreveport has been requested to grant a Right of Way and Easement to **LOUISIANA MIDSTREAM GAS SERVICES**, **L.L.C.** in association with the installation of gas collection pipelines as shown on the attachment hereto as Exhibit A.

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

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

## Read by title and as read, Motion by Councilman <u>Webb</u>, seconded by Councilman <u>Long</u> to adopt.

Councilman Shyne: Mr. Mayor, that's not a part of General Motors, is it? Councilman Webb: No, it's Chesapeake off Ardis Taylor and Colquitt.

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

#### **RESOLUTION NO. 138 OF 2009**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR AUTOMATIC AID FIRE FIGHTING ASSISTANCE BETWEEN THE CITY OF SHREVEPORT AND CADDO FIRE DISTRICT NO. 5 AND TO OTHERWISE PROVIDE WITH RESPECT THERETO RV.

WHEREAS, there currently exists a Mutual Aid Agreement for Fire Protection between the City of Shreveport Fire Department and the Caddo Fire District No. 5, and

WHEREAS, both entities desire to increase the level of aid from mutual to automatic in order to provide greater fire protection to their respective jurisdictions, and

WHEREAS, the City of Shreveport as a Home Rule Charter Municipality and the Caddo Parish Fire District No. 5 are authorized to enter into such an agreement in accordance with Article 7 Section 14 of the Constitution of the State of Louisiana, LSA R.S. 40:1500 and the Charter of the City of Shreveport, 1978, Section 5.02.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and Caddo Fire District No. 5 substantially in accordance with the draft thereof which was filed along with the original copy of this resolution in the office of the Clerk of Council on July 9, 2009.

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

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

Read by title and as read, Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Wooley</u> to adopt.

Councilman Wooley: I was notified by email. Councilwoman Bowman: What do you mean? Councilman Wooley: I said, I was notified by email.

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

9. **Resolution No. 139 of 2009**: Stating the City of Shreveport's endorsement of Mid-City Plaza, LLC to participate in the benefits of the Louisiana Restoration Tax Abatement Program, and to otherwise provide with respect thereto. (*Not to be adopted prior to Aug* 

Read by title and as read, Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to postpone until the next regular meeting.

Councilman Walford: It just has to lay over until August 11, 2009.

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

#### RESOLUTION NO. 141 OF 2009

A RESOLUTION TO AUTHORIZEAND ACCEPT THE RECEIPT OF FUNDS 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 THE DISBURSAL OF THE FUNDS TO QUALIFYING PERSONS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport ("City"), through its Department of Community Development has been notified of the award of \$1,372,308.00 from the Louisiana Housing Finance Agency; and

WHEREAS, the funds will be used to implement and develop Heritage Place Development, a twenty-six (26) unit, single-family detached affordable housing development in the Allendale neighborhood; and

WHEREAS, the project is intended provide homeownership opportunities to persons or families up to 120% of the area median income.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Shreveport, in due, regular, and legal session convened that the City of Shreveport is hereby authorized to accept the receipt of funds from the Louisiana Housing Finance Agency.

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 disbursal of the loan funds.

BE IT FUTHER RESOLVED that the Mayor or his designee is authorized to disburse the proceeds of the loan funds to qualified persons 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 <u>Lester</u>, seconded by Councilmen <u>Shyne</u> and Bowman to adopt.

Councilman Wooley: Question. Just for the benefit of the public, can somebody explain this again?

Councilman Lester: Mr. Chairman, Ms. Moore is in the back, but I can explain. What this is, is we have competitively gotten a grant from the Department of Louisiana Housing and Finance Authority to do a redevelopment project in Allendale, part of the Phoenix Project. It's

part of the Neighborhood Stabilization Program, and Bonnie and her team have done an outstanding job. We've gotten - - - if you want to come up Ms. Moore, we've gotten these funds in and basically, what we're going to do is, we're going to be building 26 units, single family, detached affordable housing development in the Allendale neighborhood. And the funds that we've garnered from the state are in the neighborhood of \$1.3(million). We're very excited about where we are because it's a combination of a lot of work in terms of doing some serious revitalization in the area.

Councilman Webb: 26 units isn't it.

Ms. Moore: It's 26 units with the Louisiana Housing Financing Agency funds. It'll be a total of 40 units, the additional units will be funded with private dollars. And if I can add 78 properties are adjudicated through the Phoenix initiative. And there will be 32 properties that will be demolished as well.

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

#### **RESOLUTION NO. 143 OF 2009**

A RESOLUTION TO FORMALLY DISCHARGE SPECIAL COMMITTEES OF THE COUNCIL THAT ARE INACTIVE AND/OR NO LONGER NEEDED, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

**WHEREAS,** Special Committees of the Council that are inactive and/or no longer needed, and which have not ceased to exist because of a sunset provision or by council action, should be discharged.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Shreveport in due, regular and legal session convened, that the following committees are discharged and cease to exist:

- Civic Appropriations created without a resolution
- False Alarm created by Resolution 97 of 2005.
- Film Incentive created without a resolution
- Haynesville Shale Revenue created by Resolution 196 of 2008.
- Hotel Feasibility created by Resolution 150 of 2004.
- Local & Minority Convention Center Complex –created without a resolution.
- Method of Measurement created by Resolution 95 of 2005.
- Metro Law Enforcement Feasibility Study created by Resolution 110 of 2003.
- Not for Profit Organizations created by Resolution 192 of 2006.
- Wireless Task Force created by Resolution 5 of 2007.

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

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

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

#### **RESOLUTION NUMBER 144 OF 2009**

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

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

**WHEREAS**, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell said properties as authorized in R.S. 47:2201 et seq., and

**WHEREAS**, pursuant to Section 26-300 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

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

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

- 1) Geographical #181417-010-0110 N. ½ Lot 417, Jones-Mabry Subdivision; Municipal Address 2457 David Raines Rd, Council District A.
- 2) Geographical #181417-010-0111 SE ½ Lot 417, Jones-Mabry Subdivision; Municipal Address 2457 David Raines Rd., Council District A.
- 3) Geographical #171421-018-0034 Lot 34, Dellinger Addition, Unit 1; Municipal Address No Municipal Address Council District F.
- 4) Geographical #171421-018-0035 Lot 35, Dellinger Addition, Unit 1; Municipal Address No Municipal Address, Council District F.
- 5) Geographical #171421-018-0036 Lot 36, Dellinger Addition, Unit 1; Municipal Address No Municipal Address, Council District F.
- 6) Geographical #171421-018-0037 Lot 37, Dellinger Addition, Unit 1; Municipal Address No Municipal Address, Council District F.
- 7) Geographical #171402-041-0006 Lot 6, Blk. 4, West End, Municipal Address No Municipal Address, Council District A.
- 8) Geographical #171402-041-0007 Lot 7, Blk 4, West End, Municipal Address No Municipal Address, Council District A.
- 9) Geographical #171402-041-0008 Lot 8, Blk. 4, West End, Municipal Address 1421 Harvard Avenue, Council District A.
- 10) Geographical #171402-041-0025 Lot 10, 11 & 12, Blk. 4, West End, Municipal Address No Municipal Address, Council District A.
- 11) Geographical #171305-053-0081 Lot 81, Bowman Lane, Municipal Address 346 East College Street, Council District B
- 12) Geographical #171410-034-0129 Lot 120, Less S. 5 ft., Exposition Hts., Municipal Address 2911 Exposition, Council District G.

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

Read by title and as read, Motion by Councilman <u>Long</u>, seconded by Councilman <u>Shyne</u> to adopt. 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 August 11, 2009) *The Clerk read the following:* 

- 1. <u>Resolution No. 145 of 2009</u>: A resolution acknowledging that the City Council has reviewed the 2009 Internal "Municipal Water Pollution Prevention Report" concerning the North Regional and Lucas Wastewater Plants.
- 2. <u>Resolution No. 146 of 2009</u>: A resolution authorizing and providing for the waiver of permit fees for the Construction of the Sport South Expansion Project within the Caddo/Bossier Port Complex, and otherwise providing with respect thereto.
- 3. **Resolution No. 149 of 2009**: A resolution ratifying the execution of a cooperative endeavor agreement with Sportspectrum, INC., in conjunction with the River Cities Triathlon and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> to introduce Resolution No(s). 145, 146, and 149 of 2009 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.

Mr. Thompson: Mr. Chairman, I've been advised by Mr. Strong that there's been a request to withdraw it from the agenda. So a motion would be in order.

1. Resolution No. 147 of 2009: A resolution authorizing and providing for the waiver of permit fees for the construction of a Regional Commerce Center within the Caddo/Bossier Port Complex, and otherwise providing with respect thereto.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman Walford to withdraw Resolution No. 147 of 2009.

Councilman Wooley: Question Mr. Chairman. Mike?

Mayor Glover: Mr. Chairman, before Mike gets up here, I spoke with Eric from the Port earlier today, in an earlier meeting we had regarding I-49, and he in fact did request that we ask the Council to withdraw 147. He said he certainly understands the sentiment expressed that was passed along to him, I'm assuming by various sources, and so we certainly agreed to pass that request along. However, the request is still there for the Council to positively consider in the next Council Meeting, Resolution No. 146, because as we mentioned on yesterday that it is an initiative that will result in some 65 plus additional jobs that will come to the Shreveport area. Thank you Mr. Chairman. Mike?

Councilman Wooley: The reason I called you up Mike was to get an explanation on or in fact communicate something to you, that was already said, what the Mayor said and I have no question.

Mr. Strong: That's it.

Councilwoman Bowman: Okay, the Mayor said that our sentiments were - - -

Councilman Wooley: Sent to them?

Councilwoman Bowman: We relayed 'em to them?

Mayor Glover: They could feel your vibe Councilwoman Bowman.

Councilwoman Bowman: Well, what I wanted to say is I stand by everything I said, and I hope when it was sent to them that they got it exactly like that.

Councilman Shyne: Amen.

Councilwoman Bowman: I mean whoever gave them.

Mr. Strong: I expressed it.

Councilwoman Bowman: You did?

Mr. Strong: Yes Ma'am.

Councilwoman Bowman: Did you tell it just like I said it?

Mr. Strong: No Ma'am.

Councilman Webb: Nobody could do that.

Councilman Long: There's only one Joyce Bowman.

Mayor Glover: Eric said that the Port prizes and cherishes their working relationship with the City of Shreveport. Wouldn't want to do anything to endanger.

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 to August 11, 2009) The Clerk read the following:

- 1. <u>Ordinance No. 75 of 2009</u>: An ordinance amending the 2009 General Fund Budget, and otherwise providing with respect thereto. (B/Walford)
- 2. <u>Ordinance No. 76 of 2009</u>: An ordinance amending the 2009 Capital Improvements Budget, and otherwise providing with respect thereto.
- 3. Ordinance No. 77 of 2009: An ordinance amending Ordinance No. 130 of 2008, An ordinance adopting the 2009 Riverfront Special Revenue Fund Budget, and otherwise providing with respect thereto.
- 4. <u>Ordinance No. 78 of 2009</u>: An ordinance amending the 2009 General Fund Budget, and to otherwise provide with respect thereto
- 5. Ordinance No. 79 of 2009: An ordinance amending the 2009 Capital Improvements Budget, and otherwise providing with respect thereto.
- 6. Ordinance No. 80 of 2009: An ordinance amending the 2009 Riverfront Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.
- 7. Ordinance No. 82 of 2009: An ordinance creating and establishing a No Parking Zone on the south side of the 1500 Block of Myrtle Street, and otherwise provide with respect thereto. (A/Lester)
- 8. <u>Ordinance No. 83 of 2009</u>: An ordinance amending Ordinance Number 50 of 2009 to extend the deadline for execution of an agreement with Union Pacific Railroad relative

- to the closure of the At-Grade railroad crossings at Wyngate Boulevard located between Valleyview Drive and Woodmont Street and Malcolm Street located between Corbitt Street and Midway Avenue, and to otherwise provide with respect thereto.
- 9. Ordinance No. 84 of 2009: An ordinance amending and re-enacting Chapter 38 of the City of Shreveport Code of Ordinances relative to Housing and Property Standards, and otherwise provide with respect thereto.
- 10. Ordinance No. 85 of 2009: A Supplemental Ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended acknowledging and approving the issuance of not exceeding \$11,000,000 principal amount of Utility Revenue Bonds, Series 2009, of the City of Shreveport, State of Louisiana, in accordance with the terms of Resolution 33 of 2009 adopted on February 24, 2009, approving and confirming the sale of such bonds; pledging revenue of the System to secure such bonds; designating said Bonds as Build America Bonds pursuant to Section 54AA of the Internal Revenue Code of 1986 as amended; prescribing the form, and certain terms and conditions of said Bonds; and providing for other matters in connection therewith."
- 11. Ordinance No. 86 of 2009: ZONING C-36-09: 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 State, 100 feet west of St. Vincent Avenue, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District to R-2, Suburban, Multi-Family Residence District, and to otherwise provide with respect thereto. (B/Walford)
- 12. Ordinance No. 87 of 2009: ZONING C-37-09: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the NE corner of St. Vincent Avenue and Hollywood Avenue, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District and I-1, Light Industry District to B-3, Community Business District with MPC Approval, and to otherwise provide with respect thereto. (B/Walford)
- Ordinance No. 88 of 2009: ZONING C-38-09: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the west side of Fairfield Avenue, 75 feet south of 62<sup>nd</sup> Street, Shreveport, Caddo Parish, Louisiana, from B-1, Buffer Business District to B-1-E, Buffer Business/Extended Use District limited to "a restaurant with take-out business" only, and to otherwise provide with respect thereto. (C/Long)
- 14. Ordinance No. 89 of 2009: ZONING C-39-09: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the SW corner of Linwood Avenue and Flournoy Lucas Road, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District to B-3-E, Community Business/Extended Use District limited to a "contractors storage yard" only, and to otherwise provide with respect thereto. (D/Wooley)

15. Ordinance No. 91 of 2009: An ordinance amending the 2009 Information Technology Internal Service Fund Budget, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Long</u> to introduce Ordinance No(s). 75, 76, 77, 78, 79, 80, 82, 83, 84, 85, 86, 87, 88, 89, and 91 of 2009 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.

1. <u>Ordinance No. 81 of 2009</u>: An ordinance repealing Ordinance No. 93 of 1990 relative to a No Through Truck Route on Williamson Way, and to otherwise provide with respect thereto. (E/Webb)

Motion by Councilman Webb, seconded by Councilman Shyne to withdraw Ordinance No. 81 of 2009. 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 to August 25, 2009) The Clerk read the following:

1. <u>Ordinance No. 90 of 2009</u>: An ordinance authorizing a lease of certain city-owned property to the Caddo Sheriff's Department and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Wooley</u> to introduce Ordinance No. 90 of 2009 to lay over until August 25, 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)

The Clerk read the following:

1. Ordinance No. 56 of 2009: An ordinance declaring the City's intention to acquire full ownership of certain adjudicated properties, and otherwise providing with respect thereto. (A/Lester) (Postponed July 14, 2009)

Having passed first reading on <u>June 23, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Shyne</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

2. Ordinance No. 66 of 2009: An Ordinance to adopt Chapter 25 of the City of Shreveport Code of Ordinances establishing regulations relative to the conduct of oil, gas and other hydrocarbon well operations with the City of Shreveport, and to otherwise provide with respect thereto. (*Postponed July 14, 2009*)

Having passed first reading on <u>June 23, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

3. Ordinance No. 67 of 2009: An Ordinance to amend Chapter 78 of the City of Shreveport Code of Ordinances to adopt regulations relative to the placement of pipeline across City-Owned property or within city rights of way, and to otherwise provide with respect thereto. (*Postponed July 14, 2009*)

Having passed first reading on <u>June 23, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

4. <u>Ordinance No. 69 of 2009</u>: An ordinance amending the 2009 Budget for the Public Safety Grants Special Revenue Fund, and otherwise providing with respect thereto.

Having passed first reading on <u>July 14, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

5. Ordinance No. 70 of 2009: An ordinance amending the 2009 Capital Improvements Budget, and otherwise providing with respect thereto.

Having passed first reading on <u>July 14, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

6. Ordinance No. 71 of 2009: An ordinance amending the 2009 Community Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.

Having passed first reading on <u>July 14, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

7. Ordinance No. 72 of 2009: An ordinance amending Section 2-106 (a) of the City of Shreveport Code of Ordinances relative to indemnification of the City Officials and Officers and to otherwise provide with respect thereto.

Having passed first reading on <u>July 14, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Shyne</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

8. Ordinance No. 73 of 2009: An ordinance repealing a portion of ordinance No. 66 of 1963 which created a two way stop at the intersection of Creswell Avenue and Oneonta Street and to create an establish the intersection of Creswell Avenue and Oneonta Street as a four way stop, and to otherwise provide with respect thereto.

Having passed first reading on <u>July 14, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Long</u>, seconded by Councilman <u>Bowman</u> to adopt.

Councilwoman Bowman: Mr. Chairman, I'm going to need his support on one I'm going to do in my district.

Councilman Shyne: When Dale and I came up, we were still doing it the old way in Leesville.

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

9. Ordinance No. 74 of 2009: An ordinance declaring the City's intention to acquire full ownership of certain adjudicated property in the Allendale area and otherwise providing with respect thereto. (A/Lester)

Having passed first reading on <u>July 14, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

The adopted ordinances and amendments follow:

### ORDINANCE NO. 56 OF 2009

# AN ORDINANCE DECLARING THE CITY'S INTENTION TO ACQUIRE FULL OWNERSHIP OF CERTAIN ADJUDICATED PROPERTIES AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City of Shreveport has a tax interest in certain properties adjudicated for the nonpayment of property taxes, said properties being more fully described below along with the names of the last known owner of record of each property; and

WHEREAS, under La. R.S. 47:2236 et. seq. when property has been adjudicated to a political subdivision, the political subdivision may declare by ordinance that it intends to acquire a full ownership interest in the property; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that it does hereby declare its intention to acquire the following properties in full ownership:

Parcel	Geo# Physical Address Legal Description	Assessed Owner
P-1	181435060004800 122 N Pierre: Lots 1, 2 & 3, Block. F, Ingersoll Hts. Sub., 181435-60-48.	Orlando Greening Pipkin, III ABC Bail Bonding Co., Tax buyer
P-2	181436004001400 Vacant lot next to 1559 Buena Vista Lot 14, Block D, Ingersoll Heights Sub	The Jones Group Ruby Kelly, Tax buyer

BE IT FURTHER ORDAINED that in accordance with La. R.S. 47:2236(B) this ordinance shall be filed with the recorder of mortgages, who shall index the names of the tax debtor and the City of Shreveport as mortgagees.

BE IT FURTHER ORDAINED that in accordance with La. R.S. 47:2236(C) and (D), notice shall be given to all persons whose interests the city intends to terminate, and notice shall be published in the official journal. Both notices shall state that the tax sale parties (defined by La. R.S. 47:2122) shall have sixty days after the date of the notice, if five years have elapsed from the filing of the tax sale certificate, or six months after the date of the notice, if five years have not elapsed from the filing of the tax sale certificate, to redeem the property or otherwise challenge the acquisition in a court of competent jurisdiction.

BE IT FURTHER ORDAINED that in accordance with La. R.S. 47:2236(E), if the property is not redeemed within said time limits, this ordinance shall become operative and the City of Shreveport shall acquire full ownership of the property, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth above.

BE IT FURTHER ORDAINED that in accordance with La. R.S. 47:2236(E) the city shall file a notice in the conveyance records indicating that it has acquired full ownership of the property in compliance with the statute.

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

### **ORDINANCE NO. 69 OF 2009**

AN ORDINANCE AMENDING THE 2009 BUDGET FOR THE PUBLIC SAFETY GRANTS SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

### BY:

WHEREAS, the City Council finds it desirable to amend the 2009 budget for the Public Safety Grants Special Revenue Fund, to appropriate new revenues and for other purposes. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 142 of 2008, the 2009 budget for the Public Safety Grants Special Revenue Fund, be amended and re-enacted as follows:

### In Section 2 (Appropriations):

# From Fiscal Year 2008 Revenues:

From 2007 Fire Prevention Grant, decrease Improvements and Equipment by \$6,100 and increase Material and Supplies by \$6,100.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 142 of 2008 shall remain unchanged and in full force and effect.

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

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

### **ORDINANCE NO. 70 OF 2009**

# AN ORDINANCE AMENDING THE 2009 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

By

WHEREAS, the City Council finds it necessary to amend the 2009 Capital Improvements Budget to shift project funding and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 129 of 2008, the 2009 Capital Improvements Budget, be further amended and re-enacted as follows:

## **In Program E (Water Improvements):**

Decrease the appropriation for **Southeast Shreveport Water Distribution System Improvements (05-E009)** by \$1,803,000. Funding source is 2007 URB.

Increase the appropriation for **Amiss Water Treatment Plants 1 and 2 Filter Improvements** (98-006) by \$53,000. Funding source is 2007 URB.

Increase the appropriation for **Backflow Preventers for Water Distribution (04-E002)** by \$2,753,755. Funding sources are \$1,153,755 from two EPA Grants and \$1,600,000 from 2007 URB.

Establish a project entitled **Supervisory Control and Data Acquisition (SCADA) System Upgrade (09-E001)** and fund it at \$150,000 from 2007 URB.

## **In Program F (Sewer Improvements):**

Increase the appropriation for **Darien Lift Station Improvements** (**05-F005**) by \$300,000. Funding source is 2005 URB.

Increase the appropriation for **Dixie Gardens Lift Station Improvements (05-F006)** by \$4,000. Funding source is 2005 URB.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 129 of 2008, as amended, shall remain in full force and effect.

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

#### **ORDINANCE NO. 71 OF 2009**

# AN ORDINANCE AMENDING THE 2009 COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND BUDGET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

#### BY:

WHEREAS, the City Council finds it necessary to amend the 2009 budget for the Community Development Special Revenue Fund, to adjust appropriations, reflect current revenue estimates and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. of 2009, the 2009 budget for the Community Development Special Revenue Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Under "2009 Current Year Funds":

Increase Louisiana Housing Finance Grant - NSP by \$1,387,800.

Increase CDBG Entitlement by \$25,800.

Increase HOME Entitlement by \$147,200.

Decrease ADDI Grant by \$9,100.

Decrease Federal Emergency Shelter by \$500.

In Section 2 (Appropriations):

Under "2009 Year Funds":

Increase Louisiana Housing Finance Grant - NSP by \$1,387,800.

Increase Administration by \$10,000

Increase Housing and Business Development by \$10,000

Increase Housing Program – CDBG by \$20,600

Increase HOME Program by \$132,400

Decrease ADDI Grant by \$9,100.

Decrease Federal Emergency Shelter by \$500.

Adjust totals and subtotals accordingly.

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

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

#### ORDINANCE NO. 72 OF 2009

AN ORDINANCE TO AMEND SECTION 2-106 (a) OF THE CITY OF SHREVEPORT CODE OF ORDINANCES RELATIVE TO INDEMNIFICATION OF CITY OFFICIALS AND OFFICERS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

**BE IT ORDAINED** by the City Council of the City of Shreveport, in due, legal, and regular session convened, that Section 2-106 (a) of the City of Shreveport Code of Ordinances is hereby amended to now read as follows:

Sec. 2-106. Indemnification of city officials and officers.

(a) As used in this section, "official" or "officer" means:

(6) The Caddo Parish Department of Animal Services and Mosquito Control and all officials and employees thereof, when acting in the discharge of their duties and within the scope of their office of employment as provided in Chapter 14 of this Code.

\*\*\*

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

### ORDINANCE NO. 73 OF 2009

AN ORDINANCE TO REPEAL A PORTION OF ORDINANCE NO. 66 OF 1963 WHICH CREATED A TWO WAY STOP AT THE INTERSECTION OF CRESWELL AVENUE AND ONEONTA STREET AND TO CREATE AND ESTABLISH THE INTERSECTION OF CRESWELL AVENUE AND ONEONTA STREET AS A FOUR WAY STOP AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

**BE IT ORDAINED** by the City Council of the City of Shreveport in regular and legal session convened that a portion of Ordinance No. 66 of 1963 which created a two way stop at the intersection of Creswell Avenue and Oneonta Street is hereby repealed and to create and establish the intersection of Creswell Avenue and Oneonta Street as a four way

stop requiring all traffic and vehicles approaching this intersection to come to a full stop. **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, or applications and to this end the provisions of this ordinance are hereby declared severable. **BE IT FURTHER ORDAINED** that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

## ORDINANCE NO. 74 OF 2009

# AN ORDINANCE DECLARING THE CITY'S INTENTION TO ACQUIRE FULL OWNERSHIP OF A CERTAIN ADJUDICATED PROPERTY IN THE STONER HILL AREA AND OTHERWISE PROVIDING WITH RESPECT THERETO

**WHEREAS**, the City of Shreveport has a tax interest in a certain property adjudicated for the nonpayment of property taxes, said property being more fully described below along with the name of the last known owner of record of the property; and

**WHEREAS**, under La. R.S. 47:2236 et. seq. when property has been adjudicated to a political subdivision, the political subdivision may declare by ordinance that it intends to acquire a full ownership interest in the property; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Shreveport in due, regular and legal session convened, that it does hereby declare its intention to acquire the following property in full ownership:

#				
P-6A	181435-126-0070-00	1648 Abbie St.	Lot 70, Shepherd & Stuart Sub.	Leona Bryant
P-8A	181435-125-0085-00	622 Pierre Ave.	N. 1/3 of Lots 78, 79, & 80, Shepherd & Stuart Sub.	Lighthouse Securities & Investment Company, Inc.
P-11A	181435-125-0090-00	600 Pierre Ave.	N. 61.7 ft. of Lot 41 & N. 61.7 ft. of E. 29.3 ft. of Lot 42, Shepherd & Stuart Sub.	Keith Brown, Capital One Bank (Pioneer Bank & Trust)
P-16A	181435-128-0071-00	1707 Anna St.	Lots 60 & 61, Boisseau Annex.	Rockie Lee Bullard, DAT Partnership, FGB Realty Advisors
P-20A	181435-127-0054-00	1736 Anna St.	S. 63 ft. of Lot 52, Boisseau Annex.	Denny Bertolla
P-40A	181435-127-0035-00	1739 Logan St.	Lot 35, Boisseau Annex.	Ivory Investment Co. Alvin C. Wallette, Lorna Ruby Wallette, Ruby Wallette Phelps
P-51A	181435-093-0042-00	320 Pierre Ave.	S. 30 ft. of E. 125 ft. of Lot 2 & N. 10 ft. of E. 125 ft. of Lot 1, Dutch Garden Sub.	Adrian D. Hughes, Verlena Bell Hughes, LA Department of Revenue
P-61A	181435-091-0003-00	401 Boisseau St.	Lot 3, J. W. White Sub.	Imogene H. McCollough
Parcel #	Geographic #	Physical Address	Legal Description	Assessed Owner
P-79	181435-062-0033-00	1636 Garden St.	Lot 33, Blk. H, Ingersoll Heights Sub. & ½ abandoned adjacent alley	Pinkie Lee Gillham
P-80A	181435-062-0039-00	1614 Garden St.	Lot 39, Blk. H, Ingersoll Heights Sub.	Raymond R. Johnson, Julius G. Johnson
P-81A	181435-062-0063-00	61984 None	S. 39.74 Ft. of Lots 40, 41, & 42, Blk. H, Ingersoll Heights Sub.	Victoria Lee Catanese McManus
P-82A	181435-062-0064-00	224 Pierre Ave.	N. 40 ft. of S. 79.74 ft. of Lots 40, 41, & 42, Blk. H, Ingersoll Heights Sub.	Public Investors, Inc.

P-83A	181435-062-0049-00	218 Pierre Ave.	N. 40 ft. of Lots 40, 41, & 42, Blk. H, Ingersoll Heights Sub.	John Thomas, Jr.
P-84A	181436-005-0012-00	3414 None	Lot 12, Blk. I, Ingersoll Heights Sub.	The Jones Group
P-85A	181436-005-0011-00	215 Pierre Ave.	Lot 11, Blk. I, Ingersoll Heights Sub.	The Jones Group
P-86A	181436-005-0010-00	23374 None	Lot 10, Blk. I, Ingersoll Heights Sub.	The Jones Group
P-87A	181436-005-0009-00	205 Pierre Ave.	Lot 9, Blk. I, Ingersoll Heights Sub.	The Jones Group
P-88A	181436-005-0008-00	201 Pierre Ave.	Lot 8, Blk. I, Ingersoll Heights Sub.	John Allen Gehl, Kathy Tuminello Gehl
P-89A	181436-005-0006-00	123 Pierre Ave.	Lot 6, Blk. I, Ingersoll Heights Sub.	Charles Anthony Papa
P-90A	181435-062-0070-00	12089 None	S/2 of Lots 1, 2, & 3, Blk. H, Ingersoll Heights Sub.	Victoria Lee Catanese McManus
P-91A	181435-062-0069-00	1627 Templeman St.	Lots 7 & 8, Blk. H, Ingersoll Heights Sub.	Randall R. Allen, Kimberly S. Allen
P-92A	181435-120-0008-00	23328 None	E. 70 ft. of Lot 6, Elfant Place	George A. Gorsulowsky, David Craig Gorsulowsky, Mark N. Gorsulowsky, Thomas Bradley Gorsulowsky, Barbara Gorsulowsky, James Patrick Gorsulowsky

**BE IT FURTHER ORDAINED** that in accordance with La. R.S. 47:2236(B) this ordinance shall be filed with the recorder of mortgages, who shall index the names of the tax debtor and the City of Shreveport as mortgagees.

**BE IT FURTHER ORDAINED** that in accordance with La. R.S. 47:2236(C) and (D), notice shall be given to all persons whose interests the city intends to terminate, and notice shall be published in the official journal. Both notices shall state that the tax sale parties (defined by La.

R.S. 47:2122) shall have sixty days after the date of the notice, if five years have elapsed from the filing of the tax sale certificate, or six months after the date of the notice, if five years have not elapsed from the filing of the tax sale certificate, to redeem the property or otherwise challenge the acquisition in a court of competent jurisdiction.

**BE IT FURTHER ORDAINED** that in accordance with La. R.S. 47:2236(E), if the property is not redeemed within said time limits, this Ordinance shall become operative and the City of Shreveport shall acquire full ownership of the property, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth above.

**BE IT FURTHER ORDAINED** that in accordance with La. R.S. 47:2236(E) the city shall file a notice in the conveyance records indicating that it has acquired full ownership of the property in compliance with the statute.

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

### **UNFINISHED BUSINESS:**

Councilman Webb: Mr. Thompson, any Unfinished Business?

Mr. Thompson: None, that we know about Mr. Chairman.

Councilman Wooley: Mr. Chairman, in light of the discussion earlier, I make a motion to bring off the table, Resolution No. 79.

Motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Shyne.</u> to remove Resolution No. 79 of 2009 from the table.

Councilman Wooley: Mr. Chairman, thank you. My reason for doing that after listening to the discussion today, I feel like the Lawler group wasn't done rightly by Councilman Lester and his issue. The lapse of time has obviously cost them. I know that Council Members on this council are also have concerns about business development, whether it be in their district or in my district. We've all communicated that on different levels. I think this is an example of something that needs to be taken care of and that's why I'm asking for your support.

Mr. Thompson: That's No. 11 Bea.

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

#### **RESOLUTION NUMBER 79 OF 2009**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND E & L DEVELOPMENT, INC., HEREINAFTER CALLED "OWNER" AND ACTING HEREIN THROUGH KENNETH G. LAWLER, MANAGER, FOR THE PRIVATE WATER AND SEWER MAIN EXTENSIONS AND RELATED FACILITIES TO

# SERVE HIDEAWAY HARBOR SUBDIVISION UNITS XIII & XIV AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that Cedric B. Glover, Mayor, be and is hereby authorized to execute on behalf of the City of Shreveport a Donation Agreement with E & L Development, Inc., represented by Kenneth G. Lawler, Manager, substantially in accordance with the terms and conditions contained in the draft of said agreement which was filed for public inspection with the original draft of the resolution in the office of the City Council on April 14, 2009.

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 all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Shyne</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Wooley, Webb, Shyne, and Bowman. 5. Nays: Councilmen Lester and Long. 2.

Councilman Webb: Okay, any other Unfinished Business?

Councilman Walford: I guess to Mr. Thompson, 14 and 15. Mr. Wooley and I both remanded something to the MPC. Will they stay on Unfinished Business?

Mr. Thompson: We've had discussions with the City Attorney's office about that. We like to keep it on because we know that it's still out there and we don't 'loose it' so to speak.

Councilman Walford: Well both of us, think that they were resolved or are going to be resolved at the MPC level. Do we wait until that's done and?

Mr. Thompson: And then take it off, yes. That's what we would encourage you to do.

Councilman Lester: Mr. Chairman? Councilman Webb: Councilman Lester.

Councilman Lester: I'd like to move to remove No. 1 off the agenda.

1. <u>Ordinance No. 204 of 2006</u>: 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)

# Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Wooley</u> to remove Ordinance No. 204 of 2006 from the agenda.

Ms. Glass: Mr. Chairman, I wasn't clear on - - - was the motion to remove it entirely from the agenda, or to take it from the table?

Councilman Lester: Whatever I need to do to pull it off the agenda period.

Mr. Thompson: He can just remove it from the agenda.

Ms. Glass: Yeah, you can remove it from the agenda. I question that because it's amending a 2006 budget.

Councilman Webb: Okay, so it's too remove it from the agenda period?

Councilman Lester: Period. Councilman Webb: Okay.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, and Shyne 6. Nays: Councilwoman Bowman. 1.

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)

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Wooley</u> to remove Ordinance No. 205 of 2006.

Councilwoman Bowman: I want to see what it is.

Councilman Long: What's it related to? Councilman Wooley: It's a companion. Councilman Webb: What's it pertaining to?

Councilman Long: Disparity Study.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, and Shyne 6. Nays: Councilwoman Bowman. 1

**Resolution No. 51 of 2007**: A resolution supporting the Employee Free Choice Act, and to otherwise provide with respect thereto. (*Introduced March 27, 2007 -- Tabled May 8, 2007*)

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to remove Resolution No. 51 from the agenda.

Councilman Bowman: It's the resolution supporting the Employee Free Choice Act.

Councilman Walford: Is this to completely remove it from the agenda?

Councilman Lester: I want to remove it from the agenda.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, and Webb,. 5. Nays: Councilmen Shyne, and Bowman. 2

- **4.** 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. (Introduced March 25, 2008 Tabled April 22, 2008)
- **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. (*Introduced March 11, 2008 Tabled May 13, 2008*)
- 6. 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) (Introduced May 27, 2008 Tabled July 8, 2008)

# Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> to remove Ordinance No. 58 of 2008 from the agenda.

Ms. Glass: Mr. Chairman, the Clerk and I were just wondering about that. Normally, on a Zoning ordinance, the Council - - - a zoning change does not happen if you're changing the zoning unless it comes to the Council, and you vote 'YES' or 'NO'. Is that something that has been resolved, does not need zoning approval?

Councilman Lester: I think the issue has been resolved, but out of an abundance of caution, I'll leave that one alone. I'll withdraw my motion to withdraw.

Ms. Glass: We can check on that.

- 7. 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) (Introduced July 22, 2008 Tabled August 26, 2008)
- 8. 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) (Introduced August 26, 2008 Tabled October 14, 2008)

Councilman Walford: I'd love to see No. 8 disappear.

Councilman Lester: No, I'm only removing mine.

Councilman Walford: That would (inaudible) every neighborhood meeting. Councilman Webb: Any other Council Member want to have one removed.

Councilman Lester: Thank you Mr. Chairman.

Councilman Webb: Thank you.

Councilman Shyne: Mike, let me see how many I got on there I can remove. Umm, they've been removed already.

Councilman Webb: I've got one on here I can remove.

Councilman Lester: No. 8.

Councilman Webb: Yes, I'd like to move to remove Ordinance No. 97 of 2008 from the agenda.

Councilman Walford: Oh, Mr. Chairman? Councilman Webb: I know you'd love that.

Motion by Councilman <u>Webb</u>, seconded by Councilman <u>Walford</u> to remove Ordinance No. 97 from the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Councilman Shyne: Mr. Mayor, I don't have to worry about 'em coming to my neighborhood. Vendors.

- 9. 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. (*Introduced September 9, 2008 Tabled October 14, 2008*)
- **10.** 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. (*Introduced November 25, 2008 Tabled January 27, 2009*)
- **Ordinance No. 38 of 2009**: An ordinance amending Chapter 14 of the code of ordinances, and to otherwise provide with respect thereto. (G/Bowman) (*Tabled June 23, 2009*)

Councilwoman Bowman: Mr. Kirkland. I have one. Mr. Kirkland: Very facetiously, do I have a choice?

Councilman Shyne: No.

Councilwoman Bowman: I'm looking for it.

Councilman Webb: No. 12?

Councilwoman Bowman: Yes. Have you all made any progress? Have you done anything on it?

Mr. Kirkland: Yes and in fact, we set up a meeting with you to discuss an approach for that. I think we've got a way that will give some citizens a little lower cost in terms of how to get a decision, but at the same time, it's such a range of request that without trying to arbitrarily define 2 or 3 acres or something else, long story made short, I think we've got a good approach, that if the neighbors would agree with one of the persons wanting to keep them, then we could get there. If not, they would have to go to a full blown hearing if they wanted to do that. But I'll discuss that with you, and if you're okay with it, we'll ask the MPC to go ahead and make the amendment.

Councilwoman Bowman: What I'm going to do then is leave this on the agenda for the time being.

Mr. Kirkland: Exactly.

Councilwoman Bowman: And then after I meet with you all, we'll handle up on it in the next Council Meeting. And I do have another one somewhere on here from last year. And I don't want to move it from the table.

Mr. Thompson: No. 4?

Councilwoman Bowman: Yes. No. 4. And the only reason I didn't want to move it at this particular time is because I serve on Risk Management, and I know that there are issues that come up, and you know I think we're doing it pretty well now, by basically going into Executive Session, or to discussing those issues where the Council votes to - - - you know see to it that these things are done anyway. So, for right now, I'm going to leave that on, unless somebody else decides they want to take it off the table.

Councilman Webb: What about No. 5?

Councilman Walford: I think we're going to leave that one?

Councilman Webb: I was waiting for you to get it, you were a little slow on that reaction. Okay.

Ms. Scott: If you would, we'd request that you leave it on the agenda.

Councilman Webb: Yeah, we will, I just wanted to get a rise out of Councilman Walford.

Councilman Walford: You got it. It just took me a second to read it.

Councilman Webb: Want to have a little fun behind the Chair, you know? Okay.

Councilman Walford: I'm wide awake. Councilman Webb: Yeah, he's awake.

- 13. Ordinance No. 33 of 2009: Authorizing the City to close and restrict vehicular access to Fannin Street from Baker Street to Douglas Street, and otherwise providing with respect thereto. (B/Walford) (Tabled July 14, 2009)
- 14. Ordinance No. 63 of 2009: ZONING APPEAL: C-33-09 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning property located on the NW corner of East Kings Highway and Zeke Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District to B-3, Community Business District, and to otherwise provide with respect thereto. (B/Walford) (Remanded to MPC July 14, 2009)
- 15. Ordinance No. 64 of 2009: ZONING: C-34-09 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning of property located on the northwest corner of Flournoy-Lucas Road and I-49, Shreveport, Caddo Parish, Louisiana, from R-A Residence/Agriculture District, to B-3, Community Business District with MPC Approval, and to otherwise provide with respect thereto. (D/Wooley) (*Remanded to MPC July 14, 2009*)

# 16. ALCOHOL APPEALS

Denial of application for renewal of Alcohol Beverage Permit for North Market Citgo, 3101 North Market, Shreveport, Louisiana, 71107 (A/Lester) Mr. Saleh Rahman (Postponed July 13, 2009 until July 27, 2009) – Decision to remove this appeal from the agenda, rendered July 27, 2009.

# 17. PROPERTY STANDARDS APPEALS:

- **HBO0700145** 426 Woodrow, Shreveport, LA (F/Shyne) *Ms. Carolyn Miller*, 424 Woodrow, Shreveport, LA 71105 (C/Long) (*Tabled August 25, 2008*)
- **PSD0700058**: 557 Egan Street, Shreveport, LA (B/Walford) *Mr. Daniel Markulus*, 853 Place, Shreveport, LA (B/Walford) (*Postponed April 27, 2009 until November 9, 2009*)
- **PSD0700214**: 2732 Logan Street. Shreveport, LA (G/Bowman) *Willie Roberson*, 6915 Quilen Rd, Shreveport, LA (E/Webb) (*Postponed July 27, 2009 until August 24, 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*)
- **HBO0800039**: 7221 Bethany Street, Shreveport, LA (C/Long) *Mr. Ellis Pope*, 11085 Sandwood Drive, Keithville, LA 71047) (*Postponed June 23, 2009 until August 24, 2009*)

- **HBO090005**: 241 Wichita Street, Shreveport, LA 71101 (B/Walford) *Ms. Deborah McCauley*, 241 Wichita Street, Shreveport, LA 71101 (B/Walford) (*Postponed July 27*, 2009 until October 26, 2009)
- PSD0800336: 1652 ½ Cross Lake Blvd, Shreveport, LA (G/Bowman) Mr. Donald R. Pelham, 150 Humming Bird Lane Blvd, Stonewall, LA 71078 (Postponed July 27, 2009 until August 24, 2009)
- **PSD00900103**: 2860 Looney Street, Shreveport, LA (G/Bowman) Mr. Reginald Mims, 527 East 85<sup>th</sup> Street, Shreveport, LA 71106 (D/Wooley) (*Postponed until September 4, 2009*)

## **NEW BUSINESS**

### PROPERTY STANDARDS BOARD OF APPEALS

**PSD0900171**: 1531 Oakdale Street, Shreveport, LA (B/Walford) *Mr. Francis Grigsby, 1403 Fairfield Avenue Shreveport, LA 71101* (B/Walford) (*Postponed July 27, 2009 until August 10, 2009*)

# **ALCOHOL PERMIT APPEAL**

Denial of application for renewal of alcohol beverage permit for Food Fast #88, 5109 Monkhouse Drive, Shreveport, LA 71109 (F/Shyne) *Mr. Robert Strong* 4703 DC Drive, Tyler TX 75701 - *Decision to uphold the decision of the Shreveport Police Department rendered July 27, 2009* 

### REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES

Councilman Wooley: Mr. Chairman, on the GIS Committee, I have received the State of the Municipal Infrastructure Report from Mr. Strong. Thank you Mr. Strong for putting that together. I can either hold on to these and give them out at the Committee meeting, or give them out to each Council Member. If you do come to the meeting, we do ask that you bring the material with you. Please take the time to review it if you can. And Mr. Chairman, I need to get with you to set a date for that meeting, I will let the Council know via email as soon as possible. Just come see me afterwards, I'll be more than happy to give you one, that is if you want to take it in advance. Thank you Mr. Chairman.

Councilwoman Bowman: Yes, we will have Public Safety Meeting, and we moved it to Tuesday at 10:00 if that's okay.

Councilman Webb: This coming?

Councilwoman Bowman: Yeah, this coming, because the Commission meets on that Monday, and we were not sure about the room. And that will be at 10:00 a.m., and we're going to try to have it Sharon, in the Conference Room in the back.

Ms. Pilkinton: To discuss?

Councilwoman Bowman: Pardon?

Councilman Walford: To discuss. That was going to be my question.

Councilwoman Bowman: Oh, we had two issues that we will be discussing, and the one with the trucks.

Councilman Long: By the way, if we can get a copy of that proposed or Julie, if you would share that with everybody as you get further in. This is - - - we're proposing to do this as a city-wide ordinance. And I would really appreciate it if everybody would look at it.

Councilman Webb: So, it's going to be a trucking - - - no thru truck ordinance.

Councilman Long: In residential areas.

Councilwoman Bowman: I have one more item that will be on that Public Safety agenda, and that is bar hours on Sunday, in the Riverfront area. That's on there to be discussed.

Councilman Long: Mr. Chairman, Leanis, did we pick the day?

Ms. Graham: Yes, August 10<sup>th</sup>, at 1:30 for an Audit and Finance Meeting. Councilman Long: Yes, that's in advance of our Work Session for that day.

Ms. Pilkinton: At 2:00? Mr. Thompson: 1:30.

Councilman Long: We have multiple things to talk about.

Councilman Webb: At what time?

Mr. Thompson: 1:30.

Councilman Walford: MPC Standing Committee, Thursday, 11:00. Ms. Bowman and I will be there, but everybody is welcome.

Councilman Webb: Thursday at?

Councilman Walford: 11:00 in the Mayor's Conference Room.

Councilman Webb: Mr. Thompson, you got a report?

Mr. Thompson: Yes sir.

# **CLERK'S REPORT**: Letters of Appeal

The Clerk read the following:

**BAC-39-09**: Property located on the south side of Fortson at its intersection with Thomas Drive, Shreveport, LA *Mr. Bruce G. Roberts* 1500 North Market Street, Shreveport, LA 71107 (A/Lester)

**BAC-44-09**: Property located on the south side of Wisteria, 300 feet west of Jewella, Shreveport, LA *Mr. Carroll James Smith*, 3322 East wood Drive, Shreveport, LA 71105 (E/Webb)

Councilman Walford: Mr. Chairman, backing up to that second appeal, could I ask Mr. Kirkland a question on that, because I know my phone is going to start ringing on that one. Can you kinda give us a heads up on what that was? It's not very clear from this. Variance in the size and number of detached accessories up to - - - this is Wisteria, 300 feet west of Jewella?

Mr. Thompson: Carroll James Smith.

Mr. Kirkland: If I mention the name Jerker Jim, would that - - -?

Councilman Walford: I knew who it was. I would appreciate since I know several of us are going to get calls.

Mr. Kirkland: He likes the term, or I wouldn't use it publicly if he didn't. Essentially, it's saving him and for a lot of violations of storage buildings, and other just stuff that he's collected there for years. But he appealed a particular zoning case and he got denied, and he didn't appeal that decision, so essentially we'll take him on to court, as soon as we can get him

there to law applies to him as well as it does other citizens, that you're allowed only so many storage buildings.

Councilman Walford: And from what I was reading from the comments, it was a situation that already existed?

Mr. Kirkland: Oh yeah. And he - - -

Councilman Walford: And y'all asked him to do something new?

Mr. Kirkland: No. What he - - - he's always wanting more storage buildings, so he can put more junk in 'me.

Councilman Walford: Well Mr. Kirkland, you know my phone is going to ring. I can assure you Mr. Long's phone is going to ring on this one. And I just kinda wanted a heads up on it.

Mr. Kirkland: We want one of the judges to tell him what the law is, and that it applies to him.

Councilman Walford: Thank you very much. Thank you Mr. Chairman.

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 6:43 p.m.

//s// Ron	Webb, Chairman
	nur G. Thompson, Clerk of Counci