Council Proceedings of the City of Shreveport, Louisiana September 22, 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 3:04 p.m., Tuesday, September 22, 2009, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman <u>Wooley</u>. The Pledge of Allegiance was led by Councilman Shyne.

On Roll Call, the following members were Present: Councilmen Calvin Lester, Monty Walford, Michael Long (Arrived at 3:05 p.m.), Bryan Wooley, Ron Webb, Joe Shyne, and Joyce Bowman. 7. Absent: None.

Motion by Councilman Shyne, seconded by Councilman Walford to approve the minutes of Administrative Conference - September 4, 2009, City Council Meeting - September 8, 2009, Amendment No. 1 to Council Proceedings - July 28, 2009 and Amendment No. 1 to Council Proceedings - September 8, 2009, and Special Meeting Minutes – September 10, 2009.

Amendment No. 1 to Council Proceedings of the City of Shreveport, July 28, 2009.

Amend the Minutes of the July 28, 2009, City Council meeting as published in the Official Journal (The Times) on August 4, 2009, as follows:

From column 6 on page 8B to column 6 on page 11B, delete the Special Meeting Minutes of July 24, 2009

Amendment No. 1 to Council Proceedings of the City of Shreveport, September 8, 2009.

Amend the Minutes of the September 8, 2009, City Council meeting as published in the Official Journal (The Times) on September 15, 2009, as follows:

On page 5B and columns 7 and 8, delete the Shreveport City Council and Caddo Parish Commission Special Meeting and Joint Session Minutes of August 31, 2009.

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

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

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

Councilman Webb: Mr. Mayor?

Mayor Glover: Thank you Mr. Chairman, Members of the Council. Mr. Chairman, if you would indulge, and I said on numerous occasions, I'm a public servant, not a perfect servant. Had a resolution that I wanted to ask you all to do today, that unfortunately we did not get to Council Staff. Mr. Thompson, I want to commend him for his quick response to the request. And what I would also ask if you all would, and that it involves Col Thompson, whose here on our front row, who is

with Camp Minden over in Webster Parish. It involves an effort to try and gain additional funding for the renovation of the facility that's over there, and we'd be asking you all as I'm doing a letter of support, that are going to our Congressional Delegation, would ask that you all would do a resolution of support of our Congressional Delegation that they vote to continue the funding stream that's already doing there right now. And if you all would, I would ask that you would suspend the rules here at this particular portion of the agenda, to allow Col Thompson to come and make some comments about exactly what it is that we're attempting to do here. And if after you all have had a chance to have the resolution read by Mr. Thompson, if you all would be considerate of having it passed.

Councilman Walford: Mr. Chairman, I'd make a motion to suspend the rules to allow Col Thompson to address us.

Councilman Long: Second.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> to suspend the rules and allow Col Thompson, Camp Minden to address the Council.

Mr. Thompson: If you would refresh, the resolution is on to be added, and also at the time that you vote, before you vote (inaudible) have the opportunity to speak then anyway.

Councilman Webb: Okay, I'll do that.

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

Col Thompson: Members of the Shreveport City Council, Mayor Glover. I'm honored to have this opportunity to come here and discuss the Regional Military Training Institute, that will soon be under construction at Camp Minden. Two years ago, in 2007, this Council passed a resolution of support for Phase I funding. This is a four phase construction project on Camp Minden. And even though it's in Webster Parish, this is a regional, it will have regional economic impact on Northwest Louisiana. It's going to cost us \$101,000,000, and will have a \$184,000,000 impact on the Northwest Louisiana economy. And now, the resolution that you will have before you today will be to seek funding for Phase II. Phase I funding because of your resolution was provided four years earlier. It was in the Department of Defense budget in 2013, because their resolution of support and the support of other City Councils and Police Juries in Northwest Louisiana, this money was moved and the Department of Defense's budget from 2013 to 2009. And we will be having a ground breaking in October for this Phase I, (inaudible) million dollars. Phase II money is \$26.5(million). That's what General (inaudible) to have moved in 2006 to 2011. That is the purpose of the resolution. He will take the resolutions from the City Councils and the Police Juries and other elected bodies, and letters of support from individuals to Washington to meet with our congressional delegation to show them the overwhelming support for this effort. And seek to have this money moved by the congressional delegation from 2016 to 2011. And I'll be pleased to answer your questions.

Councilman Walford: Mr. Chairman, Colonel if you would, this is not only construction money that will come to the area, but it will be recurring training year after year bringing thousands of soldiers?

Col Thompson: The initial student loan or at least (inaudible) finance the people, the 8,000 soldiers here, most of them will be flown in. And this is all federal funds, most of them will be

flown in to the Regional Airport here in Shreveport, then transported to Camp Minden. They will be located on Camp Minden for a period of time, depending on what their specialty that they're being trained for. There will be 14 specialties, occupational specialties. We call them Military Occupational Specialty. Mr. Walford's been in the Army. Now that will be the initial (inaudible). We're anticipating this will grow as the Army provides or the National Guard (inaudible) the opportunity to support more and more fellows here in training. This 8,000 initial soldiers will grow. And it will become more and more a strong economic force here in Northwest Louisiana. And all the funding for their meals, their support will come from vendors here in Northwest Louisiana as well as the construction itself.

Councilman Webb: Thank you Col Thompson. Is there anyone else in the Chamber that would like to speak in favor or opposition to adding this resolution to our agenda? If not, I guess I'll entertain a motion to add.

Motion by Councilman **Shyne**, seconded by Councilman **Long** to add Resolution No. 191 to the agenda.

Mayor Glover: Mr. Chairman, Members of the Council, I think it's also worth mentioning that the good Colonel has very close familiar relationship to our Chief. Is that not true Chief Crawford?

Chief Crawford: That's correct.

Col Thompson: I'm honored to have Chief Crawford as my son-in-law.

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. 191 OF 2009

A RESOLUTION OF SUPPORT FOR FUNDING THE REGIONAL MILITARY TRAINING INSTITUTE ON CAMP MINDEN AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Louisiana Army Ammunition Plant, formerly known as the Louisiana Ordnance Plant, produced munitions to support the war efforts of the United States of America during World War II, the Korean War and the Vietnam War and, in so doing, provided employment for thousands of workers in northwest Louisiana, south Arkansas and east Texas, and

WHEREAS, from 1941 until 1996, the Louisiana Army Ammunition Plant served as a major stimulus to the economy of northwest Louisiana, south Arkansas and east Texas, and

WHEREAS, the Louisiana Army Ammunition Plant was placed in an inactive status in 1996 and, in 2005, transferred from the United States Government to the State of Louisiana, and

WHEREAS, following the transfer of the Louisiana Army Ammunition Plant became known as the Camp Minden Training Site and the Governor, State of Louisiana charged the Louisiana National Guard with operational control of the installation, and

WHEREAS, since the transfer, the Louisiana National Guard has attracted and/or retained 20 businesses and organizations, which, when combined with Louisiana National Guard personnel, account for a total of 650 employees; and

WHEREAS, the Camp Minden military component accounts for a regional direct economic impact of more than \$27 million annually in payroll and vendor sales; and

WHEREAS, the activities of the Louisiana National Guard have been responsible for generating an additional investment of \$14 million for sustainment, restoration, and modernization during the period of FY05 through FY09; and

WHEREAS, during the next three to eight years, construction and continued planning is underway for a Regional Training Institute, Armed Forces Readiness Center, Dining Facilities, Barracks, Military Training Ranges, Unit Training Facilities, and Training Site Support Structures on Camp Minden with a projected cost \$145 million, and

WHEREAS, the Regional Training Institute will provide training for more than 8,000 military students annually, and

WHEREAS, in Fiscal Year 2009, the Federal Government appropriated \$23.8 million to fund Phase 1 construction of the Regional Training Institute.

WHEREAS, the estimated annual budget for the Regional Training Institute includes \$12 million for purchase of goods and services, \$5 million operating cost and \$8 million payroll, thus infusing a total of \$25 million stimulus into the regional economy, and

WHEREAS, during the 2007 Regular Session of the Louisiana Legislature, \$2.6 million was appropriated for Camp Minden infrastructure rehabilitation, planning, design and construction, and WHEREAS, during the 2007 Regular Session of the Louisiana Legislature, \$449,000 was appropriated for fire trucks and fire equipment for the Camp Minden Fire Department, and, WHEREAS, in 2008 Governor Bobby Jindal approved the use of \$4 million from the State Mega Fund to construct a Consolidated Dining Facility on Camp Minden, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that it does hereby commend the Louisiana National Guard for contributing to the economic well-being of this region and its citizens, and does hereby recognize and record for posterity that the Louisiana National Guard is the most significant economic development activity located at Camp Minden.

BE IT FUTHER RESOLVED that Shreveport City Council pledges support to the Louisiana National Guard economic efforts on Camp Minden and encourages the Louisiana National Guard, The Honorable Governor Bobby Jindal, The Honorable Senator Mary Landrieu, The Honorable Senator David Vitter and The Honorable Congressman John Fleming to obtain all required funding to complete the construction of the Regional Training Institute and Armed Forces Readiness Center on Camp Minden in a timely manner.

AND, BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to The Adjutant General, State of Louisiana; The Honorable Governor Bobby Jindal, The Honorable Senator Mary Landrieu, The Honorable Senator David Vitter, The Honorable Congressman John Fleming, The Honorable Congressman Steve Scalise, The Honorable Congressman Joseph Cao, The Honorable Congressman Charlie Melancon, The Honorable Congressman Rodney Alexander, The Honorable Congressman William Cassidy, and the Honorable Congressman Charles Boustany, Jr.

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.

Mayor Glover: Thank you Mr. Chairman and Members of the Council. At this point and time, we have Bill Cooksey with the Shreveport Airport Authority, and Roy Miller. As most of you may have caught I believe on the news late last week the Airport Authority, held a press conference

announcing the intent to move forward with a seasonal effort with the Branson, MO area that would expand the air service at the Shreveport Regional Airport. That will call for an allocation of some dollars that are currently within the Airport budget. And we wanted them to come today and have a chance to be able to share a few more details with you all about that. So that everyone would be on the same page, up to speed. I know that the Chairman and I ate breakfast last week, had a discussion about the exact cost of the flight for this, and we managed to get that cleared up as well, so we wanted to make sure that we got good information out here for all the Council, and the Administration, and most importantly for the general public. Roy?

Mr. Miller: Thank you Mr. Mayor. Mr. Chairman and Members of the Council, we wanted to come and tell you at your next meeting, you'll see introduction for transfer of some \$65,000 from our reserve account to our operating funds to help assist and start a new service. These will be revenue guarantees and hopefully the public will utilize the service and we never have to spend the first penny. The way these work is we put a certain amount of money up to guarantee some seats. If those are full, then it won't cost us anything. I do want to give you a brief background, and that is that Chairman Roberts has been working on this for a little over a year, maybe a year and a half, back and forth to Branson. Branson has built the first privately owned commercial service airport in the country, and they're trying to bring people into Branson. The find that some 200 and some odd people out of Shreveport, I believe it's a day or a week Bill?

Mr. Cooksey: 240 a day.

Mr. Miller: 240 a day go to Branson on bus tours. And so they think it's a wonderful opportunity. Looking out for our region to bring people into Shreveport for very low cost service, \$59 to \$99 one way. We also found that Branson has a catchment area of around a million people, in the Springfield, MO, Harrison, AR, area that can come to Shreveport to partake of Shreveport/Bossier amenities. So, we think it's a great opportunity. It'll be running in the busiest season of Branson, which is November through December. Hopefully, the public will utilize the service, and we'll see it back in the spring. A press release is available for you and Bill's got some - - any specific questions he can answer, but we wanted to bring it to your attention so that when the budget item comes before you, you'll know what we're talking about. And we'd be glad to answer any questions you have about what we're doing here.

Mayor Glover: You got a video presentation as well?

Mr. Miller: I think we got a picture of the airplane, if technology works. Technology is a wonderful thing when it works. Can we get it to go? Yeah, we'll show you the airplane here, these are 56 regional jets, all leather interior, XM radio, very nice service, about 1hour, 15 flight time from Shreveport to Branson direct, nonstop service. They'll be flying at an altitude in excess of 30,000 feet above the weather, and it'll be a great opportunity for people to visit that area, and also to come in here.

Councilman Shyne: Mr. Miller, is that the kind that Dale used to fly when he was in the Air Force?

Mr. Miller: I don't know. Hard to jump out at 30,000 feet. See I was a helicopter pilot, they didn't give us parachutes.

Councilman Shyne: Okay, you just kinda go down with it huh?

Mr. Miller: That's all there was to do. We apologize, but technology apparently has failed us today. Mr. Long, that's why I still play acoustic.

Councilman Long: Are you still looking forward to getting a seat to Branson, so you can go play a gig or two up there?

Mr. Miller: You and I need to get together on that, but we think when Mr. Roberts came to us about this, we were wondering what's the opportunity there? And working with the Branson people, it really is quite an opportunity and the local tourist bureau is working with the Branson Convention Bureau. I think it really is a good partnership between the two communities. When we were talking to them on the phone last week, it was interesting to me for them to hear of all the things that we have here, that they were unaware of. So, we think it's going to be a good dual marketing (inaudible). Here's the thing everyone thought. Well why do we want to take everybody to Branson? Well, we're also bringing people from Branson/Springfield here, so.

Councilman Long: Any possibility of connecting flights to L.A. from there?

Mr. Miller: We are working on that. We've been working on that, and hopefully you'll see us back here in a few months to talk about another budget amendment. So, the Mayor has been gracious with us on that, and we're working on several things, I'm just not at liberty to discuss it at this time. Again, we thank you the Council for your support, the Authority thanks you for your support, and anything you need to know about this, you let us know. Thank you Mr. Mayor.

Mayor Glover: Roy, before you and Bill sit down, I think to make sure that everybody understands that one way \$59?

Mr. Miller: Yes sir. One way \$59, so that's \$120 round trip. It does go as high as \$99, which would be roughly \$200 round trip, that's still very expensive. That's an, I believe an 8-9 hour bus drive, and it's going to be an hour to an hour and a half flight. So, when you think about today's price of gasoline, if you can go up there and back for \$120 and save that amount of time, you've got a bargain.

Mayor Glover: I think you've got information from Kelly over at the Convention and Tourism Bureau that said that air tickets and all the fees and all the add-ons came out to \$322.65 if I'm not mistaken.

Mr. Miller: I would think it would be less than that, so let me confirm those numbers, because adding the facility charges are only about I believe \$24 per ticket. So, taxes and another 10%, so probably two and a half. I also think there's going to be some decent packages with some various hotels and other amenities as well. I believe the Branson airport because they're private, they have their own travel agency, and they can book these packages.

Councilman Long: Did I hear correctly that 200 people a day from the Shreveport area go up there?

Mr. Miller: I think these 60 passenger busses. These tour busses are back and forth all the time, from Shreveport/Bossier, E. Texas, so we think that's the real market opportunity as far away as probably Tyler, and as far south as Natchitoches. Thank you again.

Mayor Glover: At this point Mr. Chairman and Members of Council, we will wrap up Mayoral Communications with a report on the status of the developments in Community Development from Mrs. Bonnie Moore.

Ms. Moore: Good evening. I just want to give you an update on where we are since our last Council Meeting. We have met with Internal Auditors to initiate the auditing process, and provided requested information. A meeting scheduled for Friday for me to go with the process of how we do business under the housing program including Limited Repair, and also to discuss the CDBG program. I met with Mr. Adams earlier this week to talk about coming on board with the housing unit. We addressed issues in the unit and a potential consulting agreement with him to address some of those issues. We have received and evaluated the procedures and work plans for the department. We're currently reviewing forms, contracts, policies, on all of our programs, and we're checking files for compliance and any discrepancies. We have completed the special report for Council

depicting homeowner rehabilitation, being conducted in your districts. I believe you have a copy of the report. What you will see in the report is detailed by district. It has the name of the client, the address, the date they applied, when they were approved, if their home is pending rehabilitation, if it's been approved for rehabilitation, if it's in progress, and then from that, you will also receive a closed report. And you will receive this every Council Meeting. We have also developed a homeowners manual, and a homeowner job evaluation. And what this entails would be the rights and the responsibility of the homeowner, and the rights and the responsibilities of the City. We have also included in this homeowner manual things like 'Do not allow construction on your house unless there is a permit'; 'Do not sign any final completion forms unless you are satisfied with the work'; and in bold writing and in a size 16 font for those that are elderly and disabled that may be -- - may have impaired vision. On the job evaluation form, there will be a survey, and at the end they'll complete the survey, and we're asking - - - we will put a self addressed envelope as well there, so they can send it directly to us, they don't have to give it to the contractor or the inspector. We have revised and edited some of these reforms in the bureau to make it very clear and simplified it for those homeowners that may not be able to read some of the technical terms that's usually in those documents. HUD has contacted us relative to technical assistance, and we provide the information on our priorities for technical assistance. We also received quotes for our performance manual, and this manual identifies the standards for how we perform our work, and we thought it was imperative that we update that manual. We received three viable candidates for certified inspectors. We will be doing those interviews this week, however, we're not going to be able to hire but one at this time, because the other three inspectors have appealed. We requested a roster revision to change one certified inspector to a field inspector, and this will be someone who will actually go out in the field and monitor the work to ensure that the work is conforming to housing standards. We've also contacted a property management consulting firm out of New Orleans that does all the contractual inspection work for HUD throughout the state. We're going to put out a public notice, an SOQ to engage either that firm or another credible firm to come in and assist us as well. We're reassigned some housing responsibility. The monitoring staff has been assigned specific areas to look at, but also to go out in the field. And DOS has provided a temporary inspector for us until we can hire and engage a consulting firm as well. I want to share with you the updates on the housing that we were working on. We have prioritized that list of housing, we're going to initially work on the aggrieved homeowners and assure that they're made whole as a result of the investigation. We've also had work that was in progress. We had suspended that work and our priority is that when we get inspectors that would be our third priority. And our fourth priority would be to go out and look at some of those homes that had been completed but may have some issues associated with that.

Councilman Shyne: Bonnie, I think all of that is extremely good to the Administration. I would just like to suggest maybe one other step. I would like to suggest that before everything was signed off, each Council Member, whatever district is in, would be notified. And I don't think we would have a problem of maybe kinda going and checking to make sure that this is something I used to do for - - - I used to go and check behind Mike Strong to make sure the streets and grass and stuff like that was cut. So, you know I would suggest that if you could let each one of us know, because you know believe it or not, there are some people that think that we might be a little responsible, because I've had them ask me, 'Joe, why did you all check off on that?' And I didn't want to tell them you know, that I didn't know what was going on. So, I would hope that you would do that, and I would like to suggest this to the Mayor and Mr. Sibley cause this is only a suggestion. Also that Mr. Sibley get a copy of it Mr. Mayor, and if he's not extremely busy or tied up doing

something, he might want to just take 20-25 minutes and run out and take a look at it. You do that, you know you always got two or three layers of checks and balances. And between those two or three layers Mr. Mayor, of checks and balances, we ought to be able to catch anything that goes on, and of course if we have any concerns, as a Council Members, if we have a concern, we let you or the CAO, COA, CO, no, I keep getting my alphabets wrong. Tired Mr. Mayor, I guess I talking so much earlier today, but that puts those layers in, and if somebody meets me on the street or if I'm at a meeting in the neighborhood, and they ask me about it, Bonnie, I will know something about it. I mean, and it doesn't seem that we're so divided, I mean because people look for us to be a team. The Administration, and the executive branch, and the legislative branch, they look for us to be a team. So, if we're kept abreast, it helps you all too. Because if I'm in a position to explain to some people in the community about what's going on, that might have a lot of trust in me, because they've been knowing me for a long time, and it keeps you from looking bad, if I'm making any sense to you. And Ron might know people. Joyce might know people. But I think what we're looking at is two or three layers of monitoring this, so we can make sure Mr. Mayor, that we come out with a good product here. And Dale if you do a lot of walking, I got some shoes I can suggest you put on. But would you think about including that Mr. Mayor?

Mayor Glover: Absolutely Mr. Shyne.

Councilwoman Bowman: Bonnie, under - - - okay, emergency. And then limited. The limited was basically the one that was - - - that went through all the - - -, can you explain some of these? Changers, is that World Changers?

Ms. Moore: World Changers is sponsored by the Southern Baptist Association. That's when they bring all the youth and young adults in to paint and do minor repairs on homes. It's usually done in July of each year.

Councilwoman Bowman: Okay, now if it says on here 'In Progress' and 'Approved', okay so approved is for one of these programs, but it does not mean that the work is yet - - -?

Ms. Moore: Yes, it just means they've been approved only.

Councilwoman Bowman: And once they've been approved, does that mean that an inspector or someone has gone out or already got whatever?

Ms. Moore: Yes.

Councilwoman Bowman: When do you know the amount that it's going to cost you?

Ms. Moore: Once the inspector comes out, he'll do a cost estimate, and do a work write up. That's bidded out, and when the bids come, we'll accept the lowest responsive bid.

Councilwoman Bowman: Okay, so the next one that possibly we receive, did you basically put that amount somewhere on here where the bid came through? I just wanted to kinda look over some of these, and basically know and will know that of course these are different people that will be actually doing this work, right?

Ms. Moore: Right.

Councilwoman Bowman: One other thing I saw on here. So, if there's an emergency, how do you handle that? What does that mean on this particular individual who is listed as emergency?

Ms. Moore: Emergency is anything that is health and safety hazard. It could be leaking gas, floors that's caved in or a roof that's caved in, you know something that's eminent danger. And what we do, we prioritize our emergencies, and try to get to, for example leaking gas, within 72 hours, because of the danger that it may impose. But we try to get to them much quicker when we do limited repair, than all of our other programs.

Councilwoman Bowman: Okay, thank you Mr. Chairman.

Councilman Webb: And how do when you prioritize on emergencies, how do you go about getting a bid that quick from somebody (inaudible) person go take a look at it?

Ms. Moore: Typically we do, sometimes we'll have a group of people on our vendor list, for example, this electrical, we'll just go out and we'll get an electrical person to do it, rather than going into a contract.

Councilman Wooley: Thank you Mr. Chairman, I just wanted a clarification. In regards to the money that was supposed to be paid to those unlicensed contractors, I was looking at the Fair Share, and saw the money that was encumbered. My understanding is that money is to be paid to these gentlemen or to these companies, now obviously you no longer do that. Where is that money? Do you just hold on to it until the litigation is over, or - - -?

Ms. Moore: If I'm not mistaken, most of them had already been paid those dollars. (Inaudible) to this summer, we could engage and unlicensed contractor. But there was a threshold amount that they couldn't exceed. And in the state law, it was \$7,500. A few of those contracts exceeded that \$7,500.

Councilman Wooley: Yeah, obviously, they exceeded that greatly. Thank you.

Councilwoman Walford: Ms. Moore, I noticed that one of the names that was in our local Sunday paper, unless he's paid up, I'm sure Mr. Sibley knows who I'm talking about, had adjudicated property, owed code enforcement charges, and I believe owed some taxes.

Ms. Moore: We resolved the issues a few months ago with him.

Councilman Walford: Did he pay, or did someone write off any portion of it.

Ms. Moore: No, I don't think so. I'm not sure, we don't have that authority to do that.

Councilman Walford: Did we waive any of those charges?

Mr. Sibley: Not that I'm aware of Mr. Walford.

Councilman Walford: Good. Thank you.

Councilman Shyne: Mr. Mayor, I'd just like to also suggest this, and Bonnie can tell you. I had a couple of people who called me, and said Joe, you got to come by and check on this, because you all messed this up, and come to find out, it wasn't really us who did the work. And cause I told him, cause he was going to call the news. I said, no, before you call the news media, let me call Ms. Moore. So, we got in contact with Bonnie, and come to find out it was not our group. I don't want to call the name of the other group, because he's a friend of ours, and how sometimes people lose friendship with you. And I don't have but one or two friends, and I'm going to try to keep those one or two at this late date. But if it could be known that hey look if this work is being doing by the city, and the other work is being done by another organization, that keeps us from looking bad or smelling bad if it's somebody else who has done something. So, if we could just kinda make that distinction.

Mayor Glover: Mr. Shyne, Bonnie, if you don't mind, I'll answer this one along with Bonnie. One of the things that we are doing at Bonnie's shop, they are keeping an extensive list of all the folks who have called to report that they have problems, that they believe is associated with this situation but as you just pointed out, there are without question, lots of folks who had things that may have been done, that are not in any way connected to (inaudible) with the Limited Repair Program or anything else that's done by the City of Shreveport. In fact, there have been folks who have called from as far away as Minden, who have identified themselves as people who have been wronged by this particular program. So, whether or not this is one of those situations where people see this as an opportunity as a catch all to try and have what may have been done by someone else addressed by the City of Shreveport, we are keeping a list of all of those. Bonnie and her staff are making the proper recommendations and referrals to whatever those other entities are. But we at

least want to be able to give account to and for all those folks who have in fact contacted us and reported some problems. But definitely thank you for assisting in that Mr. Shyne. And they weren't relatives (inaudible) either.

Councilwoman Bowman: I'm not going to minimize this in any way. Of course Councilman Shyne, I don't have but a few friends myself, and if they're doing this kind of stuff, I don't mind losing them. And that's just the truth. Bonnie on this City of Shreveport Fair Share reporting, No. 1, whose going to track this money? Whose going to track what's going on?

Ms. Moore: Our current program, we have several mechanisms in place. We have in the housing unit, we have a management assistant that tracks all the projects and the dollars associated with that. From there then it goes to our fiscal office who reviews all the dollars and makes sure they're - - - the management assistant will make sure that it's compliant and it meets the specifications.

Councilwoman Bowman: But this was already in place?

Ms. Moore: It's already in place. When it leaves there, it goes to our fiscal unit to make sure that all the numbers balance, it meets the dollars associated with what was allocated to the program. And then from there, it goes to our accounting unit. And then it is sent out, the payment is remitted to the contractor.

Councilwoman Bowman: I don't mean to give you a hard time Bonnie, because that's not my intent, but if this program and these steps were already in place, I wonder why couldn't somebody at least pick up on something. I mean honestly. And I know that as Council Person, I probably you know, don't have any authority as far as who works where, but I know this much. If this program and all these steps that you just stated are in place, and it went step 1, this is so and so's area. Step 2, so and so had this area. Step 3, somebody else, on till it got to accounting. And even to accounting, nobody picked up anything, and it's probably happened for years and years. And these are just the few that were caught up through the Sheriff's investigation, I'm assuming. But somebody in Community Development Step 1, Step 2, Step 3 missed the boat on this stuff, and I'm being honest, that's my opinion about it. I mean, you have a tracking system that you basically cannot track and some kind of way, it's just circumvented, go all the way around it. That's kind of crazy. I don't know if that's the same one that maybe you ought to use, since it didn't work before. That's where I'm going with that. And the same people sitting there tracking and didn't track like they should have tracked it to start with.

Ms. Moore: I think the policies and procedures are pretty solid. They conform to what's in the industry, and they conform to standard accounting procedures. I think what happened here, happened in the field. It happened past the doors of the organization. What happened was in field work was alleged to have been done in the field and I say that we could have done a better job of monitoring the field work.

Councilwoman Bowman: Probably so, but at some point before it got in the field, in my opinion, it was - - - it started as a point of contact. And I think that it started right at somebody's desk with an application. And that person whoever it is missed Step 1. And then it traveled on to the field, and you know - - - I'm through Mr. Chairman.

Councilman Walford: Bonnie, I'm not sure this question is for you. I think maybe the Administration is going to grab it, but are we considering litigation against those that didn't do the work, and is there a clock ticking on that, like for one year?

Mayor Glover: Mr. Walford, we're taking it from the very beginning. In fact legal right now is exploring all of those avenues with regards to all of the bonds that were on these particular jobs, and all the other particular places and circumstances under which we can pursue these

individuals, both in terms of their corporate capacity as well as the individual. And so, we are looking at every particular way in which to be able to pursue that. In fact, Ed Jones from Legal has been assigned to Bonnie to craft out that strategy, and to begin to figure out exactly how it is that we go about trying to make that happen.

Councilman Walford: I hope they're seeing that on Comcast right now.

Mr. Thompson: Because of Mr. Walford's remarks, you're not on Comcast. It's down, but they are working on it.

Councilman Wooley: I just wanted to request something. In lieu of Councilwoman's comments, I know you said there's some solid procedures in place, I guess the concern is if we're not changing those procedures, then I question how are we going to make sure we don't fall in the same boat. If there are changes in the procedures, then can we get a copy of what has been done in the past, or what's going to be done moving forward? Because the two biggest things I saw was 1) no licensed contractors, and so many words, how did they slip through the cracks, because apparently that happened in the application process, someone (inaudible) blank. And 2) they said they could not receive money more than \$7500, or some unlicensed contractors can't receive more than \$7500 worth of work, then how did they receive tens of thousands of dollars going unnoticed? I mean that's just simple math. And so, I'm just saying if things are going to change, I'd love to see a comparison between before and now.

Ms. Moore: In that case, we're not accepting any non-licensed contractors. Before we did accept non-licensed contractors. And I will outline all that in writing for you.

Councilman Webb: Mr. Mayor, with the magnitude of work that they do and the amount of federal dollars that's funded through these programs, I'm almost inclined to believe that maybe you're thinking the same thing, I see you've assigned Mr. Jones to go through this. Is this going to be a permanent position? Maybe we need to look at possibly having a legal person assigned to taking on Community Development on a full time basis.

Mayor Glover: That could very well be a possibility Mr. Chairman. I think we're in the process right now of working our way through that. That's something that I think we will take note of and if it becomes necessary, then we will either figure out how we can address that under our current circumstances or if we have to come and submit that at some point to the Council as a budgetary change.

Councilman Shyne: Mr. Mayor, If I'm not mistaken, I've been around for a while, but look like our current City Attorney used to work with that department. Am I right or am I wrong? Okay, so I do think that we have had legal representation, Dale if that's the correct word that you lawyers would use, in that department.

Mayor Glover: And to give you all I think, and Bonnie correct me if I'm wrong, because if mis-state the numbers, I think at this point in the three weeks, since this situation moved forward, I believe that the City has been contacted by 83?

Ms. Moore: 84 as of today.

Mayor Glover: 84 individuals, and again, those 84 individuals represent folks both inside the City of Shreveport, and as far away as points like Minden, Mansfield, Greenwood, Bossier and what have you, of those 83, we have found that there are approximately 20- -

Ms. Moore: About 30.

Mayor Glover: About 30 that may have issues involving these particular contractors, but that particular situation is being evaluated as we begin to get the inspectors, both those in house, as well as the ones that Bonnie is working to bring on board, to actually determine as to whether or not there is any particular aspect of their work that was done that does not meet expectations that were

not done up in the proper way. But then also at this point, there are four individuals that we've identified as they are referred to as the aggrieved who represent the four folks that we have identified as a result of the Sheriff's investigation that we are personally working with and made contact with and are in the process of actually addressing the issues that were identified as a result of the work that was not done or poorly done on their particular homes. So, I guess you go from 84 is the largest number, approximately 30 at that (inaudible) right now in terms of potential folks who have been harmed, and four right now who we have specifically identified and are working with to address their issues.

Councilman Webb: Are those being turned over to the Sheriff's office as a part of their investigation as well?

Mayor Glover: I think that we will be providing the Sheriff with all the things that they request. I know that Bonnie has a meeting this Friday, where she will be sitting with the Sheriff as well as Leanis from Internal Audit to basically detail them on any and all aspects involving the operation of Community Development as well as sharing with them any and all the information that they need or request.

Councilman Shyne: Mr. Mayor, I think maybe some of these people from Minden or Mansfield, might have gotten the wrong impression when we said that were a regional city.

Mayor Glover: And Mr. Shyne, as you correctly point out, and this is no way an intent on your part or my part or anybody's part to minimize this, but you are correct. There are other groups, nonprofits, other governments who have done and who do work various forms in an effort to try and assist people with their housing situations. And some of those folks have gotten work that have been beneficial to the people who had that work done, others who have gotten work that apparently they are not very happy with. And so, as you just stated, we're not looking to cast dispersions on anyone, it's just that if there's not actually been any work or any relationship or history with the City of Shreveport, we're just simply referring those folks on to the particular group or agency that they in fact had their involvement or contact with and letting them know that, that is in fact not a situation that falls under the jurisdiction of the City of Shreveport.

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

Councilman Webb: I see we have our City Marshal Charlie Caldwell with us again today. You got anything to tell us today, or you just come to watch?

Marshal Caldwell: I do have an announcement.

Councilman Webb: Well come on up to the podium.

Councilman Shyne: Looks like you got a fresh haircut there Charlie.

Marshal Caldwell: How is everybody first of all? I had so much that I had to cover last time, that I was here in front of the Council speaking that I was chosen by the National Marshal and Constable Association to lead the 2011 Marshals and Constables Association here in the City of Shreveport. They've chosen the City of Shreveport and they want me to run it so, I'm with the tourism bureau right now, and we're trying to get hotels and all the stuff, trying to premeditate and get everything together now, so when it comes, we'll be ready.

Councilman Webb: We'll give you a good rate on the (inaudible).

Marshal Caldwell: I just wanted to share that with the Council, Mayor, Mr. Sibley and everybody, let everybody know that in 2011, we're going to do it bigger than Texas. Texas has it in 2010. So, 2011, we're going to do it bigger than Texas.

Councilman Webb: You have a date yet?

Marshal Caldwell: It's going to be around Spring time, we're going to try to make sure we don't put it on the same calendar when we've got big events every year around March or something like that. I think 2010 will be the big one in Texas and you know at their new stadium, Cowboy stadium and all that stuff. They've got big festivities going on and it last a whole week. So, it's going to be really beautiful for the city, bringing a lot of money for the city. You know hotels, and we want to try to keep them over here, and I heard we're supposed to be to do some different things in our downtown district, so we won't have to have our guests that will be from all over the United States coming here and having to go to Bossier City to shop. They'll be shopping down here in Shreveport. We want to keep all the money and revenue here in Shreveport.

Councilman Shyne: There you go Charlie.

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

Reports:

Property Standards Report

Mr. Holt: Thank you Mr. Chairman. I'd like to give you a very brief update on the collapsed building downtown. I have signed and we have sent certified notice to seven parties of interest, three being the primary owners on the conveyance records, two in California, one in Baton Rouge who are being listed as parties with tax interest in the property. One in Nebraska, one in Benton, and two in Bossier City. In addition, we were contacted this morning about a Louisiana Trust for Historic Preservation who has very much expressed their desire to see the building saved. I have given them the contact information for all seven of those parties so they can go forward and do whatever they want to do. They are not a state agency, they're a nonprofit interested in saving historic structures. This building is included in an overall map of the Shreveport commercial historic district of downtown Shreveport, therefore our next step is to notify the State Historic folks of the impending demolition of the building if action is not taken by the owners to rehabilitate or demolish it themselves. That's where we are right now. I'll be happy to take any other concerns or answer questions about that if you have them.

Councilman Shyne: Mr. Mayor, you and the CAO also. I think I stated on yesterday and of course if you can't do it, I'm not going to fall out my chair about it, but I would hope that during the budget process, that if we could look at maybe at least bringing back one grass cutting crew. They actually do an excellent job, but it has just kind of boiled down to manpower, and I would hope that keeping grass cut in some of these communities is just so important. I mean, a lot of the people - - - this is how they - - - they connect more with keeping the grass cut in that community than they do the Convention Center, or they do Independence Bowl. So I would hope that we would look at, at least trying to keep a crew of maybe four people. I almost said four men, but I don't want to get home and my wife jump on me, Joyce, before I get home. Mr. Mayor, Joyce will be done got me - -

Councilwoman Bowman: Right here.

Councilman Shyne: Before I get home, right. Right here and now. And Dale, I know how it is because you and I both got some girls. And I would hope that we would look at Mr. Mayor, at least having four that could go on, because I remember the emergency type jobs that they used to

could do. And like I say, I represent an area, and cause we have other Council Members who represent an area. But grass cutting is extremely important. To them that's true city services. I mean, and Chief with the Fire Department a lot of them look at that as they do the Fire Department. And they don't realize the Fire Department can save their homes. But if you live in a neighborhood where you've got a lot of grass, it has a psychological impact on you. It has a psychological impact on a kid who grew up in a neighborhood where you're walking down the street, and Mr. Mayor, I appreciate you putting that little 'uh' in there where we start cutting the grass around the schools. Kid walking to school and they've got to walk to school and they've got grass that's 18, 19, 20 inches high, it just doesn't look good. It doesn't make you feel good. When I was growing up, Bryan I think I maybe had two pairs of Levis and what my mama tried to do was to keep them clean. I'd come in and Mayor you know how it is, you'd pull off one pair and you wash it, and then you wear the other pair, you know. Cause Dale don't know what we're talking about. Because I think he probably had three. But back to the point, we've got to try to keep our neighborhood, and we've got to try to keep that grass cut. Because it has a positive or negative impact on the people. So, please try to look at, at least having one grass cutting crew.

Mr. Sibley: We are Mr. Shyne, we're working with Mr. Holt on that.

Mr. Holt: If I might clarify real quick. I told you yesterday, that I have one person on the grass crew. What I did not tell you is that they have already approved filling two vacant crew member positions. And once I have an appeal hearing later this week, we'll either have that man back, or I'll be advertising to hire a new man to fill that position, so we will have one four man crew within the next two to three weeks.

Councilman Shyne: Jim, great. Thank you. And I hope y'all doing this just for me. Mayor Glover: It's all about Kumbaya Mr. Shyne.

Revenue Collection Plan & Implementation Report

Mr. Sibley: Yes Mr. Chairman, very briefly, we want to update you on a couple of things. You should be receiving a written report based upon the Marshal's report to us about the amount of by forfeiture, the City Attorney's office has been working on records filing between our finance office in terms of who is permitted with the city and SPD in terms of whose writing those bonds, and what's outlined for you there, just a brief on how we're going to go about exercising it and getting that I think roughly \$150 or so thousand that are out there in those bond forfeitures so, we'll be willing to take any questions after you've had an opportunity to look at that. We also, I invited Don Shea to come down. You know you passed that ordinance last week on the booting. You know one of the issues that the DDA has indicated so very strongly about was going to a time measure as opposed to a number of tickets. So Don is here to basically update the Council on where we stand in terms of the booting and just reaffirm the idea to the DDA that they truly believe that we should base the booting on a length of time as opposed to a number of (inaudible).

Mr. Shea: Good day Mr. Chairman. I want to update you on a couple of figures since Dale's report a couple of weeks ago. We started booting in late August and by about nine days of booting experience, as of September 8th when Mr. Sibley's last report, we have collected \$14,255 in outstanding fines through the booting program. We've moved forward now to the present, we have just less than a month since August 24th was our start as of yesterday, we have collected \$22,580 in booting fees.

Councilman Shyne: Can I clap on that Mr. Mayor, I think that's (inaudible).

Mr. Shea: Well thanks. I want to put that into context. And that is prior to the booting program, the occasional citizen would feel guilty or something, and we would collect \$100 or \$200 a month, right now, we're at \$22,580 with one day to go this month. Just as interesting to me however, is the money that's coming in through prompt payment of tickets as well as quarters in the meters. Because the word of course has gotten out through all of us and the media that the booting program is in place, and so we're seeing an up tick in collections prior to booting. I will tell you that through 21 days in September, we've already exceeded August and July's totals for our revenue through the meter and through fines, and those are ahead of the same period last year too, so I suspect that that will be a long term impact as we move down the list of booting offenders if people will do what they're supposed to do in the first place. The other point I wanted to make is as it gets to the way that Dale introduced me here, and that is that currently you're only eligible to be booted in the City of Shreveport if you've accumulated three or more violations, regardless of how old those violations are. That means that of the total amount due of fines that are due to the city of about \$1,200,00 or by quarter of that, or \$350,000 is attributable to people who have three or more violations. The majority of it is \$850,000 is people who have one violation or two violations, not quite three.

Councilman Shyne: Let's change it.

Mr. Shea: That'd be my recommendation. I think that if we're able to after and boot anybody for any number of violations, as few as one, as long as it's 60 days overdue, then I think that would be in the City's interest, that will allow you to collect that \$850,000 that goes off the books and is really uncollectible otherwise. So, that's going to be our recommendation. Thank you very much for that.

Councilman Webb: Mr. Shea, how many people are involved in that one-fourth of the people?

Mr. Shea: Let me just put it this way. There are about 25,000 violators out there. Only 10% or 2100 or less than 10% have three or more violations.

Councilman Webb: That's a lot.

Mr. Shea: There are 23,000 or 23,000 vehicles that have either one or two outstanding offenses. So that's the set that you can't really collect unless you have the ability to go after them just for simply being overdue in time.

Councilman Long: Don, I've have one of those tickets. And I purposely have waited and I'm getting a notice now from an outside collection agency talking about that.

Mr. Shea: Yeah, we have part of that triggering mechanism, we have a collection agency that if you are outstanding over a certain day and time, I can't say exactly how long it is, but I think it's more than 30 days, you get a notice saying it's time to pay up.

Councilman Long: How much are you factoring that? What is their cut of whatever they collect?

Mr. Shea: They get a third of whatever they collect.

Councilman Long: I guess you don't have the mechanism or the manpower to do that internally here locally?

Mr. Shea: Well we adjudicate with them locally, and when they don't pay, we invoke the third party who sends certified letters and so forth. We will be able to avoid the third part altogether by this booting mechanism that we recommend.

Councilman Lester: The third party program where you send the letters in collection, how long has that been in affect?

Mr. Shea: A couple of years, although I can't tell you exactly, I'll be happy to find out, I just don't know off hand.

Councilman Lester: At some point, have you guys considered obviously this is an ongoing situation, stepping up maybe even beyond just the nice letters and dealing with some type of legal type of collection scenario?

Mr. Shea: Well they've actually - - - the purpose of the third party is to invoke legal collection powers. We have some success with that, not as much as we want, but I think that nothing is as effective as having your car booted, getting you to pay what you owe. In fact a lot of people we booted, everyone of them has paid up.

Councilman Lester: But, I guess if someone is a habitual offender, that person is going to get a third ticket, they file under the purview of being (inaudible), but what you've indicated is a vast majority of the people that are out there now have just one or two tickets?

Mr. Shea: That's right. Part of what's going on there Councilman Lester, is these sort of savvy people that know what the practice is been up till now will accumulate the third ticket, pay the first one so it keeps rolling forward two tickets. And therefore not be subject to booting. But it's a game, and I think we can get that game over with if we're able to boot for any excessively long violators.

Councilman Walford: Mine is just a statement, it's not for Don, but I'm sure the Administration will nod their heads, the money that comes in from parking fines, goes into the parking enterprise fund, and is used to build more parking. And I've tossed a couple of ideas in front his honor that he's smiling about, so I think we've got great possibilities whether it be more festival parking or there's a world of opportunities open to us if we ever collect this money. Our parking structure at Milam and the parkway was engineered to allow two more levels I believe it is, we just need the money to pay for them. So, it's a lot of available to us with this money if we can just collect it. And I like the idea of going to 60 days. I would be more than happy to sponsor that legislation. And I heard Mr. Shyne say it, lets' do it so, there's one vote.

Councilman Long: I'll have my fine paid before the end of the week.

Mr. Shea: And we appreciate your support.

Mr. Sibley: Mr. Chairman, just another note, unless there are specific issues. Just this is kind of unusual though it's a part of collection. You know with the economy being the way that it is, we get a lot of calls about water bills and payments, and apparently we also get quite a few NSF checks, and the Finance Director just gave me a note that in the 22 days in September we've actually collected over \$18,000 in NSF checks along with about \$3200 in fees, so ordinarily those numbers would be quite a bit less than that. So, it's something impact collections we recognize that it's a tough economy out there. Sometimes when you have those NSF checks, you can't always get a prompt response and get that collected, but our guys are working hard to do that and we simply wanted to let you guys know that there's yet another area that we're looking at trying to make sure that we maximize you know the revenue that we're getting in so that we can keep things going. And if there's no specific questions or directions that y'all would like to give us back, that concludes our report for today.

Councilman Webb: I wanted to go back to the bail bondsmen.

Mr. Sibley: Terri?

Councilman Webb: Is Terri here? I know I saw her up in the Council Chambers earlier last week, and we discussed that.

Ms. Scott: What you have is information the second page of what you have is information that we received from the Marshal's office on the amount of forfeited bonds that are still

outstanding. And first, let me start off by extending thanks to Marshal Caldwell and Paula Goldman in his office for putting the report together for us. She is actually the person who is tasked with the responsibility of sending out notices of judgement that's required by the statute and making sure that those initial procedural steps are done in order to allow the prosecutors office actually to try to collect on the bonds. We have spoken with her, and the list that you have represents approximately \$158,371 is what is due and outstanding. That is an increase from the information that you received in the report from the Marshal's office on August 25th, because there have been additional bond forfeiture that have been ordered by the court. One of the things that I mentioned when this matter came up initially, I believe it was on August 25th is that there are several lawsuits out there. Some of those - - - there are three to our knowledge right now, those lawsuits may or may not affect our ability to continue to collect on these forfeited bonds. One of the allegations in the lawsuit is that the party who is actually sending notice of the forfeiture is not the Clerk of Court as required by the statute. Right now, those notices of bond forfeiture are being mailed by Ms. Goldman who is an employee of the Marshal's office. That is an issue that the attorneys that are representing the plaintiff has taken issue with because it does not meet the fine letter of the law. So again, the outcome of those lawsuits may have some impact on that possibly 230 or so forfeitures that are listed in that attached report, that matter is still in litigation and it's still pending, and so there is no final resolution on that. In the interim, however our plan is that we need to make sure the prosecutors office is by statute, as the report points out, the prosecutor is responsible for requesting the bond forfeiture, the court would order the forfeiture, and then those procedural steps are that notice of the mailing of the judgement will be mailed to the surety, to the defendant, and to the other party. But before the prosecutors office can start or the city attorney's office, because the prosecutors office is an arm of the city attorney's office, before we can take steps to actually start collecting that money, we (inaudible) need to be assured and certain that all of the procedural steps have been followed. So right now what we're doing is actually pulling those files, and again, the Marshal's office has been of assistance, because they provided all of the information that we will need. Docket numbers, defendants names, bond information in order to allow us to do that. The statute requires first that we take each of those judgments and actually file them in court. It also says that we then have two options to try to collect that money. One is to file a rule to show cause with the insurance commissioner office, or the other is to file suit against the individual surety companies. Provided the bonds are still collectible and that the defendants have not either been arrested, or the bonds are still outstanding. So, again as we go through them, we will determine which of those bonds and which of this \$158,000 is still collectible. And right now in our opinion the most expedient way to do that after we determine which of those bonds are still collectible, is to work with the insurance commissioners office as authorized by statute to allow them to assist us in actually collecting the money, and making sure that those companies that are writing bonds who have outstanding bonds that have been forfeited, are no longer permitted to write in this city and in this state until those amounts are paid.

Councilman Webb: Okay, we'll just leave it at that. I mean I'm looking at one individual here, I mean he's got \$10,000 more than anybody else does, and they're all look like - - -

Councilman Long: He's writing more bonds.

Councilman Webb: Yeah, he's writing more bonds than anybody else. I mean that could be the thing of it, none of them are over 2000. Only one of 2007, the rest of them are 2008. Most all of them are, but how do we - - - that's the legal department to keep up with that. Correct?

Ms. Scott: Yes sir, and I'd like to point out that before - - - honestly before the Marshal brought this to our attention, we were not aware of the volume or the amount that was owed and

outstanding. There was the process in place, and sometimes apparently the process either broke down or either just completely stopped as far as collections. But again, the length of the process is determined by the fact that we actually have to review each of these 230 or so files. That number grows however with each time the court orders a bond to be forfeited. So, our goal right now is to get ahead of these 230 and that's the discussion with Ms. Goldman earlier today. The Marsha's office has agreed to send us a monthly report so that once we catch up, then we can stay up and on top of it, and not allow the amounts to accumulate. But again, we will have to go through each of these 230 files, because each one of these matters represent an individual defendant who is entitled to notice as well as his surety, be it a personal surety, or a commercial surety. So we then have to make sure that the steps that they followed in order to allow us to collect. It is the prosecutors responsibility by statute to collect these amounts and we're going to make sure that they get done.

Councilman Webb: I often wondered why, and when I came onto the City Council we had so many assistant city attorneys. It didn't take long to figure out why.

Councilman Walford: Go to City Court.

Councilman Webb: And do we have an assistant city attorney that's actually assigned to this? I mean, it looks like if we don't actually have somebody assigned to it, this is your duty to stay on top of this. That's the reason we don't know where we're at.

Ms. Scott: Well, and honestly I met with the City Prosecutor, Terrell Myles on Friday, and we talked about it in anticipation of presenting this information to you. Once Ms. Goldman sends us the reports monthly, we will decide on a date, generally at the end of the month. Then at that point, by the time they send a reports to us, out of the procedural steps that are to be taken by the courts and by the clerk of court under the statutes have been done. So at that point, it simply is a matter of filing the judgments with the court, and then forwarding the (inaudible) to show cause to the insurance commissioners office at that point. So we will have someone tasked with that responsibility. Right now, I honestly can't tell you if that person will be in the prosecutors office themselves or if that function will be handled by our office.

Councilman Webb: Whose been doing it in the past?

Ms. Scott: Honestly Mr. Webb, I'm not sure that it has been done in the past which accounts for why we've accumulated \$158,000. I assume at some point it was done, but again, the assumption is that at some point it stopped, which allowed this amount to accumulate.

Councilman Long: So the lawsuit's over notice?

Ms. Scott: Well the lawsuits actually are over two things. First it challenges whether or not in the statute it says on motion of the prosecutor. So the challenge is whether or not a motion made in open court during a court proceeding at the end. They do it at the end of the docket. Whether or not that notice is sufficient, and whether or not when the prosecutor makes that motion in open court during those proceedings whether or not that is notice sufficient under the statute as whether or not the surety and the defendant got notice. The other issue is under the statute it requires that the notice of mailing of the judge that is sent by the clerk of court. This says the notice of the mailing of the judgement is being sent by an employee in the City Marshal's office. And the plaintiffs are challenging the statute literally saying that notice of mailing of the judgement is not being sent by the clerk of court, it is being sent by an employee of the City Marshal's office, and those are the two basis for which the lawsuit is filed.

Councilman Long: Sounds like they're pretty nit picky.

Ms. Scott: Well, what is interesting though is that even based on this list of 230, there are only so far three lawsuits. Now today more may come after, but right now there are only three, two

that are brought by one attorney, one by a second attorney, in which these three matters are being challenged.

Councilman Long: And are these three local matters, or statewide matters?

Ms. Scott: Local matters. They are matters that were prosecuted in Shreveport City Court.

Councilman Webb: Okay, no other questions? Thank you.

Mr. Sibley: Thanks Terri. That concludes our report Mr. Chairman.

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. Remove Resolution 187 of 2009 from Section 9B and add the resolution to Section 9A.

Mr. Thompson: Some explanation about this. This the DDA resolution to issue not exceeding \$1,100,000 of Taxable Revenue Refunding Bonds. And this is sent to us by Mr. Schleuter the Bond Attorney, in his letter transmitting the resolution, he indicated that it could be acted on today. However because of the wording of the resolution, the staff put it on as a two reader rather than a one reader. I understand from Mr. Schleuter that because of the State Bond Commission agenda, they're trying to get the resolution adopted today. So, if anyone wants to make a motion to move this from Section 9B to Section 9A, I think that would be in order and as you know you would also allow anybody who wanted to speak on it, and it would require a unanimous vote.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to move Resolution No. 187 from Section 9B to Section 9A.

Mr. Grant Schleuter: Thank you. The resolution basically permits the DDA to refinance it's outstanding obligations with respect to a 2004 bond issue, and a SWAP agreement that was entered into almost two years after that bond issue. This refinancing will reduce debt service, it will convert back floating rate debt with the SWAP layered over it to a straight 15 year issue, fixed rate, at a good rate, and we have a preliminary commitment from a bank to do that. We checked with a number of banks, we have one bank that has indicated preliminarily they're prepared to do it. The resolution is simply to permit the DDA to proceed. It is not an obligation of the city or the City Council and the resolution before you today, Section 2 specifically provides for that. If you determine to add it for adoption today, the benefit is we can clearly stay on the State Bond Commission agenda for the October meeting, and we can firm up the bank commitment that we have, which we feel is very favorable, and the DDA would like to proceed on it. Any questions, I'll be glad to answer.

Councilman Webb: And then we would actually approve this at a later date?

Mr. Schleuter: No, the DDA is going to like they did in 2004, they're going to issue the bonds to the bank and it's going to be secured and payable solely from DDA revenues. Just like the

old issue, the city and the City Council will not be responsible in anyway on that bond issue. This will be the only approval, simply permitting them to proceed and get them out of that 2004 bond issue and the SWAP.

Councilman Lester: Mr. Schleuter, as I appreciate it, when this matter was done in 2004, it did not come before the Council?

Mr. Schleuter: That was one of the first questions. And of course as you know we were not involved in the 2004 issue, nor the SWAP that was entered into subsequently. One of the first questions we asked DDA was the City Council specifically approve that bond issue. The answer was no. But the City Council did in affect give some blessing to that bond issue, because it was included according to DDA staff, was included in that annual report that you all approve each year. The previous City Council approved.

Councilman Lester: So, the idea is because the City Council approved the report, that extends to approving?

Mr. Schleuter: I don't know if it did or not, I was not involved with it, but that was one of the questions that we asked to see if there was some connexity when they did that transaction in 2004. It's difficult for me to speak for that transaction because we weren't involved with it. All we know is that the DDA contacted us and said, we have a floating rate debt that goes out to 2024, we've got a SWAP layered in almost 2 years after that to convert it to a fixed rate, and that SWAP is only good till 2016, after 2016, it reverts to a floating rate, with a very high cap on it. So they want to fix their obligations so they can do budget planning. This will do it. Right now on that bond issue that they're paying, little over - - - between \$280-300,000 per year debt service, principle and interest on that bond issue with the SWAP, and using the unexpended proceeds from that bond issue, plus this borrowing not exceeding \$1.1(million) that'll reduce that \$280,000 plus to \$113,000 per year. And that's going to give them some flexibility in the future to come back, if you identify needed projects done in the downtown area, and do subsequent borrowings on a tax exempt basis, and still keep that total payments down.

Councilman Lester: Is there a requirement by the state that requires the Council to approve this?

Mr. Schleuter: We need it in order to give our legal opinion to the DDA and to the bank that is purchasing it. The DDA is not a political subdivision under state law, but we an qualify it under federal tax law, as borrowing on behalf of the city although you're not liable for it. It's a public benefit type entity on behalf of the city.

Councilman Lester: Well I guess my question is if it's not necessary, then why would we? Mr. Schleuter: It's necessary for us to give an approving opinion to complete the refinancing.

Councilman Lester: But a SWAP was done in Baton Rouge without the Council voting in 2006?

Mr. Schleuter: I do not know what the Council did or did not do with respect to the SWAP, which was in 2006, that is correct.

Councilman Lester: Let me ask this question. It's generally as I appreciate it, a course of action that SWAPs are done in conjunction with issuance, and certainly not in the scenario where it's a two year or 18 month period between.

Mr. Schleuter: Right, most SWAPs are in conjunction with the bond issue, or very shortly thereafter. And they're called embedded SWAPs. This is not one, and one of the questions was , what they're going to use this money for is to pay off the 2004 bonds, pay the SWAP termination fee on that SWAP, and it's not an embedded one, so you can't pay it off with tax exempt bond

proceeds, and that's one of the reasons why this is a taxable issue. The next issue for new projects in the downtown development area will be tax exempt.

Councilman Lester: Cause my next question was going to be why are we doing a tax - - - dealing with a tax exempt situation versus a taxable?

Mr. Schleuter: We're doing a taxable because we're unable to verify that the 2004 issue is tax exempt. That's not to say it's not tax exempt, but we reviewed what records were available to us, and based on our review and also the fact that a portion of this can't be done tax exempt anyway, because it involves a SWAP termination. But a SWAP that's not an embedded SWAP, we feel it's safer for all concerned and the authority to refinance this on a taxable basis.

Councilman Lester: As I appreciate it, the original indebtedness was somewhere in the neighborhood of \$3,000,000?

Mr. Schleuter: That is correct.

Councilman Lester: And it's about \$1.5(million) left?

Mr. Schleuter: No, it's about \$2.4(million) left and what they're going to do is they're going to take the unexpended bond proceeds from the 2004 issue which was a \$3,000,000 issue that is about \$1.5(million) unexpended, and that will be used as one of the sources to refinance that outstanding debt and pay off the SWAP.

Councilman Lester: I know at some points, some questions that I asked were relative to the source of those and the use of those funds. I don't know if the - - - I haven't gotten that, and I don't know, to the Administration, to Mr. Sibley, or anybody have you gotten any information about the (inaudible) of the funds relative to the \$3,000,000 with this particular issue?

Mr. Sibley: I'm sorry, ask that again Mr. Lester.

Councilman Lester: Have you gotten any information relative to what these funds were actually spent on?

Mr. Sibley: No. I have not.

Councilman Lester: Alright, thank you Mr. Lester.

Councilman Webb: I know the Administration was asking the DDA to get with Calvin Grigsby. Did y'all speak (inaudible)?

Mr. Schleuter: Oh, we spoke with Mr. Grigsby over about the last month and a half, and there's a lot of questions. We've answered a lot of those questions, and we continue to do so, and we were discussing many of the same items this afternoon right before this Council Meeting.

Councilman Webb: The Administration has no concerns with this?

Mayor Glover: Well Mr. Chairman, we do. But we also understand the challenge that the DDA is facing. Prior to understanding the need to expedite this matter, we scheduled a meeting for tomorrow, I believe, tomorrow morning with DDA staff, I'm assuming Grant.

Mr. Schleuter: I'll be available by conference call. I'll be back in New Orleans.

Mayor Glover: We'll be conferencing in Grant and the City's financial advisor, just based upon the fact that obviously we have I guess, as some of the questions that have been posed, were the ones that occurred to us as well. And as Grant just related to you, we did pass this information along to the financial advisor, and we have been trying to attempt to try and reach some understanding and appreciation for exactly what's being asked of you all the Council Members, and what's being asked of us as the Administration to sign off on, and it is a difficult set of circumstances to be able to grapple with. We're looking forward as we've stressed in the recent months, not trying to look backwards, but as Grant I think just related to you, there's an awful lot that is very murky and unclear abut this situation in terms of not only what transpired in '04, what transpired in '06 before this Administration and this Council came on board, and unfortunately, I

guess as I have been told on more than a few occasions, it's not our child, but we're left to raise it. And so it's another situation that we are dealing with that falls pretty much in that line at this point.

Councilwoman Bowman: At this point, I see the direction that this is being set up to go. So, I got a question for you. If it was per se, held for the two weeks reading, and at that particular point, where we can - - - if it stays over at that one, and I'm sure it would not take - - - I'm taking the time. Let me be honest with you, to read this, and to even talk to Mr. Grigsby, who by the way the City of Shreveport is paying \$200 an hour, to look at this information for him. I don't know what the DDA - - I mean you charge the DDA, and that that's entirely separate from us, after reading and going back and looking back at some information, in '04 a lot of things happened that were crazy. I mean honestly. And a lot of folks sit here and allowed it to happen. They knew about it, they heard about it, but hey that's just the way things went. That's the way things are. But in two weeks, a layover to be read and voted on, what does that do to the Bond Commission?

Mr. Schleuter: If you delay it two weeks, we'll talk to the Bond Commission immediately tomorrow. You're still meeting I believe two days before the Bond Commission meeting date. We will tell them that you've postponed it, in effect, or that it won't be finally adopted until two weeks from now. We've done this before, we've been successful with the State Bond Commission, I think they will probably keep it on the agenda. That's my best - - - I mean, there's no guarantees, but I think they will. The current issue with respect to the bank, we'll discuss it with them. And again, I think they'll probably keep their preliminary commitment. We're processing the final commitment with them, but we certainly want to get that locked in as soon as we can. Because it does help the DDA a lot, reduces that debt service a lot and provides them with fixed rate financing for 15 years that they don't have to worry about what happens down the line with credit markets or anything else. They don't have to - - - some of the banks offered (inaudible), we don't have to fool with any of that. That's 15 years fixed normal bond issue, and they can plan for the future knowing what their debt service payments are going to be.

Councilwoman Bowman: Okay, I do have one other question for Mr. Shea. Okay Mr. Shea, tell me a little bit as far as the DDA. I know some of this stuff that you all basically handle, and I know that you have the taxes that are maybe assessed from a different angle than the actual City of Shreveport, but cannot explain how you all - - - how those are derived. How you receive the - - -

Mr. Shea: Our revenue?

Councilwoman Bowman: Your revenues.

Mr. Shea: Well we have three principle sources of revenue, one is the milage authority that we have, which is 8.34 mils which raises about three-quarters of a million dollars a year.

Councilwoman Bowman: And that's separate from the City of Shreveport right?

Mr. Shea: It's subject to the approval of the City of Shreveport, but

Councilwoman Bowman: Right, I know the approval, but that is separate from anything that we - - -

Mr. Shea: That's correct. It's like a school board or a fire district (inaudible).

Councilwoman Bowman: Right.

Mr. Shea: The other two sources of revenue are with annual contracts with the city, one is for the parking operation, the other is for streetscape improvements. The largest single source is the our own milage authority. As I say, we raise about three-quarters of a million dollars, and as Mr. Schleuther says, we're paying all but \$300,000 in debt service. And we have limited ability to invest in other projects that come up that are useful for downtown and for the city, and we want to continue to have that ability which is why we need to reduce the cost of this debt.

Councilwoman Bowman: So, when all this stuff happened in'04, you were not here, we know that. And of course you our Administration nor was the majority of our council. So a lot of that stuff, we were not familiar with that actually took place, unless we went back and tried to read minutes, and call people we knew served on that board and tried at that time to find out exactly what took place. Where some folks memory gets pretty bad over the years and you know, but at some point, if that's the way it has to be, hopefully we'll have the opportunity for Mr. Grigsby to kind of give us another opinion. I mean and when he speaks to us this time, hopefully he can speak to all of us, and everybody will have a full understanding of what he wants, or what's being said. Thank you.

Councilman Lester: Actually, I'm going to yield to Mr. Wooley, because he hasn't had a chance.

Councilman Wooley: Just a couple of comments, and maybe one question. I guess I wanted to know since Mr. Schleuter, since you guys have been in talks with the Administration's legal counsel and on this issue, the bond counsel, I know the Mayor made comments about things being murky, (inaudible).

Mr. Schleuter: Well I can only speak to the current proposal that we're doing, and that is it's going to remove a complicated transaction that the DDA is currently a party to, with relatively high debt service payments, and it's going to replace it with a very simple 15 year amortizing loan, no (inaudible) maturities, and an annual debt service that they can easily accommodate. That's really all I can address. And the old transactions, the '04 and the SWAP will go away.

Councilman Wooley: The comments I wanted to make were I would like to think that after a month and a half, fact finding would have been completed. I know when bond issues are brought to our attention that our bonds and our obligations, the very same points that you brought up were brought to us. This debt service with a fixed rate, is not on every occasion, not on all occasions, wanted us to move forward because it was a time sensitive issue, and I know Mr. Weems and the other members of bond counsel would make that a point to mention that more than once, how very sensitive it was to get things done ASAP, and of course, as I appreciate this one, this is a new obligation to the city. Am I correct?

Mr. Schleuter: It is not an obligation of the city. The bank purchasing these bonds can look only to the DDA, and the DDA revenues, nothing else.

Councilman Wooley: Thank you. You can be seated. Of course obviously other Council Members allowed this entity that we are in partnership with to move forward just as many times over, we have been under the gun, time sensitive issues, trying to get things out there so we make sure it made the commission, Bond Commission on time, I don't see why we should treat this any different. Thank you.

Councilman Lester: Thank you. And on that note, just a couple of issues. I think on Wednesday, last week, we got email from Council staff relative to a letter and a resolution for this particular issue, and as I read my email on that same day, about 12:30, I sent an email saying "I would hope that prior to Council Meeting, we would get a full presentation of the type and character, the city's bond team provides". And I agree with you Councilman Wooley, I think that, there should be some level of consistency the way we do these things. Certainly, I know that we have taken quite a bit of time, and trouble and effort reasonably so and understandably so when we deal with city bond issues, and we ask the bond team to come and give us a presentation. Even extending to and including having meetings prior to Council Meeting. Having meetings on work sessions, having meetings in the Mayor's office, scheduling time for and apart from Tuesday Council Meeting, where these issues are discussed in some detail. Other issue, I wanted to ask Mr.

Thompson, I asked you this morning, and I think that the Council staff did a search, but Mr. Thompson, in 2004, did this issue in terms of voting to approve a DDA bond issue, did that come before this council?

Mr. Thompson: We are not - - - I can't say that we've done an exhaustive search, but we have not yet found a resolution where Council approved the 2004 bond issue.

Councilman Lester: So, I mean the commentary that equals, I think you would have to have done something in 2004 to have a memory of it in 2009. If it didn't happen, certainly you couldn't have had any memory of something that didn't happen. I don't know, I'm not that good, others may be. As it relates to 2006, the SWAP that Mr. Schleuter spoke of, did that SWAP come before the Council?

Mr. Thompson: Mr. Lester, as I said, I cannot say with all certainty, but have not, from the time that you asked about it found that resolution.

Councilman Lester: Okay. And certainly, one of the things that Mr. Schleuter indicated was that you know, whether or not it's required by law, you know 1) he believes to do his job effectively is necessary apparently, at some point, and so I can't speak to what prior Council opinion was, but apparently prior counsel for the DDA decided that it wasn't necessary to bring this issue before the Council. So, I just put that in there for what it's worth Mr. Chairman, so that the record can be clear. Because I don't want us to leave with the idea that we're having memory issues, when in fact it never came before the Council. And that is no reflection on the fine folks at Foley Udell and Mr. Schleuter who has been dealing with bond refinancing stuff since I was probably in high school, or before Joe. But the fact of the matter is, you've got new counsel, they're doing things a new way, they brought it before the Council for diligence sake, but I think the record's pretty clear, that it wasn't brought before the Council, so you can't have a memory of something that didn't happen. At least I don't think that's the way it works.

Councilman Webb: Councilwoman Bowman?

Councilwoman Bowman: Mr. Chairman, I know that we've had - - - we're in a situation now that - - -

Councilman Webb: Go ahead.

Mr. Sibley: Mr. Chairman, just wanted to for the record respond to Mr. Wooley's question, because I think I've been in communication with Mr. Schleuter and Mr. Grigsby trying to as recently as right before the Council Meeting, encourage them to talk on the phone so that we can resolve the first issue that we had when we all got the resolution was is there any impact on the city's debt structure, because my assumptions, that's the first thing that you and the public would want to know and that is the first issue and the answer was 'No, it would not'. And the second question we came, 'Then why is it necessary for city approval'? And that's where the issue has gone back and forth between Mr. Schleuter and Mr. Grigsby, and Mr. Grigsby is the FA for the city. The concern when the DDA said well at first everybody is under the assumption it was a two reader. So, we set the meeting so we'd have time to get those questions answered. Well since then, it's become a one reader so everything has gotten accelerated. So the basic issue became whether or not the approval of the city was required. And quite frankly Mr. Schleuter can verify there is a difference of opinion between Mr. Grigsby and Mr. Schleuter. Notwithstanding that, the issue became what impact might there be by the Council approving this resolution. Mr. Schleuter's position was (inaudible) DDA to go forward. Mr. Grigsby's concern was whether it also ratifies basically what was done in '04. And if you don't know what was done in '04, you don't know what you're ratifying. So, our hope was they could talk prior to this meeting, reach some consensus so we can (inaudible) they worked it out. You're fine if you pass it, there's no impact, and there's no

ratification of the '04 that nobody seems to know what happened in '04, so that for the record, just wanted to indicate, that's where the unreadiness was, it was just a difference of opinion in terms of what impact your vote as a council would have, whether it was the things that happened in '04, or whether it was the current issue of the DDA. Beyond that, we fully understood what they were doing, because we just went through the same thing here at the city, and when Grant made it real clear that they had this bank on the line, that might be an issue for them, we certainly didn't want to block that, which is why we were trying to get them to at least be able to articulate to you as a council whether or not your vote would have any impact at all or whether or not that vote would be seen as ratifying, whatever happened in '04 that nobody seems to have a record of, or remember as Ms. Bowman said. Is that fairly correct Grant?

Mr. Schleuter: Yeah, and that is what Mr. Grigsby indicated. But this resolution absolutely has no affect on the City of Shreveport, visa vi 2004 issue or the SWAP that the DDA entered into. By it's terms, it doesn't have any effect on it, and it can't have any effect on it. Whatever the relationship between the City, DDA, and that' 2004 transaction and the SWAP is totally unaffected by this other than the bi-product that the DDA and the City and everybody is much better off retiring that bond issue, and substituting a plain (inaudible) fixed rate issue. That issue will be gone, and that SWAP will be gone. But this resolution has no affect as far as the City ratifying, or having anything to do with the 2004 issue.

Mr. Thompson: If a step was missed in 2004 or in 2006, and those obligations are refunded by this one, does that eliminate any potential problem that may have occurred if any problem occurred?

Mr. Schleuter: It doesn't add to it, it doesn't eliminate it, it doesn't have anything to do with other than it probably helps as a practical matter, no longer to have that outstanding bearing interest at a tax exempt rate. So, that's why I've said that it behooves the DDA and the City for whatever participation the City may or may not have had to retire that issue. But this resolution has no impact whatsoever. Whatever involvement the City had or did not have with respect to the 2004 issue, isn't altered by this at all, other than the bi-product of retiring an issue that really needs to be replaced by another issue.

Councilman Shyne: Through sense and a lot of experience, it seems like to me from a business standpoint, it's a good deal. Am I right or wrong?

Mr. Schleuter: You're absolutely correct.

Councilman Shyne: Okay, and it seems like to me that what happened in 2004, and we can't find is basically what you're living by, am I right or wrong? And what you're living by is more payment at the end of the year, and you don't know whether, and it seems like it may be a (inaudible) you know the rate could change, but what you're looking at now is going to be a fixed rate. So, you will know what your payments will be from year to year. I don't know whether it would make much difference or not cause I trust Mr. Thompson's looking through records, because I know we all are men and women of clay feet. So, I mean we all make mistakes. It seems like to me that it clears the record of what happened in 2004 is what you're living by. That's what you're having to have to deal with right now. Now whether we can go back and find it on some paper or not, have you tried researching it in your - - - were you all able to find it?

Mr. Shea: (Inaudible) as well as Mr. Schleuter. We searched all the records that we could find. We don't know if those records are complete, but what it indicates is that the 2004 bond issue was mentioned in the program of activities and entertainment, that bond issue was mentioned in the annual plan and program of work we submit to the Council and the Council approves. And that may

have been enough to get us approved by the State at that time, I don't know, we simply can't find anything else.

Councilman Shyne: And it seems like to me if you had maybe two or three more weeks, you still might not be able to find it.

Mr. Shea: I don't - - - we've been looking earnestly for two months now, so I'm not sure.

Councilman Shyne: Whether two more weeks would make any difference or not. You know my point, and I will have to admit that I'm not a rocket scientist, is that you're living with what happened in 2004. And if you change it then, that's going to make your debt service a whole lot better. Logically, it seems like to me that would be a pretty good decision. And you would know what your payment would be every year, because it's going to be on a fixed rate.

Mr. Shea: That's why we've submitted this resolution.

Councilman Shyne: I don't know about my fellow members on the Council, and maybe I have not served as long as some of them, but I'm pretty much satisfied.

Councilman Walford: I'm like Mr. Shyne, I'm more than satisfied, but what we've done is we've gotten very, very off track here. We're debating the issue. My motion was to remove Resolution 187 from 9B and add it to 9A. So, essentially all we're doing really is adding legislation to the agenda.

Councilman Webb: But I actually asked if there's anyone in the Chambers that wants to speak in favor of or in opposition to adding it, and that's what we're doing.

Councilman Walford: Okay. We're doing a lot of debate (inaudible).

Councilman Webb: And so now, I'll ask if there's anyone else in the Chamber that wants to speak in favor or in opposition to adding this to the agenda? Is that correct Mr. Thompson?

Mr. Thompson: I'm sorry Mr. Chairman, I was - - -

Councilman Webb: I was just asking if there's anyone else in the Chamber that wants to speak in favor or in opposition to adding this to the agenda, since that's what the actual motion is, correct?

Mr. Thompson: That's needed because of the motion, yes.

Mayor Glover: Mr. Chairman, just wanted to before you all take your final vote on this one, just wanted to make one last statement from the Administration. So our position and perspective is absolutely clear.

Councilwoman Bowman: I'm sorry, I didn't hear that.

Mayor Glover: Just wanted to make one last statement from the Administration so our perspective is absolutely clear. We obviously - - - this is a decision that is up to you all the Council to make. The thing that I want to be clear from you all is that we certainly also understand the situation and circumstances that the DDA is trying to address here, which this situation just as with all of the other bond matters that we have brought before you all, we feel it's absolutely necessary to do the due diligence that's necessary in order to be in a position to have faith and confidence in what it is that we are presenting to the Council and asking you all to do. I'm here today to tell you all on record, that as an Administration, we do not believe that due diligence is complete in terms of this situation. We're talking about taking a situation that was issued as tax exempt, and now making it taxable without having a full understanding and full explanation of exactly why it is that we're doing that. That's probably the reason as to why we thought we had a compromise and a situation that we could live with by asking the financial advisor to come and have this meeting after introduction, so that we would be able to resolve these issues in between now and the two weeks from now when we thought this vote would take place. But that's the official position of the

Administration, that we want to make sure we put out there and we put on record, and obviously you on the Council (inaudible) us to do as you all believe is in the best interest of the City to do.

Councilwoman Bowman: At this point, the dye has been cast anyway. But I really need to bring up something here, and my question was tax exempt versus taxable. I asked that question not only to Mr. Grigsby, to you guys, to - - - even to Mr. Schleuter. And because it does not affect me and a few more of us sitting up here, but we didn't have anything to do with it, and that Mr. Shea didn't have anything to do with it, but people before then, people in '04, and onto another period, I'm assuming, decided to 1) possibly use some of the funding for something that wasn't - - - it wasn't the intent to be used for, if you know what I'm going with this, or they sit back and waited a longer period of time before they actually decided to do something with it. Once that happened, then it is not longer tax exempt, it is taxable, and that I'm thinking, is what happened with this. But it's one or the other occurred. That was my original question that was sent to Mr. Grigsby, and to our Administration, before it just came up today. That was what I wanted to know. How was it tax exempt, and now all of a sudden, it's taxable.

Mr. Schleuter: We're not saying that 2004 issue is taxable, but keep in mind, if we do a refinancing, we have to go in and look at the other issue, and look at everything that happened during the course of that issue, and everything that happened post closing concerning everything, including investing funds, investment on bond proceeds, what everything was used for, that you didn't exceed capital working rules, that the feds permit, so on and so forth, so it's a highly technical analysis. Two parts to this. The first part is of the \$1.1(million) a portion of that can't even be considered a tax exempt treatment because it's paying the SWAP termination fee. As Councilman Lester indicated, it's not an embedded SWAP, it wasn't done contemporaneously with the bond issue, so it's not eligible for tax exempt treatment, so we take a big chunk out right there that you can't do on a tax exempt basis. With respect to the balance, it was very difficult for us to complete our analysis in such a way that we had the standard that we had to meet that we could determine without any doubt that everything was done absolutely perfectly post closing, which is all the way more than five years from the bond issue. The fact that there is a large percentage of unexpended bond proceeds which may be fine, but it requires a great deal of tracking and looking at all the investment income and where that was handled and making sure that the working capital rules and so forth for a relatively small bond issue, where if we do a taxable, we have none of those issues. And we've resolved them all and the 2004 deal is done and gone, and the SWAP is gone, and we have a reasonably attractive interest rate and a 15 year deal, and the DDA ends up with a good cash flow.

Councilwoman Bowman: Mr. Thompson, it says here Remove Resolution 187 of 2009 from Section 9B and add the resolution to Section 9A. If the Council decides to vote 'NO' on this particular issue, does that stay where it is for the two weeks?

Mr. Thompson: That's correct.

Councilwoman Bowman: Mr. Schleuter, I've got a feeling that that's where this is going to be headed.

Mr. Schleuter: And if that's where it is, we'll do our best. We'll do it immediately with - - - we'll get on the horn tomorrow morning first thing with the State Bond Commission, and the bank, to try to hold those two together. We'll do the best we can, and I'm somewhat optimistic. We were hoping to get it a one reader so that we could go forward. We knew we had it locked in, but I do have a fairly high confidence we'll be able to stay on with the original bank.

Councilman Webb: Mr. Thompson, this takes a unanimous vote?

Mr. Thompson: To move it, yes.

Councilman Webb: And are we back on TV yet?

Ms. Pilkinton: Yes.

Mayor Glover: Mr. Chairman, just got a note from Cliff in back that says Comcast has stated it will be putting a copy of today's meeting on the local On Demand section for those who have digital cable, get On Demand, but apparently, we're still up and on.

Motion failed by the following vote: Nays: Councilman Lester. 1. Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6.

Public Comments (Comments on items to be adopted)

Councilman Shyne: Mr. Chairman, I'm sorry, and I really hate to do this, but we've got some kids that are going to sleep. Why don't we suspend the rules, take care of them and let them go home, and do their homework before they go to bed?

Councilman Webb: How do you know they're here for something?

Ms. Pilkinton: They're - - - you've got their cards right there.

Councilman Webb: They're on one of these speaker request cards?

Ms. Pilkinton: Right.

Councilman Webb: I don't have any other cards.

Councilwoman Bowman: They must be these right here. Councilman Webb: Oh, they're at the end of the meeting? Councilman Shyne: Yeah, could we just bring them up now?

Councilman Lester: So moved Mr. Chairman.

Councilman Shyne: Second.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Shyne</u> to suspend the rules to allow public comments on a non-agenda matter. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Ms. Victoria Campbell: (710 Travis Street [YWCA]) These are my four children, and this is Ms. Betty Williams, and we're living at the YWCA. Week before last I was, me along with some other women were put on the news. We thought that we were helping women that were in abused situations in their homes and just needed a way to get out. That wasn't the case. We were put on the news to help raise money. We didn't even know that the Y was in financial bind, until right after our story aired on the news. Immediately after, the new Executive President or whatever she is came on and said they were threatening to close the doors. So now, I understand that this is going to be live. Last night after they brought us to the office, telling us basically that if we didn't be quiet, you know threatening, that we would be put out, we would not get an extension on our stay, but we haven't caused any trouble. The funds that were brought in there is not given to the ladies. The women that's in there, they treat them so bad. Everything that was donated to the women of the YWCA is taken from them. We went to two news stations that done the interviews to help them raise the money, we went back to these people last night, and they took our stories, but when they contacted the YWCA, they told them that the reason they didn't want us there, basically to give us an extension after we done help them raise the money to keep the doors open, was because we weren't in compliance with the rules. We have no write ups. They cannot tell us what the rules are that we have broken. We won't keep our mouths closed, that's why they want us out, and it's not

right. It's not fair. Everything that goes through there, the staff takes from the women of the YWCA, and I thought that everyone in here should know, because it's not right, and we've been living like that for the longest. The food that's coming in there, they take it. The clothes, they take what they want, and then just give us the rest. And I know a lot of other people, I know I'll probably be put out, but the next set of women that come in there won't have to go through that. And they will not be treated like that.

Councilman Webb: How long have you lived there?

Ms. Campbell: I've been there 29 days.

Councilman Shyne: When you say take, do you mean they take it and take it home with them?

Ms. Campbell: Yes. That's exactly what I mean. They have a different (inaudible) items. Councilman Shyne: That's illegal.

Ms. Campbell: Things that come in there are the things folded, that's the good stuff. That does not go down to the donation room, that goes up to the office, and it's locked away. They never see it again. I am one of them that knows the difference between right and wrong and I'm speaking out. So we were called in last night. Somebody had told them or either the newscast let them know they called the YWCA to get their side of the story. They told them that they need to air the story because the reason why we wasn't get an extension was because we weren't in compliance with the rules. So, they didn't air the story. I don't know what rule it is that we have broken, it's because we won't be quiet. And she told us in the meeting, the mandatory meeting last night at 9:00, she called everybody in the building down. The mandatory meeting was about basically keeping our mouths closed, that I was running to the news, and that was her exact words, that I was running to the news, (inaudible) is not going to give us a roof over our heads.

Councilman Shyne: Not cutting you off, but what news station is it? I see we got Channel 3 in here.

Ms. Campbell: 3 and 6.

Councilman Shyne: 3 and 6?

Ms. Campbell: Yes sir. And they told us that the people went running to the news station, not going give us a place to stay.

Councilman Shyne: Well did they run the story last night?

Ms. Campbell: No, they didn't run it. Because Michell told them the lady at the 'Y', told them that we weren't in compliance with the rules, that we were breaking the rules. I have been there 29 days, I never got a write up. It's because we know the difference between right and wrong, and what they're doing. And I know that it's not just over this group of women that's in there, and I don't think that it's right that they use us to get what they needed, and now that we need their hand, they're pushing us out.

Councilman Shyne: Just one minute. Mr. Chairman, is it somebody that and Mr. Mayor, is it somebody that we can assign to look into that? I mean, Mr. Chairman, is there somebody on the Council - - - I mean, Mr. Mayor is there anybody with the Administration that - - -

Councilwoman Bowman: There's the Chief.

Councilman Webb: Come up Mr. Chief.

Chief Whitehorn: Mr. Chairman and members of the Council, I have Cpt Baker in the back that's over the detective division, and I've already instructed him to contact these ladies before they leave to get their information.

Councilman Webb: Okay, good.

Councilwoman Bowman: But I do have a question Mr. Chairman. What happens now that this is happening, they've instructed you all that you're going to have to leave right?

Ms. Campbell: Yes Ma'am.

Councilwoman Bowman: Where are you going?

Ms. Campbell: I have no idea.

Councilwoman Bowman: How many of those kids do you have out there?

Ms. Campbell: I have four. All four of them are mine, and I really don't care. We could sleep in the truck, but everybody in here needs to know because I'm pretty sure people in here done donated. And they need to know where their money is going. And they're not going to keep me quiet.

Councilwoman Bowman: If you don't mind, you think that - - - well there's Rick back there, maybe Mr. Mayor you can get Rick on the phone and call Simone or somebody to see?

Mayor Glover: Councilwoman Bowman: You know it was about this time last year that we went through the drama of dealing with the 'Y' situation, of whether or not they were going to open, or stay open, what have you, or meet payroll, and what have you, and those request from the city for funding, we obviously said that that was something that we would not do, but we did in fact make provisions to be able to provide sheltering in the event that it was needed. Well, in the (inaudible) of what's happened is that the Providence House has in fact now become the State of Louisiana's largest domestic violence shelter. And so there actually are options available to these ladies right now in terms of sheltering. We can provide them with the number to the Providence House for them to call. Not only does the Providence House now provide the largest domestic violence shelter in the State of Louisiana, they also monitor the rape crisis line, they also monitor the domestic violence hotline as well. And so, our concern all the long was to insure that in the event that you had situations like this or you have the eventual shut down of the facility itself, that would be a viable option out there. That option is available and we will provide them the number to the Providence House when they get through with the detective.

Councilman Webb: Ms. Betty Williams, you want to come up to the mic, you have something you want to add to this?

Ms. Betty Williams: Yes sir, I've been living there at the 'Y', and things are not like they should be. I feel like these kids don't deserve the way they're being treated. Nobody's kids does. When people have their kids there, these people are taking away from the kids. I see stuff come to the 'Y', they're bragging about how much money we getting in to the 'Y' right now. But we don't see none of it. One week there, we didn't even have food there. These kids don't get the treats and stuff that come for the kids. They get it for their families, and send these kids whatever is left. We've seen them come downstairs and take food from down there and take upstairs. And where it goes, we don't know. So, when the time came for us them to talk to you about your staying there, like they say your being. You have to get - - - go out and find housing, and you know get your bus tickets and our needs and everything like that. I got everything they asked me to get and they still told me Monday, I got to leave the shelter. Since they got what they wanted and everything. Everybody done start helping them, they don't need us around anymore. And I did a lot there in the 'Y' just to do it because (inaudible) that was there. I cleaned, and I cooked, and I did everything.

Councilman Webb: How long have you been there?

Ms. Williams: Well my 45 days will be up Monday, but she promised to give me an extension since I had communicated and did everything else they asked for in the 'Y'. But yesterday, when they called me, they told me they weren't giving me no extension, I had to leave Monday. Like she say, we know too much. We don't nosey'd around and they don't like it.

Councilman Webb: Well why don't you get with the Chief, and I guess y'all are going to do that now.

Ms. Williams: She give me a number, talking about you should go to the Providence House. The Providence House is full.

Mayor Glover: The Providence House of domestic violence is full?

Ms. Williams: Downtown?

Mayor Glover: Well the actual location of the domestic violence shelter for the Providence House is not a given out location. So their downtown facility on Cotton Street may be full, but the shelter itself, I don't believe that it is. In fact, I think there is - - - because I had this conversation last week when this matter came up involving the 'Y', I did in fact make a call, spoke with Simone Hennessy to find out exactly what the situation was and to confirm that they had in fact still up the shelter, that it was open, that there was space available, and that they were monitoring both the rape crisis as well as the domestic violence line, and she assured me that they were.

Ms. Williams: Well I don't feel like they're helping nobody. Everything that we done, we done it for ourselves. The only thing they did was the roof over our heads. We're going to get put up out of there, and we got to go back in the same spot where we started. Right back to the domestic violence. They don't have nobody else to lean on, but go back into the same stuff they came out of. So what they did for us? Nothing. I don't see anything that they're doing but giving you a place just for people to donate money and clothes and food and stuff in there, mostly for them.

Councilman Shyne: If you all would get with the detective in the back, and Chief, if we could get a report as soon as you all get one together, we would appreciate it.

Mr. Frank Spruiell: (4537 Gilbert) This an appeal of the Zoning Board of Appeal decision involving our neighbors immediately to the north, John and Marguerite McKinley. As a procedural Mr. Chairman, how much time do I have?

Councilman Webb: You have three minutes, but we will give you some more if you need some more. How much time, you think you need?

Mr. Spruiell: Probably about ten minutes. Members of the Council, the building at issue in this appeal is on the screen. Before I get into the merits of the argument, I would like to suggest that this appeal is about this building. It is only about this building. It involves the appropriate application of the ordinances dealing with accessory structures. It is not a popularity contest in my opinion, it is not a case that should be decided based on who knows who, and what job someone has. I know Councilman Long is in a difficult position because my wife and I know Mr. Long and have had prior counsel dealings with him. I discovered yesterday that Councilman Long knows Marguerite McKinley from some prior business, so he's in a tough position. And in tough positions, sometimes we just simply have to look at things based on the black and white ordinance that is applicable to this structure. This building was built over about a six month time frame starting in August of last year. I think it's important that we look at what was there before this building was in fact constructed by Mr. McKinley and the carpenter that helped him. This is difficult to see because it was taken off a video tape provided to us by (inaudible) a corner, he lived in this house in the 1990s. This structure that you see and I'm pointing at here is essentially a bathroom facility that was built in the 1950s. It was a stand alone facility about 9x12 on a concrete slab. It was obviously constructed before the ordinances were passed that deal with accessory structure, so it is non conforming, that it was legal as long as it was left alone in it's then existing state. You can see the arrow that I'm pointing to, the arrow points to a greenhouse. That greenhouse existed, it is a separate structure. It is not a part of the bathroom facility. At some point and time, we don't know exactly when, but before we moved into our house about 10 years ago, the

greenhouse was removed and a storage building was put in it's place. This storage building was a stand alone unit. It was not on a concrete slab, it sat on the ground. Okay? It was not connected to the bathroom facility. So, in a sense, there were two accessory structures that existed in the back yard of the McKinley residence for many years, and we know that the accessory structure ordinance says you can only have one accessory structure on your property absent a variance. So in some respects are in the technical reading of the statute, this building or the storage building was illegal because it was a second structure. We then if you will, I have the photograph enlarged a little bit, but you can see that this is simply a storage structure that is much smaller in appearance at least to the bathroom facility. It has an overhang on the east end of the structure which essentially served as a porch, which allowed the owner to use for storage, just moving something underneath as a porch. The McKinleys purchased their home in the Spring of 2008, and then essentially tore down the storage structure, modified the bathroom facility by taking the roof off and then connecting it to what they are now calling a storage structure, that just so happens to be as you can see a two story structure that has over 700 square feet in it, which includes the bathroom. The part that you see covers up an opening which will have installed, or at least the plan is for Mr. McKinley to install French doors there, and it just simply almost defies common sense to suggest that this building will be a storage building. It is a two story facility with a full bath attached to it. I leave it to the Council to draw it's own conclusion as to what will ultimately happen to this building or what it will be used for in the future, but it seems highly unlikely that this building is going to remain a storage building for very long. My wife spoke to Mr. McKinley back when we were speaking I suppose, and was told that this is a pool house, and my wife's reaction was 'Where's the pool?', and Ms. McKinley said, 'Well that's the five year plan'. So essentially what we're being told now is this is going to be a storage building with a full bathroom attached, and French doors and an upstairs, and at some point and time, I suppose they intend to build a pool. What this represents is somewhat of a diagram of the various buildings that existed. And the reason that I bring this up is very important when we talk about the permitting process that Mr. McKinley went through to obtain his \$2,000 repair permit to build the structure that you looked at a minute ago. Again, we start out with the bathroom, we come down to the greenhouse in the 1990s, we come to the storage building in the early 2000 timeframe, and here is what we have today. It is essentially a 34 foot long structure that's 12 feet wide. It is built inside the 5 foot side yard setback, which makes it illegal from that standpoint. It is also over 18 feet tall from ground level to the peak of the roof. The McKinley residence is a story residence, and the accessory structure statute says thou shalt not build an accessory structure taller than the primary residence. So, very clearly this structure exceeds the height limit by 4-5 feet depending on how you measure the structure. Now, Mr. McKinley prior to construction visited the permitting department and filled out an application for a permit. When he visited the permit department, he said, I have a structure, a storage building that I would like to repair. Okay, the permitting department said. How much do you think you're going to spend? He reported, \$2,000. Mrs. McKinley who is a Certified Public Accountant testified to the Zoning Board of Appeal, that they had already spent in excess of \$8,000 building this building materials alone. They have not reported or given any indication as to how much they paid or what compensation has gone to the professional carpenter that has helped them build this building. When you fill out an application, and we happen to know this, you fill out an application for a permit, there are certain things that you have to represent to the permitting department. My wife so happens, obtained a permit vesterday because we have some roof damage on our home, and it requires repair. The important part of that is if you will look at the very bottom, if you could blow that up, you will see there is some representation that you have to make at the time of your permit

application. The owner agrees to comply with the City of Shreveport Code of Ordinance applicable to all work described herein and to all plans and specifications attached hereto. You also agreed to and certify that the cost information furnished is true and correct and it was further agreed that any code requirement missed during the initial plan review will be immediately complied with. Well again, I ask the Council to bear in mind that Mr. McKinley said it would cost \$2,000 to build the structure that you've already seen and we know that he's already spent \$8,000 and it's not even finished interior wise. In this day and age, it is not difficult at all to learn what the ordinances are. You can go to the City of Shreveport webpage, and in a matter of four clicks, get to the specific ordinance that deals with accessory structures. Apparently Mr. McKinley did not do that. And the problem that was created by them not following the proper procedure is that nobody in city government had an opportunity to investigate this structure, to look at this structure and make sure that it met all of the applicable ordinances. He built it without any supervision, or inspection. Had he asked for the proper permit, and by the way, throughout the Zoning Board of Appeal process, Mr. McKinley blamed the permit department for a misunderstanding associated with his \$2,000 repair program. If Mr. McKinley had asked for the proper permit and provided all of the relevant material information for the permit department, to get him a proper permit, there would have been inspectors that would have gone out to this site, would have looked at it, and would have quickly determined Mr. McKinley, you can't build that structure there for two reasons. 1) You're violating the 5 foot side yard setback. 2) It's too tall, and I would submit 3) it's not built of the same materials as the primary structure, which is brick, which is required by the accessory structure statute as well. Mr. McKinley having failed in all respects that the permit department faces, and at the level of the ordinance dealing with accessory structures is now going to ask this Council to forgive his mistakes, and the problem with that approach is that that building is already built. And it falls into I think Chairman Webb, you and I had some conversation about this, and you volunteered to me, and I had said this all the long, and you said it without prompting from me, this is a case where you don't ask permission in advance, you ask for forgiveness after. Because sometimes people, well they feel sorry for you, and they think it might be a hardship if you actually have to take down and remove a structure that's already built, we ask the permit department in March, is this building legal from a permit standpoint. That immediately prompted the permit department to go look at the building the third week of March. At that time, the inspector said, you're violating the side yard setback limitation. Even that particular inspector didn't notice the height violation. We went through four meetings of the Zoning Board of Appeals. The Zoning Board of Appeals deferred a decision in three separate meetings until finally a couple of months ago, they took the matter up and reach a decision. During the course of that process, it was determined that it was a violation. It took Roy Jambor of the Zoning Department who actually went to the facility and immediately looked at it and said we got another problem. The building is too tall. That then inserted into the Zoning Board of Appeal another variance that had to be considered. And the problem with that Members of the Council, is that when the notice went out to all of the neighbors about this situation, the notice mentioned nothing about a height requirement. It only talked about a variance needed for the 2 foot x 3 foot corner of this building on the NE corner. Because Mr. McKinley's representation was that all I did was add 3 feet to an existing 31 foot storage building. That was not accurate. We know from the photograph that what he did was leave a 9x12 bathroom facility, Mr. McKinley represented that he simply added three feet to a 31 foot storage building which was not accurate, we know from the photographs. He actually added from a pier and beam foundation over 24 feet of brand new structure. So, when all the neighbors got this notice, all they thought was happening was, well it's a perfectly legal building except for the 2 foot x 3 foot corner, when in fact there had to be a variance

for the entire 34 feet of that structure that extended into the side yard setback. We also know that none of the neighbors knew about the height restriction, cause they were never notified of that. So nobody had an adequate opportunity to address that issue as well. We then moved to what happened at the Zoning Board of Appeals. The Zoning Board of Appeals approved the variances. Both of them. During the course of the presentation to the Zoning Board of Appeals, a compromise was suggested by the MPC, and also by a member of the Board. That was to remove the second story. Mr. McKinley adamantly stated on the record, he wanted his building as it existed. My wife and I agreed to the compromise for the removal of the second story which would have then eliminated the need for the variance on the height restriction. During the course of all that, the power of the ZBA came up, and I have to say this is not, I did not intend this to be a referendum on the part of the Zoning Board of Appeals, but I would respectfully submit that the Zoning Board of Appeals does not have the power to grant the variance in this case. The power of the ZBA comes from this particular city ordinance. Section 106.46 and it specifically says "the conditions required to exist on any matter upon which the board is required to pass under this chapter or to allow any variance shall be construed as limitations on the power of the board to act." You have to qualify for a variance under Shreveport Ordinances before the Board can grant it. This is the variance for this. You have to come in and show the Zoning Board of Appeals that there is something unique, or exceptional about your property that requires you to be exempted from the rule of law. A variance is an exception. The ordinance is the rule. To get an exception to be taken out from under that ordinance, you've got to prove entitlement to it. In that end, Mr. McKinley and Mrs. McKinley never sought to ever prove that they were entitled to a variance. They showed nothing about that yard, that required that this building be built 18 feet tall. They never showed any requirement in this yard that it be built into the 5 foot side yard setback. But yet the Zoning Board of Appeals said, well Mr. Spruiell, if we filed by your line of thinking, then we'd never be able to grant a variance. So, the Zoning Board in it's mind says we can't follow that rule of law, because if we do, we won't be able to give out any variances that we want to give out. Well, I would respectfully submit that they are duty bound to follow the ordinance, and they didn't do it in this case. And this building is illegal. And yet they said Mr. and Mr. McKinley could keep this building, and you're going to ask me, Mr. Spruiell what is it about this building that offends you? Well, I can only say that - - - well everyone saw the building. And in opinion, it's not an attractive building. And the situation exist that that building is 70 feet behind their residence.

Councilman Shyne: Did you say 7 or 70?

Mr. Spruiell: 70 feet, and what that means is this pushes it deep into their backyard, which gives them a directive view into the back of our house. 80% of the back of our house is glass. This is our dinning room on this side, this is our living room, this is our downstairs area for our children, playroom area. This is a TV room, this is our upstairs master bedroom. From that building site, they can see directly into the back of our house. Had that structure been built much closer to their house, it would have eliminated this problem. If you take off the second story, it substantially limits their view because most of our house is on the second story, it's split level. If you go to where their house is located and look back at our house, you can see up above, particularly from the second story. That is a serious privacy concern for the Spruiell family. We don't want someone to be able to go into a building which I think could be occupied at some point in the future, and have a direct line of site into our dinning room, our living room, our playroom and our master bedroom. It requires us essentially on a daily basis to close every blind and every curtain in our home. What can this Body do? It can do one of three things. It can grant our appeal, and make them take this building down or bring it into compliance with all applicable ordinances; it can deny our appeal and

let 'em keep it as granted by the Zoning Board of Appeals, or this Board can do what was suggested as a reasonable compromise and (inaudible) require the McKinleys to take the second story of this structure off. They would be allowed to have a structure, an accessory structure of almost 400 square feet with a full bathroom, but they won't have a second story where they can go up and essentially have a (inaudible) view into our home. I would ask this Council to please consider that option. You have the power to make them take it down, but I would respectfully suggest that it is inappropriate to send a signal to the rest of the citizens of Shreveport that you can ignore the permit process. You can ignore the variances that must be obtained before you can build, and then come in and ask for forgiveness and be allowed to keep the structure. If they are allowed to keep that structure then the Spruiell family will be the family penalized, not the McKinleys. They violated the law when you get done. I'll be happy to answer any questions.

Councilman Long: Frank has presented a very comprehensive argument, and I just please welcome all Council Members to ask as many questions as possible.

Councilman Lester: Thank you. Mr. Spruiell, let me ask this question.

Councilman Webb: Put that picture back up behind you.

Councilman Lester: Please.

Ms. Pilkinton: Of the house or the structure?

Councilman Lester: Yes, of the structure. If you could put up the picture of the structure. Let me ask this Mr. Spruiell. Not having made up my mind one way or the other, but I think your concerns about the privacy and security of your family are more than valid I think they are compelling and I would dare say would be controlling. Particularly given the architecture of your home, and the fact that it was obviously there first before this structure was constructed. If in fact the - - - as I appreciate it, where the rubber meets the road is the argument or your concern is the security, safety and privacy of your family which I think as a husband and a father, we all have to be respective of. If something were done where they would be allowed to keep the structure as is, but then be required to remove all windows on the second floor, in other words just to take the windows up and board them up, they would have the accessory structure, as it stands, but they would be prevented from being able to look out of that second story of the accessory structure, and then look at your family. I know that's not the same as taking it down completely, but would that in fact ameliorate one of your major concerns?

Mr. Spruiell: That's what the Zoning Board did. They did as a stipulation that they were required to remove the windows from the second story facing our property. But our concerns and I have to admit from a time constraint, I didn't go into a couple of other things. But this structure, we believe diminishes quality of life for the Spruiell family. Because if you look back at our home, you will see that this area and it's difficult to see from this photograph that this entire area is an outdoor patio, New Orleans style, but it's on the second story. We do a lot of entertaining out there, we eat dinner out there on a regular basis, we're there and use that extensively as part of a family. The presence of that structure, is that we have to look on a daily basis at the structure. There is nothing architecturally pleasing about this structure, it is unattractive, and I know in some respects, this Council can't legislate good taste, and I'm not asking it to. But from the standpoint of what we have to look at from our second story - - -

Councilman Lester: Well I understand that you would have to look at it, but would it be fair, that even if the Council were to remove that entire second floor, wouldn't you still be looking at the structure, or your position is that if you remove the second floor, then the external foliage would diminish what you have to look at?

Mr. Spruiell: That's a pretty good summary. If you take off the second floor, you will see

that this structure was already here okay? And there was a storage structure that sat next to it. We didn't have a problem with the structure that existed before this one. It's when it goes up, 10-12 feet above the level that existed, because again, foliage does tend to cover that thicker in the summer, it changes in the winter a little bit, but when you now stick that second story up there, we have to look at that on a daily basis. It ruins our view to the north when we're on that patio. And so from not only a quality of life, but I think just a property value issue. That does not enhance in anyway the value of our home in terms of (inaudible). People that come in, the first thing they're going to do is walk out onto that patio and they're going to turn and go "Whoa my goodness!" That's there. It is a very real concern of ours. It is privacy, it is quality of life, and it is property value.

Councilman Lester: I appreciate that. I think your neighbor has a neighbor has the right to build something ugly, but I don't believe a neighbor necessarily has a right to build something that would be violative of your security, and your - - - the way you - - - you know? The peaceful enjoyment of your property to or whatever. So, I appreciate that. Thank you.

Mr. Spuriell: could I add one comment to the answer. Remember, to get a variance, you have to legally qualify for the variance. Nothing about this structure, nothing about their yard, nothing about their property requires them to build the structure with two stories. They never sought to prove to the Zoning Board of Appeals that there was something exceptional or unique about the topography of their backyard or the size, shape, shallowness, dept, whatever it is that the variance statute talks about. And because of that, they can't - - - in my humble legal opinion, they cannot qualify for a variance for that second story.

Councilman Lester: So not only is it ugly and it's violative, but it's illegal?

Mr. Spruiell: It's illegal. They never - - -

Councilman Shyne: Let me, and I don't mean no harm. But I guess I'm kinda like the little school boy you know. Got the answer, and Mike you know how it is, cause Mike was probably that little boy, and I'd have to call on somebody but and again, now I'm not a rocket scientist, but it seems like what I'm hearing is that we have a clear case where the law has been broken. Am I understanding you right, and it's not so much that this is an ugly structure, or your safety might be compromised, but what they did is actually violated the permit code. Am I understanding you right?

Mr. Spruiell: They violated the city ordinance that allows construction of an accessory building in this fashion. It is illegal, and it could not in my humble legal opinion, have ever qualified for a height variance under these circumstances.

Councilman Shyne: I got the answer. I got the answer. I'm through Mr. Shyne.

Councilwoman Bowman: Yes sir, you mentioned that the variance would have to be unique. I heard you say that. So, one thing you can say is that it is unique. However, and nevertheless, I would like to know from you if the top floor was gone, taken away, would you be satisfied?

Mr. Spruiell: That very question was asked of me at the ZBA, and I paused, just like I did and I'll answer it exactly the same way I did to the Zoning Board of Appeals. I don't like the fact that anyone would be allowed to keep a building constructed illegally. Neighborhood protection means that ordinances have to be applied so that neighbors don't be pitted against neighbors regarding their accessory structures. So, I am against the notion that Mr. and Mrs. McKinley would be allowed to keep this building as constructed because it is illegal. But in an effort to put this case to rest, I will and my wife will accept the compromise that recognizes the removal of the second story, in accordance with what Mr. Long gave me yesterday were stipulations prepared by the Zoning staff, which I'm sure will be passed out to the Council Members. But primarily the stipulation is the removal of the second story and that the height of the structure not exceed per Zoning staff approval, the height of the primary residence. Yes Ma'am to answer your question.

Councilman Shyne: Dale, is it almost 6?

Mr. Spruiell: Mr. Chairman, Ellen White was here. It just so happens to be her 40th birthday, and she has children, I know they're having a birthday celebration for their mother. She had to leave. She sent an email, and she asked that I make this part of the record. It's an email addressed to Councilman Long and Councilman Walford, dated September 8, 2009. And in lieu of what she was going to say, which I think was to read this email, I would ask that her comments be made a part of the record through the submission of the email.

Councilman Webb: Pass that to the Clerk and she'll see that we get a copy of it. Thank you. Mr. Richard Hiller: (10095 Westwind Drive) And Councilmen, I am a local attorney, I am the attorney for and friends with John and Marguerite McKinley, and I will keep my comments brief. John McKinley can't be here today, or he would be here, his grandmother passed away yesterday afternoon, so they're - - - he's obviously tending with family matters, and I told him I would stand in for him. But as you heard Mr. Spruiell, as you can see is a very experienced skilled litigator, but what you can tell right off the bat was he gave you a closing argument. And you can also tell that when a judge tells you these are arguments from counsel, they are not facts Jury, and the reason we can prove that is when he told you it would only take 10 minutes, it wasn't 10 minutes. So I leave that as a reference code right there. Because what we've heard were a lot of misrepresentations what happened at the ZBA, and I'm not going to go point by point about the size of this, the size of that, the key part to that presentation is at the end. And I think the question was or he brought it up was, what about that storage building bothers you most? What concerns you the most? And there it came out. It's the size of the building, it's a privacy concern, and it's a quality of life concern. And I would get that point of view a lot of credence, a lot of thought, a lot of consideration. If that was the point of view, that was the concern that was brought up at the very first ZBA meeting that we had on this storage building, and it is a storage building. Make no mistake about it. It is built over the slab that was there when the McKinleys bought the house. It is storage only. No one is going to live there, no one will live there. If you would ever look at the three full ZBA meetings we had on this, three hearings to consider all of these issues, you will look at the very first meeting on May 13th, lets go to May 13th of this year, ended in August. If you look at that very first meeting, the only objection, the only concern about that storage building wasn't it's height, wasn't it's privacy, wasn't quality of life, the only concern expressed by Ms. Spruiell at that hearing was that it may be in the floodway. That's it. You didn't express one thought or one comment, or one concern that it is too tall, that it is too big, or anything about it being illegal, or the ZBA not having the authority. The only thing that concerned her was that it may be in the floodway. Well that concerned the ZBA too. They said well we're concerned about that. That's Bayou Pierre, we don't want anything that would cause any flood problems for any neighbors whatsoever. So that cause us to go get John R. Bowman and Associates to do a very extensive survey if I may, to show it's not in a floodway. It's not in any floodway whatsoever. So we debunked that right off the bat. We had the second hearing, the issue about the height, the issue about it being a privacy problem, did not come up. It did not come up until the third hearing. So the argument that and I can use the argument very clearly is that this would be a privacy problem or a quality of life problem, apparently didn't come into play until we had the third hearing, because it didn't concern them at the very beginning. And the reason why it shouldn't concern them is the pictures you see don't give the proper perspective for that storage building. The Spruiell's house is much higher than the McKinley's house. It looks down on it, so if the individuals can look down and into somebody's house or storage building are the Spruiells. And the ZBA very thoughtfully said, well we'll take care of this problem. As you heard mentioned in the ZBA's decision which was a 5-1 decision, at

it's August Hearing, it had three requirements. We approved the variances, the side yard back and the height variance. And if you do three things, you do your development of the property in accordance with the site plan you presented. You get all the permits that are required by the City of Shreveport, and 3) that you remove the windows from the second story as Councilman Lester brought up very cogently that that, if you did that you take away any privacy problems. The ZBA said, yeah, we'll deal with that, take out those windows and that's part of the conditions for the approval of the height variance for the ZBA. And I go back to the ZBA very thoughtfully extensively questioned every single person who spoke on this issue. Neighbors, everybody who spoke, they asked question after question, that's why we had three hearings. So you can tell how much work they did. And I would urge this Council to look at that ZBA record, and what you'll see in that ZBA record is that every neighbor in the vicinity of the storage building didn't object except for the Spruiells, one neighbor. The neighbor right adjacent to the storage is the one that's most affected by it, cause it's right next to that person's fence, sent a letter highly approving of the McKinleys as neighbors, and the storage building. That they constructed it in the best fashion possible, and it's done just like the house. In other words that if you look at the McKinleys house, and that storage building, if you looked at it from the street, you can't see it. Because the McKinleys house is here, and it slopes down to Bayou Pierre. So the storage building, and I take it that picture again, the storage the way it looks is down. In other words, it's below the house and whey you go up to the McKinleys' house, you're looking down on it because it's below the house. It's not above it. Because the house slopes down toward Bayou Pierre. So, it's not an eyesore to the neighborhood. The neighbor adjacent to is in favor of it. Every neighbor that lives around it but one is in favor of it. And doesn't object to it. The only reason the McKinleys have it, is they have a house without an attic. They have no storage whatsoever. And if your garage is like my garage, and the stuff I have in my garage, you need a storage facility, and I've got one added. You need something to put there. And if you take that (inaudible) the ZBA says that's what you can use it for, only storage. And that's the only thing they need it for. They've got a place someplace to put their things. And if you look at that storage building from the height of the Spruiells', it does not create an eyesore, it is not a privacy problem when you take out the windows, and it does not hurt any values of anybody, if it hurts anybody's property value, it would be the neighbor adjacent to it, and that neighbor is in favor of it. So the people surrounding that building, all of them but one of them are in favor of it. And all the McKinleys want to do is store things in it. And the thing about the permit, the one thing I want to make about that, if you went to any of those ZBA meetings, and looked at the DDD of it, Mr. McKinley, again and again, said, I'm not blaming anyone at the permitting office. I was trying to do this myself. I was trying to save money. I've never done a permit before, I've never done this in my life, unfortunately Mr. McKinley lost his job at GM, and so he was trying to do something himself without any kind of problem whatsoever, to get around the City of Shreveport because he didn't know any better. And he said this is what I'm doing. What do I need to do, what kind of a permit? So the permit people based on what he was telling them said this is what you need to apply for. There's no blame there whatsoever. Mr. McKinley never, never ever said the permit officer led him astray. Maybe he didn't give them enough information, maybe they misunderstood what he said, but no one is trying to point fingers at anybody in that situation whatsoever. And the moment they got the cease and desist order in March, they stopped. They haven't done anything with it since. One final point about the height. The accessory structure for this that has been brought up and discussed says that your accessory structure can't be higher than your house. As you look at this structure in the McKinley's backyard, it's not. If you use that perspective. It's lower than the house because it slopes down. But if you look at the accessory

structure, and measure it compared to the height of the house, the accessory structure is 18.1 feet. The house is like 16.1, it's a 2 foot difference. So that's what we're talking about difference wise, not 4 or 5 feet, we're talking 2 feet. If you look at the totality of the circumstances, all the McKinleys asked the ZBA was please let us have our storage building. And if you tell us to take out the windows, we'll take out the windows. We'll follow the permit process you tell to do, and the ZBA 5-1 said after three hearings, you convinced us.

Confirmations and Appointments: None.

Councilman Webb: Mr. Mayor, y'all have any confirmations or appointments? Mayor Glover: We have some names that we will be giving you specifically in regards to the Historic Preservation Committee but we have not gotten all of the necessary bios and resumes in, so we'll give them all to you at one time, between now and next week.

CONSENT AGENDA LEGISLATION

TO INTRODUCE RESOLUTIONS AND ORDINANCES

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

TO ADOPT RESOLUTIONS AND ORDINANCES

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

REGULAR AGENDA LEGISLATION

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

The Clerk read the following:

RESOLUTION NO. 168 OF 2009

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH MIDSOUTH FLEET LEASING ALLOWING THE USE OF CERTAIN CITY OWNED PROPERTY AT BETTY VIRGINIA PARK FOR THE CONSTRUCTION OF A CROQUET COURT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport ("City") and Midsouth Fleet Leasing desire to enter into this cooperative endeavor agreement concerning the use of a certain portion of Betty Virginia Park; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that the Mayor is authorized to execute a Cooperative Endeavor Agreement with Midsouth Fleet Leasing, substantially in accordance with the draft thereof filed for public inspection with the original of this resolution in the Office of the Clerk of Council on September 8, 2009.

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

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

Read by title and as read, motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Shyne</u>. *The Clerk read the following:*

Amendment No. 1 to Resolution No. 168 of 2009:

Amend the Resolution as follows:

Delete the Cooperative Endeavor Agreement as introduced and substitute the attached Cooperative Endeavor Agreement.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Shyne</u> to adopt Amendment No. 1 to Resolution No. 168 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Shyne</u> to adopt Resolution No. 168 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

RESOLUTION NO. 178 OF 2009

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE DONATION OF FIFTEN PORTABLE RADIOS AS LISTED IN APPENDIX "A" FROM THE CADDO BOSSIER OFFICE OF HOMELAND SECURITY FOR THE SHREVEPORT POLICE DEPARTMENT IN CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport Police Department desires to accept the donation of fifteen portable radios, listed in Appendix "A" from the Caddo Bossier Office of Homeland Security for the Shreveport Police Department, in Caddo Parish, Louisiana, which serves a public purpose and renders a public service; and, WHEREAS, Section 2.02 (e) of the City Charter allows the City to accept or refuse gifts, donations, bequests or grants from any source for any purpose related to the powers and duties of the city or the welfare of the inhabitants thereof, and provide for the care and investment of trust funds; and,

WHEREAS, the Caddo Bossier Office of Homeland Security is donating fifteen portable radios for the Shreveport Police Department for the City of Shreveport without any restrictions or conditions; and.

WHEREAS, this donation under these circumstances will enhance the duties of the City in the most cost effective manner.

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 Bossier Office of Homeland Security, Caddo Parish, Louisiana to accept the donation of the fifteen portable radios listed in Appendix "A", with an estimated total value of \$31,425.

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>Shyne</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 NO. 180 OF 2009

A RESOLUTION ACCEPTING DEDICATION FOR LINWOOD AVENUE IN GOLD STAR COMMERCIAL SUBDIVISION PLAT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Linwood Avenue in Section 11, (T16N-R14W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Linwood Avenue be recorded in the official records of the Clerk of Court for Caddo Parish, Louisiana. **BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

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

Read by title and as read, motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, and Shyne. 6. Nays: Councilman Bowman. 1.

4. **Resolution No. 181 of 2009**: A resolution declaring the City's interest in certain adjudicated properties as surplus, and otherwise providing with respect thereto. (A/Lester, B/Walford, C/Long, and F/Shyne)

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

RESOLUTION NO. 182 OF 2009

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF LOW ALCOHOLIC CONTENT BEVERAGES FOR THE ANNUAL HIGHLAND JAZZ AND BLUES FESTIVAL LOCATED AT 600 COLUMBIA STREET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO. BY: COUNCILMAN MONTY WALFORD

WHEREAS, the Highland Area Partnership intends to sponsor the Jazz and Blues Festival fund raising activity on November 14, 2009 from 12:00 p.m. until 6:00 p.m. at 600 Columbia Street with setup beginning on November 13, 2009 at 12:00 p.m.; and

WHEREAS, the proceeds of the event will benefit the Highland Area Partnership; and WHEREAS, the Highland Area Partnership intends to dispense and allow the sale and consumption

of low content alcoholic beverages at 600 Columbia Street during its event; and WHEREAS, certain provisions of Chapter 10 of the Code of Ordinances prohibits the sale, consumption, dispensing or otherwise of alcoholic beverages in and on public places, including streets, sidewalks, and parks unless specifically authorized by the city council or the zoning board of appeals; and

WHEREAS, the adoption of this resolution would allow the Highland Area Partnership to dispense and sale and its patrons to purchase and consume low alcoholic content alcoholic beverages at 600 Columbia Street during the event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the location and permitting provisions of Chapter 10 of the Code of Ordinances are suspended on November 13 and 14, 2009 for setup of the festival with dispensing, sale, and consumption of low alcoholic content beverage beginning on November 14, 2009 from 12:00 p.m. until 6:00 p.m. at 600 Columbia Street for the Jazz and Blues Festival fund raiser to benefit the Highland Area Partnership.

BE IT FURTHER RESOLVED that all other applicable provisions of the City of Shreveport Code of Ordinances shall remain in full force and effect.

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

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

Read by title and as read, motion by Councilman <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.

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

- 1. **Resolution No. 184 of 2009**: A resolution authorizing the donation of Shreveport Police Department property, and otherwise providing with respect thereto.
- 2. **Resolution No. 185 of 2009**: A resolution authorizing the Mayor to execute an Act of Donation for the City to acquire a drainage ditch between Fern Avenue, and Pierremont Road in Sections 17 & 20, (T17N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (D/Wooley)
- 3. Resolution No. 186 of 2009: A resolution authorizing the Mayor to execute a donation agreement between the City of Shreveport and Shreveport Development Corporation, hereinafter called "Owner" and acting herein through Donnie Juneau, Manager, for the private Water and Sewer Main Extensions, and related facilities to serve Bienville Path Unit 2 in Twelve Oaks Subdivision, and to otherwise provide with respect thereto. (D/Wooley)
- 4. **Resolution No. 187 of 2009**: A resolution approving the issuance of not exceeding \$1,100,000 of Taxable Revenue Refunding Bonds, of the Downtown Development Authority

- of the City of Shreveport, State of Louisiana, and providing for other matters in connection therewith.
- 5. Resolution No. 188 of 2009: A resolution authorizing the execution of an amendment to the performance based energy efficiency contract with Johnson Controls, Inc., and to otherwise provide with respect thereto.
- 6. **Resolution No. 189 of 2009**: A resolution authorizing the execution of an intergovernmental agreement between the City of Shreveport and the City of Bossier City, and to otherwise provide with respect thereto.
- 7. **Resolution No. 190 of 2009**: A resolution authorizing the Mayor to execute contracts, documents and instruments on behalf of the City of Shreveport, through the Department of Community Development, Bureau of Workforce Development, and the State of Louisiana Department of Social Services, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Shyne, seconded by Councilman Long to introduce Resolution No(s). 184, 185, 186, 187, 188, 189, and 190 of 2009 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Walford. 1.

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

- 1. <u>Ordinance No. 105 of 2009</u>: An ordinance amending the 2009 Community Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.
- 2. <u>Ordinance No. 106 of 2009</u>: An ordinance amending the 2009 Capital Improvements Budget, and to otherwise provide with respect thereto.
- 3. Ordinance No. 107 of 2009: An ordinance amending the Code of Ordinances of The City of Shreveport by amending Section 26-109 of Chapter 26, Finance, Division 2 of Article IV, Fees, Relative to charging fees for services rendered by the Department of Operational Services; and to repeal, amend and reenact certain provisions of the Code relative to same, and to otherwise provide with respect thereto.
- 4. Ordinance No. 108 of 2009: An ordinance amending and reenacting Division 2 of Article VIII of Chapter 26 of the Code of Ordinances relative sales of adjudicated property and to otherwise provide with respect thereto.
- 5. Ordinance No. 109 of 2009: ANNEXATION TAG NO. 09-02: An ordinance to enlarge the limits and boundaries of the city of Shreveport a 31.7 acre tract of land, located on the east side of Linwood Avenue, just across from the Homalot Subdivision in Section 11, (T16N-R14W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (D/Wooley)

- 6. Ordinance No. 110 of 2009: ANNEXATION TAG NO. 09-03: An ordinance to enlarge the limits and boundaries of the City of Shreveport A 3.88 acre tract of land, being lots 1, 2, and 3 of the Windermere Estates, Phase 1 Subdivision and a portion of the Buncombe Road dedication, located in Section 25, (T17N-R15W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (E/Webb)
- 7. Ordinance No. 111 of 2009: ANNEXATION TAG NO. 09-04: An ordinance to enlarge the limits and boundaries of the City of Shreveport A 10 acre tract of land being the Cypress Creek Estates Subdivision, located in Section 21, (T16N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (D/Wooley)
- 8. Ordinance No. 112 of 2009: ANNEXATION TAG NO. 09-10: An ordinance to enlarge the limits and boundaries of the City of Shreveport A 2.06 acre tract of land, located adjacent to the Southern Trace Subdivision in Section 29, (T16N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (D/Wooley)
- 9. Ordinance No. 113 of 2009: ZONING APPEAL: C-54-09 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 Knight Street, 500 feet east of South Pointe Parkway, Shreveport, Caddo Parish, Louisiana, from B-3, Commercial Business District to B-3E, Commercial Business/Extended use District with MPC and PBG Approval limited to "A Fun Center, Light food Manufacturing, ,Retail, and Warehouse Operation" only, and to otherwise provide with respect thereto. (C/Long)
- 10. Ordinance No. 114 of 2009: ZONING: C-55-09 An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning of property located on the west side of Linwood, 425 feet south of Wynnewood Road, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (D/Wooley)

Read by title and as read, motion by Councilman $\underline{\text{Long}}$, seconded by Councilman $\underline{\text{Walford}}$ to introduce Ordinance No(s). 105, 106, 107, 108, 109, 110, 111, 112, 113, and 114 of 2009 to lay over until the next regular meeting.

Councilman Lester: Mr. Chairman, really briefly. I would ask that the Administration as well as City Attorney's office on the annexations, I know that generally speaking when they do this annexation, there is some conversation that's had between the Justice Department and things of that nature, I would like that information ahead of time before we move on that. I just wanted to put that out there. So (inaudible), thank you Mr. Chairman.

Councilman Webb: I might add that three of those annexations are in Councilman Wooley's district, one of them is in my district, and there will be a public hearing on those on October 13th. Any other discussion? If not, lets vote for introduction.

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

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

1. **Ordinance No. 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 September 8, 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>Bowman</u>, seconded by Councilman <u>Wooley</u> to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Wooley, Webb, Shyne, and Bowman. 6. Navs: None. Out of the Chamber: Councilman Long. 1.

2. Ordinance No. 98 of 2009: An ordinance amending Section 74-28 of the Code of Ordinances relative to backdoor garbage collection fees, and to otherwise provide with respect thereto. (*Postponed September 8, 2009*)

Having passed first reading on <u>August 25, 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>Long</u>.

The Clerk read the following:

Amendment 1 to Ordinance 98 of 2009

Amend the Ordinance as follows:

Delete the Sec. 74-28(a) and substitute the following:

Sec. 74-28. Backdoor collection.

(a) The Director or his designee is authorized to provide backdoor collection service for a fee of \$28.00, payable in advance of the quarter in which the service will be received, to residential customers who have requested such service prior to March 1, 1998. Residential townhome/patio home developments, acting through their homeowner's associations, may elect to pay an alternate quarterly service charge of \$15.00 per townhome/patio home unit, in advance, by the homeowner's association and receive once-weekly backdoor collection services. The service charge must be levied against all units in a townhome/patio home development for the alternative service charge to be employed. After June 30, 1998, residential townhome/patio home developments where the director certifies pursuant to subsection 74-26(b)(1) that there is no acceptable location to place wheeled carts will be provided once-weekly collection service without charge. Except as provided in subsection (c), no additional backdoor collection customers will be added after March 1, 1998.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Shyne</u> to adopt Amendment No. 1 to Ordinance No. 98 of 2009.

Councilman Walford: Mike's folks worked out what as close as they could what the actual cost of providing this service is and it came out to \$9.26 a month. And so we've actually set it up to make a profit. That would come out to \$27.78 a quarter, we're going to be billing \$28.00 a quarter.

DOS is going to be making \$.22 on this. I think it's only fair. We don't want taxpayers subsidizing this service, so I'd ask for a yes vote.

Councilman Lester: Question. Mike, if you could, we are by moving forward on this, all we're doing is adjusting the fees. We are not throwing open the possibility of backdoor garbage collection?

Mr. Strong: All it does is the existing ordinance that's in place for these one's some over a thousand customers that are back door, may not be any larger than that. And it is raising the fees on that.

Councilman Lester: I know you said that once before, but I just wanted to make sure that's clear, because I had some people ask. So that we're not opening the door, only to the folks that are already on the list. And it's a small, hopefully a list that's getting smaller everyday.

Mr. Strong: That's correct.

Councilman Walford: I have been corrected. We are not making a profit. This was not considering all of the costs, but the very direct cost.

Mr. Strong: That's correct.

Councilman Walford: I was corrected.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, and Shyne. 6. Nays: None. Out of the Chamber: Councilman Bowman. 1.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> to adopt Ordinance No. 98 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

3. Ordinance No. 102 of 2009: An ordinance amending certain sections of Chapter 38 of the Code of Ordinances relative to housing and property standards, and to otherwise provide with respect thereto.

Having passed first reading on <u>September 8, 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>Lester</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

4. Ordinance No. 103 of 2009: An ordinance amending Section 26-107(a) of the Code of Ordinances relative to the fee for copies of Public Records, and to otherwise provide with respect thereto.

Having passed first reading on <u>September 8, 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>Bowman</u>, seconded by Councilman <u>Long</u>.

The Clerk read the following:

Amendment No. to Ordinance No. 103 of 2009

Amend section 26-107(a) to read as follows:

a) A charge of \$0.15 per standard or legal size page will be imposed for all copying of public

records done for and/or at the request of all persons other than employees of the city acting in their official capacities. The fees imposed under this subsection shall not apply to the copying of records requested by a law enforcement agency or by any branch of federal or state government or, to the copying of records in the course of discovery during litigation by or against the city. After section 26-107, insert the following:

BE IT FURTHER ORDAINED that the exemption for the copying of records requested by a law enforcement agency or by any branch of federal or state government shall be retroactive to January 1, 2009.

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Walford</u> to adopt Amendment No. 1 to Ordinance No. 103 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Long</u> to adopt Ordinance No. 103 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

5. Ordinance No. 104 of 2009: An ordinance amending the 2009 Capital Improvements Budget, and to otherwise provide with respect thereto.

Having passed first reading on <u>September 8, 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>Lester</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. 101 of 2009: ZONING APPEAL - C-46-09: 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 Ford and Norma, Shreveport, Caddo Parish, Louisiana from R-3, Urban Multi-Family residence District, to R-3-E, Urban, Multi-Family Residence/Extended Use District limited to "A Grocery Store selling WIC supplies only", and to otherwise provide with respect thereto. (A/Lester) (Postponed September 8, 2009)

Having passed first reading on <u>August 25, 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>Long</u>

The Clerk read the following:

Amendment No. 1 to Ordinance No. 101 of 2009

Amend the title and Section 1 of the ordinance to read as follows:

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTHWEST CORNER OF FORD AND NORMA, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-3, URBAN, MULTI-FAMILY RESIDENCE DISTRICT, TO R-3-E, URBAN, MULTI-FAMILY RESIDENCE/EXTENDED USE DISTRICT LIMITED TO CERTAIN DESIGNATED USES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish,

Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the southwest corner of Ford and Norma, and legally described as Lot 1, 2, and the east 5 feet of Lot 3, Block 3, Talbot and Perrin Subdivision, Shreveport, Caddo Parish, Louisiana, be and the same is hereby changed from R-3 Urban, Multi-Family Residence District to R-3-E, Multi-Family Residence/Extended Use District limited to the following uses only:

Antique store.

Apparel and accessory store.

Appliance store.

Aquarium supplies and sales.

Artists; including studio, instruction, display, incidental product sales and servicing, retail sale of arts and crafts supplies, customarily used by artists (excluding general hobby store), and gallery or museum.

Auto parts store, retail; no installation, repair or rebuilding of parts is permitted on premises.

Bakery, retail.

Barbershop or beauty shop.

Bicycle sales and repair.

Blueprinting and photstating.

Bookstore.

Business and professional offices and services.

Business machines store or agency.

Camera and photographic supplies store.

Candy, nut, and confectionery store.

Catalogue, mail order, and direct selling establishments, including retail sales by catalogue, mail order, telephone, and house-to-house canvas; display items only.

Clothesmaker and needlework (retail), including dressmaker, embroiderer, furrier, milliner, seamstress, tailor, and the like.

Dairy products sales.

Drugstore.

Dry cleaning with noninflammable cleaning agents only; excluding the discharge of steam outside enclosed structure.

Embossers, including printing from a standard office copier.

Film processing.

Fix-it shop.

Floor covering sales.

Floral shop.

Fruit store.

Furniture repair and upholstering.

Furniture store, retail.

Garden supplies story, handling packaged fertilizer and no other types of fertilizer.

Gift shop.

Grocery store, retail.

Hardware store, retail.

Hobby supply store.

Hospital or sanitarium.

Ice cream store.

Jewelry store, including repairing of jewelry, watches, and clocks.

Laundry and/or dry cleaning pickup station.

Laundry, self-service only.

Lawnmower sales.

Leather and luggage store.

Loan or finance office, only those items which can be sold by any other use in this ordinance can be displayed or stored on the premises, within an enclosed structure.

Locksmith.

Music store.

Nursery; day car, or kindergarten.

Office equipment and supplied store.

Optician.

Personal services (retail), limited to cosmetic studio, dry cleaning and laundry pickup station, catering service, and interior decorating.

Pet grooming facility; limited to the grooming of household pets and other small animals; no outside kennels or overnight boarding.

Picture framing and/or mirror silvering.

Print shops.

Restaurant, where food and beverages are served and consumed only within the enclosed structure; outdoor dining areas, drive-in, drive-thru, delivery service operations, pick-up windows or other exterior service facilities are not permitted.

Shoe repair shop.

Social services, including community center, institution for children, aged, or the handicapped; rehabilitation center but excluding detention or correctional facility.

Tobacco store.

Toy store.

Variety store (limited to the sale of items which may be sold by any other use under this ordinance). Video sales and rentals.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Shyne</u> to adopt Amendment No. 1 to Ordinance No. 101 of 2009.

Councilman Lester: Thank you Mr. Chairman. What we're going to have to do is move to adopt the amendment, and because we are changing the title, we'll have to actually postpone this for two weeks. Basically what happened was the MPC only gave this property owner a very specific use. Only one thing, a grocery store with WIC supplies only. In meeting with the owner, I said to him and I said to him previously, if you come forward with a list of things that is appropriate to the neighborhood, that does not involve alcohol, we can support it. So by adopting Amendment No. 1, what we have done is, and you can look on the list, we have codified a list of things that he can actually have tenant to do in this particular location. It is very specific to things that are in R3 and I think these types of districts. If this list is not exhaustive of everything, because there are some uses like a payment store and liquor stores and things of that nature, that were struck, but basically what we're doing is, giving him the opportunity. Yes he has a tenant that wants to do a brick store, but if that tenant does not work, and he has a tenant that wants to do one of these listed businesses only, he does not have to go and pay the money to the MPC and go through the process again, so he's going to have to wait an extra two weeks, because the amendment changes the title, but we're giving him much more than what he asked for and what he got at the MPC.

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

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Shyne</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.

The adopted ordinances and amendments follow:

ORDINANCE NO. 98 OF 2006

AN ORDINANCE TO AMEND SECTION 74-28 OF THE CODE OF ORDINANCES RELATIVE TO BACKDOOR GARBAGE COLLECTION FEES, 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 74-28 of the Code of Ordinances of the City of Shreveport is hereby amended to read as follows:

Sec. 74-28. Backdoor collection.

* * * * * * * * * * *

(a) The Director or his designee is authorized to provide backdoor collection service for a fee of \$18.00, payable in advance of the quarter in which the service will be received, to residential customers who have requested such service prior to March 1, 1998. Residential townhome/patio home developments, acting through their homeowner's associations, may elect to pay an alternate quarterly service charge of \$4.50 per townhome/patio home unit, in advance, by the homeowner's association and receive once-weekly backdoor collection services. The service charge must be levied against all units in a townhome/patio home development for the alternative service charge to be employed. After June 30, 1998, residential townhome/patio home developments where the director certifies pursuant to subsection 74-26(b)(1) that there is no acceptable location to place wheeled carts will be provided once-weekly collection service without charge. Except as provided in subsection (c), no additional backdoor collection customers will be added after March 1, 1998.

* * * * * * * * * * *

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

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

Amendment 1 to Ordinance 98 of 2009

Amend the Ordinance as follows:

Delete the Sec. 74-28(a) and substitute the following:

Sec. 74-28. Backdoor collection.

* * * * * * * * * * *

(a) The Director or his designee is authorized to provide backdoor collection service for a fee of \$28.00, payable in advance of the quarter in which the service will be received, to residential customers who have requested such service prior to March 1, 1998. Residential townhome/patio

home developments, acting through their homeowner's associations, may elect to pay an alternate quarterly service charge of \$15.00 per townhome/patio home unit, in advance, by the homeowner's association and receive once-weekly backdoor collection services. The service charge must be levied against all units in a townhome/patio home development for the alternative service charge to be employed. After June 30, 1998, residential townhome/patio home developments where the director certifies pursuant to subsection 74-26(b)(1) that there is no acceptable location to place wheeled carts will be provided once-weekly collection service without charge. Except as provided in subsection (c), no additional backdoor collection customers will be added after March 1, 1998.

ORDINANCE NO. 102 OF 2009

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF CHAPTER 38 OF THE CODE OF ORDINANCES RELATIVE TO HOUSING AND PROPERTY STANDARDS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that Section 38-84(2)(a) of the Code of Ordinances is hereby amended to now read as follows:

Sec. 38-84. Notice of violations.

The Director, in addition to any other rights, powers, duties or obligations enumerated under the provisions of this chapter, shall be empowered to issue a written notice of violation and/or a citation to any owner, party in interest, agent, occupant or tenant of occupied premises who violates the provisions of this chapter as hereinafter provided.

(2) Notice of violation.

a. Except as otherwise provided in sections 38-42 and 38-51(b), each notice of violation of any provision of this chapter shall be served upon the owner, party in interest, agent, occupant or tenant by the Director. Such notice shall be sent by certified mail, return receipt requested or by personal service by the Director upon the owner, party in interest, agent, occupant or tenant, or by publication in the official journal of the City of Shreveport in two consecutive issues as provided in LSA-R.S. 33:5062.

BE IT FURTHER ORDAINED that Section 38-96 (1) of the Code of Ordinances is hereby amended to now read as follows:

Sec. 38-96. Determinations.

After hearing all the testimony and weighing all the evidence, the board shall render any order, finding or determination consistent with the provisions of this chapter with regard to the alleged violation including, but not limited to the following:

(1) Finding the structure a nuisance, and ordering the repair of specified violations within a reasonable period of time, and ordering the Director to monitor the progress of the repairs.

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. 103 OF 2009

AN ORDINANCE TO AMEND SECTION 26-107(a) OF THE CODE OF ORDINANCES RELATIVE TO THE FEE FOR COPIES OF PUBLIC RECORDS 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 26-107(a) of the Code of Ordinances is hereby amended to now read as follows:

Sec. 26-107. Fee for copies of public records.

a) A charge of \$0.15 per standard or legal size page will be imposed for all copying of public records done for and/or at the request of all persons other than employees of the city acting in their official capacities. The fees imposed under this subsection shall not apply to the copying of records requested by a law enforcement agency or by any branch of federal or state government or, to the copying of records in the course of discovery during litigation by or against the city, except where the volume of such copying is excessive, in which case the fee imposed shall be such as will reimburse the city for its actual expenses incurred in providing such services.

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

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

Amendment No. to Ordinance No. 103 of 2009

Amend section 26-107(a) to read as follows:

a) A charge of \$0.15 per standard or legal size page will be imposed for all copying of public records done for and/or at the request of all persons other than employees of the city acting in their official capacities. The fees imposed under this subsection shall not apply to the copying of records requested by a law enforcement agency or by any branch of federal or state government or, to the copying of records in the course of discovery during litigation by or against the city. After section 26-107, insert the following:

BE IT FURTHER ORDAINED that the exemption for the copying of records requested by a law enforcement agency or by any branch of federal or state government shall be retroactive to January 1, 2009.

ORDINANCE NO. 104 OF 2009

AN ORDINANCE AMENDING THE 2009 CAPITAL IMPROVEMENTS BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City Council finds it necessary to amend the 2009 budget for Capital Improvements,

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 Capital Improvements Budget, is hereby amended as follows:

In Program L (Transit Improvements):

Establish a project entitled 2009 Sportran ARRA Project (09L003) in the amount of \$4,716,500.

Funding Source is Federal Transit Administration in the amount of \$4,716,500. Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 129 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 shall be held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect with out the invalid provisions, items or applications; and to this end, the provisions of this ordinance are hereby declared to be severable.

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

UNFINISHED BUSINESS:

Councilman Webb: Mr. Thompson?

Mr. Thompson: I don't know of anything until we get to No. 9, Zoning Board of Appeals.

- 1. 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)
- 2. 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)
- 3. 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)
- **4.** 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)
- **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. 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*)

- 7. 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)
- **Resolution No. 179 of 2009**: A resolution to launch a Council investigation as authorized by Section 4.29 of the Charter and to appoint a committee to conduct the investigation; to retain the services of a special legal consultant or consultants as authorized by Charter Section 4.29 to assist in said investigation, and to otherwise provide with respect thereto. (*Tabled September 10, 2009*)

9. ZONING BOARD OF APPEALS

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) (*Postponed August 25, 2009 until September 8, 2009*) September 8, 2009 – No action taken

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</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.

The Clerk read the following:

BAC-17-09: Property located on the east side of Gilbert, 125 feet north of Erie, Shreveport, LA *Mr. John E. McKinley, Jr.* (C/Long) (*Postponed September 8, 2009 until September 22, 2009*)

Motion by Councilman <u>Long</u>, seconded by Councilman <u>Shyne</u> to modify the decision of the ZBA as follows.

To approve the side yard variance as requested and deny the height variance subject to compliance with the following stipulations:

Development of the property shall be in substantial accord with a revised site plan submitted to the Planning Director, with any significant changes or additions requiring further review and approval by the Zoning Board of Appeals.

All permits including a proper building permit shall be obtained from the City of Shreveport prior to the commencement of additional construction activity on the storage building.

A revised building elevation indicating the storage building height no greater than height of the primary residence must be submitted

to and approved by the Planning Director prior to the issuance of any permits.

The use of the structure shall be for storage only. No other use will be allowed.

A permanent stair to an attic area will <u>not</u> be allowed. No windows allowed in the upper portion of the structure.

Councilman Long: You've all heard from both parties in this matter. I would dearly hope that you vote as you feel is right based on the information and evidence that's been presented. I know Councilman, Mr. Chairman, you had a question, and I'd be interested in hearing what that question is, but my process at this point, is if this does not pass, then what we'll do - - - now as far as overturning the ZBA, and be specific, there was some language that was presented. Charles, can you come up at this time, (inaudible), my point is if this doesn't pass, then my next notion would be to uphold the ZBA. But I wanted to go through this process first.

Mr. Kirkland: I'm here, what did you want me to respond to?

Councilman Long: Some steps that were proposed, I got my copy from Mr. Hiller just now, but if we overturn the ZBA, and request that the second story be removed - - -

Mr. Kirkland: You know I gave you a list of conditions that - - - we can address that if you wanted to go that way.

Councilman Long: Right, I need to pull those up real quick, hold on let me do that. But anyway I think Ron had a question, Mr. Chairman, if you want to ask your question.

Councilman Webb: Did the man get the wrong permit or? Tell me the permit thing, what exactly happened here.

Mr. Kirkland: He did pull the wrong permit in my opinion. He pulled a repair permit, he should have pulled a building permit. I think you heard from the lawyer representing the client that it was his first time, whether any of that was true or not, we don't know. We don't know. The fact is it was the wrong permit. It should have been a building permit which would have subjected it to a far more thorough review at the time.

Councilman Webb: And is the existing shed actually on the existing slab that was referenced in the discussion?

Mr. Kirkland: There was a lot to this case. Let me say that over the course of the three meetings, that it was continued. There were issues that weren't even brought up today that we had to deal with and investigate. Floodway, flood plane, whether it was to be inhabited or not, and whether - - - there were a lot of different rules as you can well appreciate, that applied depending on certain circumstances. It was claimed that there was an existing slab. I can't say whether it was or not, the thought that the property owner next door, Mr. Spruiell apparently disagree with that, said that Dr. Thoma apparently had some sort of an elevated foundation. The bottom line is what was needed and there was some existing structures as was shown in the pictures today, that were there. They were much smaller. The side yard variance of 2 feet, was absolutely needed because the structure was substantially increased beyond the original footprint. The height variance clearly was needed, yet the ordinance even though the home of the applicant is higher, what the ordinance says is from grade. Now we're dealing with technicalities, but that technicality meant in the staff's mind and in the Board's mind, they needed a height variance. And so, Ron, that's where it was.

Councilman Webb: The vote was 5-1?

Mr. Kirkland: 3-1. There was one dissenting vote.

Councilman Webb: So what was the vote from the ZBA with the stipulations, where they put in all the approval with that vote?

Mr. Kirkland: Well they did what and by the way, both lawyers did an excellent presentation to you of their clients' cases or their position. But the stips, by the way Mr. Walford, does this feel like Déjà vu to you? He's lived that life for many years. The stips that were put on there by the board really did address they thought some of the concerns of the Spruiells, and that the removal of the windows on the second floor. To prevent, even if someone were up there putting storage material up, prevent them from sitting up there trying to observe the neighbor. So, the ZBA did consider the compromise position of removal of the second floor, and I might throw out this. As far as I'm aware, the interior finish on this structure is minimal at this point. That work is yet to be done. It's not completed as was referenced, today if proper permits would be pulled and that sort of thing.

Councilman Webb: Was there any kind of fine?

Mr. Kirkland: Well there is a permit. It's a double fee or double fine if you don't pull the right permits, and that might be arguable by the permit department as to whether they did or did not in fact pull. It's whether you want to believe whether the repair permit was honestly obtained, or whether they knew they were obtaining it incorrectly. Who knew at what point they were going to spend more money, than what they started out to spend. But the ZBA as Mr. Walford can tell you and some of you that observe these meetings, we deal with these sort of cases on a regular basis where citizens have inadvertently, innocently, or otherwise gone out and built something they shouldn't have built, and the really tough job that the ZBA and you have is to try to discern, not as a court of law. You are not a court of law, and nor is the ZBA, and nor is the MPC. Zoning is a very unique set of laws to begin with. Even judges in a district court cannot substitute their opinion for yours, or the ZBA. And what is you're to promote the welfare, the good and the welfare of the community. And you're allowed quite a bit of latitude in my opinion, in doing that job. The difficulty is trying to get a member and the ZBA, and Monty again I reference you, they'll sit there and work very, very hard. They are not represented by districts. They're representatives as a Body of the Whole. They tend to approach these things as well, what does Ms. Osborn think? Or, what does this Board Member think? Or, what does Jason think, or somebody else. It's a collective decision that is very reflective of what the majority of them think. And with that being said, even though I think, like you said, you've heard good arguments from Mr. Spruiell, and the other lawyer, I do think there was uniqueness, and there was - - - you don't have to prove that you have a right to be there. I happen to live on Bayou Pierre, on the other side, on the east side. And one of the reasons I bought the house 33 years was because of Bayou Pierre, very unique. I love all that space. So I think the topography is another issue. This topography is sloping, (inaudible), but essentially the board deliberated at some length to try to make certain, and they try to the best of their ability, even when it's a violation, that's already built, they try their best to decide what they would do if it wasn't there. Now that's - - - based on that, all I can tell you is that's what their decision was. But the stips Ms. Bowman, as I gave you, I did not know and I'm not sure whether he knew which he wanted to go or not, but we gave him a list of stips, and in the event he wanted to require the removal of the second floor, that would accomplish that.

Councilman Webb: Okay, well so, I'm kinda confused. I don't really know where Councilman Long is going with this, but he's asking that the ZBA be overturned, and if we vote to overturn that, what does that do?

Mr. Kirkland: Well essentially, would deny both the side yard variance, and the height variance.

Councilman Long: Alright, so let me - - - I want to be specific about the ordinance, because I'm moving forward with this. And again, my point of all this is, I'm not necessarily advocating that this second story be removed. Me personally, as Charles just described the process of the ZBA and how they go about making their decisions, I would ask all y'all to consider the same perspective. I'm in a sense, I'm conflicted in this decision, because I know both parties, and I see both sides of the situation. I just - - - as a starting point, I wanted to go somewhere with this, and if it got voted down, then we would go back to the alternative, which in this case is going to be to uphold the ZBA and it's current format.

Councilman Webb: Which is what?

Councilman Long: Which is basically as described, it's the removal of the windows on the second floor. It's a storage use only, and I think - - -

Mr. Kirkland: Right, and I was also going to say, no permanent stairway to any loft or even with a one story use, you know most of us have some kind of (inaudible) storage, but even though it would allow a folding stairway.

Councilman Long: Right, like a garage, attic type situation. So, I mean, that's the current judgement of the ZBA right now. Again my point is, is that if depending on how this body feels, and how they vote, if this - - - and, and what I'm going to propose, let me read this to you real quick. These are some stipulations that were offered up by Stephen Jean of the MPC staff, and basically it's Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Zoning Board of Appeals. All permits including a proper building permit shall be obtained from the City of Shreveport prior to the commencement of additional construction activity on the storage building. And this is the critical one, A revised building elevation indicating the storage building height no greater than height of the primary residence, in other words to stay in compliance with the ordinance, in this case a maximum height of 14 feet from finished grade to ridge of roof, and must be submitted to and approved by the Planning Director prior to the issuance of any permits. The use of the structure shall be for storage only. No other use will be allowed. A permanent stair to an attic area will not be allowed. In other words they can't have a stairwell, or even a ladder against the side of the inside. If they had just a thing against the wall with rungs and a patch, I mean would that be allowable?

Mr. Kirkland: Well, my opinion and that's all it could be, is that it would only be a pull down type stairway. Of course, there are different types, depending on what you want to spend on them. But I would say no, Councilman Long, because the Board, or the idea would be to without any question to remove the fact that it would make it convenient for someone to use the second floor other than just storage.

Councilman Long: So, those would be the stips that I'm offering up at this motion. Again, a starting point in this matter may not be the ending point.

Ms. Glass: Mr. Chairman, Mr. Long's initial motion?

Councilman Long: That's what they were trying, but - - -

Ms. Glass: But what you really want to do is modify the decision?

Councilman Long: Yeah, I guess modify, yeah, yeah. I'm sorry, you're right, and I stand corrected. It would be to modify to fit this - - - these stipulations.

Councilman Shyne: That's your motion? To modify?

Councilman Long: Yeah.

Mr. Kirkland: That would approve the side yard.

Councilman Long: Yeah, the side yard is fine, I don't have a problem with that.

Councilman Webb: Okay, repeat all that.

Councilman Long: Alright. To modify the existing ZBA approval. 1) Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Zoning Board of Appeals. 2) All permits including a proper building permit shall be obtained from the City of Shreveport prior to the commencement of additional construction activity on the storage building. And I guess that would mean any demolition or any other work period. 3) A revised building elevation indicating the storage building height to be no greater than height of the primary residence, (and in this case they indicate a maximum height of 14 feet from finished grade to ridge of the roof) must be submitted to and approved by the Planning Director prior to the issuance of any permits. Would that be occupancy or just or construction permits?

Mr. Kirkland: Do what now?

Councilman Long: If you have to approve any height?

Mr. Kirkland: Well what I would be looking for is full compliance with the stips, and requiring my review and approval subjective to a little bit higher, if you will, scrutiny.

Councilman Long: Gotcha, so that's what No. 3 basically says. 4) The use of the structure shall be for storage only, which that was specified in the ZBA thing, so we're not changing that.

Mr. Kirkland: That was on (inaudible).

Ms. Glass: That wasn't in the stips from the ZBA.

Councilman Long: It was not? So we're inserting that. Okay, and a permanent stair to an attic area will not be allowed. That's five items. Anybody want to see that?

Councilman Webb: He just explained the different motions and what the motion is actually out there. So, are we - - -?

Ms. Glass: I think, I thought he changed his motion, to modify the decision of the ZBA as read.

Councilman Long: Right, not to overturn.

Councilman Lester: Question No. 1. When this is done, it seems like where you're going is going to be to take off the second floor, and remanufacture something that's lower.

Councilman Long: That's correct.

Councilman Lester: Will there be widows allowed?

Mr. Kirkland: No, not as that's written.

Councilman Lester: So, as that's written.

Mr. Kirkland: Right, you wouldn't have windows in a roof elevation Councilman, at least if they happen to show a (inaudible), I think you hit upon a point, it's not actually covered, but if they want to put a (inaudible) type of window, I wouldn't approve it in my approval of the plans, because it doesn't fit the intent of removing the second floor.

Councilman Lester: So basically, what we're doing is we're taking the second floor off, and we're making it - - - it's a pitch roof, but it's going to be just a larger storage area.

Mr. Kirkland: Probably without - - -

Councilman Lester: Like you would have it at someone's house with a pull down ladder.

Councilman Webb: I think (inaudible) is taking second story off, and not a true (inaudible).

Mr. Kirkland: I think a (inaudible) or something like that is the maximum pitch that would work.

Councilman Long: We're not talking about 2 feet here, is that what I'm hearing? Over the existing structure that's now - - -?

Councilman Lester: Cause I'm trying to find out where you go - - - in order to comply with what you said, it appears that this owner is going to have to take off about 2 feet of the building. And in taking 2 feet off a building, it's still going to have a second story technically, or is it not going to be a second story, would it actually be a - - - just a larger building with an attic?

Mr. Kirkland: To me the intent, and that's up to Councilman Long to clarify, was to not allow anything that looked like a second floor, a second story at all. That would mean normally at about 8 foot height from grade, a roof would begin at probably a 4 or 5 (inaudible) pitch.

Councilman Long: As I'm thinking through this - - -

Councilman Lester: Cause I just want to make sure that's where you're going.

Councilman Long: Can I do this? Can I ask Frank Spruiell as the appellant in this case to step up please? I'm trying to do something here, it's kinda of crazy I admit, but what is it that would satisfy, if you would have your way in this matter, what would it be?

Mr. Spruiell: I was going to approach Mr. Kirkland about one thing. The building is not 16 feet tall. It's 18 feet tall from the pitch to the foundation, which is pier and beam, which is elevated itself. So at this point of the structure, and these are Mr. McKinley's plans, out here you'll see it's 18 feet, 1 inch tall to the top. So if the home is 14, it's 4 feet. So, it's much more significant than just chopping off a little bit. It's much more significant, and it's from grade, not from the foundation. It's actually closer to 19½ feet from grade of the ground at that point to up here. So it's actually more - - - to answer your question, as drafted, I think I indicated, I think in answer to Ms. Bowman's question, I can live with those stipulations, removal of the second and it be limited to storage.

Councilman Shyne: If he can live with it, then let's go.

Councilman Long: Richard, please.

Mr. Hiller: The misrepresentation is the height of the house. The house is 16.1. The accessory structure of the storage building is 18.1 as shown in the plan submitted in the ZBA file. So, the difference, the height variance is 2 feet. In other words, as you go from grade to roof, the actual difference is the storage building is 2 feet higher grade-wise, than the house, which is 16.1. So for all intents and purposes, the height variance is 2 feet if for example, you made the storage building 16.1, the same height as the house, which the accessory structure statute says it should be, we wouldn't need a height variance, because we would be in compliance with your ordinance. So my point is 16.1 is the height, if you're going to use that as the standard, that's the standard you should use which is the height of the house.

Councilman Lester: What I was going to suggest to you, just as a suggestion, since it appears that, and I agree with you that we should be of the mindset of removing that which is objectionable which I believe is the idea of the second floor or the window. Could we not as a point of reference and agreement, stipulate for our purposes that the house is 16 feet, that the storage structure shall be 16 feet, and then incorporate that which you have said, which will then require them to take off whatever amount of feet that is, maybe it's 2 feet or whatever, but it still would reduce the height of the building and remove the windows. And just incorporate everything else you said and just leave it as a building that is not 18 feet, but a building that's at 16 feet, assuming and we would just stipulate that the house is 16 feet, therefore the structure is going to be 16 feet. The windows are gone, and everything else that you said about the no permanent, we just wrap all of that in there.

Mr. Spruiell: With all due respect to Mr. Hiller, I'm not trying to misrepresent the height of the house. I don't know the height of the house. I'm going to leave that to Mr. Kirkland's office, and I have no problem with the stipulation being that the accessory structure cannot exceed the height of the house as determined by the MPC. I don't - - -

Councilman Webb: Let Mr. Kirkland address that.

Mr. Kirkland: Gentlemen, what we would do, I have on staff Roy Jambor is a licensed architect. Spent 20 years in private practice, have another architect/planner Stephen Jean, who spent probably another 20 years. If we can't figure out the height of these two structures, we're in bad shape. We'll get these heights measured and be certain of that, because parties have significant interest in the outcome of this case.

Councilman Lester: Mr. Chairman, Mr. Kirkland, if I could. I don't think that they are trying to handicap the MPC, I think as I appreciate it where Councilman Long is coming up with is to agree to something as a stipulation now, so that Council at some other point don't say, 'Well you know he said 16.1, and your measurement is 17.' If we leave here with a stipulation that the house is this, then that wipes out that argument, and your guys don't have to measure. The only question is does the accessory structure match the 16.1? And the only thing your guys are going to have to measure is the 16.1, and that issue is resolved.

Mr. Kirkland: (Inaudible) from grade.

Councilman Lester: Right. That's what we try to do, just try to give everybody a little piece of the winy, or the sausage so that everybody can go home having had some snack. No one is going to have a whole meal, but everyone is going to have enough to pick their teeth with.

Councilman Walford: If I can address this to Mr. Long, would you consider adding a No. 6, that there will be no windows on the second floor, since that is not on here. I think I heard you say it, but it's not shown in the stips.

Councilman Long: Again, I just wrote it on mine, I'll write it on yours.

Ms. Glass: Mr. Chairman, it seems like to do what you want to do, we need to take out the portion of the stips you read that specify 14 feet. So, it would just say revised building elevation indicating the storage building height no greater than height of the primary residence. Must be submitted to and approved by the Planning Director. So then you wouldn't have a - - - they could make that determination, you wouldn't have the 14 feet in what the Council adopts.

Mr. Kirkland: Julie, you've got to have from grade of the primary as well as the - -

Ms. Glass: Okay, I'm sorry. Well, but if you say from grade, what measurement from grade?

Mr. Kirkland: The primary structure is what controls that height variance. And it's from grade. That's in the ordinance. And then the secondary structure cannot exceed that height from it's grade. So that's very clear. We've researched that point more than one time. To be certain, you know that you would have to nail the height.

Councilman Webb: If the grade drops down 18 feet, you can't build (inaudible) building. Mr. Kirkland: (Inaudible) and it does, it drops off. And if it were 20 feet below, down in a hole, it still couldn't exceed from grade to a maximum height of what the residence is.

Councilman Long: Now, my point about all of this is, is this discussion and these steps, I want to be clear about, but it doesn't mean that I necessarily am going to vote this way, but this is what I'm putting out there for everybody else.

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

Councilman Long: As a City Councilman, this is one of the worst opportunities we have to serve, is when we have to get involved with neighbor against neighbor. This is the most uncomfortable thing we do up here, I'll be honest with you. And it tells me in part to do what we

have to do, but this is a very interesting situation, and I tried numerous ways to figure out a way to compromise, so we've done what we've done. I didn't really try to influence anybody's vote in this matter, I just laid it all out there, and let everybody do their thing. Thank you.

Councilman Shyne: Charles again, it's about making tough decisions. If you can't make tough decisions, you don't have no business sitting up here. I used to tell coaches the same thing, you know if you got a problem about pulling a kid out of the game, then Mayor, you know, I mean, that's a decision, you're making a tough decision. Whether this kid will get an F, and the other one B-.

10. PROPERTY STANDARDS APPEALS:

- **HBO0700145** 426 Woodrow, Shreveport, LA (F/Shyne) *Ms. Carolyn Miller*, 424 Woodrow, Shreveport, LA 71105 (F/Shyne) (*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 August 24, 2009 until September 21, 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 August 24, 2009 until September 21, 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 August 24, 2009 until September 21, 2009)
- **PSD00900103**: 2860 Looney Street, Shreveport, LA (G/Bowman) Mr. Reginald Mims, 527 East 85th Street, Shreveport, LA 71106 (D/Wooley) (*Postponed September 4, 2009 until October 12, 2009*)
- **PSD0900006**: 2006 Looney Street, Shreveport, LA (A/Lester) Ms. Niakia Cook-Jones, 6777 Raspberry Lane, Apartment 1421, Shreveport, LA (G/Bowman) (*Postponed August 24, 2009 until November 20, 2009*)
- **PSD0900177**: 171 Ardmore, Shreveport, LA (C/Long) Ms. Shelia Wharton, 3215 Knight Street #147, Shreveport, LA (C/Long) (Postponed September 4, 2009 until September 21, 2009)
- **PSD0800344**: 2723 W. Jordan, Shreveport, LA (B/Walford) Mr. Clarence Davis, 906 N. Victory Drive, Houston, TX 77088 (*Postponed August 24, 2009 until September 21, 2009*)

HBO00900028: 1824 St. Paul Street, Shreveport, LA (A/Lester) Mr. Roosevelt Taylor, Jr., 5309 Avon Avenue, Shreveport, LA 71109 (F/Shyne) (*Postponed September 8, 2009 until October 12, 2009*)

PSD0900204: 1048 Rutherford, Shreveport, LA (B/Walford) Mrs. Janet Hummer, 5824 Fern Avenue, Shreveport, LA 71106 (C/Long) (*Postponed September 4, 2009 until November 9, 2009*)

11. <u>ALCOHOL APPEALS</u>:

Denial of Application for renewal of alcohol permit for Pizza Town Café, 2905 Youree Drive, Shreveport, LA 71104 (B/Walford) (Postponed September 8, 2009 until October 12, 2009)

NEW BUSINESS

PROPERTY STANDARDS BOARD OF APPEALS:

PSD0900029: 2639 West College, Shreveport, LA (G/Bowman) Mr. Kevin Belcher, P.O. Box 3313, Shreveport, LA 71133

ABO APPEAL:

Mr. Christopher Allen, 916 Rickey Place, Bossier City, LA 71112; *Ernests of Orleans*, 1601 Spring Street, Shreveport, LA 71101 (B/Walford)

ALCOHOL PERMIT APPEALS

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

Denial of application for renewal of alcohol beverage permit for Food Fast #105, 4025 Jewella, Shreveport, LA 71109 (F/Shyne) *Mr. Robert Strong* 4703 DC Drive, Tyler TX 75701 (G/Bowman)

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES

Councilman Wooley: Just want to remind everyone, the GIS Committee, Thursday, 2:00 in here, in the back.

Councilman Walford: We have not had a meeting of the MPC Master Plan Sub Committee. But I did attend some of the sessions as I believe you did Mr. Chairman, and I will tell you I really liked seeing the people as engaged as they were. First of all, I like the age spread, it was literally all ages, and they really seemed to be getting into it. In the table group. So, I was really pleased to see that they are interested, and they do seem to be concerned about our Master Plan. What was your experience, similar?

Councilman Webb: Um hm. They had one at Southwood the same night, and Mr. Mayor tried to make, but somebody tried to pull him over for speeding. But anyway, talking with Dr. Rozeman about getting the younger generation involved and I was asking him if he could possibly take this to the high schools to the Free Enterprise Class, because it was noted I think by Commissioner Cox, that he looked around in our room, and all he had was people in their 40s, 50s,

and 60s, and nobody from the younger generation, and this is going to be their city when they grow up and get out in the working world. Hopefully, they'll stay in Louisiana. And I think it's going to be a good thing for them to get the school children involved in this as well. Because this is their future as well. Did you want to add something to that?

Mr. Kirkland: Monty you would announce this is if you would know, but we're sending the notices out by tomorrow. October 1, 9:30 a.m., this room, we hope to be through by 11:30, the Master Plan Committee will be meeting, and we are coordinating the consultants visits in town. We're not paying them to come here specially for these Master Plan meetings, but they will be here from now on, every meeting we have, we will have them there, to give not only a partner support of where they are, and what they've done, but also financial reports on what money has been expended today. So, it will be in this room. We've had complaints about not enough room for people to be in the Mayor's conference room. Be in this room, we would hope that the room would be full. So as many of you as can get that word out. Come to the meetings, you can ask questions, you can make statements, whatever you want to do, it is a very open process and will remain so. The only other thing is we're about at the midway point on money expended. Within next week, you and the Parish Commissioners, will be getting a call from us to set up some one on one interviews with you. If you want, come. If you don't, that's fine. It's for you to sit down with the consultants at our (inaudible) and say what you want to say. If there's something you want to see added, or something taken away, or whatever it is, really to get the 19 elected officials comments between Parish and city. So we're going to try to do this if we can, next week. So, if you want a one on one opportunity to compliment or make constructive criticism, please take advantage of those meetings. We will do our best to accommodate you on that. So whatever you've been hearing or saying. So that being said, thank you very much Mr. Chairman.

Councilwoman Bowman: Sharon, were you able to look at a date for Cpl Collins on Public Safety, he requested this yesterday before my untimely departure.

Ms. Pilkinton: What I'll do is - - - next week, looks like there's nothing available, I mean there's nothing on our schedule of any meetings at this time.

Councilwoman Bowman: Okay, well - - - so we'll look at a date and try to get our notices out, and make sure it's pretty good with them.

Ms. Pilkinton: I'll get with him tomorrow morning what his schedule looks like (inaudible). Councilwoman Bowman: Alright, thank you.

CLERK'S REPORT

BAC-57-09: Property located at 4400 Hilry Huckaby III Ave, Shreveport, LA 71107.

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 7:29 p.m.

//s// Ron	Webb, Chairman
	ur G. Thompson, Clerk of Council