

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA  
*JUNE 10, 2003*

The Regular Meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman Monty Walford at 3:00 p.m., Tuesday, June 10, 2003, in the Government Chambers in Government Plaza (505 Travis Street).

Reverend Gant led the Invocation.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody, Green, Gibson, Hogan, and Jackson. 7. Absent: None.

**Approve Minutes.** Motion by Councilman Lester, seconded by Councilman Jackson to approve the Administrative Conference Summary Minutes of May 23, 2003 and the Council Meeting Minutes of May 27, 2003. Motion approved by the following vote: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

**Awards, Recognition of Distinguished Guests, and Communications of the Mayor Which Are Required By Law.**

Mayor Hightower: First I'd like to ask former Councilman Burrell, to come forward. He has all these students with him. He started this program, Biz Camp, about 3 year ago and has grown it from a handful of students every summer to a packed house this summer to teach kids a little bit about entrepreneurialship all the way from the classroom into the business itself and they will actually set up shop this week and sell wares and so forth and learn a little bit about what it takes to make the economy tick. So, with that I'd like to welcome Councilman Burrell back to the Chamber and congratulate him on another success story.

Mr. Burrell: We are here today to introduce to you again for the third year in a row, our Biz Camp 2003 class. We started off with about 25 students three years ago and we felt that we could work with more than that, so we've increased it to at least 40. Believe you me when you me when you have a group of young, rambunctious people with a lot of different ideas to share, that is a lot to control. You think the Council is tough to control, you try to control 40 of these youngsters. You will realize that you may have a pretty decent job there, Mr. Chairman ,compared to some of the things that we do.

As the Mayor said earlier, we actually created the I. C. E. Institute which is the Inner City Entrepreneurial Institute in 1988 as a result of the 1984 study, Mt. Auburn Study and the 1994 Time to Chose Study which said that Shreveport needed to diversify its economy and it also had a segment in there which said that, Shreveport needed to bring all of its citizens into the economic mainstream. So, we took that idea and looked at it and said well in order for us to be able to have a thriving community in the 21<sup>st</sup> Century we needed to create our own businesses and create our own entrepreneurs so that we can grow them and they will stay home and hopefully help support our economy. So, with that Biz Camp was one of the programs that came out of our initiative.

A couple of other initiatives that came out of the work of the I. C. E. Institute, the Mayor asked us several years ago when he first came on that we needed to focus on inner city revitalization. I. C. E. undertook that mission and took the Mayor, the CAO and a number of others, including Mr. Thompson to Kansas City (you may remember that trip) back in 1999 to Kansas City to look at their redevelopment efforts there and as a result when we got back, we made three recommendations to the Mayor in terms of revitalization in our inner core area. And, that is one of the things that we asked for was an SRA or a Shreveport Redevelopment Agency be established to develop Shreveport Redevelopment be established to develop a Shreveport Redevelopment Plan---many of you who are just coming on wonder where those things came from, but it came from somewhere and we were in the forefront of that movement.

Thirdly, is to create a CDC (Community Development Corporation) and as you can see those things have been implemented. We have undertaken, while I know while I was on the Council, the Models Block Program which as a result of the things that we were able to do, some of those things came out; so, we have been on the road doing this.

But one of the things that we have been most proud of is our Biz Camp Program, that is where we

would actually take youngsters that some people consider, at-risk and not all of these youngsters are at-risk at school but we have a cross section of youth that we work with. In so doing, we feel that cultural diversity is very, very important in our program so we try to mix our youngsters up in terms of cultural, in terms of age, in terms of educational background, and we came up with this group right here this year.

There is several people I want to introduce you to at this time and they will probably explain to you better than I can what Biz Camp is all about.

First of all I would like to introduce Mr. Dale Daniels. I know Councilman Carmody was here when Mike Grandinette was here in the last two years and I believe he is the only other one that have meet one of our national teachers, should I say, international. Our Program has grown international. It is not only national now, it is international in nine other countries and we teach entrepreneurialship under a model, a international model for teaching entrepreneurialship called NIFTT (the National Foundation For Teaching Entrepreneurialship) and since Mike Grandinette could not come back from Sacramento this year to be with us in our camp, we bought down somebody from our main headquarters which is New York and his name is Mr. Dale Daniels. So at this time I would like to introduce him. Also, Mr. Mayor, we would like to welcome him to our City because this is his first time here and he's been enjoying our weather as well as our people, Mr. Dale Daniels.

Mr. Daniels: It is a pleasure to be here today. To reiterate what Mr. Burrell said, I had nothing but the best time here during my first trip to Shreveport, Louisiana. I can't wait until I am able to join you all again.

I work with the National Foundation For Teaching Entrepreneurialship, an organization that for the last 15 years has been among the world leaders of taking this concept of business ownership and operation and sharing it in a very basic way with young people ages 11 to 18, internationally. As Mr. Burrell alluded to earlier we are reaching young people in 14 countries, across 43 states, through 2700 trained teachers that we have through relationships with major universities across the country. Our vision is to reach every young person across the country, globally, every young person born out of poverty. As Napoleon Hill wrote in his book, "Think and Grow Rich", poverty is a mindset and so is wealth. We tried to have young people grow up with an opportunistic point of view and a perspective that enables them to seek opportunity and take advantage of it whether that be running a business or establishing a career that matches to their skills and interest. So, we partner with schools, universities, organizations around the country to spread this word.

I am very proud that we can introduce this subject to young people as we see them really running with the ball across the country. So often young people today aren't really understanding what the relevance is of the learning that is taking place in the school systems. What that has to real world practices and applications. I look at a city like Cleveland, 6 in 10 students are dropping out. We can't assume that only students are the blame. I do believe that students are trying to figure out how to take these academic competencies that they are learning and applied in the real world situations and we view our curriculum as being helpful there whereas we are teaching young people how these basic academic competencies can have relevance in real life. So, that is how we still ourselves as that bridge between school and the work place, the environment in community activism and taking control of it and see oneself as a change agent in that community.

We see this curriculum as being very important creating that level of consciousness and we would like to position ourselves to work with any community, any organization that views themselves as having the same kind of impact. So we are very proud of our relationship with I. C. E. Institute, we are very proud of what's being done in the city of Shreveport and we look, very much forward to working more closely with you all towards having every young child to become privy to this information that could have profound impact on how they prepare themselves for their future, their families, and their communities.

Mr. Burrell: We also want to let you know too that I. C. E. could not do it alone, so we have partnered with Southern University Shreveport, Southern University Foundation and definitely Caddo Parish School to make this effort possible along with other businesses that support our efforts. I know Councilman Green is on the Southern Foundation Board and we have been working with them.

At this time, I would like to bring a couple of our students up and we want to try to rush that up because I know that you all have a lot of work do, but before that I want to introduce you to a couple of Biz Camp teachers. In 1999 we took 11 Caddo Parish teachers and one professor from Southern University to Boston College to get 3 Master Level credits in entrepreneurialship. We wanted to make sure our teachers were certified to teach our students and through the help of Ms. Lena Livingston, who is the dynamo behind this program from Caddo Parish School Board, two of our teachers are here: Ms. Katherine Harris who is our lead teacher this summer. Katherine has many years of experience at Huntington High over there teaching in the business area. Ms. Thedra Green which is one of the two sisters that I took up to Boston to get this training also. Her sister is also teaching in our summer camp.

At this time, I would like to bring to you Ms. Ebony Rhodes. Ebony is a graduate of Biz Camp 2002. We also have a 2001 group but she is a graduate of 2002, our group last year and we want her to say a few words and while she is coming up, I also want to recognize Mr. Walter Bird. He is one of our Biz Camp 2002 group that has come back to this summer to mentor our 2003 group; so we keep everybody intact.

Ms. Rhodes: My name is Ebony Rhodes and I am a Biz Camp 2002 participant. I am here to tell you about the exciting information that you receive as a result of Biz Camp. At Biz Camp you learn how to create a product, to market it, and make a profit. More importantly you learn values that you can use in everyday life. We are privileged to receive information from Caddo Parish School Board teachers who take time out of their summer to impact the lives of students forever. And thanks to all of our great supporters and people like you, the students of Biz Camp receive all of this great information for no cost at all; so, again, thank you.

Mr. Burrell: At this time, I would like to introduce two of our Biz Camp 2003 group and one you may recognize, Ms. Annie Pearl McCullough (does that name sound familiar?) It is Mrs. Rose McCullough's daughter. She got into our program this year, and really the Commission has really been excited about what they've heard about the program and they are working with us very closely this year; so, Ms. McCullough if you would and also Ms. Shaquandra Henry.

Ms. McCullough: To the Honorable Mayor Hightower and all of the City Council members and Mr. Chairman, I am Annie Pearl McCullough, a student of Caddo Magnet High School. I am very honored to speak to you today about Biz Camp. Biz Camp is no ordinary program. It is a program that teaches you the importance of having a great attitude to receive things that you may need in life and managing your own money. I have really enjoyed learning about entrepreneurialship and the advantages of owning my own business. Thank you for your time, good evening and God bless you.

Ms. Henry: To the Honorable Mayor Keith Hightower, the Honorable City Council members and you Mr. Chairman. My name Shaquandra Henry. I am 18 years old and I attend Shreveport Job Corp. I am very honored to speak to you about my experience at Biz Camp. I've learned the value of the business world and how to become an entrepreneur at such a young age. I've also learned to make the customer feel like part of my business and also how to manage money at the same time. Again, I say I am very thankful and thank you for your time.

Mr. Burrell: We want to thank you for your time. We want to close out at this time so we can take them out and we are asking that you will continue to support our efforts here in the City because as you know, that is one of the issues that we have been dealing with for a long time, that is growing our own businesses. I think that if we can get this entrenched into our young people and teach them also how to build relationships while they are young, when they grow older they will become joint-venture, you know, young individuals who are actually coming together and pulling their resources to have joint ventures and they want all look like each other when they do it; so, I think that is a very, very important point.

Mr. Mayor again, we appreciate you for the years of support that you've given us and this Council and without you we could not have done. And Mr. Thompson I know that we worked together for a long time on a lot of issues dealing with (inaudible) economic development issues in the inner city

and we still pledge that we will continue our support.

Mayor Hightower: I would like to also present this proclamation and claim today “Youth Entrepreneurs United To Rebuild America Day” in the City of Shreveport and will urge all citizens to continue to commend the efforts of the I. C. E. Institute, Southern University, the City of Shreveport and Caddo Parish Schools in the development of our young people to do as Councilman Burrell said, to hopefully remain here and enter into the business world in a successful, educated, well established way. Mike, I’d like to present this to you and welcome you to Shreveport.

Councilman Carmody: Roy, it is good to see you again. And, as I’ve mentioned each year that you’ve come down here, it is nice to see that we are teaching our children the businesses of Shreveport is business. And with that grasp, with the kind of responsibility it takes to operate a business, it makes all of us better employees and so I commend you again and looking forward to working with you all.

Councilman Jackson: I wanted to congratulate you Councilman Burrell. And to all of those who worked in this program, the teachers and those who been involved, we certainly appreciate what you’ve done, Mike and others who have participated in helping to bring it to fruition. But, want to most importantly say thank you for the young people who certainly could have been doing something else and could have perhaps channeled their energy into other things that still would have been productive, but it is good that their focus is on how they can be a part of this community in a way that we need them to which is entrepreneurialship. So, I certainly hope that something that is being said or done over the course of this summer and during this particular program will influence them to do just that and to become entrepreneurs because we need them to do that. I saw Lewis in the corner and I was very shocked, Mr. Burrell, when you asked Ms. McCullough to come up and she greeted us because I remember Ms. McCullough when she was a little girl and so she is growing up and I am certainly glad to see that she is doing a good thing participating in this program. So I certainly wish you all the best and know that the best is still yet to come.

Councilman Lester: I’d again congratulate Councilman Burrell for his visionary idea. I think there is a saying that says that *if you give a man a fish, he eats for a day but if you teach him he will eat for a lifetime*. And I think the fact that going out of the way to teach our young people, particularly the young people in the neighborhoods like I grew up in, in the inner city and areas like that in Shreveport, is going to be a very positive thing. All so often in our communities, we are more often consumers than entrepreneurs and I think this effort to reverse that trend is going to reap a harvest that maybe I want be able to see so that my child who are able to see and I think it will make the City of Shreveport a better one, so I just congratulate you. The students that are working harder. I see a number of my church member is in the group, and I am proud to see them, so I just want ya’ll to continue to work hard and do some positive things and we’ll be looking forward to seeing your businesses grow and looking forward to seeing some of you up here in the not to distant future.

Councilman Green: Again, I would like to say congratulations, Mr. Councilman and keep up the good work. And also, Bea is passing out the parking assignments so I think you may have your deal.

Mr. Burrell: It would be nice and then that way it will save me some money from coming down here some time. With that, let me just mention three things that I need to mention. Our Biz Plan competition where our young people business plan, they have a business plan competition and many of you have signed up to participate in that, to be a judge. And there are those of you who do not have the time to do it and we appreciate that also and that is on tomorrow between 9 and 3:30.

The second event to culminate our activities during this week is our VIP Reception. That is going to be from 4 to 5 o’clock at St. Vincent Mall, St. Vincent has been so wonderful in allowing us to have our youngsters out there so that they can display their businesses but we will have a VOP Reception with h’dourves; so if you are hungry come on out. The person who will mainly address the group other than our Mayor, would be Colonel Taylor from Barksdale. It is sort of recognizing the patriotism and the Colonel will be talking about being proud to be an American business because Barksdale is in the business of security of the U. S.; so he will be talking on that issue. Plus, you will get an opportunity to see many of their businesses that they have displayed out there at the St. Vincent Mall; so please come

out and support these youngsters.

On Friday we have our graduation. Our graduation is always a great event. It is going to be at the Sheraton Pierremont. It is going to be starting at 5 o'clock and that's a wonderful event and you could eat also. So, with that I appreciate the opportunity and we got to get back to work. We got some plans we got to take care of.

Councilman Walford: Mr. Burrell thank you for joining and I add my congratulations to your program, I think it is wonderful.

Mayor Hightower: If you thought Councilman Burrell took a long time, I would like to call up Jim Pelton. He is over the Shreve Memorial Library and he is going to read a book. But, I think Jim does have a presentation he would like to make today.

Mr. Pelton: I don't have time to read books during the day, anyway. As you know, Shreve Memorial Library is a City-Parish agency and several board meetings ago, the Board wanted to periodically update both the Council and the Commission on our activities and this is a particular exciting time for us because in about 5 ½ months from, March 30 to September 24, we will move into five new library buildings. We moved into West Shreveport on March 30<sup>th</sup>, Mr. Jackson spoke at it. And that, we moved in the Hamilton / South Caddo on May 18<sup>th</sup> which is our second resource center. The Library had one main resource center downtown and for a system our size, that is really not adequate. In the first phase we built Broadmoor, added Genealogy to it and made it Resource Center in the east and we wanted one in the south, the southwest area so that people will be covered better by these. These are much larger than the community branches which most of them are.

Coming up June 29 and we want to invite you to that, we will be opening the north Shreveport branch. This is a branch in a new area. This is not a replacement for any branch. We have two of these.

Mooretown will open about September 14 tentatively still set at that time, that's the other one. I might mention that with Mooretown, we have worked with SRAC. They've got grants in that there is a mural wall that depicts the history of the Mooretown area. It is porcelain tiles, approximately 2 feet x 2 feet and it is about 16 feet high and 45 feet wide. That has just arrived. It was produced in Italy. Marcus Igonona was a national artist who participated and was the lead artist with several artist from the Emogey group who designed the thing. We did a digital image of it, sent it off and produced it and it is being installed right now. In between those last two openings, would be the new David Raines branch on Martin Luther King Drive and that is scheduled for July 27 so you can see that it is a very busy time.

In addition to this, we have started Phase III which includes our last two branches, which is the Extension Center which is located on Union and Hollywood and the Atkins branch which will move to Greenwood and Hassett, next to the McDonald's on Greenwood Road. The architects has been selected for them and we are doing the programming right now on those buildings.

Part of this, I just wanted to come and the Board wanted about every 3 or 4 months either from me or some Board member to update, like I say, the Council and the Commission on our activities rather than just show up when we might need something. So I think with that I'll stop. I know you've got a long agenda and if you have any questions I'll be happy to try to answer them.

Councilman Jackson: I want to say thank you personally, not only for the quality of buildings that are being erected but also for the spirit in which it is being done. I was been made aware of during that time, that this Library Board has been very inclusive in its work from the design to architecture, all of what is going on. So thank you for what that has meant to this economy and for having a level of sensitivity that I think makes a difference in this community, so thank you.

Councilman Green: The ramp that you have over in the Mooretown section, is it handicapped accessible?

Mr. Pelton: I believe it meets the standards for an exterior entrance. What we were trying to do is that we located Mooretown on Hollywood across from the far side of the Airport and we recognized that many people would be either walking or riding their bicycle and wanted to provide access to the other side where the park is in that, so it is very large as far as that goes. It is not like a small ramp where you have, originally we started out with the idea that we could build this with about \$5,000 / \$10,000 and that FEMA got involved

and said that the thing had to be above the flood plain and that put it like 5 feet high on one side and 6 feet high on the other side, so we have tampered it down to try to make it so that people can get across without having to physically drive around to Hollywood and come in that way as an alternate method.

At some point in the future, we may consider working with the City to build a road that we give direct access from the community behind it which is where most of the citizens that would use that library are located because the Airport is across from it which takes up a very large amount of area.

Councilman Green: Right. I've talked to Commissioner Williams and we talked about some ideas about possible finding out the cost of what it would cost to have an actual road to come from back there, so hopefully in the future, we can get together.

Mr. Pelton: Well we did allow an area of if they did, we could make a connection with it.

Councilman Carmody: Mr. Pelton I appreciate you coming here. You know, reading is fundamental and I'd suggest you pick up a few books when you have a few moments.

Mr. Pelton: Well I do but not during the day.

Councilman Carmody: But I will say for those of us, when we grew up the only Library that we had that was close enough in proximity to walk to was the A. C. Steere branch. With the Broadmoor Branch that is there now and having re-located the Genealogy Department to Broadmoor it has certainly been a wonderful asset for us. Ya'll keep up the good work. I hope you find some time to read.

**Convention Center and Convention Center Hotel Project Report:** Mr. Antee: Well we do have some things to report today. As you know, the bids came in. Barton Malow has been meeting over the last couple of week with the apparent low bidders. Some of the packages will have to be re-bid. We think there is a lot of money that can be saved without changing anything on the building, but by getting more bidders involved. And the dry wall for example. Everybody seems to think that there is a lot of money that can be saved in that area, if we re-bid that and so that is what we are working toward doing as well as taking some suggestions that would save us some money.

We will have to re-bid the elevator package due to some legal aspects of the bids. There is a few bids where we just had single bidders and we think that we can get some other people involved and re-bid it and get a more competitive price so they are working on that and we hope that within the next couple of weeks to get that done and get it back out for bid.

We did meet with Safeco and their attorney and representative last week as well as Whitakers' attorney and the architect and their attorney. And I am happy to say that those meetings, I think everybody left there feeling real good and real positive that we are headed in the right direction to actually get an agreement worked out and getting some construction started over there.

So, we tentatively set another meeting in July once we get the re-bid items back and know more where we are, but I am happy to say that the representative from Safeco that was here, has the authority to approve, the sole authority, to approve whatever he feels like is necessary so we did have the head decision-maker. He felt like that if we could get the numbers to where we thought they should be with competitive bids then in his words, we had a do-able deal and so that is encouraging.

So, a lot of work has to be done to finish, to get the actual bids back out and re-bid but they are working on that now. We have had meetings with the State Fire Marshal. Those items appear to be heading in the right direction so that we can get a final seal of approval from them and it has to do more with how the building would be operated rather than the construction of the building and so we will be working in the next couple of weeks with SMG as well as the architects to get that resolved.

As far as the Convention Center Hotel and the process of getting the contract for the design put together and they are doing the preliminary design of the building and they are moving forward on that.

We will be bringing to the Council either at the next meeting or the following meeting the necessary legislation to transfer title from the piece of property where the hotel will go from the City of Shreveport to the hotel project; so, that is about all we have to report.

Councilman Lester: As it relates to the hotel, I think you said we are in the process of putting together a design contract. How are we looking in terms of Fair Share on the design contracts and proposed design contracts?

Mr. Antee: The numbers that have been presented to us by HCI is, I think, 23 to 25% Fair Share and 47 or 48% local.

Councilman Lester: The other question that I have was and I see that Mr. Gilliam is here, I'd like to ask Mr. Gilliam, how are we looking in terms of Fair Share with the bids on the Convention Center, itself. Could you kind of enlightening us on that issue, please.

Mr. Gilliam: To this point, Mr. Lester, and we get this information working in concert with Barton Malow. The total project to the point where they are interviewing apparent low bidders is only at about 11% at this point, but that is in some packages that we realize that it will be either highly specialized or source specific.

Councilman Lester: And when you say 11%, of that 11% how much of that percent would be local minority firms? Do you have a break out of that?

Mr. Gilliam: I don't have a break out on that. We can get that for you.

Councilman Lester: I'd appreciate that in writing.

Councilman Gibson: On the information from the Administration that was given to us based on Councilman Carmody request on expenses updated regarding the Convention Center. On the Environmental specifically, do we anticipate or know of any additional problems regarding environmental issues on that site.

Mr. Antee: No, not any major we do know that in the area of the parking garage, there is some gas or something like that that was protected that did not have to be remediate but when they begin to drill the holes for the piles, then that soil would not be hazardous but would be contaminated and would have to re-locate to a licensed place. But other than that, that is the only thing that anticipated or expected but when you go 80 feet deep in certain areas that doesn't eliminate the fact that they could hit something, but they don't think we will other than what has already been discussed.

Councilman Gibson: So that is the only environmental. Any other, we haven't had any correspondence or anything from any other agency saying that they have other concerns about the site?

Mr. Antee: Not that I am aware of.

Councilman Gibson: The second question I have regarding the architect of record on this project. You indicate that we pay them \$7.2 million dollars. Are there any outstanding invoice fees, design fees or any other additional fees that the City can expect from Slack Alost and McSwaine?

Mr. Antee: Well yes, we will receive according to the contract, the construction administration portion of their contract which I think is 15 to 20% of the total contract once construction begins.

Councilman Gibson: And that contract amount is?

Mr. Antee: I don't know. I mean, we can get that for you but I don't know right off the top of my head.

Councilman Gibson: You are saying 20% more or 15 to 25% over and beyond the \$7.2 million dollars?

Mr. Antee: Yes, but not 15 to 20% of the \$7.2 million. It is 15 to 20% of the basic design fees that were in the contract. Keep in mind of that \$7.2 million that included a lot of sub-consultants that were outside or in addition to the basic services portion of the contract. But we will be glad to get you the contract and a breakdown of exactly who received what of that \$7.2 million.

Councilman Gibson: I would like to see that break-out. I'd also, the number I'm have stuck in my mind is \$10 million or approximately \$10 million dollars for design fees on this project, is that correct, ballpark?

Mr. Antee: I'd have to go back and look.

Councilman Gibson: Okay I'd like to get that dollar amount, also.

Mr. Antee: We will be glad to get you a copy of the contract, get all of you a copy of the contract, that has all that listed.

Councilman Gibson: In that contract, is there any additional addendum? I mean, as this design profession to go back at least once and redesign on the foundation. Was there an agreed upon fee that is included in that contract or is there a secondary contract regarding that re-design?

Mr. Antee: There was a secondary agreement for the additional services to re-design the foundation.

Councilman Gibson: Okay, I'd like to see that also. Is there any other additions to that contract other than the re-design of the foundation? Are they being paid for redesign based on the value engineering recommendations from the construction community on the low bidders?

Mr. Antee: No. And what we are doing in doing that, is trying to keep the re-design to a minimum and the only time that we would look at having a re-design is if the cost of making the change from whatever value engineering idea that comes from the contractors justifies that. So the whole purpose of it is to see how we can take cost out of the project without changing the project or without adding substantially to the redesign.

Councilman Carmody: Mr. Dark I want to thank you for getting the updates on the expenses for the Convention Center that I asked for a month ago, I appreciate you getting that to me.

I do have a question though about the notations here. In respect to the Attorney General's opinion that Mr. Antee forwarded us regarding the Convention Center Project, where on the break-out of the expenses specifically addresses the cost for the transportation of contaminated soil and the back haul of the replacement soil?

Mr. Dark: Under Environmental Remediation.

Councilman Carmody: Is it specified?

Mr. Dark: That is the subcontract to All-Tech, as I understand it.

Councilman Carmody: Twenty-One Thousand Six Hundred and Seventy Dollars (\$21,670.00)?

Mr. Dark: No, sir; that is a part of the fees that were paid to All-Tech.

Councilman Carmody: Oh, here on the back page?

Mr. Dark: Yes, sir.

Councilman Carmody: And so this, All-Tech received \$2,809,866 dollars, that payment was made to All-Tech or like Mr. Antee was saying with the architect, that includes Subs and?

Mr. Dark: Our payment was to All-Tech, they pay Subs.

Mr. Antee: We would be invoiced by All-Tech for all of the work, and then we would pay All-Tech and they would pay the Subs and the labs.

Councilman Carmody: Can I get a break-out maybe through the Administration from All-Tech on who the Subs were?

Mr. Antee: Sure.

Councilman Lester: Real quick, Mr. Antee, the \$7.2 million dollars that we paid for Slack Alost, that represents about 10% of the total of the total cost of the project, just about?

Mr. Antee: Close yes, depending on what the final numbers come in at, they end up around \$72 million then yes that would be ten percent. If it is \$76 million, it would be less than ten percent.

Councilman Lester: And this is for architect and design fees, so our cost of architect and design fees on the Convention Center is somewhere around 10% depending on, of course, how much the total number is?

Mr. Antee: Once you add in all the sub-consultants, interior design, all the engineers, the landscape architect, there is a whole list of Subs. But yes, that is approximately about 10% to 11% or less depending on the total cost.

Councilman Lester: This is ten percent. When you say design, you encompassing everything; this is not just architectural fees?

Mr. Antee: That is correct.

Councilman Lester: So the \$7.2 million that Slack, Alost, is that architectural fees only?

Mr. Antee: No, that is everything that was included in the Slack Alost contract which includes engineering, landscape, sound engineering, MEP, HVAC, structural, civil, redesign or designing of the relocation of the electrical work and the utilities. It is more than just the architectural fees, per se.

Councilman Lester: And I also heard you indicated that there was some construction administration?

Mr. Antee: Part of any contract with an architect, their contract is broken down in to about five or six categories. The first part of it is schematic design. That is where they draw the nice pictures and then you get an idea. Then, they go into the next phase, whatever that is and then they get into construction documents and

at each phase, a portion of their contract is paid according to a percentage. And then when they do the schematic it is 10%, when they do the construction document it is 60% and then the final part of it is the construction administration which is them having their people on the site periodically and sometimes continuously to make sure what the contractor is building, is what they drew and that is part—that is normally the last 15 or 20% of their contract.

Councilman Lester: Now is this 15% for construction administration, included in the \$7.2 million that they have already been paid?

Mr. Antee: No. We will not be invoiced for that until they start providing that service.

Councilman Lester: They start breaking ground and start; so, it is possible that our fees to Slack Alost will be, they will be higher?

Mr. Antee: They will be higher than the \$7.2.

Councilman Lester: Okay.

Councilman Gibson: Normal industry, the architect is going to be paid fees based on the pure construction cost on this project excluding the CM fees, correct?

Mr. Antee: That's correct. The CM Fee is totally different than the architect. . . .

Councilman Gibson: I am just wanting to make sure that we understand that, that the architect is not being paid on the general conditions or the CM Fees associated with the construction manager.

Mr. Antee: That is under separate contract.

Councilman Gibson: That is separate and apart from what we are talking about. And at this point, time until we get the revised number, the number has been around Seventy Three Million Dollars in terms of what those bid packages that we received two weeks go. So the percentage of architect fees are based on construction, not the total dollar amount but just the construction side of things.

Mr. Antee: But I think Councilman Gibson, and we will verify this with the contract, but I think this contract unlike most architect contracts where it is a flat percentage had a fixed fee attributed to it. So, it was based on a percentage with a fixed amount, but now I'll verify that for you.

Councilman Gibson: I would like to see that.

Councilman Green: While we are on the building part, on the jail yesterday, we broke the ground yesterday, right. Does that mean that everything is go, that all of the Fair share points have been made and is it time to build now or was that just breaking the ground just for formality?

Mr. Antee: As I understand, when we left they were clearing the site and they will be ready to start doing the site work and beginning the construction immediately.

Councilman Green: So the contract has been signed?

Mr. Antee: That is correct.

Councilman Green: And all of the Fair Share recommendations have been met? Because last time we had a meeting (Mr. Gilliam he is out now) but he was saying that they had not, so have they been met?

Mr. Antee: I am not aware of any Fair Share issues with the jail construction contract.

Councilman Green: He is not in right now. When he comes back, he had some concerns last time whatever, percentage or whatever, but I would like to know if that was taken care of?

Councilman Gibson: Now, that we are going to be looking in another two weeks on some value engineering items and putting in, you are going to have advertise this thing for 30-days whenever the re-design comes in for those other packages.

You have an estimate on a time frame that the citizens of Shreveport could be looking at in terms of breaking ground and getting this project in the ground, if everything went the way you wanted it, obviously it is not going to be July?

Mr. Antee: Can I take the 5<sup>th</sup> on that. I think we are to the point where we don't want to give any date or when we think because once we get those numbers back we still have to work a deal with Safeco and that has to be approved through the Bankruptcy Court, so I hesitate to put anymore time frames on this project.

Councilman Gibson: Let me frame my question in a different light. We are not expecting to have ground breaking within the next 30 to 60 days?

Mr. Antee: No.

**Property Standards Program Report.** Mr. Bowie: You have a report in front of you with the list of all the structures that are in our system actively from three years previous until now. We have a legal opinion from the City Legal Office that we can only collect from only three years, the previous years.

Councilman Carmody: Mr. Bowie could you elaborate on what you just said about the legal opinion, maybe I hadn't had a chance to read it yet.

Mr. Bowie: Yes, sir, Councilman Walford had asked for an opinion on what we could collect and we can only go back three years and collect on any legal fees, on any fees that was applied toward substandard structures or weed abatement or securing or anything.

Councilman Carmody: Was that an opinion that was rendered by Terri Scott, is Ms. Scott here that she can come forward.

Councilman Lester: Actually it is signed by the City Attorney, Mr. Lafitte.

Councilman Carmody: Maybe the City Attorney can address this.

Councilman Walford: I think he stepped out of the Chambers.

Councilman Lester: He was here earlier.

Councilman Carmody: In that I will have to wait to allow the City Attorney to come forward, Mr. Bowie I know that you and I have had long discussions about Code Enforcement and our policy regards trying to recoup the taxpayers funds, I appreciate you getting this report to us. It appears that my quick glance at this is, is that three years is all the amount of time that once we've given notice to these property owners that they owe us, if we don't get, then we have lost our right to get it?

Mr. Bowie: Yes sir, that is basically what he is saying.

Councilman Carmody: Then I'd say lets not let it get into the 13<sup>th</sup> month.

Mr. Bowie: Right now we are working on the process and trying to fix it the process to get this taken care of.

Councilman Carmody: Because I do think it is a disservice and again, we've had the same discussion. If indeed there is opportunity for persons to drag their feet and to avoid having to pay what is required by law of them, then it is shame on us as a municipality if we follow their lead and let them take us down that road of saying, bingo three years has prescribed. I don't owe you anything any more, so don't talk to me because of what you think I owed you because that, I don't think cuts it with a lot of people.

And I know that you've got a tough job and I certainly want to do whatever I can to support you but lets not let these things drag out of the first year that we are owed the money before we address it because my frustration is, as you well know there are situations in which persons have learned the process to avoid having to be responsible for the property that they own.

And once that play book is out, you are going to have everybody playing by it unless we decide to change the rules of the game and I would say that this is our opportunity to change it. I am certainly upset that I now find out that 36 months is all that we've got in order to get these matters resolved. But I think all of us can ride around town and point out different structures and properties that certainly have been in violation a longer period than 3 years and for those persons to now say, I'm bulletproof. You gave me this notice over three years ago, so don't bother me anymore, I am very disheartened to hear that.

And I understand the legality of it, but Mr. Lafitte I am going to ask you to step forward because I do want an explanation given to this body. Explain the 3 year time frame year in which the City can recoup the taxpayers' money for cost to address owners, delinquent actions when served proper notice to bring their property into compliance under our property standard ordinance.

Mr. Lafitte: Well, as within any lawsuit there are time period within, depending on the nature of the lawsuit, there are time periods within which one can actual file the lawsuit. The state statutes actually enumerate those times period for specific causes of action.

In this instance there is a three year period in which to actually file the suit against the individual. Now, it may take more than three years to complete the action, but the actual claim must be filed within three years.

Councilman Carmody: Can I ask a layman's question because I am not an attorney? Is there a possibility of a municipality filing a les pendes against the property itself and the property owner of record so

that we guarantee our position and that we don't get outside of the 36 month window?

Mr. Lafitte: Sure.

Councilman Carmody: Then may I make that suggestion to you Mr. Bowie, that you talk to your attorney about the persons who are delinquent that we serve notice to all third parties by placing in the public record, a les pendes, basically a notice of pending legal action that secures our position in recouping this money.

What I have heard is that there are people in this City that believe that, well I know that ya'll gave me a notice that I had some money that I owned to the municipality, but I decided to go ahead and let that property go back to tax sale so I don't have anything else to do with it. I mean, what do you say to that? Well does that basically relieve them of their responsibility to pay the municipality back?

Mr. Lafitte: No it doesn't relieve them.

Councilman Carmody: It doesn't? But there is a belief that it does.

Mr. Lafitte: Okay, they have that belief but. . . .

Councilman Carmody: But that is only to set the record straight, if you owe this municipality funds for us having to take actions to correct the Property Standards violation on a piece of property that you are entitled and own, by letting it go back to tax sale in no way relieves you of that financial obligation to this municipality.

Mr. Lafitte: Exactly.

Councilman Green: I would like to say to Mr. Lester, who is chairing the committee for the Property Standards, first of all thank you and your committee for hitting the ground running and working on some things to make a difference and to change the property standards.

Also, Mr. Bowie I'd like to thank you all for working hard to work with whatever recommendations that will be given from this particular committee and even though, it seems as though your department is the only department in the City that has problems, I would just like to say to you all, keep your heads up and keep working. Because there are some other departments that have problems and I just think that you all are doing a good job with what you have to work with because I went to one meeting and it was like a horse and buggy day. But now that you have this committee that Mr. Lester is chairing and other Council members that is on the committee, I can see some hope. So hopefully by the time we get everything in place, then we will use your department as a model for the rest of the City.

Councilman Lester: Thank you Councilman Green for those very thoughtful comments. I first would like to start off by saying I appreciate Mr. Bowie and everyone and not only in Code Enforcement and Community Development in participating in the process. We started this committee some time ago and for the past, better part of five months and other Council members--Councilman Gibson, Councilman Carmody, our Chairman Councilman Walford who is also a member of that Committee as well as Councilman Jackson and Councilman Green and Councilman Hogan, from time-to-time have all participating in our meetings.

What we are doing is we are breaking down Code Enforcement. And, one of the things that has been instructive to me as a Councilman is a lot of times, people just don't understand what is going on in a particular department until they vest themselves in an interest and find out what is actually happening. The whole issue with Property Standards is something that each one of us faced while we were on the campaign trail. Everyone said, something is wrong with Code Enforcement, lets go deal with it. But I think a lot of times rather than to deal with some issues, people chose to beat up on city departments and I don't think that that is particular right.

But one thing that I am proud to say is that we are discovering a lot of the issues that they have in Code Enforcement. I think a lot of people don't understand that one of the issues that they had was, they were not fully digitized as you would think many city departments should be. And through some our work we've gotten them to a position where the computer program, the packages that they are working, they are getting trained on and we are making a better department.

So, everything that we've discussed certainly the issues that Councilman Carmody have raised as well as the issues that Councilman Walford have raised have come out of us doing a fact-finding mission as it relates to the Code Enforcement Department. So, I would just ask that we continue to work hard as we try to deal with

these issues.

My question is this and I don't know if Mr. Bowie would be the proper party to direct this, I see Ms. Washington is in here. My question is, do we have now that we know or now that we have a legal opinion from our City Attorney, are we able to get a bottom line figure as it relates to the monies that not only that are owed but that are legally collectable in terms of some of these Cod Enforcement issues in terms of the grass and the things of that nature? And, if we do, what is that number? Ms. Washington, could you maybe address that issue please.

A lot of people don't understand this is something that we have been grinding out for the better part of five months. We had have Ms. Washington with the Finance Department, we've had Code Enforcement, we had other folks from Community Development. We've had Data Processing, we've had Operational Services. We had just about what is it about 6 or 7 city departments that have been sitting around the table for 2 or 3 hours. In fact we have a meeting coming up, what is it the 25 of this month. We meet on a monthly basis for no less than 2 or 3 hours and we deal with these issues, so the book is getting even better.

Ms. Washington: No, we have not determined what that bottom line is. There is some work still needs to be done in cleaning up the records as to who has been billed, who has not been billed, what accounts are closed, and whatever, but we are working on it.

Councilman Lester: Well, I'll ask the question that other people want to ask or I'll even defer to Councilman Walford on that issue in terms of who would be the proper party as far as collections will be concerned?

Ms. Washington: Once certain steps are taken, then the Finance Department does collect after liens are filed and notices have been given and some other things.

Councilman Green: How difficult would it be to collect money from folk with lawyers, who can afford lawyers than folk that possible can't? Who would the biggest burden be on?

Ms. Washington: Probably the people who don't have the lawyers.

Councilman Carmody: Mr. Bowie, I think we just gotten this report but this can't be right. I see Larry Ferdinand's name on the first page. He owes the City money for demolition? Would you look good and verify that; that is what it shows on this page.

Mr. Antee: On that issue, we have looked at that. Mr. Ferdinand's name, that is from a long time ago and what took place was the property was sold many years ago and he bought it at a Sheriff sale and it ended up being sold and his name was in the line of title. He never actually, at the time of the demolition, don't think the property was in his name but he subsequently acquire it and then disposed of it, and so any name that is in the line of title, the way that it was explained to me, is listed on that report.

Councilman Carmody: As I appreciate it, though that it is almost like any piece of property in which you go ahead and purchase, you go into the chain of title as an owner. And, I think the courts again, you are attorney, I'm not, the courts have ruled that if you are in the chain of title then you do have some sort of fiduciary responsibility to the liability of that property, is that not correct?

Mr. Antee: No, not necessarily. If you acquire the property in a Sheriff's sale or in a tax sale, primarily in a Sheriff sale then that any mortgage or lien that is placed on the property prior to the Sheriff's deed is gone and so you acquire it with clear title. I don't know the specifics of it of whether or not that was obtained in the Sheriff's sale or in a tax sale and I don't know specifically whether in a Tax Sale, the same liens take place. But you don't always assume the liability of the prior owner because a lot of times in foreclosures and in Sheriff's sale then you do that to do away with prior liens and mortgages.

Councilman Carmody: Then based upon that then, wouldn't it be the right advise to the public that owns any property that has outstanding obligations to the City, to go ahead and allow it to go to adjudication so that it would clear that record and then a subsequent tax buyer can buy it without any liability toward pending cost?

Mr. Antee: I don't know that that is the case and I'd defer to Julie or Ramon. But definitely if you are acquiring property with prior liens you would want to take them to a Sheriff Sale which would absorb all of those liens.

Councilman Lester: I just want to interject Councilman Carmody, that is one of the major issues that

we are dealing with and have been dealing with in the body of this committee.

Because the question becomes and in fact we discuss this just about every meeting, certainly the impetus for getting for the report that you've gotten is a question that we had maybe 2 months ago was, do we make a policy determination that we want citizens to acquire the property to pay us back the tax money that we are owed and then turn around and sue them so that we get to a point where people don't want to redeem the property that we are owed taxes to?

You know we appreciate you paying the taxes on money that is owed to us and here is the bill, so that it gets to a point where people decide well we are not going to pay the taxes which can directly affect our bottom line in General Fund or do we work out some type of policy and procedure that allows us maybe to prevent the scenario getting to that point where you have these outstanding fees, and that is one of the things that we have been dealing with.

One of the ideas that we have proposed and I think it was a concern of yours' as well as mine was, if we have a standard occupancy-type scenario (certificate of occupancy) where you do a certain inspection which will prevent a lot of these properties from getting into a ruinous condition because I would dare say that 90% of the properties that you see are of a rental type, investment type property caliber. So, if we prevent the houses from deteriorating later and we do that early then we might not get to the position where we are.

That is in fact, I don't want to say it is agenda Item No. 6 but I'm pretty sure that it is either Agenda Item No. 6 or No. 5 and that is something that we have been dealing with.

Councilman Carmody: I certainly don't want anybody to have any misunderstanding of this because I am not trying to penalize a subsequent owner of the piece of property, but my concern is it sounds like that the municipality might be actually working to help expunge whatever money is owed to the City by allowing that process to go forward and clearing any obligations that are owed to us and I guess it comes all the way full circle. Ms. Washington was the Finance Department always the responsible party for collecting the money owed to the City for taxpayers expenses to maintenance other people's property?

Ms. Washington: After you file the lien and do some other things, yes we do.

Councilman Carmody: And do you have any documentation as to how much money we've actually been collecting say in the last, I guess run it back through the present Administration to see how much money we actually get?

Ms. Washington: I am sure that I can tell you that, but I don't know that information right now but I can tell you how much. . .

Councilman Carmody: I would be curious to see what are expenditures are versus what are payment has been from those persons who owe us those funds.

Ms. Washington: And I think that going to the problem with, who is it that owes us those funds is one of the main issues because as Mr. Antee was saying, someone's name appears on that piece of property. Once you get in that loop, you never come off and you may not necessarily, be the owner of the property.

Councilman Walford: The one thing, if I may, the one thing that Mr. Lester didn't touch on that we are doing in the committee that Mr. Bowie is well aware of is, we are trying to help you have access to more timely and accurate ownership information. Instead of Assessor's data that might be well, 12-months or more old; so that is another area that we are working on.

If I may ask a question: Are we collecting some money right now on this, I've had some phone calls? Have we been telephoning people or attempting to collect some of this money?

Ms. Washington: I'm sure that we have, yes sir.

Councilman Walford: Good, good. Not everybody is happy about it, but I am. Mr. Lester is, I know he is smiling. I would image the Mayor is.

Councilman Hogan: I am not sure who to direct this question to, Ms. Washington or Mr. Bowie. In reviewing the Demolished Structure Inspection Report, on page 2 and I really hesitate to bring this up but at the risk of embarrassing this person, I am just going to need an explanation for this. It has our former Director of Community Development on here and it has demolition structure at 2903 Mertis Avenue and it says: *structure demolished by owner, unpaid fees*. Does anybody have an explanation or know where we and

on that?

Ms. Washington: I have not seen the report that you have, maybe Mr. Bowie can tell you. Do you know what he is talking about?

Mr. Bowie: We hadn't focused on that one particular line item.

Councilman Hogan: Could you check on that and find out? Maybe we could withhold from his last check what he owes us or whatever, I don't know but we need to check into that one especially.

Councilman Lester: In all fairness because again, this list has a number of names and companies. As a matter of fact on Page 3, you have the City of Shreveport down there; so, who sues the City? I mean, rather than getting into a deal who shot John and whose name is on and who is not, I would just ask that we continue to move forward as we have been and just clean the list up because those of us that know, know that there are names and there are encumbrances on this list that date back to 1989, 1990, 1994 (a number of years) and one of the things that we have done in the process of our committee has been to take the time to look at all of the records to bring the records up to date.

Councilman Carmody: One quick observation, Mr. Vice-Chairman, the report that is in front of us though, it does show the dates are from 2000 forward.

Ms. Washington: I haven't seen the report, I don't know.

Councilman Carmody: That is the only thing that I want to make a note of. At least this particular report doesn't seem to date back into anywhere past 2000 that I see, I don't see any 1990 anywhere.

Ms. Washington: The first report that you were given that everyone talked about was just a dump of our entire files in that system.

Councilman Carmody: I just didn't know if maybe these had just been culled from the last three years now that we have a legal opinion saying, you can't collect past that, just pick up the ones that are from 2000 forward. Is that what happened?

Mr. Bowie: Yes, sir.

Councilman Carmody: I just want to make sure that we are on the same page.

Councilman Gibson: If I am out of order, please rule me out of order, this goes back to the Convention Center mainly regarding the Fair Share Program. Mr. Gilliam was out of the Chamber, I thought he came back, could I ask him to come forward.

Good afternoon, Mr. Gilliam. Two weeks ago I had commented and first let me say, you and Ms. Barnes do a great job trying to keep up with all the information that comes through your office and I've had a chance to work with you for a number of years in that endeavor.

But a couple of things that I had mentioned a couple of weeks ago that I wanted to revisit with the Fair Share Department. And I appreciate that we've gone from paper to website in terms of using technology to advertise or list the Fair Share Certified companies, but obviously you live and die by technology and live and die by the information that is incorporated into that technology. The question I have is what kind of policy does the Fair Share Department have regarding verification of the Fair Share certified companies that are listed on that website that are on the list of companies that are, what you refer to as, your clients. Do we have a policy on updating telephone, addresses, contacts?

Mr. Gilliam: Surely. First of all, everybody that is listed in our directory gets the (inaudible) as a result of a site visit, locally at least. We got out, we want to touch, feel. We want to make sure that the individuals are, who they say they are and that they are doing what they say, they purport to do.

What happens with the two person staff that we have here, we brought up the on-line directory in March 2003 as you know. We went back to the present version of that and we went through, I think it was back January 2 and everybody that was on the roll at that time, we had them to send to us and updated sheet indicating changes in contact information, phone number, e-mail if we could (because we found that's an effective way to do it). We followed that up prior to bringing the on-line directory up on February 25<sup>th</sup>.

When we brought the directory up in March, we went back on April 7<sup>th</sup> and did the same thing. What is happening through with this clientele of Fair Share, because it is kind of unique clientele, Mr. Gibson for the most part this clientele is first generation entrepreneur. We are trying to get them to a point where they get a leg up in terms of the business of doing business. Many of them, we find and we are having the

same problem that our contractors are having and that is, just keeping up with them, where they are and what they do.

A lot of our clientele will be displaced, they will move. We found that a number of our client a significant number Mr. Gibson, don't have a strong infrastructure in terms of clerical support, secretary, office staff and those kinds of things. And we are—what we do is, we send out multiple listing to them on a weekly basis and when we get that back, I directed the staff, the remainder of it, we get this back. Because we grungily, and I admit it, we grungily take any of our clientele off of that directory because we know the significance of it to them

But after three returned mailings from them and concerted attempts to try to make sure that they are indeed still in business, we cull them from that list and it is kind of an on-going task. We could probably solve it real quickly for us, but of course that would entail at least an additional staff person who did this almost exclusively.

Councilman Gibson: So in terms of policy, it is basically whenever we can get to it because of limited resources or is it done on a quarterly basis or. . . .

Mr. Gilliam: It is on-going. It is on-going for us.

Councilman Gibson: Well, the reason why I asked that question is during the entire process of the Convention Center Project there were several people, either companies that because it is a public project or advertised on a national basis, because it was a large project, either came to Shreveport or looked on the website or a variety of things and we had local construction firms looking to turn to minority firms either to enhance relationships or whatever for a joint-venture purposes on that project. And there was a lot of concern about the accuracy in terms of just being able to get some people on the phone because the phones had been disconnected. Now, granted the industry that we were talking about is very fluid and that is just the nature of the beast.

The other question that I had regarding the Fair Share Program and I appreciate you getting some statistics here and I am going to ask you a couple of questions on those statistics in just a second so I can, again I am constantly being educated by you on what you do and how you do it, and the people that you represent in terms of those certified companies.

At the beginning of the Fair Share Program when the past Council approved Fair Share, do you have a number of Fair Share Companies that had been certified at the inception in terms of a base line number and what that number is currently?

Mr. Gilliam: We started out after, I think about the first quarter (the end of March, 2000) we had at that time about 105 and again this is without benefit of looking at our Actuals.

Councilman Gibson: I am not going to hold you exact.

Mr. Gilliam: I can affirm these, I can verify these for you. At the current time we have upward of 275 people and as you said, the nature of my clientele is that of course, we have a lot of upstarts, a lot of people starting business for the first time. And we try to make sure and that culls back and forth but I would say that we are averaging about 250 people in that pool.

Councilman Gibson: So you nearly tripled the number of certified Fair Share companies from the beginning of this program?

Mr. Gilliam: Close to it.

Councilman Gibson: Let me ask a couple of questions just for my clarification. Do you have some percentage of Fair Share number and I'm looking at the report that is dated June 6, 2003 (or at least that is the run), it is through May 31. We have a percentage of WBEs (Women Business Enterprise) - 6.7%, we have MBE (Minority Business Enterprise) - 14.8%. Do those numbers sound familiar.

Mr. Gilliam: That sounds about right.

Councilman Gibson: Can you describe to me what is in the MBE (Minority Business Enterprise) which groups that is?

Mr. Gilliam: Well we were to take a sample of lets say of the local listing of course, it would include African-Americans. It would include, the next largest sampling would be all Hispanics. We have maybe a third largest sampling would be Native Americans, and the rest of course we have in some of the companies

like (inaudible) places like that, Asians (smaller percentages).

Councilman Gibson: But WBEs are not included in that number?

Mr. Gilliam: They are separate and apart.

Councilman Gibson: They are separate. They go back to WBE (Women Business Enterprise) under that 6.7%, correct.

Mr. Gilliam: And we done that for a purpose, too.

Councilman Gibson: I understand that and I am just asking some questions for some future information that may be forthcoming to this body. The DBE (Disadvantaged Business Enterprise) that comprises 11.6%, what is that comprised of?

Mr. Gilliam: Those are firms that are certified through Community Development's Economic Development section. Now the distinction is that we actually have two programs within one as the ordinance addresses it.

The federal, any time we have a project thought the City that employs or utilizes even one penny of federal funding that program is listed for our records, as a federal project.

Now, the federal project and of course auditing (Internal Auditor) we have gone through this several years back, any time we have a project like that, of course, then that particular project goes beyond the purview of the 25 percentage that is normally included in the Fair Share.

Federal programs are what is called Available Percentage calculated. That means that, and it is usually lower than the 25 percent that is given in the ordinance but it is usually DOT projects, EPA and any of those, just-- Transportation, any of those projects that involve at least part of whole, any federal funding. Which means that we have to pull them out for quarterly reports that are generated through DBE that have to be sent to the federal funding agencies.

But now we also too, to a point of clarification, now for the run that you are looking at, the computer has what's is called an Unduplicated Total so that we don't count them twice.

Councilman Gibson: Alright. You answered my question on the duplication because that is always a concern when we are looking at numbers because that has been a concern that I've heard throughout the community.

The last question I have going back to your site visits that you do with your clients or potential clients, in that site visit obviously there has been a major focus by the Minority Contractors Association and the Associated General Contractors and the Women in Construction and the Allied Minority Contractors on focus on utilization, maximization of local based minorities and local based companies in general.

Do you have an approximate percentage of these 275 companies that are certified that are, that are based here or they have--I guess my concern is do they have satellite offices here with a secretary and just an office suite with their home based actually somewhere else or are they actually, is that part of your criteria, in going out and looking at what is taking place with these applicants or these companies that are in the system?

Mr. Gilliam: Well, it is not a criteria, but it is a strong consideration of ours'. And I think I stand before you comfortable and say we got an overwhelming majority of these companies and individuals who are local. We fully understand and we sensitize the fact that this is basically a local economic development program, that is what it is about. We can, Karen and I, can possible call for you off hand those that are external to the City.

Councilman Gibson: I want to applaud you for, again, following through the Mayor's vision on this years ago and your being a steward of making sure that we maximize as much local dollars and we can and I do appreciate that.

Councilman Green: On the jail, we broke the ground. We've signed the contract. Did we meet all of the Fair Share requirements?

Mr. Gilliam: We didn't meet 25%, Reverend Green. What we did was, as you remember the last time I was here, we had quite a (inaudible) going with the prime contractor over there, in fact we had held that contract for about 3 / 3 1/2 weeks because their calculation was not in sync with ours. And, I think the last time I was here, they were one those rare companies that had come into the city, it was an external company at the time. We had heard of the company. They now have a local presence, I think, out on Youree Drive.

But their interpretation was different from the interpretation that we deduced from the ordinance. Their percentage, I think, as I indicated to you when I was previously here, they said they had 18%. Purchasing Office was calculating it at about 8% and yours' truly had it at about 5.

We have since sat with that company about four or five of us representatives plus the representatives from the Police Department and we now have that percentage up and the last count was at 18% by our count, with one subcontractor handing out there who was certified, who had lost certification but was in the process of getting re-certified which would have the effect of having a 22% Fair Share utilization on that project.

Councilman Green: Who selected the contractor?

Mr. Gilliam: If think it was IFB, a competitive bid.

Councilman Green: So you are satisfied where we are?

Mr. Gilliam: I am never going to be fully satisfied, Reverend Green because what I always say to people, even the 25%. I remind contractors that is not a ceiling, that is a floor, that is where we ought to start talking.

### **Executive Session**

Councilman Carmody: Mr. LaFitte, it was brought to my attention that procedurally yesterday, that under the Revised Statute for this body to convene in an Executive Session, that the law requires that actually, there be a prospective litigation after a formal written demand.

Mr. LaFitte: Yes, I've talked with Don Walker before the meeting started.

Councilman Carmody: Can you elaborate on this for me so we kind of know where we were.

Mr. LaFitte: Yes, we have received a written demand from a law firm out of Stewart, Florida. I gave Mr. Walker that information and satisfied his request.

Councilman Carmody: Very good, so there is no problem with us. . . .?

Mr. LaFitte: No problem whatsoever.

Councilman Carmody: Want to make sure that we are straight with the Ethics Board.

Mr. LaFitte: We are straight.

Councilman Carmody: Thank you.

Councilman Jackson: While we are on that subject and I guess in the spirit of what we should be doing and what we should not be doing, I was kind of disturbed.

I felt like we went into an executive session on yesterday and discussed matters that were delineated prior to our dismissing and maybe it was just me that it seems like it met me first thing this morning on the front page of the Shreveport Times. In essence, it constituted to me, no reason to have an Executive Session if in fact what was on the front page, was in fact the essence of the meeting. I wish that in good faith that we would do it.

And, I was a little upset that associated with that, my picture was in there as if we had had a conversation but Don talked to me yesterday about 10 a.m. to get the quotes he got from me before we went into, before we even had a Council meeting on yesterday. So, I just think that if we are going to do that, that in the spirit of what executive sessions are suppose to be about, either do it or not have tem because to me it was tantamount to a waste of time.

We could have done that from right here from what it was that I read. I may be wrong. I am not trying to speak for the consensus of this Council, I'm speaking for myself. So, I would appreciate if we would do a better job in trying to stay in tune and keep that same spirit both entering and as we exit these executive sessions.

### **Residency**

Councilman Green: Mr. Attorney, while you are here, I asked you to give a basic report about residency, can you do that.

Mr. LaFitte: I have you a written report.

Councilman Green: Can you just explain what it means.

Mr. LaFitte: It think that our ordinance requires that all department heads maintain a residence within the boundaries of the City of Shreveport, now there is a distinction between "residency" and "be domiciled." A person can have several residences, but can only have one domicile.

It is important to note that, does not require domicile status within the boundaries, only a residence. The department head can actually be domiciled in another city and maintain a residence in Shreveport and meet the requirements of the statute.

Councilman Green: So is that a good ordinance or is it just something on the book that we need to get rid of. What sense does it make to have it?

Mr. LaFitte: It just requires someone to maintain a residence within the city of Shreveport although you may have an actual domicile outside of the City you still have to maintain a residence. I think the state law, elected officials, requires that the officials have a domicile within their district that they are representing which has a bit more strength than our ordinance does.

Councilman Green: What does a residence consist of. When you say “a residence” what does that—does that just consist of an address or does it consist of a place where you sleep or bed, do you have to have chair in there or what does that mean?

Mr. LaFitte: There are many different factors that you can look at. The deed and mortgage, utility records, telephone records to see if the address is there, vehicle, insurance records and there is just a long laundry list of factors that can be considered. It is just basically on a case-by-case basis.

Councilman Green: So in some cases you can have, what? You said it is on a case-by-case, what you mean?

Mr. LaFitte: For example, I may, myself, I may have ten requirements that are met under that particular residency requirements. Another individual may have only five of those things. The court may say five is enough, it may say five is not enough, you need all ten; it just depends. There is no set list that says you must have a., b., c., and d.

Councilman Green: Does it depend on who it is?

Mr. LaFitte: It doesn't depend on who it is. It is just a factual call or determination that I guess, would have to be made. In this case, by this body or by the Mayor as to whether or not enough of those requirements are met to establish a residence. A little bit, lets keep in mind it is a little bit more loose than a domicile. As I mentioned, you can have only one domicile, but you can have several residences.

Councilman Green: When you say, *a little bit loose*, what does that mean?

Mr. LaFitte: As I mentioned, you can only have one domicile. It is a bit more restrictive as to what constitutes a domicile. The requirements for *a residence* is a bit more loose because you can have several of those. I could have a home here in Shreveport, purchase another home even in, I guess, in Texas somewhere. That home could be considered one of my residences, but my domicile would still be here in Shreveport.

Councilman Green: So our ordinance should read, if we want folk to live in the City, it should read *domicile*.

Mr. LaFitte: It should read *domicile*.

Councilman Gibson: I for one would like to thank you for your advice yesterday. I feel like it was a productive Executive Session. I think that again, I can only speak for myself in the constitutes that I represent in District D , but the fact is the topic or the subject matter that we discuss up here, we turn to you, the professional to give us that legal advice whether we like it or not. The only person up here that I know of that is an attorney is Councilman Lester. But the fact being is I for one want to be fiduciary responsible in terms of making sure that anything that I say or do is complying with your advise to make sure that we don't add additional information for some ambulance chaser or plaintiff (Councilman Lester: Whoa, whoa, whoa. Slow down.) or whoever it might be.

Councilman Walford: You are not one of those guys.

Mayor Hightower: He'd be a lot skinner if he was.

Councilman Lester: That's right.

Councilman Gibson: But the fact being is, I do appreciate that because again we are up here trying to make sure as we've been reminded by our constitutes on a routine basis, to maximize taxpayer dollars. And, so I for one, do want to applaud you and thank you for your professional advise and your guidance at yesterday's executive session and would not hesitate again to call on you for something very similar, so, thank you very much.

Councilman Jackson: I would like to ask Mayor Hightower if you and Mr. Antee, could in the future, submit to us written reports, on the Convention Center and the Property Standards Report?

Mayor Hightower: Sure.

Councilman Jackson: Is that alright. Because it seems that it is time consuming and perhaps if we had that on Monday the questions could be more focused and we could ask those things that applied to what we are on, on the agenda. Because I know very often we get a little upset when people want to talk out of turn about matters that don't flow with the agenda and I think that we've engaged in a lot of that today; so, I want to just be sure that we stay consistent with that.

Councilman Walford: Let me ask if I might, my Committee Chair is here but are you wanting something different in a Property Standards Report than what Mr. Bowie has been giving us or are you satisfied with that a report?

Councilman Jackson: What I was trying to avoid is, I guess my concern was for what seems to be a lot of pontification on these different matters and if we could have it written, then perhaps we would haven't talk so much to get some of the answers that we may ask for on Monday and get specifics on Tuesday, if they don't have them on Monday.

Councilman Walford: Okay, but where I'm going. Basically, this is what Mr. Lester and I asked Property Standards.

Councilman Jackson: Let me make an exception, Mr. Chairman. Mr. Mayor I'd offered the resolution about the Convention Center Project and getting a report on that. Let me ask you if you could, have a written report on the Convention Center Project and if they are satisfied with that, we will do that though I still think we ought to do what we can to reduce some of the gratuitous conversation.

While I still have the floor, I would like to see if in fact, anybody else has a problem with that. I just wanted to know, I'm sorry. I didn't want to step on anybody's toes I just thought it would help us if we had it in writing rather than just having to have conversation about it each time.

Councilman Walford: I think there were a lot of questions this time about the collections and the money that had come up. But I just want to make sure that you are comfortable in what we are asking for in a Property Standards Report and I doubt that there will be that many questions in the future other than some of us may have a specific address that we may ask Mr. Bowie about.

Mr. Antee: If I may offer a suggestion that maybe we would give these reports on Monday during the work session, that way if there are any questions from the Council members like today where you want information, then we could do our best to have you that information on Tuesday and then answer any questions without having to do a report on Tuesday.

Councilman Lester: I agree with the spirit of where Councilman Jackson is coming from. As a matter of fact, he—the actually placing on the agenda of Items No. 1 and 2 was certainly in terms of Item No. 1 was at his request. And, I do believe the records will reflect that the Convention Center Report is suppose to be a written report, I think if we go back in the minutes, that will reflect that.

And in terms of Property Standards Program, I think what we were asking at the time and I think what we have been getting is a list of properties that were in a state of disrepair in terms of grass, weeds and things of that nature and I think we do get those reports.

As our committee has gone about its work and gotten into other issues, we really have not addressed the reports have been getting from the Council standpoint. So, if the Council wants to address the report then I think that would be the proper thing to do at this particular time or whenever it is appropriate.

But just for a point of clarification, the reports that we have been receiving in terms of Property Standards Program Report was based upon the request that I know that I made and several of the Councilman made in terms of substandard structures. If you will recall at the time we were having some questions because they gave us that large list and it was not subdivided by districts. So, since we've gotten that report, we have not really gone back to address the report that we have been given and I think since we have moved on from that particular period of time and have delved into other issues in terms of collections, then I think it would be proper for us to have a motion that the reports that we would receive on those particular issues, would be written because they have given us what we have asked in terms of the property standards, in terms of the

weeded lots and things of that nature but if we wanted to get into other issues like we have been in terms of what money is owed and things of that nature, I think it would be well to actually have that written because I think you are right, it would save time and it would allow us to get some things done. If you are making that a motion, then I would certainly, I would second that motion in terms of the Property Standards Program Report.

**Public Hearings:** None.

**Confirmations and/or Appointments:** None.

**Adding Legislation to the Agenda.**

Motion by Councilman Gibson, seconded by Councilman Carmody to add the following to the agenda:

1. Resolution No. 86 of 2003: A resolution approving amendments to the Development Plan as required by Ordinance No. 74 of 2001, and otherwise providing with respect thereto.
2. Veto of [Resolution] Ordinance No. 71 of 2003: : A resolution to amend the Fee Schedule for the Emergency Medical Services Division of the Shreveport Fire Department , and to otherwise provide with respect thereto.

Mr. Thompson: As it relates to Ordinance No. 71 that was vetoed, the Charter says an ordinance or resolution that has been disapproved shall be reconsidered by the council at its next regular meeting and shall not take effect unless, it is readopted by the council by a two-thirds (2/3) votes. Do you want to take it up at this time or do you want her to place it in the regular schedule of agenda items as it comes up?

Councilman Walford: In the spirit of letting the Public Comments come forward, if no one objects, lets take it up with the regular agenda items.

3. Ordinance No. 75 of 2003: An ordinance to amend Section 46-32(a) of the City of Shreveport Code of Ordinances relative to Medical Services and to otherwise provide with respect thereto.
4. Ordinance No. 76 of 2003 by Councilman Gibson: An ordinance amending the 2003 General Fund Budget and otherwise providing with respect thereto.
5. Ordinance No. 77 of 2003 by Councilman Gibson: An ordinance amending the 2003 budget for the Riverfront Development Special Revenue Fund and otherwise providing with respect thereto.

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

**Public Comments (Agenda Items to Be Adopted):** Councilman Jackson: In deference to those people who are here and who have been seated and have gone through this information and have taken about 2 hours, I guess nearly of time for the beginning of our agenda. *I would like to move to suspend the Rules that we might have comment at this time, seconded by Councilman Lester.*

Councilman Walford: A number of the comments that are requested come up at this time. There are several that don't that do not deal with Agenda Items that we are discussing today.

Councilman Jackson: I'm just saying, we have a motion and a second.

Councilman Walford: I understand that, quite well.

Councilman Gibson: We got a second, we can discuss it.

Councilman Jackson: I just didn't hear him say, we were discussion it. I am sorry.

Councilman Walford: That is what I'm doing and I'll be glad to call on anybody else, as soon as I'm finished. The point I'm making is that a number of the requests to speak are the next item on the agenda. There are some that want to address items that are not to be voted on today, I make that point.

Councilman Carmody: I do note that the agenda calls for, at this point in the meeting, for the agenda items which are to be adopted those persons be allowed to speak. And at the later part of the agenda, there is actually Public Comments and I would not want us to go ahead and not follow the agenda in that there is a proper time for each person that is here to address this body to do so. And so therefore if the majority of our speakers are for the matters that are going to be considered then we will hear them now and my vote would be to reflect that we continue on with the agenda, as printed.

Councilman Jackson: Maybe my colleagues think either I can't read or I don't understand what I mean when I say *suspend the Rules*. I recognize what is on the agenda and I know perhaps I don't have the numbers in my hand to say how many want to speak on one and how many want to speak on another, I don't want to confuse the spirit or the letter of my motion. Simple to say, to suspend the rules and I think you know what I mean, that means that which at the bottom of the agenda, what I am attempting to do is to move that to this particular spot, right here, to allow those folks the time because they have sat here as we've gone on and perhaps in fact it is no problem for us. We don't feel that it is an imposition on them or perhaps we feel that it is an imposition on us for them to come.

But, in the spirit of them coming here and doing this I don't need to be reminded what's on the agenda. I can read it. The reason I made a motion is to deter, to change (if you will) from what's there to what I am simply requesting what we will do at this point; so, I'm well aware of what's on the agenda. My motion was to change what's on the agenda.

Councilman Walford: And for clarification, a "no" vote is against suspending the rules at this time.

Mr. Thompson: That is correct.

*Motion denied by the following vote: Nays: Councilman Walford, Carmody, Gibson, and Hogan. 4. Ayes: Councilman Lester, Green and Jackson. 3.*

*Reverend Joe R. Gant, Jr. (5823 Ledbetter Street):* I am here again today from two weeks ago speaking on agenda Item 4 under New Business and I am going to ask that you would vote to overturn of the Metropolitan Planning Commission to allow the opening of a liquor store at 2216 Hollywood Avenue.

I've talked with our Councilman in that district and I think that he received letters and phone calls showing that the people in that area don't want it and I would simply ask that you would vote against that.

And the last thing that I will say since I have this privilege and won't have to say it again, Mr. Chairman and Mr. Jackson, I appreciate what you said and I am getting ready to build a house. I am going to decide what district I'm going to build in because I may need to run for this Council because I think one thing that we need to do is that, what we need to do is, more information ought to be gathered in that Monday Work Session and I think you'll have more involvement from people who will come here and don't have to sit here for 2 hours hearing information that should have been gained yesterday. And I think if you do that, you will have a

whole lot more citizen input, but I do ask for your support of that

Councilman Green: Thank you Pastor for coming. What district did you say you was building a house in?

Reverend Gant: I am thinking about building in District B.

Councilman Jackson: Tell him what district you are in now?

Reverend Gant: I'm in District G, but I thought about F though.

Councilman Jackson: Are you leaving because of crime?

Mayor Hightower: Councilman, we'll slow up the building permit for you.

Councilman Green: Thank you, I appreciate it.

Councilman Hogan: And what District are you going to run for, Pastor Gant.

Councilman Jackson: Mr. Chairman, is there a reason why every time I look around over my shoulder, we can't see the person who is standing up at the podium?

Councilman Walford: There is indeed.

Councilman Jackson: What is the reason?

Councilman Walford: I made that decision to keep the integrity of this Council and minimize the disruption; that is all I have to say about it, at this point.

Councilman Lester: I did not realize that the Chair was entitled to make decisions without at least consulting other Council men and certainly as it relates to an issue as important as what is seen and what is not seen in terms of public.

I would merely ask that if the Chairman has an issue with the way the television cameras are being operated, that he would maybe make that in the form of a motion because I would just be circumspect for us to do things arbitrarily and caprious without informing at least the six of us and certainly the public.

I think one of the criticisms that I heard whether it be fair or unfair by a previous Chairman was that the decisions that he made were arbitrary and caprious and he did things, that didn't inform people and for us to continue that practice when we have criticized our previous Chairman is wrong at best and unfortunate so.

Councilman Walford: If I may in a Point of Order at this time, we had a motion and a second for Dr. Cash to speak. The question that was asked was not relative to that motion. If may, either vote on that motion and then take up this issue.

Councilman Jackson: Mr. Chairman, you recognized.

Councilman Carmody: Are you voting to allow him to speak?

Councilman Walford: That's what I would like to get to and then we can address other items.

Councilman Jackson: Before Dr. Cash speaks, I would like to ask if perhaps we can get a consensus that what we do to vote is follow Robert's Rules of Order and not just bogard and begin to say *I'm ready to vote*. If in fact you are ready to vote, I think the appropriate thing to do is to *call for question*. I don't think it is the Chair's job, if I am right, to call for the question. I think the Chair who is in fact facilitating for the meeting does not call for the question and I don't think a raising of the hand suggests or is a substitute for parliamentary procedure. So I would suggest to us that we would follow parliamentary procedure not when it is convenient nor when it is something that we think we ought to do at that time, but if we are going to do, it which we ought to do, we ought to do it all the time. We began to answer a question and perhaps because of the direction it was going, the Chair's dissatisfaction with that direction.

Councilman Walford: No, I'm more than happy to answer the question. Lets deal with the issue that was on the table or if someone would withdraw their motion, Dr. Cash can wait. . .

Councilman Jackson: As a matter of order, I still have the floor. And as a matter of order, I would suggest that once the person has been recognized until such time that that person, which in that case was Mr. Lester was complete or whatever it is, until such time that that person was finished, particularly after you recognized them, and allowed them to get 2 ½ minutes into his comments that, that is not the appropriate time then to cut in and begin to do that. So, I wish that we will follow Robert's Rule of Order and do it with some parliamentary precision.

Councilman Walford: Ms. Glass can you help us out. We've had a motion and a second. The discussion deviated from the motion, where do we go?

Ms. Glass: It seems to me the Point of Order is that it appears that the Chairman is ruling that the discussion is not on point.

Councilman Walford: That is correct.

Ms. Glass: And if a member disagrees with the ruling of the Chairman, he can raise a Point of Order and ask for a ruling of the Chairman. If he disagrees with that, he can appeal the decision of the Chairman to a vote of the Council.

Councilman Gibson: I call for the question on the vote. (Council voted in favor of Dr. Cash to address the Council.)

Councilman Walford: Dr. Cash if I could a tremendous favor. Would you indulge me and wait a moment to speak, if my fellow Council members would like to address the other issue. I certainly don't want to take your time and I will ask your indulgence nor do I want my fellow Council members to feel like we are avoiding an issue and not discussing it.

Dr. Cash: I will wait.

Councilman Jackson: With all due respect, I think that if we voted on him to speak then we can take this matter up when his 3 minutes are up.

*Dr. Cash* (900 Francais): Came to talk about Item No. 85. Wanted to just bring to you all attention today, sometime this afternoon Tom Brokaw will make an announcement and that is, in part of that announcement is that we have come the conclusion that we must look into all the unsolved murders here within the City of Shreveport of the young African-American males. And so it is our position that the Mayor and his Administration also in concerning Item No. 85 due whatever is necessary for those things to happen. It is going to happen nationally as you know Tom Brokaw is national, so Shreveport will be in the map today and we are very much concerned with some unsolved murders. And we have uncovered information that suggest that there is a vigilante group---Councilman Gibson: Mr. Chairman, I would like to ask for a Point of Order. What does this have to do with the consultant report, in going national and talking about vigilant issues?

Councilman Lester: Point of Order.

Councilman Gibson: I am asking for a Point of Order. Is this germane to Item 85?

Councilman Walford: Dr. Cash, I'll let you answer that one.

Dr. Cash: And so what happens is that---

Councilman Gibson: Mr. Chairman, I am going to ask for another Point of Order.

Dr. Cash: Item No. 85 clearly says that the Mayor, if we can read the King's Language, the item clearly says that, the Mayor is considering hiring a consulting firm. Now that is what I am giving reference to, Sir. And, so what we need to do is, stop trying to play Tarzan and start acting like who we are.

You are City Council person that has been elected by the people. You serve at the behest of the people, Sir. And, so what we need to do is learn that our rolls are very clearly defined and so we can't grandstand to want to become Mayor or anything like that. We have one Mayor and

we have him there.

And so, Item 85 I'm urging I will support this item should we open it up to the possibility of us opening up all the unsolved murders that have happened to young African-American males that we seem to be getting sandbagged in our request for information. Thank you very much, God bless you and God bless America. See us tonight at 5:30.

Councilman Carmody: Dr. Cash you again alluded to some information that ya'll had got, I know that I had delivered to you 2 weeks ago the letter from the Chief regarding another accusation.

Dr. Cash: That is correct.

Councilman Carmody: You had some information regarding some personnel. Did you have a chance to communicate that information back to the Chief?

Dr. Cash: No, I did not.

Councilman Carmody: Could I ask if you would come down here and make a statement like *you've got information*, that you bring the information with you so that we don't have innuendo stated at the podium and that we can receive because I'm concerned about when you make statements like that, that *you've got information*, please make it privy to all of us and we will certainly investigate it.

Dr. Cash: Okay. Well, I would do that Sir. And also now, when someone bring me a concern that they have with you, if they say that *Thomas Carmody, one of the sons of the Confederacy* then—

Councilman Carmody: You are welcome to call me. You are welcome to call.

Dr. Cash: Then I have the right to call you?

Councilman Carmody: You can call me.

Councilman Jackson: Mr. Jackson, now I am prepared to discuss what we talked about before Dr. Cash got up.

Councilman Walford: Very well.

Councilman Jackson: You were about to explain, I think you were saying something maybe Councilman Lester was talking and you were saying, you made a decision.

I guess I have a two part question. The first part is maybe you can give me again the basis or the framework for which you utilized to make that decision (Councilman Walford: I can do that.) with the First Amendment in mind. 2. Maybe you can tell me if you made any other decision that we don't know about that, maybe we need to know about?

Councilman Walford: I made that decision based on Council Rules of Procedure: Section 1.11.8 The Chairman shall maintain orderly conduct of the meeting.

Councilman Jackson: Can I ask you, is the disorder that we are experienced in the past, I guess that led you to that or the disorder that we are currently experiencing and if in fact what you have done to the meeting—because I think that speaks *to the meeting*. I think what you did only affects what people see at home.

I think when you talk about affecting *the meeting*, I would assume that that meant the smooth running of the meeting, the continuity of the meeting, the context of the meeting, and that the meeting in fact was going from the top of the agenda to the bottom without anyone external interrupting that meeting.

Now, I'm asking you about cameras that the people who are at home pay for. Those cameras have nothing to do with the conduct---Councilman Walford: Mr. Jackson, if I may interrupt you.

Councilman Jackson: No you may not.

Councilman Walford: I will.

Councilman Jackson: That may be a Chairman's privilege, I'm sorry.

Councilman Walford: If you would like to change the decision I made, by a majority vote of the Council, make a motion.

Councilman Jackson: That's the next thing I'm going to do but I reserve the right to have the discussion and to ask you the question and now, you can chose whether or not you answer me. I'm asking how materially has the meeting been interrupted--I forget what you said, the meeting was disorderly or interrupted Can you speak to the material disorder that you make reference to.

Councilman Walford: Anybody can see that Reverend Brown is trying to make a statement.

Councilman Jackson: No, no. Mr. Chairman, if I may interrupt you. Everybody can not see that.

Councilman Walford: Very well. I see that. I felt that it was disruptive. It is unfair to the speakers who are on television. I made that decision, the Council can overturn that decision in a heartbeat, make the motion.

Councilman Jackson: Mr. Chairman, I got to ask you another question, if I may. You felt like it was disruptive to the speakers?

Councilman Walford: Mr. Jackson got the floor.

Councilman Jackson: Thank you, thank you, and I would suggest that from this the spirit of – the fact that we represent this community and in this community there are probably at least a hundred different groups in this community with which I diametrically disagree. That does not in fact prohibit them from the right that the First Amendment avails them. When we start to use the council ordinances, the city's ordinances to talk about disorder in a meeting, I am suggesting to you that we must be talking about the material content of the meeting and if in fact what's happening is what is displayed, how far will be go?

Will we say that I can't wear a certain color shirt that we don't want the people to see on TV and I used that as a very facetious example because I view this, as a very extreme move that in my opinion we said everybody can see it. Well, the folks at home can't see. What we are talking about right now, as a matter of fact they are just looking at us and they can't see materially what is going on at the Council, who steps up to the podium and speaks. I have not to date seen a person turn around and say, Mr. Chairman can you please ask him to move those signs as I speak because that would disrupt them – that would be disruptive to them perhaps and perhaps they would say it to us. I don't know of anybody who spoke today is willing to stand up and say that but I would entertain that because if these citizens say it is disruptive to them as they approach this podium and they are speaking, then I would have to appreciate that and I would suggest to him please not disrupt the folks who are there.

I have heard no attempt to make any corrections in the meeting to our citizens but there is an attempt in a clandestine manner, I might add, to suggest to us that there was a decision made by you, to surreptitiously in my opinion, suggest that you can make that decision and then as a result, now we alter what everybody is able to see and what they have been able to see at home for weeks and weeks and the months since we have been on the Council.

I think if you are going to make such a material change to this meeting and to the delivery of this meeting to the individual homes in this community, that at least we ought to be consulted. I apologize if I'm asking for much.

Councilman Walford: No. If that is your decision, make the motion. Ms. Glass, we have

no motion on the floor. Where are we as far as discussion or do we move on with the agenda?

Councilman Jackson: We are in discussion.

Councilman Walford: No, we are not in discussion on any motion. A Point of Order is where it went.

Ms. Glass: If the discussion is on a matter that is not a point that you are on the agenda then a person can make a Point of Order to stick with the agenda.

Councilman Lester: You know, I'm concerned, the one thing that I think separated – and I say unfortunately I'm trying to use the past tense, that may have separated this Council from previous Councils was, even if we disagreed vehemently, the one thing that I could always say is we talked about things, we always talked about things. If I had an issue that I couldn't get some support on, I would never take it personally. If I got the support of my brothers on the Council, fine. If I didn't, fine. At least we had the discussion.

I'm concerned Mr. Chairman, that you made a decision without consulting the body and I think, you know, given some of the criticism of our previous Chairman that he was arbitrary and capricious in his rulings and for you to then to do something that I think is clearly arbitrary and capricious, I think that is wrong.

Now, I listen to your statutory authority and you said it is *to maintain the order of the meeting* which begs the question, what do you define as disorder? You indicated you spoke about integrity of the meeting but I would suggest that by not giving the people at home the opportunity to see what is going on in the Chamber in terms of the speaker and what have you, what you are doing is denying the opportunity to accurately reflect what is going on at this Council.

I think that your decision has gone pass the idea of maintaining order that has cross the line into censorship. And, quite frankly I don't think that, that particular statute or any other that I have heard gives you the authority to do that, certainly without, consultation of this body.

You indicated that certain things were dis-repective or disruptive to speakers or discourteous but I don't understand how something that is discourteous could prevent the order of the meeting. Everyone that wanted to speak got an opportunity to speak . No one was prevented from speaking. No one was prevented from saying what they had on their mind or bringing their issues and point of fact we have had a number of speakers that have given their complete thought with their three minutes as every citizen has a right to do.

But by denying the citizens at home the opportunity to see what is going on in this Council, you are abridging not only the First Amendment Rights of the people that are here but you are denying our citizen an accurate portrayal of what is going on in this Council.

I think what you are doing is you are going pass maintaining order and you are judging content and I don't think that any of us, whether I'm sitting in that chair or you are sitting in that chair, has the statutory or moral or certainly legal authority to judge content; that is not our deal.

We are a legislative body, we are not a judicial body. We might have black suits on but we don't have black robes. We aren't given that right. Our job is to listen to what the people have to say.

And, I would say just from a political standpoint that if you have a problem with the discourse or if you agree or disagree with some of the statements that are made silently or otherwise then I think by cutting off and preventing them from expressing themselves you elevate that which you are seeking to denigrate or at least to cull. I think what happens is you have the opposite affect. One of the things that I'm becoming more and more concern about is the elevation of our discourse or the de-escalation of our discourse . We have some serious

issues that are before this body and we are dealing with them and I think that for one reason or another the good Lord has determined that the seven of us are going to have to deal with this, win, lose or draw. But for us to get to a point where we decide to artificially manipulate what is seen and what is not seen, I think is wrong. And I think all that does is add – I mean listen, we were rocking and rolling on our agenda and now we have taken this aside because this issue is there. Certainly, numbers are what the numbers are and if the Chairman decide after either consultation with the rest of us or consultation with any speaker because as I appreciate it no speaker that has come before this body at this meeting or the meeting heretofore has said anything about what is being said or being done behind them. As a matter of fact when there were some comments by individuals that were seem to be disruptive the previous Chair asked that individuals, to (for the lack of a better term) pipe down and be respectful to the people that are speaking.

So, for us to get to the point where we are censoring comments or – I just think that just sets a tremendously bad precedence and I would just ask the Chairman, that don't put us in the position of having to ask the Chairman to turn the television cameras back on so everyone can see the meeting and don't put this Council in a position to have to vote on something that should be obvious. Because, I'm telling you all it is going to do and especially I got to hope that it doesn't go down 4-3 because if it does that's just going to continue to pour gasoline on a smoldering embers and at certain point we have to be men enough to deal with our issues and let the public have their say. Listen, I have been on 3, 6, 12 and in the paper just about everyday in the last two weeks but you know what, I'm elected, I suck it up and you keep going.

And if there are people that have issues with anything that I have done or there are people in the community that have issues with what we do, we are paid, not a great sum of money, but we are paid to sit here and listen to them, whether we like what they have to say or whether we don't like what they have; that's a fundamental right of every citizen whether they a taxpayer or not. And, for us to deny them that right because we think it's – you know, denying the integrity of the meeting, I think we are going on a slippery slope and certainly I know the Supreme Court doesn't judge content and I would dare say that we as a legislative body don't have the credentials or the statutory or legal authority to do so. So I would just ask the Chairman, I will prevail upon the Chairman to whoever he talk to, whatever comments, he made to make those comments and back those comments back to a position where the people that are sitting at home that want to see what is going on in this meeting, can do that and please, please, please, do not make us go to a vote that can be seen as doing something further divisive because at a certain point, I mean, at what point do we end this and that's my concern.

Councilman Gibson: Thank you Mr. Chair. I will give a specific. I represent about 33,000 people in my district. They elected me to be up here to hear the speakers, to see the people in the audience, and when a speaker comes up I give them my undivided attention. Mr. Cash when you come up there I look you in the eye. Mr. Pannell, you come up here, whoever it may be, I look you in the eye and I do that for a reason because I'm here to listen to your issues.

But when I see disruptions in terms signage and things of that nature that gets my attention which I will be honest with you, I will be honest with you, it loses my ability to see and hear what the presenter has to do; so, it is a disruption.

Now, I will suggest to my colleagues that there are many political bodies that have a series of policies and procedures for Public Comments. Mr. Thompson has put together some preliminary recommendations. You have a copy of that, that we dealt with two weeks ago. I think it is imperative based on some of the conversations that are going on up here, that it is

imperative that we get some policies and procedures dealing with that. Not to infringe upon anybody's First Amendment Rights, far from it but to set a decorum down here in order to expedite and I heard Mr. Jackson very clearly, Councilman Jackson, about how long it takes for us to get through certain agenda items. I have also heard people talk about the people's agenda. The people's agenda gentlemen, is what we have on our screen right here. If we don't like that agenda, we have a chance to change that through the democratic process, through a vote. And this agenda has been put together years before we even thought about running for City Council. If we don't like that then let's discuss that and put together some kind of review group to determine whether it's proper or improper .

But the fact is every time we come down here we have a set agenda that we follow and if certain citizens don't like the fact that they have to be at the bottom of the list, I didn't like that when I had to come down here and speak. I sat through many a times. Councilman Lester, you and I were down here on a issue where we sat through three or four hours of discussion between Councilman Shyne and some others in past City Council, we had to wait until the very end. We didn't go and pass a note to Councilman Carmody and say, suspend the rules because I got a 5:30 dental appointment or some kind of event to go to. I waited my time. I sat in the back and I waited for my time to come up and then I did.

And it seems to that certain people want preferential treatment in this Council and again the agenda is set for a reason, that is the people's agenda. It is not my agenda or anybody else's up here. It is not the Mayor's agenda. And if we don't like that then we make those motions through the democratic process and go forward. But me personally, representing District D, I get distracted. Maybe I have a short attention span but I give due respect whether it be black, white, male, or female or Asian or Hispanic, whoever steps up to that podium we give a 110% of their attention. In fact I believe there are some people in this Chamber that accuse this body, a month and a half ago or two months ago for getting up and even using the bathroom. In fact, some of my fellow colleagues had to ask permission to go to the bathroom because they felt like they were going to be persecuted because of having to go to the bathroom and I'm sorry that we got to that point.

But the fact is I give a 110% respect to that person at the podium and if I can't concentrate on what they are doing then I got a problem. Plus I find we need all of us to step back and look at this situation because I believe about a month ago and it may be a little less we had a similar circumstance, maybe not identical and I didn't hear one comment that came from this body, not one comment that very day not from any of us, except for a Point of Order that was asked for five different times of which was unrecognized.

Now. I look myself in the mirror and I hope that my colleagues would look themselves in the mirror too but we had something very similar happen less than 30 days ago and now all of a sudden we are making this into something. I would suggest that all of us have something to work on this and I would suggest it starts with a policy and procedure dealing with Public Comments of which Art Thompson, I want to appreciate you coming up with draft. I also want to thank you because you have also encouraged us to put it up on the screen if we are able to get something passed so everybody knows what the rules of the games are. Okay, if we know what the rules of the game are then we won't get ourselves into this circumstance.

But again, I am very, very passionate about the fact that I give that person whoever it is at that podium my full abided attention because I am elected to represent a district to hear what those issues are because they may or may not affect my district. If they do affect my district then I'm obligated to go back to my constituents and tell them what the issues are. It may be something

that is over in District A. It may be something over in another district but it is my responsibility to communicate that because that is what I have been elected to do.

Councilman Walford: I want to make a statement then I will recognize Reverend Green and I'll be to Mr. Jackson and I will tell you now this was not an attempt to censorship. I did ask Mr. Burton to focus away from the signs, focus on our speakers, the signs were dominating the screen.

Reverend Brown, it's your privilege to make a statement, I'm not arguing that. My attempt was to keep order and focus on the speakers. How he did it, was up him. I did not direct how it be done.

Councilman Green: My first point is 1. during the time I was Chairman does signs didn't bother me. 2. What Mike was talking about was I made a ruling to show the film, he called for Point of Order. What happened to me was I got wrote up by Lou Burnett, somebody told him about it because he wasn't here at the meeting.

Mr. Mayor, I'm sorry you didn't get Lou a job and I think he's upset with anybody that is your friend. So somebody told him that we were friends so anybody that is not a friend of the Mayor, Lou is going to write about it; so. And one day before the four years is up, I'm really going to give Lou something to write about.

But when I did what the Chairman did then some of my colleagues got together and said a message needs to be sent and they were trying to send a message, but they could not get five votes. I only had one day left and I would not have been Chairman anymore. So I'm going to wonder if in fact – in fact I even got called “King James,” (since then my name has been changed to “Butter Bean Green” ) but basically I want to see who's going to give this story to Lou Burnett and see if he will send a subliminal message because I just happen to read that paper today that all of the confidence that I had was gone from my colleagues because of whatever and a message need to be sent.

So, I'm going to see what kind of message would be in Lou Burnett's paper. I don't even know the name of it. Somebody gave it to me, in fact your daddy gave it to me today and I just plan to frame that part of it in there that, a message needs to be sent.

So, Mr. Chairman my advise is unless you want to end up in Lou Burnett's paper, unless you want some of your colleagues to *say they got to send a message*, I got in trouble for the same thing. And the only reason that it didn't go any further and I would like to thank you publicly Jeff, for not having anything to do with it. I would like to publicly and I'm doing this from the bottom of my heart, to say you wouldn't have anything to do with it other than that – well they couldn't get Calvin to vote for me and so therefore we needed five votes. So, a message will be sent if anybody knows Lou's web page, please send him this message now that what he wrote about me, I would like to see him write it about the Chairman today.

And I don't mean any disrespect but I just think if a message was sent for me for saying that the film is going to be shown, now he didn't talk about what I was doing, he just talked about the subliminal message. So, Mr. Mayor would you just do me a favor, let's not be friends for a while so that Lou can stop writing about me.

Councilman Jackson: Mr. Chairman and Mr. Past Chairman, I was sorry to have read that myself. They said they couldn't get with me and I just wanted to let you know I wasn't going to vote against you.

Councilman Green: Yes, I'm sorry, I forgot to tell – they couldn't get with you.

Councilman Jackson: But I'm sorry that Councilman Gibson was not in here since he was the purveyor of that information and sought to have it published.

I wanted to also say two things. 1. I think Councilman Gibson and I hate to talk about him when he is not here so be sure and tell him if he doesn't come in. He said the people's agenda is in front of us and I would suggest that there are people who are in front of us and the people's agenda, I wrote myself a note, which people? Because it must be the people who are not present. Because the people who are present can't get a chance to speak even though they have been waiting. I learned a lesson that because you didn't do it, you know, because you waited for three hours that ought to make you more sensitive, in my opinion rather than less sensitive and if you know the pain of having to wait three hours to speak that ought to in my opinion make you more sensitive toward those who are waiting to speak. If I'm correct my motion, Mr. Chairman, was in deference to the fact that people that waited while we went through these information. I certainly didn't mean to give the impression that information that we were talking about at the top of our agenda was insignificant, obviously it was very significant.

My concern was simply for people who take out of their time, take out of the schedule, take out of their taxes to pay us to be up here that if in fact they do have something to do past 5:00 they are not paid to be down here, we are. And uh, I was only suggesting that, that would be the case when I ask to let them speak.

I think if you look at the clock right now that you will find that we would have been better served letting them speak. We still have not gotten to next item on the agenda if I'm correct and perhaps we would have been better served having let them speak.

I also would like to say that Councilman Gibson, I heard you and him talk about what your thoughts were and I want to commend Councilman Lester for crystallizing in articulation what I was thinking as it relates to moving into censorship. I want to just say, infringement on other folks rights are not based on our attention deficits and that we in fact ought to be sure that we ought to give people those rights.

*I would like to Mr. Chairman, in a form of a motion right now move that we overturn the Chairman's single decision or singular decision to ask the cameraman to do certain things that we are not apprized of at this time and go back to business as usual as it relates to what we film in this body (seconded by Councilman Green)* Councilman Lester: Call for the Question.

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

Councilman Walford: Robert, you can minimize the time showing the Chair and the other people and not focus. . . .

Councilman Green: They say sometime history repeats itself. When I heard you say Robert, I just recall hearing myself a month ago saying, "Robert show the film." So sometime history really repeat itself as to what goes around comes around. .

*James Pannell* (3835 Eileen Lane, Shreveport, Louisiana): I don't really even know what item on the agenda I came to speak for, I had several things I wanted to discuss but this is one thing I came up to say now, is that if y'all think that, that y'all are going to keep running this Council like y'all are running it and silencing the people, next meeting that we are coming to there are going to be some arrests in here. I'm going to ask the Pastor here would he just raise my bond money because I'm going to stand here and disrupt this meeting next meeting and we are going to have several people because y'all are not going to do people like you are doing them.

The only reason that people were coming down here in the first place was because of the problem that we are having in the City of Shreveport. Now, I don't know of anything that y'all

have done to eliminate those problems but try to make sure that people don't come down here and speak on behalf of what those problems are. And I'm saying if they can shoot a man down in the street then surely y'all can stand here and listen at people who are outraged at the people that is being shot down in the street.

So, your attempt to silence people is not going to work. What's going to happen is, is that this council is going be the TV a little bit more because we are going to see some civil disobedience in this Council Chambers next Council meeting. If that 's the way y'all want to play it, that's the way we will play it.

Now, we have came down here in an organized fashion to give our feelings on some issues that we feel that got this city screwed up and for y'all to sit here and try to figure out ways that y'all want to silence us, it's not going to happen, Mike. It's not fixin' to happen. What you are fixin' to do is disrupt this city. And I'm saying that the people on the TV now see how y'all doing us. How can we go out in this city and tell people to calm yourselves down because it's going to get better and they see you all dogging the people up here. Now, it's not going to continue to happen like that and if y'all think it is going to happen, we are going to get somebody arrested here today because I'm going to be the first one to go to jail. Y'all are not going to run this Council like its y'all's Council. It don't belong to y'all. This does not belong to you just like the City don't belong to you.

And if you got a problem with this man here standing before y'all with this, you know what to do, you got officers in here. Do him like you did Marquise, shoot him down. Get him out of here. That's y'all's call. All you got to do say, do your job.

Now, we come here to try to deal with issues of the Convention Center and other things that we are dealing with but then y'all are going to sit here shut people down and not allow them to speak? And, then hold us here like we ain't got nothing to do while sitting up here having these baby arguments; this make no sense.

If they don't let this camera run like it run then let a judge decide because we will have a lawsuit filed because we are saying that this man has a constitutional right to express himself, that's the First Amendment to the Constitution. Freedom of speech, freedom of expression. You stopped the freedom of speech, ask Marquise if he still have the freedom speech. So if you want to stop the freedom of expression, you are not going turn this into – they went into Iraq to stop people from treating people like this.

Now, when the troops decide not to shoot in Hamas because it has a certain value but you can still shoot people down. You are showing that people got more freedom in Iraq then they got here. Y'all need to come off this.

Now, we talked about – and whatever I came up here to talk about at this point here now, it makes no sense whatsoever. But I'm telling you next Council meeting, next Council meeting we are going to bring people in here and we are going to find out what the cost is for arresting people for disorderly conduct, I'm assuming that's what the charge would be. And whatever that charge will be, we are going to multiply that by the amount of people that is going to come around here and disrupt this meeting. And you look like you have a problem with what I'm saying and I don't know about disorderly conduct, but we can change it to assault and battery if that's what you want.

Councilman Carmody: Is the Chief in the Chamber?

Mr. Pannell: Okay, you are bringing the Chief in?

Councilman Carmody: I just have a question for him.

Mr. Pannell: Oh, I thought you – I mean if we need to make an arrest, we can make it

today. I got friends in here to go that little bond (I got your back, I got your back.) Y'all are not going to shut the people up.

Now, I don't care what you say. The numbers of people who come here to speak have gotten smaller and smaller. Now if y'all want to make them larger and larger, we can get them back down here.

Councilman Carmody: I just wanted a point of information as to what the cost was for the arrest. He asked, I was trying to get the information for him.

Mr. Pannell: But I got the information on how many people that is hired in these classes and all the rest of this stuff that y'all – and I can't understand why I have more information – y'all know what's going on, why have y'all not ask for the same information. How do I have more concern about what goes on in this City then y'all have? All this information about how many – you want to hire somebody from outside of town to come in to tell you that the Police Department is screwed up when you can pick the same information that I got. You haven't even asked for the information. Every time I ask for information, I have brought those letters of information back to you. Look like you would have said, well if James want it, I ought to want it too. Read the information that tell you where the problem. You sitting up here looking trying to figure out and act like you trying to figure out what the problems are, if you look at the information, you would see where the problems are. You don't want to know where it is.

Mr. Roy Cary (4615 Monkhouse Drive, Shreveport, Louisiana, 71109): I'm just appalled at the attitude of Council members that during my tenure as a Council member we never went through this type of red tape to allow speakers who come to this Council meeting to speak. That's not our personal prerogative, that's not a right we have. We serve at the behest of the citizens of Shreveport.

I thank God I got the chance to serve with people like Milton Williams and Keith Hightower because we showed Council courtesy . If Councilman Hightower had an issue that he wanted to have somebody speak on, it was courteous-ness that we extended to him to allow him to bring that person up when he so desire. We didn't take it personal. We never had this many 4-3 votes. You are trying to turn this city back and you aren't going to do it. Now, I submit to you this evening that if you think you are going to censor the citizen of Shreveport, you got another think coming. We are going to get even more the louder as you try and censor us.

I submit to you this evening that you need to re-look at what you have done. Go back and review this Council meeting and you look at yourself and when you look at yourself, you ought to be appalled too.

I came to speak item on the agenda No. 85. I had some questions about it. I understood yesterday, I talked with Mr. Hogan that y'all had administrative hearing and that there were two pieces of legislation being sponsored. My question is, I would like to know who is sponsoring the two pieces of legislation. I think you are sponsoring one Mr. Carmody. I think I heard that Mr. Jackson is has a piece of legislation.

The reason I'm asking is because I talked to Councilman Glover today, I'm sorry, State Representative Cedric Glover today and he explained to me that this Council was not in support of him as it relates to a Citizen Review Board and the legislation that he is trying to pass in Baton Rouge.

If this Council wants this City to get back on the right track, I would urge you to support Mr. Glover's resolution as a piece of legislation. I don't know where your position is now but I urge you to support it. But I would like to ask a question as to Mr. Jackson's piece of legislation

and how does it compare to Mr. Carmody's piece of legislation?

Councilman Walford: Let me, if I may in a way of a clarification, I think we have a resolution by Mr. Carmody for one consultant and we had the resume and etc., Mr. Jackson, and correct me if I am wrong, had not introduced a resolution yet but have given us the resume and some information on books written by another consultant. I don't think that had been introduced as legislation at this point. So we had one under consideration, item 85 today, the other one had not been and I –

Councilman Carmody: I did mentioned yesterday that I had been contacted by another consultant. He said they had expressed an interest in working with city –

Councilman Walford: So we have one piece before us, the item 85 that you are speaking on and information furnished to all the Council members by Mr. Jackson.

Councilman Jackson: Mr. Chairman, and also Mr. Cary just to be – that you might be crystal clear, yesterday my request of this council was to remove Item 85 from the agenda. The reason for removing item 85 from the agenda was because Item 85, Resolution 85 if you will, speaks specifically about authorizing the Mayor to enter into contract with a specific person.

I thought that we owed it to ourselves as well as the citizens of the City to provide them with more than one option, to provide ourselves with more than one option. And I also had been on record as saying that it would be tantamount to hiring somebody sight unseen. We have not interviewed them. Don't know whether they have been defense experts, plaintiffs experts and those kinds of things specifically nor do we have with any degree of specificity the cases that might be anything like what we were dealing with here or situation like the city of Shreveport, our police policies and other things pursuant to that. So, the action on yesterday was about asking that this Council remove item 85 from the agenda as a resolution to go back and to talk a little bit about it and then at some future date, bring a resolution that we could all agree on. Mr. Cary: The other question I wanted to ask Mr. Carmody, on the resolution that you are trying to sponsor did you get any background information on this particular firm or this particular agency?

Councilman Carmody: I had actually contacted Will Lukenhoff who was a former Field Officer Supervision for the FBI in Shreveport. He said that he was not familiar with somebody the City might talk to and he then referred me to the International Association of Chiefs of Police. There, the gentleman that I spoke to said that there were two consultants who worked, who were members of their organization who he would contact and put me in touch with. He called me back and said, I have spoken to both gentlemen. One is familiar with situation in Shreveport and does have any interest in pursuing any opportunity there. The other is not aware of what has occurred in Shreveport, would be glad to talk to you; so that's by way as Councilman Jackson said yesterday, he has now been approached by someone else and I've actually received a communication from a third party saying that indeed, they'd like to be considered.

I know this is not the appropriate time on the agenda, but what my motion is going to be today will be that we would actually table 85 in order to allow persons to bring us information so that we would have an evaluation.

As I've said before, my only desire in looking for a qualified expert, third party, would be to come in and assist this community to get the truth. And Mr. Cary, I think that you can understand with the situation that we've got in the community right now, it really does need to be an educational process. The truth is, either our Police Department erred or they did not error, okay, and that is going to come out and it might take, very well, the Department of Justice

rendering its decision which we don't have a time frame from them as to when to anticipate that. It could very well be in litigation and I think we're all familiar with the fact that when you file a lawsuit, it normally takes a couple of years (I guess) to come to the document; is that the right time?

Councilman Lester: Oh, it depends.

Councilman Carmody: But my thought is, if we had someone, if we retained someone to assist us hopefully to benefit and improve the Department and the communication with the public, regarding what our officers' training is, procedures, what the expectations are of those officers when they encounter somebody in the public and what the public should also encounter on the other side. That, that would go a long way to bridging what I would like to see happen out of this and that is a peace come about. Peace only happens when two parties ascend to a meeting of the mind that they are going to work together, and it is in that spirit. I understand there is some concern about the fact that we don't want to provide documentation of any deficiencies of our Department which could be used against us, and I understand that logic. But in the same way, I am not scared of the truth. And the truth will be the final determining factor in all of this. The concerns that I think most of us have here is, if we are the only members that are privileged to the truth and you sit out there and don't have an idea of what it is, what is your perception of us because we tell you we know what the truth is and you're going to say, well then, tell us. Well, sorry sir, we can not tell you what the truth is because it might undermine our positions.

Do you see the impasse that we are currently involved with? So, I appreciate you coming here today Mr. Cary to bring this up because indeed I am not so motivated to say that we need to hire this man or this organization. I am hope to looking at anybody and I would think that that would be the appropriate thing for this body to do.

Mr. Cary: Thank you Mr. Carmody. That is what I was about to say, and I think that it is important that we execute a person, a prosecutor that is independent, a grand jury that is independent, to look at this. I somewhat and I think the people in the community have a problem with using police officers—I am sorry, when the DA did his investigation, Mr. Carmouche, I think it is going to be conflict of interest because some of the same police officers that he has got to use in court, will be the officers that he has got to investigate.

So, if you've got court cases that are lined up and those officers have to help you or assist you in doing those court cases and getting them through your files, then that would be a conflict of interest. And, I think that is what the public's feeling is now about this investigation is that, it is impossible for it to be impartial. Why? Because I don't know if those three officers, of the three that are supposedly done wrong, I don't know how many cases that they are on in District Court to be witnesses for. So if they are on to be District Court witnesses then what happens is, you don't do anything to get them off of the Department because then that messes up your case in District Court. I think this Council needs to be mindful of that and that is why we are seeking an independent counsel.

I am not saying that he was unfair, but I think we need to get someone who is impartial, someone who has no ties, no links, someone who is not going to benefit from these officers staying on the Department, someone who will not be subject to influence of people in this community, if they rendered the correct decision.

Councilman Carmody: Mr. Cary, can I make one observation?

Mr. Cary: Yes.

Councilman Carmody: I think that self-evaluation is a healthy thing. But sometimes I

find that critiques from outside help mold our future actions and make us think about how we conduct ourselves. And, again, I'm here asking this body in the same way that I think that you are to consider a way to help this community through this process.

Mr. Cary: I agree Mr. Carmody and I commend you on that, I do. And this is the last question that I have as I leave.

Councilman Walford: Let me make a comment on Resolution 85. I don't think anybody's mind was made up. We were furnished one resume and bit of information on someone. I commend Councilman Jackson because he found another one. But, I don't think that anybody, we want the best, I guess is where I'm trying to go, and I hope that we get a menu, if you want to call it that, to look at and make our choice if that is the direction this Council decides to go in hiring an independent consultant. We want the best to provide the information and we are certainly not limited now to just two, whatever we can find.

Mr. Cary: Can I ask this Council body are you aware and is there a policy of the officers who have body microphones. What is the policy and are y'all aware of it?

Councilman Carmody: Can I ask that the Chief come forward.

Councilman Walford: Chief is not here.

Mr. Cary: I am told and I don't know, and I think it is a good question to be put before this body that the body mic should never be cut off when the officer is out taking care of business, doing his job. I am not sure, I think the public needs to know what the policy and procedure is with the body mic and I wasn't clear and I would like to know.

Councilman Carmody: If the Chief is not available, is there someone here with the Department who can clarify and answer to the question?

Mr. Cary: And I am particularly speaking about traffic stops. Can and should the mics be turned off.

Chief Owens: The policy is, when you turns your lights on, the camera comes on automatically and the sound is activated inside the car. As you get away from the car, you have to have a booster to boost the transmission and you turn it on and then you go out and do the traffic stop or whatever you are doing outside the car, outside of the immediate range of the speaker inside the car.

They run on batteries and you are supposed to check your batteries to make sure the batteries are hot. They do go out sometime during the shift. They have a plug in mic that can come unplugged; so there are times that they do come on and off or go off in the middle of the conversation or what not, but the policy is to turn the mic on and record all stops.

Councilman Carmody: While I've got you here and we are asking about policy, is it the training and the policy of the officers that when a stop is made that they place whoever they stop within the field of vision of that camera and that they are to remain there doing the course of whatever the stop is. And I ask that, again as a point of information. I mean is it best that the public know: I am supposed to when instructed by that officers to step up here and stand at the hood of his car that I'm on camera and he's on camera.

Chief Owens: Well as you know, that is the purpose we put the cameras in to try to film every encounter but do we have training or policy that says, in order to make sure that we are doing that you are to bring the persons to this point and make sure that an unobstructed view to the camera of what you are doing?

Chief Owens: Some people don't want to go there and if you are not arresting them, you can't just physically drag them there, you know, to stand in front of the camera. And too, when you get out and you stop somebody depending on where you stop, the position of your car and

you try to focus the camera on the immediate car, sometimes you have people that get off and will wonder off and walk away and so you don't get hundred percent on camera, but that is what we try to do---Councilman Carmody: But is the training to request the persons to---

Chief Owens: Right we try to keep the focused on the, in front of the car, have the camera pointed to them even if you pull up to the side of a house turn your camera where you can see what is transpiring in the yard.

Councilman Carmody: So, as you get out of the car, you are suppose to turn on the booster and try to make sure that that camera is facing where you will be?

Chief Owens: Our desire is that every encounter be on film. . .

Councilman Carmody: Amen.

Chief Owens: . . because we found that they are real helpful when we have complaints.

Councilman Carmody: Well and see that might be something again. I think this is healthy, I don't know about the rest of ya'll but I think this is a healthy education, at least for me, that if the officers is not going to instruct me to stand there in front of that camera, I might remind him I'd feel much more comfortable if you let me stand at the foot of your hood, okay.

And I am not trying to be smart about it, I'm just saying maybe that is something that if the public knew, then it would give them the assurance that this officer and I both know that whatever we do right now, whatever we say is going to be documented and hopefully that whatever the interaction is, is going to be a positive one for both parties.

There is some people that is not going to comply with a lawful command of a law enforcement officer, it is just their choice not to. In the same way, if you pull me over and I'm driving down Youree Drive heading home and you say, Mr. Carmody, I'd like you to step out of the car, step to the rear and step in front of the hood of this car and, I tell you, no I'm not doing that. Have I violated a law? I don't know.

Councilman Lester: You haven't.

Chief Owens: No.

Councilman Carmody: So you have given me a basically then a request to do something that I am not bound to comply with.

Chief Owens: Right.

Councilman Carmody: And in the same way, if you when you stop me and I'm sitting in the car and I say, officer, I'd feel much more comfortable if you'd let me stop over in front of that hood of that car, you are under no requirement to comply with my request, is that correct?

Chief Owens: That is correct as far a legal requirement. But I mean, you know, our goal and intent is to film every instant, so.

Councilman Carmody: Well, I guess my point being here and I don't mean to just drive the point back home one more time, but we have video cameras in almost every police cruiser that we own and as long as both parties know that that is what we are trying to do and I have the right as a citizen to ask that I be placed in perfect view of that camera, but I know that the officer does not have to comply with that, that kind of makes me nervous, I'll be honest with you. Because I think that he would ascend to my request just out of courtesy to say, you know, hey that is not a problem.

Chief Owens: Sure, but you asked about the law.

Councilman Carmody: No, I understand that.

Chief Owens: We have rules and procedures, I mean if he don't do it, he can be terminated, he can disciplined, he could be suspended or whatever the situation is. But as far as being a law that requires him to. . . .

Councilman Carmody: But if his microphone is off or the batteries are dead, you would never have heard it when I come to you and say, I asked this officer to do it and he said, no. Right? There is not going to be anything to document.

Chief Owens: It is just like if the mics go out here in the Council Chambers, I know ya'll have never had any kind of technical problems where your computers or mics (Councilman Walford: Or air conditioning.) screens or air conditioning or anything else, but when the vote screen won't come up, it won't come up. You have to vote by hand.

Councilman Carmody: Right.

Chief Owens: When the battery goes out, it won't transmit and you might not know that at the time it goes out. Again, we film every—we try to film every stop have it recorded every time, but there are situations that it don't work. Very few, but as a hazard, it seems that at the very times you need it to be perfect it is static or they are just outside of the camera or something.

Councilman Carmody: Last question for you. When you go onto a shift as an officer that is going to take a cruiser. Is there not like a pre-flight check list that you go through to make sure that the car has got gas in it, that 's it got oil in it, that the tire pressure is right or that your sirens and lights are all functioning normally.

Chief Owens: You have got to boost your camera system up. If you have got lap top computers, it has all got to be working.

Councilman Carmody: And do they check their microphones. The external microphone that they are wearing, is that part of what they are checking off on?

Chief Owens: Yes.

Councilman Carmody: So they can see whether or not the battery is low before whether there is a problem with it knowing that right then?

Chief Owens: Yes, sir but you know.

Councilman Carmody: I understand once you leave, it could have mechanical difficulty.

Chief Owens: Yes.

Councilman Carmody: I just wanted to make sure I understood.

Councilman Green: Chief, is it possible for, say three officers to be wearing this portable mic and that all of their batteries go dead at the same time?

Chief Owens: I guess anything is possible.

Councilman Green: Is it possible, for an instance, I watched two videos. One I watched whereas when the subject was talking or cursing, then the officers that was around, their battery was up. And then, he was not talking, when they were talking well then their battery went down. Is it possible for all the batteries to act like that at the same time?

Chief Owens: Again, I don't know what you re talking about and the realm of possibilities, can I explain something I have not seen or know anything about, no, Sir. I don't know what you are talking about. I mean, I am not going to what if and say or than anything is possible. I guess, God Lord has all power to do anything he wants to, but I guess all of your computers could go out at the same time, I guess it is possible.

Councilman Green: Let me put it another way. Do you know of any cases whereas officers say, three of them was on the same scene and all the batteries when out at the same time since you have been on the Police Department, since we've had the cameras, rather?

Chief Owens: In all honesty, I am over Investigations and I have, I am not over the Patrol Services, so I don't do the review of the cameras. The only time that I am do the review of tapes and cameras is when we are investigating complaints or crimes that may be captured on them

and have need to pull that tape and sound.

So, the vast majority of the systems and the problems with them and the review of them. I do not get involved in. And, like I say, I only know of two or three instances where sound didn't work or people were off camera or something like that but it does occur. I don't know of any large number, I would have to defer to someone else.

Councilman Green: Thank you, Chief.

Mr. Cary: I saw the Chief walk in, if you wanted to ask him any questions. But I just wanted to urge this Council body to: 1. I think it is a good spirit to look at an independent consult to look at this.

2. I would urge this Council body to do is support the legislation that State Representative Cedric Glover is sponsoring. It simply puts some teeth into a Citizens Review Board which could enforce the fact that, we make sure cameras are on. I am like you Mr. Carmody, there is a flight checklist when you flying an airplane. I think that police officers ought to have their badge, they ought to have the gun, they ought to have a car up and moveable condition, and I think that all of those things: battery and oil and things like that should be checked. I think if their CB radios or the radios that they use when they leave shift, I am under the assumption they are put on a charger. If that particular radio has been on a charger for 8 hours / 10 hours then it shouldn't be any reason why it should lose its power.

But that's the kind of thing that we are dealing with and I agree with you Mr. Carmody, it is an educational process for all of us because we don't really have no policy or procedure of knowing of what is what or who does what or when do they do it or how do they do it. All we just know is everybody is doing stuff and it is causing casualties and at the expense of people, I submit to you that it is wise for this Council body to institute legislation to help cover and give people safety and a peaceful City.

So, I urge you to support State Representative Glover's legislation. It is a good piece of legislation. When I was on the City Council, we talked about a Citizens Review Board and I think it is a step in the right direction, Mr. Carmody. If we are going to talk about bringing this City together, then we need to bring people together who can oversee the operation of the Police Department and say when they do wrong, we want to look at it. We want to review and we want to make a decision or render a judgement on it.

Councilman Jackson: For the record, two things. 1. I had intended today to ask the Council to send a letter in support of Representative Glover's, his bill. I didn't know what support we may have, I did not poll to find out what support we may have. I was willing to sign a letter myself and I am the only person I can speak of who would do that, I can't speak for everybody else, but I certainly would urge their support. 2. My second matter is that I would ask you to ask Cedric, who in fact he contacted from this Council unless, it was one of these people. Was it you?

Councilman Walford: I talked to him just before the Council meeting.

Councilman Jackson: You talked to him before the Council meeting today. Did you have something that you were planning to do today?

Mr. Glover, last Tuesday, I was in Baton Rouge, we had a Day At the Legislature and were there until 6 or 7 o'clock that night, and Mr. Glover, I was in the House of Representative Chamber and Mr. Glover went up to the microphone and introduced me and they recognized me and those kind of things. Never in that period of time did Mr. Glover every mention the bill to me.

Representative Earnest Baylor talked to me about what time the committee was meeting,

we were in another session at that particular time, so I couldn't go.

On the way home, Councilman Cary, Representative Lydia Jackson called me and left a message on my voice mail, I heard in route to Shreveport asking that we consider doing something.

We came back. I talked to Councilman Lester since he represents the district that Councilman Glover used to represent, I thought that maybe he had talked with him. He was not apprised to any of that of what was necessary. He did in fact get Mr. Thompson to fax me a--I don't know if he faxed everybody, but he faxed me, but he made absolutely no personal contact. And I think you know, certainly having served with Cedric that the seasoned politician that he is, it is just surprising that if in fact this Council's support which I think is paramount in this case, is significant then perhaps he should have sought support.

Notwithstanding the fact that he did not, I still am prepared to support his bill because I think his bill is effective. I think that the Mayor thinks that his bill is effective, I can't speak for him, but I think that in conversation we've said that. And so I'm certainly prepared to do that, but I just didn't want you to leave away that this Council was not in support. This Council was not in the loop, is what the problem was on Mr. Glover's behalf, if you will; so, I just wanted to clear it up for the record.

Councilman Walford: Let me if I may, expand on that. The only information I got on it, I'm somewhat like Mr. Jackson. My wife and I got the information on that out of the newspaper. I kept expecting and was told to watch for e-mails and I got no information on the bill.

Mr. Cary: Now that we are all aware of it I think it is prudent that, I urge you to support it. It is a good piece of legislation and I think that this Council body needs to have that enforced.

Again, I want to thank you gentleman for allowing me to come before you and speak this evening. I do want to remind you that again, don't forget that you are elected by the people to represent the people.

**CONSENT AGENDA LEGISLATION:**

**TO INTRODUCE RESOLUTIONS AND ORDINANCES ON CONSENT:**

**RESOLUTIONS:** None.

**ORDINANCES:** None.

**TO ADOPT RESOLUTIONS AND ORDINANCES ON CONSENT:**

**RESOLUTIONS:**

Motion by Councilman Lester, seconded by Councilman Carmody for adoption of Resolution No. 79 of 2003. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 79 OF 2003  
A RESOLUTION REJECTING BIDS RECEIVED ON IFB #03-006 FOR POLYFERRIC

**SULFATE FOR THE DEPARTMENT OF OPERATIONAL SERVICES, OFFICE OF WATER & SEWERAGE/WATER PURIFICATION DIVISION**

WHEREAS, two bids were received as a result of solicitations for the Polyferric Sulfate, IFB #03-006; and

WHEREAS, the City has rejected the bids due to specification changes by the Department of Operational Services, Office of the Water & Sewerage/Water Purification Division;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #03-006 be rejected.

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

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

Councilman Gibson: I would ask that we delay for two weeks, the rejecting of the bids on the General Asphalt due to information that you have before you that possible could solve a problem in terms of getting all of districts the cuts that would be coming with asphalt. And I think all of us are now subject to about close to about \$70,000 cut of which I don't feel comfortable myself having to take a list of six or seven projects and narrow it down to 4 or 5 because somebody is going to lose on that deal but I would ask for consideration that we ask for a two week delay on Item 80.

Councilman Walford: Mr. Lester, so that we don't vote down on Item 79, do you want to separate these two?

Councilman Lester: As I appreciate it, if we move forward on the motion on 79 and 80 would we be rejecting them at this time? In other words, this is not a two reader. We can deal with this today?

Mr. Thompson: That is correct. The resolution is to reject the bids and that would be a final action.

Councilman Lester: Well you know what I will do in deference to my colleague, I'll withdraw my motion in terms of Item No. 79 and I will just vote to move forward on Item No. 80.

Councilman Walford: I think Item No. 80 is the one.

Councilman Lester: Oh, I am sorry, 79 then, 79 then.

Councilman Walford: Mr. Gibson, will you withdraw your second on that.

Councilman Gibson: Yes.

**RESOLUTION NO. 80 OF 2003**

**A RESOLUTION REJECTING BIDS RECEIVED ON IFB #03-019 FOR THE GENERAL FUND ASPHALT OVERLAY PROGRAM FOR THE DEPARTMENT OF OPERATIONAL SERVICES / OFFICE OF THE CITY ENGINEER**

WHEREAS, two bids were received as a result of solicitations for the General Fund Asphalt Overlay Program, IFB #03-019; and

WHEREAS, the City has rejected the bids due to being over budget and specification changes by the Operational Services Department/Office of the City Engineer;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #03-019 be rejected.

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

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

Motion by Councilman Gibson to postpone the resolution until the June 24, 2003 meeting, seconded by Councilman Carmody.

Councilman Jackson: What is the impact of delaying this for two weeks? Can somebody speak to that. I know Councilman Gibson is making the motion. Do we have any dissenting view that would speak to any impact that this might have.

Councilman Walford: I think Mr. Strong is out of the Chambers.

Councilman Gibson: Under normal circumstances, the Administration has made a practice of asking the contractor to extend their bids for certain period of time. I understand from . . . which that wasn't amenable.

I would suggest that if we were able to find the money, which we had a competitive bid process and again, the aspect of we are desperate in all of our districts to provide services, the maximum services available to us, that we would be able to reinstate the \$70,000 some odd thousand dollars worth of overlay for each of our respective districts that our taxpayers and our constituents would, I think, at least my constituents and I have to believe yours too would be very appreciative if we could come up with an option.

Councilman Lester: My question is this. As I appreciate it we have bids that have already been accepted. Now if we do not move forward on Item 80 and we required these contractors to hold their bids open and lets say for maybe one reason or another, we delay this for two weeks and we don't find a solution in two weeks, does that put us in a scenario of having, I don't know, liquidated damages or something of that nature where we have prevented a contractor from thinking he was going to do some work based on a contract and not taking other work. Does that put us in a negative legal position?

Councilman Carmody: That's my question.

Councilman Walford: As I appreciated this yesterday, the contract that, and Mr. Antee, you may have to help here was for the entire asphalt overlay prior to the cuts. And then the contractor was not going to work with us on the reduction, if I understood Mr. Strong correctly.

Mayor Hightower: Mr. Chairman, I think what you're looking at here is merely a formality of rejecting the bids. In essence, we had the low bidder tell us that he wanted the bids rejected, that he could not comply to hold his bid if we changed the scope of the work and we have changed the scope of the work by roughly 25 or 30% something like that. So, we brought this resolution to the Council to bring it to a close so that we would be able to re-bid, change the scope of the work, and go out for additional bidders. So, I don't think what Councilman Gibson is asking for does anything other than delay a new bid process and work hitting the street for another couple of weeks at least.

Councilman Green: You said it delays what Mr. Mayor, the bid process?

Mayor Hightower: That's the only thing that would happen, is it would delay us putting the bid package back out on the street for two more weeks so that we could get prices on the lesser scope of work.

Councilman Jackson: Mr. Chairman, in light of the fact that, in fact it sounds as if nothing material is changing except we are delaying work getting done in our districts and I'd like to offer a substitute motion to accept this resolution, to adopt this resolution.

Motion by Councilman Jackson, seconded by Councilman Green for passage.

Councilman Gibson: Mr. Chairman, I'd like to ask the Administration a question. If in two weeks, we were able to identify monies that would make this contract back to hits original state, would that contractor be amenable to signing that contract?

Mayor Hightower: I don't know, we'd have to ask Mr. Strong that, because I've not personally talked to the contractor.

Councilman Gibson: I hadn't either.

Mayor Hightower: However, I have seen the introduction of the ordinance or the resolution that you intend to put forward and its essentially rehashing the same thing that we hashed over two weeks ago, except its coming from a different reserve fund.

And the Administration's position is not going to change on that in that we have to maintain a hefty reserve, whether that be all in the General Fund or a combination of the General Fund and the Riverfront Reserve Fund to maintain a strong bond rating so that we can continue to go and do the refinancing that we've done. At our meetings, this past week, or maybe it was the week before when we talked a little bit about the Pirates' settlement, I'm confident in talking with our legal team, that we gonna have a check forthcoming sometime before September 10<sup>th</sup> which I committed to, I think, to each and everyone of you that we would take \$400,000 d of that money and put it back into asphalt overlay to solve this problem. Again, what Councilman Gibson is asking for is a delay in the rejecting of the bids. I don't personally have a problem with us doing that. I don't think it, the only . . .you asked me what affect would that have? The only affect it would have, was delaying us going to bid again.

Now, if we can get this low contractor to hold his price, knowing that we'll have money coming in September, he can hold his price open for six months if that's what he chose to do. So, I don't have a problem with what Councilman Gibson's asking you to do by holding off on rejecting the bids. But I think it is important for you to know that it could be a while before projects get started if the contractor continues to hold his position and say if you're going to reduce my contract by 20-25-30%, whatever that number may be, that I can't hold my price.

Mayor Hightower: At some point, we have to bring closure and re-bid if he won't hold his price and he has indicated to us that he wouldn't if we lowered the scope of the work.

Councilman Gibson: Well Mayor, no disrespect, but the fact is you did say that we had a settlement forthcoming. And my motion would be to pull it out of Riverfront Fund with the anticipation of taking that settlement from the Pirates to reimburse because in essence, you wouldn't have to go through a rebid process, you already have a low bidder, and if we are able to get the \$400,000 out of the Riverfront and then pay that \$400,000 back through the settlement that's forthcoming September 10<sup>th</sup>, then you save yourself at least 30 days of advertising. We can already move forward, we don't have to make a choice right now on which is a priority and

which is not and again, we're basically borrowing it from the Riverfront Fund with a reimbursement coming from the Pirates.

And again, I'm just asking for consideration because all of our districts right now and I will also say from a standpoint of asphalt overlay, that we have a chance to act now with a low bidder, start that work in a prime part of the year that as this thing delays farther on into the year for those other two or three projects that each of us are having to look at are going to get into a rainy season which is gonna put those projects in jeopardy toward the end of the year.

I don't see what's the difference between waiting for the riverfront or from the Pirates' settlement when in fact that's gonna go back into the Riverfront Funds. It's there, there is enough cushion there, should be enough cushion there and if its not, then maybe we ought to be going back again and reviewing our expenditures and how we spend money, because I don't want to endanger our bond rating by any form or fashion. But, what I see what we're doing right here is you've got a low bidder with 100% of the scope of work which represents all of our districts. We were asked to cut it by 30%. We presented that to the contractor. The contractor said that it wasn't acceptable. If we were able to find the \$400,000 from the Riverfront Fund, put it back into the mix, I would suggest that contractor would probably say, I'm ready to sign the contract and commence work immediately.

But in this particular scenario, you're gonna have to go back out on the scope of work, you're gonna have to advertise it for 30 days, you're gonna have determine all of the other aspects of determining the lowest responsible bidder and we're gonna be looking at 30-60 days down the line.

This way, you're expediting it faster vs. slower and the only thing we're doing is reimbursing the Riverfront Fund after we get settlement from the Pirates which was explained to me and the rest of you I think that the Riverfront Fund is going into the General Fund anyway; so, we would have the ability to amend that and put that money over in the Riverfront Fund at a later date.

Mayor Hightower: What Councilman Gibson suggest may be workable, but what we'd like to do is, its unfortunate we hadn't discussed this before the meeting and it was dropped in front of us when I got here today. Had we had time to go talk to Bond Counsel and ask if that would adversely affect our bond ratings or not, we may would be at a solution today. However again, I'm sorry, that didn't get discussed before the meeting.

But again, I don't have a problem delaying the rejection as Councilman Gibson has suggested and we take the next two weeks to take a look and see if by reimbursing, a commitment to reimburse by this body publicly wouldn't secure the fund balance and thusly not endanger our bond rating.

So, again, I don't have a problem doing what Councilman Gibson suggest. However, again if we had know about it prior to that, we may have had an answer from Bond Counsel to be sure that we didn't jeopardize the rating.

Councilman Green: Mr. Chair, two things. One, I'd like clarification on Councilman Jackson's substitute motion and I'd like to call for the vote.

Councilman Walford: I was going there. Your motion if I understand correctly is to reject the bids/to adopt resolution 80 which rejects the bids. Is that correct?

Councilman Jackson: That is correct, that was my substitute motion.

Councilman Green: I call for the vote Mr. Chairman.

Councilman Lester: Question, I have some unreadiness. The contractor that has been the low bidder on item 80 has said to the City that if we change the scope of work and we're changing

the scope of work because we've all across the board have had to tighten our belts in terms of the budget, if he had said that he's not gonna hold his price because you've changed the scope of the work, then the only way that he will get this work is if we reimburse the money from the Riverfront Fund. If we reimburse the money, take the money from the Riverfront Fund and turn it into the Overlay Program, then he will hold his price. Is that correct? We haven't asked, we don't know. He may or he may not. But as of today, he said. . because you changed the scope of the work, I don't want to deal with it. Okay. And the reason why we changed the scope of work is that the money is not available or because of budgetary situation that we're dealing with.

My only concern is and I agree with where Councilman Gibson is coming from, it just seems to me that there are too many *ifs* in terms of this entire scenario. Without knowing exactly what the contractor is gonna do. Without even knowing exactly, you know, whether or not, we're going to be able to reimburse the money from the Riverfront Development Fund, without knowing exactly what's going to happen in terms of the settlement from the Pirates. I know that we've won and as I appreciate it, I don't know if they are going to appeal it to the Supreme Court or if the time delays have run and even if you get a judgement, just because you get a judgement, doesn't mean that you have the ability to collect.

So, we could have a scenario where, I mean, we might not get the money by September and me personally, it was hard enough for me to decide what projects should be moved, should we deal with in District A and which projects not, but for us to wait based on this allegory scenario where we're still having to wait, I'm not comfort with that and I understand where you're coming from Councilman Gibson.

But I mean, overlay is an issue that is very near and dear to the hearts of people in District A. And I don't want to, if everyone has to cut to the chase and tighten their belts, then lets do it just so long as we can start making it happen. And, this Mayor has committed to me and he has committed to us and as he just committed publicly that, once we get the extra money, then we're gonna do the extra streets, then that's good enough for me. Because I just want to start whatever streets we're going to pave in District A, lets pave 'em and go to something else. So, I would urge support of Councilman Jackson's motion to move forward on adopting Item No. 80 and I would call for the question.

Councilman Walford: Okay, so a yes vote would be to adopt Resolution 80, rejecting the Bids.

Resolution passed by the following vote: Ayes: Councilmen Lester, Walford, Green and Jackson. 4. Nays: Councilman Carmody, Gibson and Hogan. 3.

**ORDINANCES:** None.

**REGULAR AGENDA LEGISLATION:**

The Deputy Clerk read the resolution by title: Resolution No. 53 of 2003: A resolution authorizing purchase of Snap II properties from the United States Department of Housing and Urban Development and to otherwise provide with respect thereto.

Councilman Carmody: I'd like to make a motion to adopt, but I have a question before I do that.

Mr. Dark: Mr. Chairman, my understanding is our request is to continue to

postpone.

Councilman Carmody: Okay, I just wanted to clarify the motion to postpone..

Read by title and as read motion by Councilman Carmody, seconded by Councilman Green to postpone until the June 24, 2003 meeting. Motion approved by the following vote. Ayes: Councilmen Walford, Carmody, Hogan, Green and Jackson. 5. Nays: None. Out of Chamber: Councilman Lester and Gibson. 2.

The Deputy Clerk read the resolution by title: Resolution No. 71 of 2003: A resolution to amend the Fee Schedule for the Emergency Medical Services Division of the Shreveport Fire Department , and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Jackson for passage.

Mr. Thompson: I think we would treat this as we do a regular item. It would be a motion to adopt and if you support the veto, then you would vote no.

Councilman Walford: Wait a minute. Run that by me. . .

Mr. Thompson: It's a motion to adopt or to re-adopt the resolution and if you support the Mayor's veto, you vote no.

Councilman Walford: So, do we need to veto this one or not. . .

Mr. Thompson: Alright let me try this. The Mayor has already vetoed a resolution that was previously adopted by the Council. . .

Councilman Walford: For technical error.

Mr. Thompson: He did so for very technical reasons and if you support that veto, then you would vote no, because the motion is to adopt the ordinance. And if you vote no, then you're voting to sustain his veto.

Resolution denied by the following vote: Nays: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Ayes: None.

#### RESOLUTION NO. 78 OF 2003

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND GOVERNMENT ACQUISITIONS, INC. AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Government Acquisitions, Inc, a Delaware corporation, makes vehicles available for purchase by municipalities for \$1.00 each.

WHEREAS, these vehicles are for use by municipalities in providing homeland security i.e. fire and police services.

WHEREAS, the Shreveport Fire Department desires to purchase vehicles from Government Acquisitions, Inc. for use as ambulances and fire trucks.

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 with Government Acquisitions, Inc. for purchase of vehicles, effective June 10, 2003, substantially the same as the document filed in the Office of the Clerk of Council on May 27,

2003.

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 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 in conflict herewith are hereby repealed.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Green passed by the following vote: Ayes: Councilmen Walford, Carmody, Hogan, Green and Jackson. 5. Nays: None. Out of Chamber: Councilman Lester and Gibson. 2.

RESOLUTION NO. 81 OF 2003

A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AFFIDAVIT WAIVING A 200 FOOT BUFFER ZONE AROUND A PROPOSED MEDICAL WASTE PROCESSING SITE TO BE LOCATED AT THE SOUTHWEST CORNER OF STONEWALL ST. AND WOODWARD AVE., AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, Aegis Bio-Systems, L. L. C. wishes to develop a site located at the southwest corner of Stonewall St. and Woodward Ave in Shreveport for the purpose of processing medical waste;

WHEREAS, Louisiana Department of Environmental Quality regulations require a 200 foot buffer zone between facilities of this type and the property line, but allow the adjoining property owner to waive this requirement by executing a notarized affidavit (LAC 33:VII.717.B.2.a.);

WHEREAS, the City owns areas which adjoin the tract in question (Marion St., Woodward Avenue, Stonewall St., and a vacant lot), and the attached affidavit will serve as a waiver of the 200 foot buffer zone requirement as it pertains to these adjoining city-owned tracts; and

WHEREAS, development of this tract for the above described purpose would be of economic benefit to the City;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, as follows:

That the mayor is hereby authorized to execute on behalf of the City of Shreveport an affidavit waiving the 200 foot buffer zone requirement provided for in LAC 33:VII.717.B.2.a as pertains to the City-owned tracts adjoining the processing facility proposed by Aegis Bio-Systems, L. L. C. located at the southwest corner of Stonewall Street and Woodward Avenue, 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.

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

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

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

RESOLUTION NO. 86 OF 2003

A RESOLUTION APPROVING AMENDMENTS TO THE DEVELOPMENT PLAN AS REQUIRED BY ORDINANCE NO. 74 OF 2001, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Ordinance No. 74 of 2001 rezoned property located on the NE corner of Kings Hwy and Southern, Shreveport, Caddo Parish, Louisiana, from SPI-4, Kings Highway Overlay District and R-3, Urban, Multi-family Residence District to B-1-E, Buffer Business/Extended Use District limited to “a grocery store with a pharmacy pick-up window” only; and

WHEREAS, Section II of said ordinance provided that development of the property shall be in substantial accord with the site plan and other related site development exhibits submitted by the applicant on April 18, 2001, and approved by the City Council, and that any changes shall require a vote and approval by the Shreveport City Council; and

WHEREAS, Section III provided that the final landscape, lighting, signage, and amenities shall be reviewed and approved by the Shreveport City Council prior to permits being issued; and

WHEREAS, the Shreveport City Council in Resolution No. 178 Of 2002 approved the following Site Plan and other related site plan development exhibits presented by the applicant as meeting all of the requirements and/or stipulations of Ordinance No. 74 of 2001: Sheet DD2, LP-1, LP-2, LP-3, ES-1, ES-2, SA-1 and SA-2, all prepared by or on behalf of Hallway Architects and date stamped on November 12, 2002 by the Metropolitan Planning Commission of Shreveport/Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that Sheet DD2 of the development exhibits presented by the applicant and date stamped on November 12, 2002 by the Metropolitan Planning Commission of Shreveport/Caddo Parish be amended and/or replaced by the following site plan development exhibits: Sheets A-1 and A-2, all prepared by or on behalf of Hallway Architects and date stamped, filed and retained on June 9, 2003 by the Metropolitan Planning Commission of Shreveport/Caddo Parish.

BE IT FURTHER RESOLVED that the approval of the amended building elevations documented by Sheets A-1 and A-2 shall be conditioned upon the issuance of a valid building permit and commencement of significant construction activity as determined by the Executive Director of the Metropolitan Planning Commission of Shreveport / Caddo Parish or his designee, on or before April 1, 2004. In the absence of this specified progress, the amendments and documents approved by Resolution No. 178 of 2002 shall apply.

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

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith

are hereby repealed.

Read by title and as read motion by Councilman Lester, seconded by Councilman Carmody for passage.

Councilman Walford: If I may, when the ordinance was adopted, rezoning the tract for the Albertson's, Councilman Stewart put a provision that the Council would have to approve the plans. And what we basically have is really a minor addition or a minor changes to the plans that were approved by the previous Council. The Albertson's architect is here or I have copy of 'em if you'd like to see 'em, but they are basically external changes. The design, the landscape plan, everything is the same, its' just something that he put in the Ordinance that we'd have to have.

Councilman Jackson: Question Mr. Chairman. Is there a reason why we don't have any information on it or the copies that you have in reference to it, but yet we're being asked to vote on it? Maybe I missed it. I apologize if I did. But I know that the ordinance is there that suggest about site plan changes but it doesn't show me what the site plan change is.

Councilman Walford: There are no site plan changes, there are color palette changes on the outside and would you like for. . . I have Mr. Tony Calloway here if you have questions?

Councilman Jackson: Yeah, I guess my concern is that there are changes and we're being asked to vote on those changes. And we've not ever seen those changes. Now, I may be the only one who feels a little apprehensive about doing that, but I know that I have not ever seen any changes. It was not presented yesterday or didn't see it yesterday so, I was just concerned about voting on it and that. . .

Councilman Walford: That's why we have Mr. Calloway here, if you'd like, we could call him up.

Councilman Jackson: Well, I think it would be prudent to do that rather than to move on with the vote.

Councilman Walford: Okay, Mr. Calloway, could you come detail for us what the changes are.

Councilman Carmody: Mr. Chairman, while we're waiting for him, I can certainly recall the fact that this has been a project that's been in the works for many years and I do recall specifically that as a condition of approval for Albertson's, that it would have to be returned back to this body.

Councilman Walford: Right.

Councilman Tony Calloway, President of Calloway Architects in Dallas, Texas., 1770 Preston Road: About two months ago, Albertson's had contacted us and identified that they would like to make changes into the exterior design of the building. Which during the past month and a half or so, we had met with Councilman, Monty, Councilman Walford as well as some of the homeowners, representatives within the area. Identified a design that basically modifies the exterior of the project, the boards actually have been, they're here in the building somewhere I guess, I'm not sure exactly where they may be.

As far as what's actually presented, you also have copies of those. Basically the material palette is the same as far as the material that was approved on the last modifications, which is the quick brick design as it was presented before. Actually, we

have carried that same material all the way around the four sides of the building because there was a lot of neighborhood concern about presentation of the project on all four sides of the neighborhood which we addressed.

Also there is some modifications. There are two entries expressed on the building. In a previous design, they had multiple fronts, multiple concepts related to that. What Albertson's current brand image is to try to have symmetry on the primary entries, since there are two entries. And so basically we have presented the design which reflects neighborhood concepts within the neighborhood as far as low sloping hip roof at the entries. Also some classical detailing around the building, the building footprint has not changed. The site has not changed, the primary change is basically primarily 3 material palette which is . . .the colors are—previously the other design had like ten different color palettes within the building. The basic concept now is that this is the color for the lower section on the building. The upper section is this color. And then there are sections. . . .one of the comments within the neighborhood was that they had wanted to be able to express the building with modulation. In other words, instead of just having one big box building, they'd like to have modulation within the project. So basically on the design, that we have presented, it does have the entry elements, and then the wider brick divides those so we have expression of several different elements on the building rather than a reading as one big building.

The other changes that we made are to the Kings Highway side, where previously the pharmacy there did not have a covered canopy and one of the changes that we made after we made the changes to the front of the building which actually has more consistency there, we went ahead and added a canopy cover on the pharmacy drive-thru on the Kings' Highway side. And also identified some articulation on that side that breaks the building up. So again, its not just a large box type building.

And, those were the primary changes that were made on the building itself. Just to give a little more consistency to Albertson's brand identity so that's its identified as an Albertson's store, but reflecting the issues within the neighborhood as far as the vertical separation of the elements as well as the sensitivity to Kings Highway side and those were the primary changes. The drawings, there are some presentation boards and I'm not sure where they went to.

Councilman Walford: I think the MPC has those.

Mr. Calloway: The MPC has those? Okay. But basically this is the design elevation of . . . can I bring this to you?

Councilman Walford: The projectors are too big.

Councilman Carmody: Lay it face up.

Ms. Lee: No, he's gonna get it in the back. Robert, hit it. He's got it.

Mr. Calloway: Focus on the front. The lower elevation is the front elevation and if you can hear me, I'll just stand here and talk. The two entries that are shown on either side are accented by a low slope roof which is a hip roof design, which we see a great deal of within the neighborhood itself and those are things that we were looking for in terms of this modification. It accents the two designs equally. There is signage over each of those which are on the right side says food, on the left says pharmacy. In the center section, Albertson's like to see a covered walk area there. There is an exit that comes out of the building and also for the Albertson sign. So, it gives equal emphasis to the entries, each entry where on the previous design, each entry was designed differently

and it made it somewhat confusing in terms of identifying entry.

The center section also can be used for circulation, but also seasonal outdoor sales.

On the floor plan that you see just above indicates where the two covered entries are in the plan. This is the side elevation, this is the Kings Highway side elevation. It indicates that where the covered drive thru pharmacy occurs where the slope roof, the hip roof occurs, that copies the entry to the entry type design, just on a smaller scale. The building itself is of the quick brick, but we modified, we just have different color expression and also added some depth to give it some interest on that side. Actually to the very left side there is where the building actually slopes back at 45 degrees. There is a berm that comes up off Kings Highway that partially screens that and we have expressed that as well with the same quick brick materials. It's the same material as on all four sides of the building.

We've added some classical type detailing along the top of all of the walls which is a stucco appearing material. It's actually a (unclear), but its stucco appearing with some classical motifs which also we picked up out of the neighborhood as well and that's the basic designs on it.

The other two sides are basically a . . . the quick brick material that carries the same type of banding around the building. Does not have the classical (unclear) details on the top, it carries the same design, the same color palette on all four sides of the building.

Councilman Walford: So, Tony basically, what I saw that we changed from what the previous Council had approved, got rid of the multi colors that Albertson's management gave a thumbs down on and we changed, well the drawings are gone, but we changed to the covered drive-thru and the two roofs out front and went to what I think is a very pleasing color palette.

Mr. Calloway: And the other thing that we did was really added more traditional touches which I saw within the neighborhood as I looked at the contents of the neighborhood which as you know is a very diverse neighborhood.

Councilman Walford: And I would have to tell you, and I would ask you to pass it on to Albertson's, I really commend Albertson's for doing this in the inner city and the developments that they are going to do. I think it's quite a project and I'm really pleased to have it and you understand that in this resolution, there is a 270 day window and my understanding is that this is one of six Albertson's' to be constructed this year?

Mr. Calloway: Next year, opening in 2004, Albertson's has six stores that are allocated to be built within Texas, Oklahoma, and Louisiana and this is one of those that's scheduled to be built.

Councilman Walford: Wonderful. Thank you very much. I certainly appreciate your time. Are there any other questions from the Council? I'm very excited about this, of course its in my district and I.

Councilman Jackson: I just didn't want him to drive way from Dallas and not earn his money.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Walford passed by the following vote: Ayes: Councilmen Walford, Carmody, Hogan, Green and Jackson. 5. Nays: None. Out of Chamber: Councilman Lester and Gibson. 2.

Councilman Walford: Gentlemen thank you very much for the approval. Tony, I expect to see somebody out there with shovels real soon and I'm sorry we made you wait, but thank you very much for your presentation.

**INTRODUCTION OF RESOLUTIONS:**

6. Resolution No. 82 of 2003: A resolution authorizing the Mayor to execute a Historic Preservation Easement with a qualified historic preservation organization and to otherwise provide with respect thereto.
7. Resolution No. 83 of 2003: A resolution authorizing the execution of an agreement with the Northwest Louisiana Chapter of the Sickle Cell Disease Association of America, Inc. and to otherwise provide with respect thereto.
8. Resolution No. 84 of 2003: A resolution ratifying an agreement with Red River Road Runners, Inc. and to otherwise provide with respect thereto.
9. Resolution No. 85 of 2003 by Councilman Carmody: A resolution urging and authorizing the Mayor to execute an agreement with R. M.. McCarthy and Associates to conduct a review of the Shreveport Police Department shooting incident of March 15, 2003 and to provide other services all substantially in accordance with the Proposal dated May 21, 2003, and otherwise providing with respect thereto. \*

Read by title and as read motion by Councilman Lester, seconded by Councilman Jackson for Introduction of the Resolutions to lay over until the June 24, 2003 meeting.

Councilman Carmody: Mr. Chairman, I'd make a substitute motion please to Introduce Nos. 82, 83, and 84 seconded by Councilman Green.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Green for Introduction of Resolution Nos. 82, 83, and 84 to lay over until the June 24, 2003 meeting.

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

\*Read by title and as read motion by Councilman Carmody, seconded by Councilman Lester to postpone Introduction of Resolution No. 85 of 2003.

Councilman Jackson: Mr. Chairman, can you postpone an introductory. . . ?

Councilman Carmody: I'm sorry.

Councilman Green: You'll have to table it.

Councilman Carmody: That is correct, I appreciate it. Thank you. My motion should have been in the form to table this matter. Thank you Councilman Green.

Councilman Walford: So, is that an amended motion?

Councilman Carmody: That is an amended motion.

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

### **INTRODUCTION OF ORDINANCES:**

1. Ordinance No. 72 of 2003: An ordinance amending the 2003 Capital Improvements Budget and otherwise providing with respect thereto.
2. Ordinance No. 73 of 2003: An ordinance amending the 2003 budget for the Police Grants Special Revenue Fund and otherwise providing with respect thereto.
3. Ordinance No. 74 of 2003: An ordinance to amend Chapters 34 and 78 of the Code of Ordinances of the City of Shreveport by revising storm water regulations to reflect new federal regulations, improve enforcement provisions, and to otherwise provide with respect thereto.

Ms. Lee: The additions to it was three ordinances to amend the 2003 General Fund Budget, the EMS Section of the Code, and the 2003 Riverfront Budget.

Councilman Green: Madam Clerk, I'm sorry, on the amendment which one was that?

Ms. Lee: The ones that, there were two that were added at the beginning of the meeting—the General Fund and the Riverfront.

Mr. Thompson: Those were the ones by Mr. Gibson to add I believe \$500,000.

Councilman Green: My motion would be to not (unclear) those (Nos. 76 and 77.)

Ms. Lee: . . . not included?

Councilman Green: Not included.

Councilman Walford: So, your motion was for 72, 73, and 74. Did I have a second.

Read by title and as read motion by Councilman Green, seconded by Councilman Jackson for Introduction of the Ordinances to lay over until the June 24, 2003 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Gibson. 1.

4. Ordinance No. 75 of 2003: An ordinance to amend Section 46-32(a) of the City of Shreveport Code of Ordinances relative to Medical Services and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Jackson for Introduction of Ordinance 75 of 2003 to lay over until the June 24, 2003 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green and Jackson 7. Nays: None.

5. Ordinance No. 76 of 2003 by Councilman Gibson: An ordinance amending the 2003 General Fund Budget and otherwise providing with respect thereto.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Hogan for Introduction of Ordinance 76 of 2003 to lay over until the June 24, 2003 meeting.

Councilman Carmody: In that this was legislation that was added by Councilman Gibson, I would ask your indulgence and wait just a moment and let him speak to the Mayor on this particular ordinance.

Councilman Jackson: Maybe I'm not correct, but it would seem that Councilman Gibson on earlier in the meeting on . . . I forget on Resolution 80/Item 80 under Section B under Item 8, that in that vote, that would have been what he would have done to add to what would have happened had those not been rejected, I may be wrong. He can explain, but I was thinking that was what it was and if that's the case, I would assume then that the appropriate vote would be to . . . I don't know if its not to introduce. . .

Councilman Carmody: To reject.

Councilman Jackson: To reject those being introduced.

Councilman Lester: I'm trying to be a Christian, Pastor.

Councilman Green: Is that true, Mr. Thompson?

Mr. Thompson: I think he can then speak to that. I mean you can still amend the budget, even though it doesn't matter has been rejected.

Councilman Walford: Councilman Gibson, do you have comments?

Councilman Gibson: No comments, I thought we already passed this as far as adding legislation. Is that not true on that, Mr. Thompson?

Councilman Jackson: Its on the agenda to be introduced.

Councilman Walford: Its on the agenda to be Introduced; that's correct. We have a motion and a second to Introduce.

Mr. Thompson: It was added to the agenda by the prior motion.

Councilman Walford: And it can't be adopted before June 24<sup>th</sup>.

Mr. Thompson: It was added to the agenda and now its up to be Introduced.

Councilman Gibson: I would ask that my colleagues give strong consideration to this. And I will say that if we defeat it, then I would ask that we do a complete retrofit and overview of the Riverfront Fund and look at what we're doing with the Riverfront monies and how we're spending those monies in terms of in addition to grants that are issued through the Riverfront funds.

If it is that sensitive an issue, that our Riverfront funds are tied to the bond rating of this City, then we as a City Council have an obligation to come back and look strongly from A-Z of how we're spending the money out of that Riverfront money, including the grants issued out of that amount of money.

My stance on this is, taxpayers pay money for basic services. This resolution takes advantage of an opportunity of which we're going to get a settlement according to the Administration for the Pirates. That money has been committed. If its being committed, then lets go ahead and take it, take it on face value. Let's use Riverfront monies to pacify the deficiency in the asphalt side of things, and then we get reimbursed, we can put that back in there and then we can satisfy our constituents needs on asphalt overlay because in my district, we have got severe deficiencies, severe deficiencies.

And again, I don't feel comfortable in prioritizing what was committed to us in December of 2002. I've already made those commitments to my constituents that all of

those projects were gonna take place. And now, I'm having to go back and say, *oh by the way, we've got to wait*. And again, I urge you to look at both of these ordinances for the 24<sup>th</sup> and I ask for your consideration.

Councilman Lester: I would like to say this. I think its important when we sit up here to be consistent. While I might not agree with everything that Councilman Gibson says, and he certainly doesn't agree with everything I say, I'm gonna agree with him on this point.

And I'm going to be consistent because and I remind this Council that sometime ago, we faced this same issue as it relates to concrete. And there were at least three of us who wanted to move forward with taking money out of the Riverfront Development Fund to deal with the concrete overlay. We were asked to introduce that matter and we were defeated because we were told that the Administration was going to come back and find the money, and the Administration did to its credit and I applaud them for that. But my position back then was. lets at least introduce it so that if the Administration does come back with the money in two weeks, then it would just be a moot point and we could vote not to do it. I was in the minority. Don't have a problem with that. I just wanted to throw that out for the public discourse because I am going to vote to support your issue, because I want to be consistent. If in fact, we come back and we find that there are some things that we can do as far as other money or as it relates to this Pirates' settlement and it's a moot issue, then fine. But I'm voting for this because I thought that my issue with the concrete had merit and I believe that this issue has merit even though some people that I'm going to be voting for did not believe that it did not have merit at that time. I call for the question.

Councilman Jackson: I think that Councilman Lester has a valid point, except its not completely apples to apples this time. We had not voted a few minutes earlier to do what we did a few minutes earlier today.

Councilman Lester: Right. That is correct.

Councilman Jackson: In the rejection of the bids which changes the whole reflection of the picture and decreases the amount of the original contract. There were some other things that were different.

I would join him in consistency as well, but we are not talking apples to apples in this scenario. There was something in the rejection of those bids that makes this scenario just a little bit different, but I will applaud him in saying that because we said that day. I was most vociferous about saying that I don't believe that the Administration is lying to us, but put it n the agenda, that's okay. I was chided about that and said that we ought to trust. I since learned my lesson and so, I've learned how to trust.

And so I hope that we will in fact support that, because I think if we support this, Councilman Gibson, you know we should have supported, a few minutes ago, to adopt, to not adopt if you, will the reject of those bids and I think we just. . .it's the same thing again, a few minutes later.

Councilman Lester: I stand corrected.

Mr. Antee: If it may help, the Mayor had to leave to go to a speaking engagement that he had committed to, but prior to leaving, he did instruct me to get with Mr. Strong in the morning. Mr. Gibson made a good suggestion that as the Mayor stated, we need to look and see how that may or may not affect our bond rating.

We haven't had the opportunity to do that, but it is a good suggestion and one that

we want to look at. There may be some other things we can agree to with the contractor and so, he instructed me prior to leaving, the first thing in the morning to get on it and see if there is something we can do and work out with the contractor so that if we do get the money, then we can go ahead and enter into the contract and then have contingency plan in case we do, then we can go forward since the overlay program is for a period of time.

So, I don't think that would be inconsistent to go ahead and put it on the agenda, give the Administration the opportunity to work with Mr. Gibson and work with the contractor and see if we can come up with a workable solution. And in doing that, we would not have wasted two weeks by having to then re-introduce.

Councilman Green: Along with what Councilman Jackson has said, I think we ought to be consistent doing the concrete. I was one of the ones that said trust the Mayor and the Administration and I'm going to be consistent. I think this is wonderful, but I'm going to be consistent. I trust the Administration. I give them an opportunity if they said they're going to have the money, then they're going to have the money; so, I'll be voting *nay*.

Councilman Jackson: I just wanted to add as well in this scenario, as we talked about this Administration and this particular money, I support what Councilman Gibson said about retrofitting the Riverfront and all those kinds of things and I don't think that if, in fact it passes or fails that, that necessarily has to change. I think there is nothing wrong with it. I don't think it ought to be just a scenario, that if it doesn't happen on this, then we don't do it, because then that would amount to a threat. But I think that's a good idea. So, it ought to happen anyway. Notwithstanding that, and so I would suggest that we ought to be doing those kinds of things anyway. And so, I would urge us if you will to remember that this is a different scenario and I don't see why we in fact can't do what we said, because it just seems to me that it would not be imprudent, let me suggest, on our part to move forward the way we have and I call for the question.

Mr. Antee: Mr. Chairman, if I may, just to clarify on some comments that Councilman Green made. We may very well get into it and see that there is nothing that we can do, because it jeopardizes the bond rating. We hope not, we hope to get into it and find ways to where we can accomplish the need. If you go ahead and add it to the agenda, that doesn't mean in two weeks, we're going to come back and say look, there is nothing we can do, we're asking you not to support it. But it does if we are able to find a way to do it in working with Councilman Gibson and anybody else as well as the contractor, it does move us two weeks down the road to getting the contract signed to where overlay can begin. So that's why, from our perspective, we don't see where it hurts anything to add it to the agenda and give us two weeks to try and find a solution so that we can get the overlay going.

Councilman Lester: He clarified, because I was going to ask him what exactly their position was and he's clarifies that for me so I call for the vote.

Councilman Green: Mr. Antee, let me ask you this. Whether we add the \$500,000 to the . . . get it out of the Riverfront and put all the money in the pot at this particular time, is it all gonna be done on the same day anyway?

Mr. Antee: Not necessarily because if it's not added to the agenda now and we do find the resolution that the Mayor instructed us to go to work hard to find, then we would have to add it next time and we've just lost two weeks.

Councilman Green: My last final question is this, make sure that you make a

document of what you are saying so if this same deal comes up again then we'll understand.

Mr. Antee: Well. I think Ms. Dianne is going to make sure and I talk slow enough, I'm not hard for her to type.

Ms. Lee: Oh, no, you are real good.

Councilman Jackson: I would also like to say to Councilman Gibson, it may have been better served if it was not such an element of surprise We met on yesterday and perhaps you thought of it last night or this morning. I had not been contacted about it. I think history will indicate that I certainly will be supportive of those kinds of things and I'm not been running around as a protector of the fund, if you will, and I am willing to do what will help to expedite.

I asked the Mayor about the impact on the rejection and he said delay doing work on those streets, two more week. That was the reason I moved forward because I think if we talk about the necessary asphalt overlay whether it is (inaudible). I may have had 12 planned, I would rather have six than zero and so that is my concern in moving forward; that was my concern. It had nothing to do with raiding the fund but in fact it was dropped on me today. I haven't even read the second page of one of the two that was dropped on me today and I think it is a matter, in my opinion, of communication because I am learning as we go through this dialogue now, what the implications are and perhaps I am wrong, maybe you did tell me this yesterday, we did talk but I don't remember this coming up and I don't remember having spoken to you. Councilman Green asked me today, what was it and I said, I don't know I guess we are going to find out during the meeting.

I am just suggesting perhaps you may have gotten the support and didn't need my vote but I am just saying that there in lies the reason for my concern about it because I was not informed about it, at all.

Councilman Green: Along with what Councilman Jackson has said, I am in hopes that the next time that we get some legislation on the same day, I am going to go on and support this and put it on the agenda, the Administration seem like they would like to have it on there for whatever reason. But, I'm in hopes that the next time that we bring some legislation or some other Council member brings legislation on the same day and ask us to deal with, that we be consistent and say, okay lets deal with it and not to say, well I got just got this today and I don't understand.

So I am going to go and support it for 2 reasons: 1. because it is here, 2. is because the Administration said they love it and they think it is wonderful so I am going to go on and do that, but I want us to be consistent.

Councilman Lester: I would only amplify what Councilman Green said. Not only would I hope, I will be in strong expectation that if this scenario happens again. Because I think the one thing that is important for us to do: 1. communicate, 2. respect each other, 3. try to be as consistent as possible certainly when you have apple to apples situations and with that I call for the vote.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, and Green. 6. Nays: Councilman Jackson. 1.

6. Ordinance No. 77 of 2003 by Councilman Gibson: An ordinance amending the 2003 budget

for the Riverfront Development Special Revenue Fund and otherwise providing with respect thereto.

Read by title and as read motion by Councilman Gibson, seconded by Councilman Carmody for Introduction of Ordinance 77 of 2003 to lay over until the June 24, 2003 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, and Green. 6. Nays: Councilman Jackson. 1.

### **ORDINANCES ON SECOND READING AND FINAL PASSAGE:**

1. Ordinance No. 57 of 2003: An ordinance declaring certain city-owned property as surplus property, authorizing the exchange of same with property owned by Word of Life, Ministries, Inc., and otherwise providing with respect thereto.

Having passed first reading on May 13, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Green seconded by Councilman Jackson adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

2. Ordinance No. 61 of 2003: An ordinance authorizing the incurring of debt and issuance of Eleven Million Dollars (\$11,000,000) of General Obligation Refunding Bonds, Series 2003B, of the City of Shreveport, State of Louisiana; prescribing the form, terms and conditions of said bonds; designating the date, denomination and place of payment of said bonds; providing for the payment thereof in principal and interest; and providing for other matters in connection therewith.

Having passed first reading on May 13, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson seconded by Councilman Gibson for adoption.

Councilman Carmody: In that the hour is late and it is after 5, I would like Mr. Dark to give us the benefit of his presence, and let us know whether or not the market is ready for us to bring \$11 million dollars worth of GOB Bonds?

Mr. Dark: I was asked to ask you to postpone this today, there is some chance it is going to be next time.

Motion by Councilman Carmody, seconded by Councilman Green to postpone the ordinance until the June 24, 2003 meeting. Motion passed by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

3. Ordinance No. 63 of 2003: An ordinance authorizing the sale of city-owned property at 2704 Frederick Street and 2730 Judson Street to qualified purchasers and to otherwise provide with respect thereto.

Having passed first reading on May 13, 2003 was read by title and on motion ordered passed to

third reading. Read the third time in full and as read motion by Councilman Gibson seconded by Councilman Green adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

4. Ordinance No. 64 of 2003: An ordinance closing and abandoning existing utility servitude on Lot One of Galilee Subdivision located in the NE/4 of Section 2 (T17N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Carmody adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

5. Ordinance No. 65 of 2003: An ordinance amending the 2003 budget for the Water and Sewerage Enterprise Fund and otherwise providing with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Jackson adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

6. Ordinance No. 66 of 2003: An ordinance to amend and reenact Part 3, Section 100 of the Shreveport Comprehensive Building Code, the Electrical Code, and to otherwise provide with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Green adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

7. Ordinance No. 67 of 2003: An ordinance amending the Code of Ordinances of the City of Shreveport by Amending Sec. 26-109 of Chapter 26, 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.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Gibson, seconded by Councilman Green adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

8. Ordinance No. 68 of 2003: An ordinance amending the Code of Ordinances of the City of Shreveport by adding Sec. 34-55 of Chapter 34, Division II of Article II, Floods, relative to charging fees for information pertaining to flood zone determinations, legal descriptions, right of way information and any other related services or information provided by the City Engineering Map Room; and to repeal, amend and reenact certain provisions of the Code

relative to same and to otherwise provide with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Gibson adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

9. Ordinance No. 69 of 2003: An ordinance amending the Code of Ordinances of the City of Shreveport by adding Sec. 78-42 of Chapter 78, Division 1 of Article II, Streets relative to charging inspection fees for work done by private entities on streets and drainage properties intended to be donated to the City for public use; and to repeal, amend and reenact certain provisions of the Code relative to same and to otherwise provide with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Jackson adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

10. Ordinance No. 70 of 2003: An ordinance amending the Code of Ordinances of the City of Shreveport by amending Sec. 94-44 of Chapter 94, of Article II, Utilities, relative to charging inspection fees for work done by private entities on water and sewer properties intended to be donated to the City for public use; and to repeal, amend and reenact certain provisions of the Code relative to same and to otherwise provide with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Green, seconded by Councilman Jackson adopted by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

11. Ordinance No. 71 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, rezoning the north side of Greenwood Road, 500 feet west of Curtis Lane, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District, to R-1D-E, Urban, One-Family Residence/Extended Use District, "limited to a dog kennel and pet boarding as applied for", only, and to otherwise provide with respect thereto.

Having passed first reading on May 27, 2003 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Carmody to postpone the ordinance until the June 24, 2003 meeting. Motion passed by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

The adopted Ordinances, follow:

ORDINANCE NO. 57 OF 2003

AN ORDINANCE DECLARING CERTAIN CITY-OWNED PROPERTY AS SURPLUS PROPERTY, AUTHORIZING THE EXCHANGE OF SAME WITH PROPERTY OWNED BY WORD OF LIFE, MINISTRIES, INC., AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, La. R.S. 33:4712 authorizes a municipality to sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of property which is, in the opinion of the governing authority, not needed for public purposes; and

WHEREAS, provisions of R.S. 33:4712 requiring advertisement for proposals for comparable exchanges have been complied with prior to introduction of this ordinance, as required by that statute; and

WHEREAS, the City of Shreveport owns certain immovable property as shown on the plat map as Tract "B", said plat map being attached hereto and made a part hereof, said property described as follows:

Tract "B"

A portion of a 3.997 acre tract of land described in Book 3438, Page 685, Conveyance Records of Caddo Parish, Louisiana, and being located in the North Half (N/2) of the Northeast Quarter (NE/4) of Section 30, Township 17 North, Range 14 West, Caddo Parish, Louisiana, and being more particularly described as follows:

Commence at the Northeast corner of said Section 30, thence South 89°58'30" West a distance of 1,860.06 feet along the North line of Section 30; thence South 00°01'30" East a distance of 441.38 feet to a point on the Westerly right-of-way line of Meriwether Road, being the Northeast corner of a 3.997 acre tract described in Book 3438, Page 685, Conveyance Records of Caddo Parish, Louisiana; thence South 60°24'40" West a distance of 585.59 feet to a ½" iron pipe being the Northwest corner of said 3.997 acre tract ; thence South 29°35'00" East a distance of 219.28 feet along the Westerly line of said 3.997 acre tract to a ½" iron pipe being the Point of Beginning of the tract herein described:

Thence North 51°54'01" East a distance of 71.65 feet to a ½" iron pipe; thence North 60°25'06" East a distance of 159.12 feet to a ½" iron pipe being the Northwest corner of a tract described in Book 3480, Page 777, Conveyance Records of Caddo Parish, Louisiana; thence South 29°42'57" East a distance of 218.05 feet to a ¾" crimped top iron pipe being the Southeasterly corner of a tract described in Book 3272, Page 696, Conveyance Records of Caddo Parish, Louisiana; thence South 60°29'04" West a distance of 230.49 feet to a ½" iron pipe; thence North 29°35'00" West a distance of 207.18 feet to the Point of Beginning.

Said tract hereinabove described contains 1.143 acres and being a portion of Assessor's geographical number 171430-000-0058.

WHEREAS, the above described 1.143 acre tract is part of a large irregular tract of land containing 3.997 acres which was purchased from the Louisiana Department of Transportation

and Development for the runway protection zone; and

WHEREAS, the Shreveport Airport Authority wishes to enhance the runway protection zone by squaring up the property contiguous to the runway protection zone; and

WHEREAS, the 1.143 acre Tract "B" is surplus property and is not needed for the public purpose of the runway protection zone due to its physical location with the proximity of the protection zone; and

WHEREAS, Word of Life Ministries, Inc. is the owner a 4.27 acre, more or less, tract of land being described as follows:

Tract "A"

A portion of a tract of land described in Book 2876, Page 784, Conveyance Records of Caddo Parish, Louisiana, and being located in the North Half (N/2) of the Northeast Quarter (NE/4) of Section 30, Township 17 North, Range 14 West, Caddo Parish, Louisiana, and being more particularly described as follows:

Commence at the Northeast corner of said Section 30; thence South 89°58'30" West a distance of 1,860.06 feet along the North line of Section 30; thence South 00°01'30" East a distance of 441.38 feet to a point on the Westerly right-of-way line of Meriwether Road being the Northeast corner of a 3.997 acre tract described in Book 3438, Page 685, Conveyance Records of Caddo Parish, Louisiana, thence South 60°24'40" West a distance of 585.59 feet to a ½" iron pipe being the Northwest corner of said 3.997 acre tract, also being the Point of Beginning of the tract herein described:

Thence South 29°35'00" East a distance of 219.28 feet along the Westerly line of said 3.997 acre tract to a ½" iron pipe; thence South 51°54'01" West a distance of 214.21 feet to a ½" iron pipe; thence North 29°33'56" West a distance of 250.98 feet to a ½" iron pipe on the Southerly line of a tract described in Book 2990, Page 136, Conveyance Records of Caddo Parish, Louisiana; thence North 60°24'33" East a distance of 211.77 feet along the said Southeasterly line to the Point of Beginning.

Said tract hereinabove described contains 1.143 acres and being a portion of Assessor's geographical number 171430-000-0112.

WHEREAS, Word of Life Ministries, Inc. wishes to square up their property which is contiguous to the above described 1.143 acre Tract "A," and the Shreveport Airport Authority wishes to enhance the runway protection zone by squaring up the property contiguous to the runway protection zone; and

WHEREAS, the exchange of Tract "B" with the Word of Life Ministries, Inc.'s Tract "A" will provide a benefit to the runway protection zone due to squaring up the City's property at that physical location in accordance with the provisions of Article 7, Section 14 of the Louisiana State Constitution of 1974, as amended, and

WHEREAS, the declaration that the 1.143 acre Tract "B" is surplus property and the exchange of this property with the 1.143 acre Tract "A" property owned by Word of Life Ministries, Inc. is in accordance with Sections 26-291 through 26-293 of the Code of Ordinances

and LSA-R.S. 33:4712.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Shreveport in due, regular and legal session convened, that the 1.143 acre Tract "B" property is declared to be surplus property and not needed for a public purpose.

BE IT FURTHER ORDAINED that the Mayor be and is hereby authorized to execute an exchange deed with Word of Life Ministries, Inc.'s 1.143 acre Tract "A" property.

BE IT FURTHER ORDAINED that notice of this proposed ordinance shall be published three times in at least fifteen days, one week apart, in the official journal of the City of Shreveport, together with notice that the City Council proposes to take final action on this proposed ordinance at the meeting of the City Council on June 10, 2003, at 3:00 p.m. or on such date and time thereafter as it may determine.

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

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

#### ORDINANCE NO. 63 OF 2003

AN ORDINANCE AUTHORIZING THE SALE OF CITY OWNED PROPERTY AT 2704 FREDERICK STREET AND 2730 JUDSON STREET TO QUALIFIED PURCHASERS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the City of Shreveport is the owner of two (2) new single family homes located at 2704 Frederick Street and 2730 Judson Street. The homes are located in the Queensboro neighborhood and were constructed by the City of Shreveport as a part of the Neighborhood Revitalization Program; and

WHEREAS, funds for construction of these homes were provided by the United States Department of Housing and Urban Development ("HUD") to further homeownership opportunities for low to moderate income families residing in the City of Shreveport; and

WHEREAS, the City of Shreveport, through the Department of Community Development, has received an offer to purchase 2704 Frederick Street for the sum of \$84,000.00; and

WHEREAS, 2704 Frederick Street will be purchased by a homeowner who meets the eligibility requirements of the City of Shreveport Neighborhood Revitalization Program and guidelines and directives from HUD; and

WHEREAS, the City would like to market and sale the remaining property, 2730 Judson Street, to a qualified purchaser at a price not less than \$90,000.00; and

WHEREAS, the sale of these two (2) properties to qualified purchasers will further the goals and objectives of the Neighborhood Revitalization Program and HUD, as well as provide funds for the construction of similar housing which is a public purpose;

WHEREAS, 2704 Frederick Street and 2730 Judson Street are not need by the City of Shreveport for a public purpose; and

WHEREAS, LSA-R.S. 33:4712 requires that notice of this ordinance be published at least three (3) times within fifteen (15) days, one week apart; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport is hereby authorized to

sale City-owned property located at 2704 Frederick Street, Shreveport, Caddo Parish, Louisiana to a qualified purchaser in accordance with requirements from the United States Department of Housing and Urban Development and the City of Shreveport Neighborhood Revitalization Program, for a price not less than \$84,000.00.

BE IT FURTHER ORDAINED that the City of Shreveport is hereby authorized to sale City-owned property located at 2730 Judson Street, Shreveport, Caddo Parish, Louisiana to a qualified purchaser in accordance with requirements from the United States Department of Housing and Urban Development and the City of Shreveport Neighborhood Revitalization Program, for a price not less than \$90,000.00.

BE IT FURTHER ORDAINED that the Mayor is authorized to execute any and all documents necessary to complete the sale of these properties to the qualified purchasers.

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

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

#### ORDINANCE NO. 64 OF 2003

AN ORDINANCE CLOSING AND ABANDONING EXISTING UTILITY SERVITUDE ON LOT ONE OF GALILEE SUBDIVISION LOCATED IN THE NE/4 OF SECTION 2 (T17N-R14W), CADDO PARISH, LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, The City Engineer, and Water and Sewerage Engineering has reviewed this request and has no objections to these utility servitude being closed and abandoned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that the existing utility servitude existing on lot one of the Galilee Subdivision recorded in Book 3362, Page 5886 and book 3507, Page 417 of the Records and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

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

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

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

#### ORDINANCE NO. 65 OF 2003

AN ORDINANCE AMENDING THE 2003 BUDGET FOR THE WATER AND SEWERAGE ENTERPRISE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

WHEREAS, the City Council finds it necessary to amend the 2003 budget for the Water and Sewerage Enterprise Fund, to adjust funds between expenditure categories and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 163 of 2002, the 2003 budget for the Water and Sewerage Enterprise Fund, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Personal Services by \$494,000, Materials and Supplies by \$309,200, Contractual Services by \$144,000 and Improvements and Equipment by \$54,000.

Increase Operating Reserves by \$1,001,200..

Adjust subtotals and totals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 163 of 2002 shall remain unchanged and in full force and effect.

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

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

#### ORDINANCE NO. 66 OF 2003

AN ORDINANCE TO AMEND AND REENACT PART 3, SECTION 100 OF THE SHREVEPORT COMPREHENSIVE BUILDING CODE, THE ELECTRICAL CODE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

**BE IT ORDAINED** by the City Council of the City of Shreveport in due, regular and legal session convened that Part 3, Section 100 of the Shreveport Comprehensive Building Code, the Electrical Code, is hereby amended and reenacted in its entirety to now read as follows:

Shreveport Comprehensive Building Code  
Part 3  
Shreveport Electrical Code  
Section 100 Administration

101.1 Title

(a) The provisions embraced within the following chapters and sections constitute, be known, and so cited as the Shreveport Electrical Code. For the purpose of this code, several key terms shall have the meaning indicated in Appendix "A" of this code, and in the 2002 edition of the National Electric Code.

(b) There is hereby adopted for the purpose of establishing rules, regulations, and

standards the 2002 edition of the National Electrical Code, with the amendments and modifications stipulated and contained therein. The said Code is hereby adopted by reference as if written herein in extension. This code shall be known as the City of Shreveport Electrical Code, may be so cited, and may be referred to throughout this ordinance as this code.

### **101.2 Code Remedial**

This code is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof, which are health, life and property, and general public safety and welfare, by regulating the installation and maintenance of all electrical construction.

### **101.3 Scope**

The provisions of this code shall apply to every electrical construction installation including alterations, repairs, replacement, fixtures, equipment, appliances, materials, fittings, and/or appurtenances thereto which shall be enforced not only within the corporate city limits but within all subdivisions and any other locations that are supplied by water or sewer utilities, or both, by the City of Shreveport.

### **101.4 Maintenance**

All electrical construction installations, both existing and new, and all parts thereof shall be maintained in good working order and the owner or his designated agent shall be responsible for maintenance thereof.

## **102 LICENSE REQUIRED-GENERAL**

**102.1 (a)** Except as hereinafter provided, it shall be unlawful for any person to do any electrical construction within the jurisdiction of this code unless such person is licensed under the provisions of this chapter by the City of Shreveport as a master electrician, journeyman electrician, apprentice electrician, maintenance electrician, sign manufacturer, or sign journeyman. All electrical construction performed by any one other than a licensed master electrician must be done under the supervision of a master electrician. Electrical sign construction by a sign journeyman must be supervised by an electrical sign master.

**(b)** There shall be no more than five (5) apprentice electricians under the supervision of a master or journeyman electrician.

**102.2** All electrical construction performed within the jurisdiction of this code shall be done under the control, supervision, direction, and responsibility of a master electrician. The journeyman electrician who performs the electrical construction under the supervision, direction, and responsibility of a firm, partnership, or corporation and licensed accordingly must be an employee of that firm, partnership, or corporation.

### **102.3 Master Electrician's License/electrical Sign Manufacturer**

No individual, firm, partnership, or corporation shall engage in the business of electrical contracting/electrical sign manufacturing within the jurisdiction of this code unless the individual or a member of the firm, partnership, or corporation has been licensed as a master electrician or an electrical sign manufacturer and shall be an active member of a single firm, partnership, or corporation. The term "active" as used in this chapter is as defined in appendix "A."

**102.4** No Master Electrician/Electrical Sign Manufacturer shall assign or in any other way convey his license, the use thereof, or any rights thereunder, to anyone by power of attorney or other process, or become involved in any type of agreement, assignment, or use whereby the licensed person will not have supervision, direction, and responsibility of the electrical work for which the electrical permit is obtained. Should any licensed person violate this provision or any of the other provisions specifying that he must direct, supervise, and be responsible for the work for which he obtains a permit, the license issued to him under the provisions of the ordinance of the City of Shreveport may be revoked by the Electrical Board after notice and hearing as provided in Section 108.11.

### **103 REQUIREMENT FOR EXAMINATION–MASTER ELECTRICIAN/ELECTRICAL SIGN MANUFACTURER**

**103.1** Tests will be administered by the International Code Council (ICC) or the current testing administrator.

**103.2** The master electrician’s license shall be issued only in the name of a person or individual successfully completing the examination

### **104 LICENSE FEES**

License fees shall be as follows:

(a) Master annual fee	\$100.00
(b) Journeyman annual fee	\$ 25.00
(c) Apprentice annual fee	\$ 10.00
(d) Sign Manufacturer annual fee	\$100.00
(e) Sign Journeyman annual fee	\$ 25.00
(f) Sign Apprentice annual fee	\$ 10.00

None of the above required license fees shall be prorated.

### **105 LICENSE RENEWALS**

**105.1** All licenses of every classification shall expire on December 31 annually and shall be renewed on or before January 31 of each year.

(a) Licenses that are not renewed within three (3) years of the expiration date of the license shall automatically be canceled without further notice to the license holder. After the cancellation of any license, the license holder shall be required to retest with the current testing administrator. A license may be reinstated to any license holder who pays for prior years before the three (3) year grace period has expired.

### **106 INSURANCE REQUIREMENTS**

**106.1** A master electrician or master sign manufacturer shall maintain a current a certificate of insurance on file with the Electrical Inspector. The amount of public liability and property damage insurance shall be in the amount of \$100,000 or more.

### **107 RESPONSIBILITY OF MASTER ELECTRICIAN–SIGN MANUFACTURER**

**107.1** The master electrician shall have the ability to supervise, direct and

control all employees under his supervision and control during all electrical construction.

**107.2** Each licensed classification shall be responsible for securing all permits for his work, requesting inspections of such work, and the compliance with all provisions of this code.

### **107.3 Responsibility For Correction Of Defects**

Each licensed classification in accordance with this ordinance shall be responsible for the correction of any defects as identified by the Electrical Inspector/s and the payment of all penalties prior to the final inspection of the work. Any defects found after final inspection must be corrected at electrical inspector/s request.

## **108 ELECTRICAL BOARD**

### **108.1 Appointments**

There shall be an Electrical Board consisting of nine (9) members who shall be appointed by the Mayor and confirmed by the Council: one member shall be an electrical engineer; two shall be master electricians; one shall be a journeyman electrician; one shall be a representative of the Fire Department for the City of Shreveport; one representative from the electrical utility company serving the City of Shreveport; one representative from the sign manufacturers; and two qualified electors of the City of Shreveport.

### **108.2 Qualification and Term**

With the exception of the two members serving as qualified electors for the City of Shreveport, each member of the Board shall have no less than (5) years experience in his respective trade, vocation, or profession. The members of the Board shall hold office for four years provided that of those first appointed three shall be appointed for two years; three vacancies shall be filled in the same manner for the unexpired portion of the term.

### **108.3 Quorum**

Five members of the Board shall constitute a quorum. Affirmative votes of the majority present but not less than four affirmative voters shall be required for the adoption of any resolution. No Board member shall act in a case in which he has personal interest.

**108.4** The Board shall make a detailed record of all its proceedings, and shall set forth reasons for its decisions, the vote of each member participating therein, the absence of any member, and failure of a member to vote. This record shall be retained for review by the Building Code Board of Appeals in the event that any decision of the Electrical Board is appealed.

### **108.5 Duties of the Board**

The Board shall establish standards and procedures for the examination and qualifications for licensing of master and journeyman electricians, electrical sign manufacturer, and sign journeyman and shall issue an appropriate license to each person who meets the qualifications and successfully passes the examination authorized by the Board.

### **108.6 Authority**

The Board shall act in an advisory capacity pertaining to all work within the jurisdiction of this code.

The Board shall have the power to suspend or revoke a license of any master, journeyman, maintenance, apprentice, electrical sign manufacturer, or sign journeyman who is found guilty of a violation as set forth in Section 108.8 of this code.

**108.8** The Board may revoke or suspend any license or registration for any of the following reasons:

- (a) Misrepresentation of material fact in obtaining such license or the renewal thereof;
- (b) Use of a license in obtaining a permit for another;
- (c) Failure to secure the permits, inspection, and approvals required by this code;
- (d) Workmanship or work not in conformity with the provisions of this code or not in conformity with the permit issued therefor;
- (e) Repeated violation of this code or failure or refusal to promptly correct an installation or part thereof made in violation of any provision of this code;
- (f) Conviction of a felony provided such revocation or suspension is deemed necessary in the public interest.

**108.9** It shall be the duty of the Chief Electrical Inspector to report such violations to the Board.

**108.10** A license may be suspended for a period not to exceed (30) days. Notice of the suspension may require the licensee whose license is suspended to correct any and all conditions for which the license was suspended before the license is reinstated.

**108.11** Before a license may be revoked or suspended, the licensee shall receive notice by certified letter, enumerating the charge(s) against him, and be entitled to a hearing before the Electrical Board not sooner than five (5) days nor more than sixty (60) days from the receipt of the notice. The licensee may be represented by legal counsel and shall be given an opportunity to present testimony, oral or written, and shall have right to cross-examination. The Electrical Board shall have the power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the Electrical Board shall be based upon the evidence produced at the hearing and made a part of the record thereof.

**108.12** When a license has been suspended two times within a continuous twelve month period, any subsequent action for any reason listed under this section shall include permanent revocation of such license.

**108.13** If licensee is found violating his suspension, his license shall be revoked.

## **109 CHIEF ELECTRICAL INSPECTOR; ASSISTANT(S)**

**109.1** The Chief Electrical Inspector and each of his assistants must be a licensed master electrician or a journeyman electrician and must have five years practical experience. The Chief Electrical Inspector shall be confirmed by the City Council after appointment by the Mayor and recommendation by the director of the department of operational services.

## **109.2 Duties**

It shall be the duty of the Chief Electrical Inspector under the direct supervision of the Chief Building Official of Permits and Inspections to enforce the provisions of this code. He shall make inspections of electrical installations to insure compliance with all of the provisions of this code. He shall keep complete records of all permits issued, inspection and re-inspections made, and other official work performed in accordance with the provisions of this code.

**109.3** It shall be unlawful for the Chief Electrical Inspector or for any of his assistants to perform any type of electrical construction, engage in the business of the sale, installation, or maintenance of electrical equipment, either directly or indirectly; and they shall have no financial interest in any concern engaged in such business in the City of Shreveport at any time while holding such office as herein provided for.

## **109.4 Authority of Electrical Inspector**

When any electrical system is found to be dangerous to persons or property because of wear, age, or it is defectively installed, the person, firm, or corporation responsible for the electrical system shall be notified in writing and shall make any changes, repairs, or tests required in the judgment of the Electrical Inspector to place such system in safe condition, and if such work is not completed within fifteen (15) days or any longer period that may be specified by the Electrical Inspector in said notice, the Electrical Inspector shall have authority to disconnect or order the discontinuance of electrical service to said electrical system. In cases of emergency, where necessary for safety of persons or of property or where the electrical system may interfere with the work of the fire department, the Electrical Inspector shall have the authority to immediately disconnect or cause the disconnection of any electrical system.

**109.5** The electrical inspector shall have the right to remove or compel the removal of any obstruction, such as lath plastering, ceiling, or flooring, which may hinder a full and complete inspection of such wires or apparatus.

**109.6** The electrical inspector shall remove or compel the removal of any conductors which are enclosed in conduit or otherwise inaccessible for complete inspection. When said conductors or appliances are not in accordance with the requirements of this ordinance or found to be unsafe to life or property, he shall have the right to condemn such conductors or appliances as hereinafter provided.

**109.7** The electrical inspector shall have the power to file legal charges for the violation of any of the provisions of this ordinance and, when necessary, issue a stop order on any electrical work being done in a manner prohibited by the code.

**109.8** It shall be unlawful for any person, firm, or corporation to hinder or interfere with the Electrical Inspector or any of his assistants in the discharge of their duties under this code.

**109.9** The Electrical Inspector may delegate any of his powers or duties to any of his assistants.

**109.10** Whenever any electrical conductor or electrical material in or on any building or any electrical conductor of any pole line or any conductor underground becomes or is in a condition that is dangerous to life or property, the Electrical Inspector is hereby empowered to condemn, disconnect, and cause the owner of such conductor or material to immediately correct same or have it removed.

### **109.11 Stop Work Orders Authority For Issuance**

An Electrical Inspector may issue an order to stop electrical work on any building or structure, where such work is being done contrary to the provisions of this code or in a dangerous or unsafe manner. Notice of such order shall be in writing and shall be given to the owner of the property, to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Upon receipt of such notice, work shall be stopped immediately and shall not be resumed until the required conditions are met. Where an emergency exists, verbal notice given by the Electrical Inspector shall be sufficient.

### **109.12 Inspections And Right Of Issuance**

(a) The Electrical Inspector shall inspect or cause to be inspected all buildings in the course of construction, alteration, or repair as often as may be necessary and shall see that all work is done in accordance with the provisions of this code.

(b) All new electrical work and such portions of existing systems affected by new work or any changes shall be inspected to insure compliance with all the requirements of this code and to assure that the electrical systems(s) are in accordance with approved plans and permits.

(c) Whenever necessary to make an inspection to enforce any of the provisions 6 this code, or whenever the Electrical Inspector has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous, or hazardous, the Electrical Inspector may enter such building premises at all reasonable times to inspect the same or to perform any duty imposed upon the Electrical Inspector or Chief Building Official by this code, provided that when such building or premises is occupied, he shall first present proper credentials and request entry. If such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Electrical Inspector shall have recourse to every remedy provided by law to secure entry.

(d) When the Electrical Inspector shall have to obtain a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care, or control of any building or premises shall fail or neglect to promptly permit entry thereto for the purpose of an inspection pursuant of this code.

**109.13** The Electrical Inspector shall have the authority to review payroll, tax, and insurance records to insure article 102.4 is being complied with.

**109.14** The Electrical Inspector shall have the authority to require the presence of the master electrician on the job for inspection.

## **110 Electrical Inspections**

**110.1** Master electricians and sign manufacturers shall at all times keep the Electrical Inspector notified of the progress of their work and shall request inspections as the work progresses. Upon receipt of an application request for electrical inspection, the Electrical Inspector shall inspect or cause to be inspected said work within 48 hours after receiving request for inspection; Saturday, Sunday, and holidays are not included in this time. After inspecting the Electrical wiring covered by any permit, the Electrical Inspector shall leave a report which shall state that the work has been inspected and approved or that it is not approved and must be held open for correction; and if the wiring is to be held open for reinspection, no person shall conceal such wiring until they are informed that the installations have been approved by the Electrical Inspector.

**110.2** Master electricians and sign manufacturers shall have all electrical work installed by them inspected before such work is covered or concealed. All cabinet and panel boards, covers, or trims shall be left off for final inspection; any fitting or cover that conceals any wiring which may hinder the proper inspection of electrical work shall be removed at the request of the Electrical Inspector.

**110.3** Immediately upon completion of each and every job, the master electrician shall request final inspection of his work. No meter installation will be authorized until such final inspection has been made.

**110.4** Upon completion and final inspection of air conditioning, building, electrical, and plumbing construction, the Electrical Inspector shall issue a certificate of inspection to the electric utility company stating that the work has been completed according to the provisions of this code.

**110.5** The certificate shall not relieve the master electrician of his responsibility for any defective work that may have been concealed or escaped the notice of the Electrical Inspector.

**110.6** It shall be unlawful for any public service company, person, firm, or corporation operating in the jurisdiction of this code to furnish electricity to any new building, tent, structure, or outdoor wiring of any kind, nature, or equipment, without first obtaining a certificate from the Electrical Inspector stating that such wiring is approved.

**110.7** Whenever electrical service is discontinued to any building or structure for any cause whatever (except nonpayment of bill), a clearance shall be necessary before each building or structure can be reconnected. Any time a building is vacated, the Electrical Inspector must make certain that there has not been any unauthorized changes made in wiring of such building that might create a fire or safety hazard.

## **111 Permits Required**

**111.1** Before proceeding with the installation, alteration, or the addition of any electrical wiring or equipment within or on any building, structure, or premises, publicly or privately owned, within the jurisdiction of this code, the master electrician or electrical sign manufacturer shall first file an application with the Permits Department on a form furnished by the Electrical Inspector and secure a permit; however, no permit shall be required to perform any of the electrical work specified below:

(a) The replacement of lamps ballast or the connections of portable electrical equipment to

suitable permanently installed receptacles;

(b) The installation, alteration, or repair of electrical equipment for the operation of signals or for the transmission of intelligence or information by wire not exceeding 100 volts;

(c) The installation, alteration, or repair of electrical equipment installed by or for an electrical utility for use of such company in the generation, transmission, or distribution of electricity.

To expedite emergency services, master electricians and master sign manufacturers shall be allowed to make repairs before first securing a permit. However, upon completion of such job, a permit shall be secured within 24 hours or the next work day together with a request for inspection of the completed work.

**111.3** A double permit fee plus fifty dollars (\$50.00) penalty shall be paid for any electrical work begun or completed before first securing a permit except as provided in Sections 111.1 or 111.2 above.

**111.4** The application for any permit shall fully describe the work to be done; give the exact street number of the premises where the work is to be done; and the name of the owner, occupant, or builder for whom the work is to be done.

**111.5** All applications for permits shall be accompanied by the payment of the permit fees as herein required.

111.6 No inspections will be made without first securing a permit.

**111.7** When making a request for inspection the following information must be provided:

(a) Job Address

(b) Permit Number

(c) Type of Inspection.

**111.8** All installations shall be in strict conformity with provisions of this code and shall be in conformity with approved standards of construction for safety to life and property. In every case where no specific type or class of material or no specific standards of construction are prescribed by this code, conformity with the regulations in the National Electrical Code shall be prima facie evidence of conformity with the approved standards of construction for safety to life and property.

**111.9** No electrical sign, apparatus, fitting, or material shall be used or placed on sale unless such apparatus, fittings, or material is approved by the Electrical Board as complying with the safety requirements of this code. All such apparatus, fittings, or material which bears the label of Underwriters' Laboratory, Inc., or any other approved testing agency, shall be deemed prima facie evidence to satisfy the requirements of this code, and the Electrical Inspector is authorized to approve such apparatus, fittings, or material which bears the label of Underwriters' Laboratory, Inc., and the Electrical Inspector is authorized to approve such apparatus, fittings, or material without further testing.

**111.10** Except as otherwise specifically provided in the code, approved methods or wiring shall be the same as those provided in the most current National Electrical Code.

## **Non-Metallic Sheathed Cable Where Permitted\**

**111.11** Non-metallic sheathed cable may be used only in private dwellings and apartment houses of not over three stories in height.

## **112 Additional Rules And Regulations**

**112.1** Unless a complete sign circuit is installed at the time of roughing in wiring, each store shall be provided with a raceway run from the panel switch board to the front of the building and shall be accessible.

**112.2** There shall be provided one or more spare circuits in panel for each sign raceway.

**112.3** An individual raceway shall be provided for in buildings where provisions are made for attic ventilation.

**112.4** An individual raceway shall be provided for each gasoline pump or dispenser.

**112.5** Licensed sign manufacturers shall secure an electrical permit when the sign to be erected is internally illuminated or if the sign is to have electrical service.

**112.6** Electrically illuminated signs shall be connected under the supervision of a master electrician holding a master electrician's license in the City of Shreveport.

**112.7** The sign manufacturer shall have the authority to disconnect and/or connect electrical, illuminated signs to existing sign circuits at the sign disconnect or junction box, as provided by the master electrician.

## **112.8 Identification Of Service Vehicles Required**

All persons, firms, and corporations engaged in the electrical business within the jurisdiction of this code shall identify all vehicles used in such business with signs showing the name and phone number of such business. This information shall be correct at all times and shall be affixed or painted on each side of such vehicle and shall be in full view and legible at all times.

## **113 Appeals**

**113.1** Any person aggrieved by a decision of the Electrical Inspector in the enforcement of this code or any other regulation adopted in accordance with subsection (o) of Section 2.04 of the Charter or the City of Shreveport, 1978, as amended, or any person aggrieved by a decision of the Electrical Board, may appeal to the Building Code Board of Appeals in the manner provided in Section 007.1 through 008.2 of Chapter 00 of the Shreveport Comprehensive Building Code, as amended.

## **114 Violations And Penalties**

### **114.1 Violations**

Any person who violates or fails to comply with any of the standards of requirements of this code

shall be deemed guilty of a misdemeanor. Each day during which such violation or non-compliance is committed or continued shall constitute a separated offense.

#### **114.2 Penalties**

(a) The violation of or failure to comply with the standards set forth in this Electrical Code adopted herein shall be punishable by a fine of not more than five hundred dollars (\$500.00) or sixty (60) days imprisonment or both.

(b) The violation of or failure to comply with a stop work order of the Electrical Inspector shall be punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment of not more that sixty (60) days, or both. However, if a stop work order is issued by the Electrical Inspector and the order is complied with and all required conditions thereunder are met, the penalty hereunder shall not be more than one hundred dollars (\$100.00).

(c) False statements or misrepresentation of any material fact in the application or plans on which a permit is based shall be punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment of not more than sixty (60) days, or both. Such penalty shall be in addition to any other remedy for such misrepresentation provided for in this code.

(d) In all cases where the Electrical Inspector finds that the Electrical Code has been or is being violated, he may cause to be arrested the person or persons in violation and shall file the necessary charges against such person or persons who shall be dealt with and subject to punishment as herein provided.

### **Shreveport Electrical Code Administrative Section Appendix "A"**

#### **DEFINITIONS**

General:

For the purpose of this code the following terms shall have the meaning indicated in this chapter or section. No attempt is made to define ordinary words which are used in accordance with their established dictionary meaning except where the word has been loosely used and it is necessary to define its meaning as used in this code to avoid misunderstanding.

Because the primary purpose is to define terms rather than words, the definitions are arranged alphabetically according to the first word of the term rather than the noun.

Definitions contained in the 2002 edition of the National Electrical Code shall also apply to this Appendix "A" except where the following special definitions shall apply:

**Active**—means an individual actually engaged in the day to day operation of the electrical firm, partnership, or corporation.

**Approved**—means accepted or acceptable under an applicable specification stated or cited in this code or accepted as suitable for the proposed use under provisions and powers of the Chief Electrical Inspector.

**Authorized Person** —means any individual person licensed under the provisions of this code to do the work as permitted under the specific provisions of this code.

**Authority**—means the rights and powers given the Electrical Inspector to discharge his official duties.

**Board**—means the Electrical Board as provided for in this code.

**Contractor**—means individual, corporation, firm, or partnership qualified by license to construct, install, or alter electrical systems as provided for in this code.

**Electrical Construction** —means and includes all work and materials used in installing, altering, or otherwise extending an electrical system, inside or outside, or attached to any building, structure, lot, or premise.

**Electrical Sign Manufacturer** —means any individual person who manufactures, erects, or installs electrical signs requiring inspection and approval of the Electric Inspector in lieu of approved testing laboratory labels.

**Electrical Maintenance Work** —means the keeping in safe repair of any and all electrical installations, apparatus, and equipment, and the keeping in safe repair of electrical equipment within a building or on the premises where the maintenance electrician, as defined, is regularly employed on a permanent basis. This does not include the installation of new and additional electrical work, electrical equipment, or electrical apparatus.

**Employee**—any person who is being paid a salary or wages for work performed and is having social security tax and other appropriate taxes withheld from their pay.

**Equipment**—means conductors, materials, fittings, devices, appliances, fixtures, apparatus, motors, transformers, and the like used as a part or in connection with an electrical installation or system.

**Inspector**—means the Chief Electrical Inspector or his assistant inspector who are duly qualified and employed as Electrical Inspectors by the City of Shreveport.

**Journeyman Electrician** —any person holding a current and valid license that is recorded in the records of the Chief Electrical Inspector's office.

**Jurisdiction of this code** —means the corporate limits of the City of Shreveport and any and all areas outside of such boundaries that are served by water and sewer mains of the City of Shreveport.

**Licensed**—means an individual person who possesses a correct and valid license that is recorded in the records of the Chief Electrical Inspector as a person authorized to do the electrical work for which he is licensed as defined in this ordinance.

**Master Electrician** —means any individual person possessing a current and valid license that is recorded in the records of the Chief Electrical Inspector as a person authorized to install or supervise the electrical work for which he is licensed as defined in this ordinance.

**Maintenance Electrician** —means any individual person regularly employed on a permanent basis

by any person and who performs work only in the confines of the building, in or on the premises where they are regularly employed on a permanent basis, and who does "electrical maintenance work" as defined shall be known as a "maintenance electrician."

**Person**—means a living individual.

**Repeated Violation** —any violation or violations occurring 3 or more times in any 90-day period.

**Revoke**—to permanently remove the authority that is provided with the issuance of a license.

**Suspend**—to temporarily remove the authority that is provided with the issuance of a license.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective on June 1, 2003.

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.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective on June 1, 2003.

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.67 OF 2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT BY AMENDING SEC. 26-109 OF CHAPTER 26, 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.

WHEREAS, Section 8.02(c) of the Charter of the City of Shreveport authorizes the Mayor to study the needs and requirements of the City and report to Council any recommendations for action upon any matter he deems necessary; and

WHEREAS, pursuant to this authority the Mayor has identified a need to levy private entities for services rendered by the Department of Operational Services; in order to provide revenues that will allow the continuation of services and products in a manner commensurate with the demand.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that of Article IV of Chapter 26-109 of the Shreveport Code

of Ordinances is hereby amended pursuant to Section 4.20 of the City Charter and shall read as follows:

Chapter 26  
FINANCE  
Article IV Fees

Section 26-109 Fee schedule for services rendered by the Department of Operational Services.

A fee schedule for certain services provided by the Department of Operational Services is hereby amended as follows:

**Standard Specifications for Streets and Storm Drainage.** Thirty dollars each, plus postage, if necessary.

Cumulative monthly bid tabulation sheets. Three dollars each, plus postage, if necessary.  
Individual bid tabulation sheets. Fifteen cents each, plus postage, if necessary.  
City map (1" = 1000' or 1" = 2000'). Ten dollars each, plus postage, if necessary.  
Quarter section map (3'x3'). Five dollars each, plus postage, if necessary.  
Subdivision plat (12"x18"). One dollar each, plus postage, if necessary.  
Plan and profile sheet (24" x 36"). Three dollars each, plus postage, if necessary.  
Small plan and profile (15" x 36") (bond). Three dollars each, plus postage, if necessary.  
Contour sheet (24" x 36") (bond). Three dollars each, plus postage, if necessary.

Contour sheet (24" x 36") (film). Nine dollars each, plus postage, if necessary.  
Aerial maps (36" x 36") (blue line) (424 maps). Five dollars each, plus postage, if necessary.  
G.I.S. map. One dollar per square foot, plus postage, if necessary.  
Compact disc of data. Four dollars each, plus postage, if necessary.  
Water small quarter section (11' x 17")(bond). One dollar each, plus postage, if necessary.  
Sewer small quarter section (11" x 17")(bond). One dollar each, plus postage, if necessary.  
Master drainage (24' x 36")(bond). Three dollars each, plus postage, if necessary.  
Master drainage (24' x 36")(film). Seven dollars each, plus postage, if necessary.  
Master drainage (36" x 42")(blueline). Five dollars, plus postage, if necessary.  
Master drainage (36" x 42")(film). Ten dollars, plus postage, if necessary.  
Odd size prints (bond). Fifty cents per square foot, plus postage, if necessary.  
Odd size prints (film). Two dollars per square foot, plus postage, if necessary.  
Xerox copies. Fifty cents, plus postage, if necessary.  
Microfilm (8.5" x 11"). One dollar each, plus postage, if necessary.  
Sepia. Seventy-five cents per square foot, plus postage, if necessary.  
Film. One dollar and fifty cents per square foot, plus postage, if necessary.  
Permit for encroachment on city-owned right-of-way. Fifty dollars per each occurrence.  
All city, parish, state and federal agencies are exempt from this fee requirement.  
However, a permit must be obtained.  
Use of Woolworth Road sanitary landfill equipment washing facility. Ten dollars per each occurrence with each piece of equipment constituting a separate occurrence. All city-owned vehicles are exempt from this charge.

BE IT FURTHER ORDAINED that when not consistent with the provisions of this Charter, any reference in any ordinance, resolution, law, rule, obligation, contract, grant or document vesting any power in, assigning any function to, or imposing any duty upon any office, officer, person or body abolished by this ordinance, shall be deemed to refer to the office, officer, person or body under the Charter or Code that most closely corresponds to that designated in the ordinance, resolution, law, rule, obligations, contract, grant or document.

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

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

ORDINANCE NO. 68 OF 2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT BY ADDING SEC. 34-55 OF CHAPTER 34, DIVISION II OF ARTICLE II, FLOODS, RELATIVE TO CHARGING FEES FOR INFORMATION PERTAINING TO FLOOD ZONE DETERMINATIONS, LEGAL DESCRIPTIONS, RIGHT OF WAY INFORMATION AND ANY OTHER RELATED SERVICES OR INFORMATION PROVIDED BY THE CITY ENGINEERING MAP ROOM; AND TO REPEAL, AMEND AND REENACT CERTAIN PROVISIONS OF THE CODE RELATIVE TO SAME, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Section 8.02(c) of the Charter of the City of Shreveport authorizes the Mayor to study the needs and requirements of the City and report to Council any recommendations for action upon any matter he deems necessary; and

WHEREAS, pursuant to this authority the Mayor has identified a need to levy private entities for information pertaining to flood zone determinations, legal descriptions, right of way information and any other related services or information provided by the City Engineering Map Room.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Division II of Article II of Chapter 34-55 of the Shreveport Code of Ordinances is hereby created and established pursuant to Section 4.20 of the City Charter and shall read as follows:

	Chapter 34
	FLOOD PREVENTION AND PROTECTION
Article II.	Floods
Division II.	Administration
Section 34-55	Created; Engineering Map Room Fees

Any private entity shall be levied a Map Room fee based upon a flat fee charge dependant on the manner of conveyance and the number of pages. The charges are for 10 (ten) pages or less, anything more than 10 (ten) pages is \$.50 per page. Pages larger than 8.5"x14.0" are \$2.00 per page.

The costs are as follows:

Faxed Information	Mailed Information
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\$5.00

\$10.00

BE IT FURTHER ORDAINED that when not consistent with the provisions of this Charter, any reference in any ordinance, resolution, law, rule, obligation, contract, grant or document vesting any power in, assigning any function to, or imposing any duty upon any office, officer, person or body abolished by this ordinance, shall be deemed to refer to the office, officer, person or body under the Charter or Code that most closely corresponds to that designated in the ordinance, resolution, law, rule, obligations, contract, grant or document.

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

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

ORDINANCE NO. 69 OF 2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT BY ADDING SEC. 78-42 OF CHAPTER 78, DIVISION 1 OF ARTICLE II, STREETS RELATIVE TO CHARGING INSPECTION FEES FOR WORK DONE BY PRIVATE ENTITIES ON STREETS AND DRAINAGE PROPERTIES INTENDED TO BE DONATED TO THE CITY FOR PUBLIC USE; AND TO REPEAL, AMEND AND REENACT CERTAIN PROVISIONS OF THE CODE RELATIVE TO SAME AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Section 8.02(c) of the Charter of the City of Shreveport authorizes the Mayor to study the needs and requirements of the City and report to Council any recommendations for action upon any matter he deems necessary; and

WHEREAS, pursuant to this authority the Mayor has identified a need to levy private entities for construction inspection and testing on Streets and Drainage projects which are intended to be donated to the city of Shreveport for public use; in order to ensure that City specifications are adhered to and to provide maximum public safety and project longevity.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Division I of Article II of Chapter 78-42 of the Shreveport Code of Ordinances is hereby created and established pursuant to Section 4.20 of the City Charter and shall read as follows:

Chapter 78

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Article II. Streets

Division I. Generally

Section 78-42. Created; Private Projects Inspection Fees

Any contractor, builder or developer shall be levied a construction inspection fee based upon construction costs of Streets and Drainage Projects on Properties privately owned, which are intended to be donated to the City of Shreveport for Public use. The cost of the developer for engineering services provided by the department shall be the following percentages of construction costs:

Inspection

In-House Testing

4 1/2%

1/2%

BE IT FURTHER ORDAINED that when not consistent with the provisions of this Charter, any reference in any ordinance, resolution, law, rule, obligation, contract, grant or document vesting any power in, assigning any function to, or imposing any duty upon any office, officer, person or body abolished by this ordinance, shall be deemed to refer to the office, officer, person or body under the Charter or Code that most closely corresponds to that designated in the ordinance, resolution, law, rule, obligations, contract, grant or document.

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

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

ORDINANCE NO. 70 OF 2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT BY AMENDING SEC. 94-44 OF CHAPTER 94, OF ARTICLE II, UTILITIES, RELATIVE TO CHARGING INSPECTION FEES FOR WORK DONE BY PRIVATE ENTITIES ON WATER AND SEWER PROPERTIES INTENDED TO BE DONATED TO THE CITY FOR PUBLIC USE; AND TO REPEAL, AMEND AND REENACT CERTAIN PROVISIONS OF THE CODE RELATIVE TO SAME, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Section 8.02(c) of the Charter of the City of Shreveport authorizes the Mayor to study the needs and requirements of the City and report to Council any recommendations for action upon any matter he deems necessary; and

WHEREAS, pursuant to this authority the Mayor has identified a need to levy private entities for construction inspection and testing on Water and Sewer projects which are intended to be donated to the city of Shreveport for public use; in order to ensure that City specifications are adhered to and to provide maximum public safety and project longevity.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that of Article II of Chapter 94-44 of the Shreveport Code of Ordinances is hereby amended pursuant to Section 4.20 of the City Charter and shall read as follows:

Chapter 94  
UTILITIES

Article II. Water or Sewer Main Extensions

Section 94-44 Accounts; engineering; construction contracts; exemptions.

Any contractor, builder or developer shall be levied a construction inspection fee based upon construction costs of Water and Sewer Projects on Properties privately owned, which are intended to be donated to the City of Shreveport for Public use. The cost of the developer for engineering services provided by the department shall be the following percentages of construction costs:

Inspection  
4 1/2%

As-Built Drawings  
1/2%

BE IT FURTHER ORDAINED that when not consistent with the provisions of this Charter, any reference in any ordinance, resolution, law, rule, obligation, contract, grant or document vesting any power in, assigning any function to, or imposing any duty upon any office, officer, person or body abolished by this ordinance, shall be deemed to refer to the office, officer, person or body under the Charter or Code that most closely corresponds to that designated in the ordinance, resolution, law, rule, obligations, contract, grant or document.

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

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

**UNFINISHED BUSINESS:**

1. Alcohol Retail Permit: Ms. Deborah Hawkins [Employer: 2901 Milam St. (Take-A-Bag Grocery)] (G/Jackson) (Special Meeting scheduled on Tuesday, April 29, 2003 at 3:00 p.m.)
2. Resolution 203 of 2002: Authorizing the execution of an Intergovernmental Agreement with the Parish of Caddo relative to the development and operation of a park and related facilities in the MLK area. (A/Lester) (Tabled on Feb. 11)
3. Ordinance No. 40 of 2003: Changing the names of the Shreveport Blanchard Road from the Roy Road to North Hearne Avenue, and of Ford Street from North Hearne Avenue to Pete Harris Drive, and of Caddo Street from Pete Harris Drive to the Clyde Fant Parkway to Hilry Huckaby III Avenue. (A/Lester) (*not to be adopted prior to July 8 - Tabled on April 22*)

*Motion by Councilman Carmody to remove Ordinance No. 40 of 2003 from the Table, seconded by Councilman Hogan.*

Councilman Carmody: Gentlemen, I know that today we talked a lot about communication and I did get an opportunity to speak with each one of you.

As I stated last week to the Chairman, I'd asked him to poll the Council because my feeling that this particular should never been placed on our Council's agenda and this is due the fact that it clearly violates the spirit of the existing ordinance which is Ordinance No. 30 of 2001 which was unanimously adopted by the previous Council.

As I run through and look at the notes from the minutes of that meeting, I note that Hilry Huckaby was one of the seven votes in support of this law along with Mr. Shyne and Mr. Serio, Mr. Burrell, Mr. Stewart and Mrs. Spigener and myself and as I recall Councilman Joe Shyne sponsored this legislation and the previous Council did not approach this subject lightly. In fact, it requested and convened a committee which included a local historians, citizens and former city leaders to evaluate the merits of such actions and then, there brought forth a recommendation after studying the issues, the proposed street names changes.

Their conclusions are contained in the body of the legislation of this ordinance and it has worked well as policy for the city of Shreveport since its adoption, specifically Item No. 2 states

that no public street or other public property that memorializes (is named) a person shall be renamed, only streets or public property that have a generic or geographical name may be renamed. And then Item 4 states: The names of the streets that is located within a designated historic district shall not be changed unless there are compelling reasons for the change. Since both Caddo Street which is located in the designated historic district in the downtown area and Ford Street which memorializes a person both fall under these stipulations, for this Council to proceed will be violating our own rules and laws.

As I am going back through the minutes and as I head use the word “love” it reminded me very much of former Council member here, Councilman Shyne had made these comments at that particular meeting. He said that these rules and regulations, these policies were put together by a good committee of people who really have Shreveport at heart and people who have been around Shreveport for a long time. I appreciate them putting it together. We had two former Mayors who were on there, Jim Gardner and former Mayor John Hussey. We had John Mims, who I call the Mayor of Mooretown all the time, on there and we had Reverend Williams there and we had other persons who sat in, Eric a local historian who is very knowledgeable”.

Gentleman, I’ve served on the Council when we seemed to be looking at trying to rename the streets right and left and it was basically a situation where it was just, whether or not you had enough votes to go ahead and rename. This is such a really significant action on the part of the Council and the ramifications are so large, then I would ask that we go ahead and remove this at this time.

Councilman Jackson: I understand and I see and I know Councilman Carmody has a good memory, he picked that up. I think Councilman Carmody knows that there some other, perhaps he knows, that were some other underlying circumstances that made Councilman Shyne really want to support this effort, 1. lot greater underlying issues than what appears on the surface. 2. I think that its perhaps a misrepresentation to say that we in fact we were violating the law by putting this on the agenda. And the reason I say this is because the Council who voted on this which you were a part of in 2001 had as much right as the Council and authority to put it on there as we do to put this on there. As you know, it is a situation where this same Council has the power to change an ordinance.

So, it’s a misrepresentation to say that we were basically, that putting it on there was violating the law, the spirit, even the spirit of that law. It was the spirit of that law as given by those particular framers of that ordinance. That does not necessarily mean it represents the position of those of us who now have the responsibility to serve here.

I would suggest that removing it from the agenda under the pretenses that you enumerated may in fact make some sense, but I think the most sensible thing to do is to recognize the spirit of why its on the agenda. The Councilman who represents that district put it on the agenda for a purpose and while we talking about violating the spirit, I don’t want to violate the spirit of his intent in placing it on the agenda.

*I would offer a substitute motion to table to keep this on the table until the Councilman from that district can come back and bring something that may be more suitable to all of the Council (seconded by Councilman Green.)*

Councilman Walford:I have a substitute motion by Councilman Jackson with a second by Councilman Green to leave this on the table.

Councilman Lester: There have been a number of things that we have discussed on this Council. One of the issues that is before us is something that had I chose to, I could have made this an issue each and every council meeting. I could have gotten citizens from every corner of

District A from Allendale to the MLK area, to the Cherokee Park area and could have packed this room, packed this first floor. And, given every reason why we should move forward on either ordinance or some form of this ordinance.

I deferred to do that 1) because there were a number of other issues that were before us. 2) To use a legal term of art, because this issue was not right. We cannot adopt this issue until July 8<sup>th</sup>, up or down. And so in the spirit that our ordinance was offered, I have chosen not to deal with this issue until it is right for consideration because I don't think that we need to.

I think what we need to do is leave this issue on the table and on our meeting on July 8<sup>th</sup>, we deal with issue at that point. Those that choose to support it or whatever form that this ordinance takes will support it. Those that do not have a perfect opportunity to that at that particular time. I'm just (unclear) for us to. . . precedent is a funny thing. You know, I sit here and I talk about consistency in the face of the fact that the law is fluid and we changed the rules on issues all of the time. Councilman Huckaby when he was sitting in this seat or a seat very similar to this changed the name of one of those streets from Ford Street to Earnest B. Miller while he was yet above the ground and there was not any commentary from that family.

I don't think that it is the time for us to deal with this issue right now, because trust me, if I wanted to resort to the whole demagoguery, we could have done that. But what my position was, I spared us and I think if we're going to deal with this, I think we need to have a full blown discussion of the merits of this issue. Not just on votes or what have you. Because the law does say and I think you were very accurate, it says unless there is a compelling reason for change. I believe that if given opportunity, not just myself, but the citizens of District A who were represented by this particular individual could make more than just a compelling reason for change.

I move forward with and I offered this ordinance not with the aspect or with the idea that tomorrow we're going to change every name of every street. But the reality gentlemen is an individual like Hilry Huckaby III comes along once in a life time--like him or not, disrespect him or not or what have you.

So, my position is let us make the compelling reason for change. Other than offering the ordinance, I have not said anything about it and I think as a Councilman that represents this District and as the author of this ordinance, I am at least owed the opportunity to make my compelling reason for change. Because the statute does allow, that if there is compelling reasons for change that we can make a change. If after I make my argument, and present my position on July 8<sup>th</sup>, which trust me I will, and the citizens of this area, that the people that asked me to move forward with this have made a compelling argument, if that argument is not persuasive, if their reasons aren't compelling, then I think you are well within your rights to vote not to support this ordinance. But for us to deny the citizens who asked us to move forward with this ordinance an opportunity to come before the Council and make that compelling argument, I think is a bad idea.

And so if again, if you were deciding that you want to pull this off the table and vote it down, I'm you know, to quote another speaker, I mean its not like its going away, because I could very easily come to the next Council Meeting and vote to adopt it. But rather than do that, let's just deal with the issue July 8<sup>th</sup>. I don't think there is any exigency, I don't think anyone's going to be prejudiced by dealing with it that way. I think that at time we will have a full and complete hearing of the issue. And if at that time, the arguments aren't compelling to you and you don't believe there is a compelling reason to change the statute in this particular instance,

then you will vote accordingly and I will not deny you that opportunity.

But I would just ask that we do not disturb and just deal with it on July 8<sup>th</sup> as it has been, we can statutorily move forward and do so and that would be my argument and my request to the Council.

Councilman Green: I would like to say, I think that it would be very unfair for due process to take place. In fact I think this would be the first time, that I would have witnessed an item by author on Unfinished Business was removed.

And even when we talk about merit, we changed the former Council, the previous Council changed Grand Avenue to a hero in the music business which Lakeside Baptist Church had been there for 90-11 years, that their address all over the country was Grand Avenue, but because a hero in the Music Business died and we wanted to let somebody know that we loved him, and we appreciated him, we changed Grand Avenue to his name.

I just think that the real deal is not because we're breaking the law, the real deal is because there are some other citizens that have cried out to say, *don't y'all do that because the Ford Family or the other family or whoever family would be embarrassed and they would not like it*; so that's the real deal. It is not because we're breaking any laws, its simply because there is an outcry on another side of town to say "don 't y'all do that." And I think that its important that we start really telling stuff just like it is. That's the problem, its not we're breaking the law, there are some folk say: 'don't do that to the Ford Family; that's it. Nobody cried out to say don't do that to Lakeside Baptist Church. There were something that we were gonna do and we did it.

I just think that we need to stop hiding behind stuff and just tell it like it is. There are some folk saying 'we don't want that to happen.' So, therefore however many go down there and y'all just. . . in fact, we're tired of seeing it on the agenda; so, take it off the agenda, don't wait until July 8<sup>th</sup> , we need it off now, so that we won't even have to think about it. And I think due process ought to take its place.

Councilman Lester sponsored the legislation and I think it would be very unfair for me to come in his district and say *I need this off the agenda*, because whether we admit it or not, we're all protective of our districts. And I just think that if in fact I can handle District F, he ought to be able to handle District A. And we ought to be able to handle our individual district because sooner or later, something is gonna come up in each of our districts that everyone of us at one period of time will disagree. And its going to be difficult to say 'well, you know this is good and this is bad.' I think due process ought to take its place and we ought to call a spade, a spade and we ought to call a heart, a heart. Its not that we're breaking the law, its that there are some people that refuse to have this go through and that's the real deal.

Councilman Walford: I gotta make a couple of comments here, I will not support this. I've told Calvin from the get-go I won't support it. And what people seem to be missing is that Caddo Street is in District B, that's in my district. And I can't see dishonoring one person to honor another and I think Mr. Lester knows that if he picks another street or takes Caddo and Ford out of the equation that I might very well support it but I will not support it. So, the question I ask is. . .

Councilman Jackson: Point of order Mr. Chairman. The motion that's on the floor is about putting it on the table and allowing him to change it and bring it back not just taking it off the agenda all together.

Councilman Walford: Okay, I'll still make my comments. . .

Councilman Jackson: No, no. I was just saying that you were saying that you were against it.

Councilman Walford:: That's right we have a substitute motion and I accept it. But whether it be now or July, I won't support changing, certainly Caddo nor Ford Street. There is a great deal of expense involved because we now have to notify all the owners so, I think taking it off the agenda if it doesn't have the support to pass in July is the prudent thing to do.

Councilman Jackson: Mr. Chairman.

Councilman Walford: Hello, what time is it? 7:15, I've had no caffeine you'll notice.

Councilman Jackson: My issue is that I see something that is a sweeping, it seems to me, or it appears let me say, to be a sweeping attempt to kill the spirit.

If the letter of it is what is, what the fundamental disagreement about, then I'm sure Ford Street and whatever else you named the other streets, all of that can be perhaps looked at again and the author of the legislation who put it on the table and nobody rejected putting it on the agenda, and we all read it that day, like we read it today. Nobody said that day, which I think was the appropriate time to bring up the question of whether or not this was legitimate for us to do what we should have done, nobody did it that day. And certainly that doesn't mean that we don't have the right to go back and to think about it and come back and change our minds, not trying to prohibit us from doing that.

What I am trying to say is that if the author of the legislation has the opportunity, he brings this back up in July, you've already said it, you're not going to vote for it. I'm assuming if it is in the same condition that Thomas who made the motion, is not going to vote for it. I think we're back to what everybody was just arguing with me about a few minutes ago. The Administration said leave it on and if we don't do it, we can come back and do all those things. My amendment was to leave it on the table, give the author the opportunity to hear what the discontent was. Go back and he decides as the author to change that, then in fact what could happen is, then perhaps its palatable to all of us who are here or to those who have some problems with it now.

What I was trying to protect is what Thomas spoke about. The spirit of the author's legislation. And so, what I'm asking us to do and calling for the vote on is, *a substitute motion that will allow this to remain on the table until such time as the author of the legislation either makes the necessary changes or it dies in July.*

Councilman Gibson: I remember when Councilman Lester brought this to the table and again, been accused of a lot of different things, but I have supported my colleagues when they want to bring something to the table that they feel strongly about.

My concern on this situation which I feel is unique and we've talked about unique several times today. The uniqueness of this particular piece of legislation as I understand it, and when I voted for it, I didn't understand, that's why we put it on agendas to be able to get two weeks or however much time.

And I have to direct this over to Mr. Thompson because in the discussion with him over the last few months since we passed this legislation, I didn't realize and he's helped me understand a little bit better. But, I'd like to get a little bit more understanding the difference and the uniqueness of this particular legislation is, we have to have 90 days moratorium on this if I understand it correctly. Is that right?

Mr. Thompson: That's correct.

Councilman Gibson: 2. While that's going on, there is a tremendous amount of resources, both human and monetary that's going in to the due diligence, using Councilman

Green's words, *due diligence and process* in anticipation of some decision come July. Is that correct?

Mr. Thompson: That's correct.

Councilman Gibson: And we're spending an inordinate amount of money and human resource time which is money, in this process and that is the uniqueness of this piece of legislation. In doing all the research, verifying all the different components and again I'm way out of my league on this, I'm just going based on some of the bits and pieces that I've heard you talk about. And, again, we understand as a body up here, cut our budget 4 ½% two weeks ago and everybody's running a tight ship in all their particular departments, but there is a uniqueness here. Now, Councilman Lester, that's not in for or against what we're talking about here; don't misunderstand me.

But there is a huge difference in what we have before us versus something that Councilman Green, we are looking at in terms of let's say, I've got a street in my area that needs something done to it or I've got a piece of property that needs to be rezoned that is basically kind of within a day or two or a week or two of getting resolved, this is over a 90 day period of which. . . My question is, is there a process? And I guess until I understood what we were passing back, and I don't even know when it was, back in March I guess was, when Councilman Lester brought this to their attention. Does all that due diligence have to take place leading up to that July period? I don't know the answer to that. Is there an answer to that Mr. Thompson?

Mr. Thompson: I think that I'm obligated to move forward to do all of the things that the ordinance says that I'm supposed to do unless I'm directed by the Council not to.

Councilman Gibson: Well, I guess the reason why I'm asking, because again I'm a little bit slow up here, maybe it's just a lack of hair and things of that nature, but. . .

Councilman Jackson: Ain't got nothing to do with it.

Councilman Gibson: It just seems to me that you know when we passed this, there could have been a caveat to say, until we're ready to vote on this thing, the clock doesn't start ticking in terms of all the due diligence and all the resources and things of that nature that go into it.

Because you know, I appreciate the democracy that we all are charged with up here in terms of casting our vote. But, as I understand it, this is the last thing that Council, the Clerk, probably wants to be able to go through. I mean, we throw a lot of things at y'all over there on that side of the table. But that's where my focus has been over the last few months and to respond to Councilman Green's comments, I haven't had one, single person in families or things of that nature, maybe because I didn't grow up here. It is my hometown, but I haven't heard all this comments from all these so-called people out here saying *you need to do this or you need to that*.

Again, maybe I'm just . . . get down to the brass tacks, the dollar amount. And, again, I worked with Councilman Huckaby on Fair Share. I worked with him and Councilman Shyne and Larry English on a variety of things together and I respect what he has meant. In fact, when he was going through his initial health problems, he showed up at a meeting that he called over at a steakhouse out in southwest Shreveport. And I really didn't think he needed to be there, but he felt so strongly that he wanted to meet with a group of contractors to talk about Disparity Study and Fair Share and things of that nature. So, I understand your passion, Councilman Lester and the other passion that we have in the community for an individual.

But, in my mind I'm still wrestling with the amount of due diligence in that in its point is the difference between this piece of legislation that we are dealing with than just about anything else that we've brought before this body with the exception of the November, late November,

and early-December budget talks which were obviously in the \$400,000,000 range. But, I'm not suggesting that's what this is, cause it's not but it is a pretty sizeable amount of time and effort on your part Mr. Thompson and your staff's part to try to be ready for whatever we do in July.

Councilman Lester: First I would say, much of the work that goes with complying with moving forward on Ordinance 40 has already been done. Much of the background work has been done and we've gotten to a point where we are ready to do some other things.

Certainly, I would think that if cost is an issue, well, we just voted to take \$500,000 from the Riverfront Fund, I would ask that whatever the bottom line is, we just take it out of the Riverfront Development Fund. I don't think its going to cost \$500,00. And if \$500,000 s not going to affect our bond rating, then I don't think that we're so cash strapped that we can't do this.

I don't think money is the issue--certainly, I don't think it is. Again, I can't tell anyone what to do and you're going to vote and we are going to vote, the way we're going to vote. I would just ask and I'm making this point as reasonably as I can. I would just simply ask that as the author of this particular ordinance, and the representative from this District and true enough, it is now a part of Ford Street and (although the majority of Ford Street is in District A) and Caddo Street is in District B, for the record, those streets were also part of District A up and until the time where we have redistricted. But I would just merely ask that this Council consider allowing the author of this ordinance as well as the people in District A and the people who are supportive of this ordinance (for a lack of a better term) have their day in court. I mean, I don't think anyone is going to be prejudiced. I think most of the work in terms of the due diligence has been done. I think the issue is, mailing the letters and getting a response and then moving forward. Certainly, if this Council does not believe that Mr. Huckaby merits that, then say that and we'll move on to something else.

But, I'm just concerned that we would do something like this in terms of pulling something off of our agenda and voting just to throw it into esoterics based on a price tag when we do a number of things, we've just done some things as it relates to price.

I would just merely ask that myself as author as well as the citizens of the district that want to see this ordinance passed get an opportunity to make their case before this body. Again, if that case is not compelling because again, the ordinance that Councilman Carmody so eloquently read from says in fact that unless there is a compelling reason for change, so this is not an absolute in terms of what we're trying to do.

And I understand where Councilman Walford has articulated his position and at a certain point, Councilman Walford and I are going to sit down and we're going to talk about this and there might be some resolution that we come to and we might not. But that process has not taken place, because this issue has not been ripe.

And what I would just merely ask, just like we said moments ago, allow something to remain on the agenda while due diligence is done and after due diligence is done, if we decide that we don't want to do it, then we won't. I mean, I think that's just what we did just moments ago as it relates to your two amendments with the Riverfront Development Fund. So, I don't think we've lost anything, I don't think we've prejudiced anyone, and those people that are on the Council that don't want to support Ordinance 40, whatever form, shape it takes, then they will be well within their rights July 8<sup>th</sup> after the people that want to speak on it have spoken, the citizens that want to address this Council have done so, then we move forward.

But for us to deny them that, certainly to deny them as you know, I need to check and see if Reverend Green is practicing without a license, but he is absolutely right as far as the whole

due process angle. Certainly if the people would have known that, that's what was coming before them, then they could have said something in terms of (Oh, well, I can't preach without a license, so he shouldn't be able to practice law with one and I say that tongue firmly in cheek, Pastor.) But I just think that we would set a bad scenario if we did this and not give the people that want to be heard on the issue, an opportunity.

So, I would urge support of Councilman Jackson's substitute motion and again, I would call for the question.

Councilman Green: Councilman Lester, I've been known to handle a few cases, but I didn't get paid.

Councilman Lester: Well, that's alright then,

Councilman Jackson: I've been called a lot of things, but not a lawyer, huh.

Councilman Green: I've been called a lot of things, as Councilman Jackson said, but not a lawyer. I kinda like "Butterbean Green."

But along with what Councilman Gibson has said about he hadn't been called and I could appreciate him saying openly that he had not been called. But I would be willing to bet and I'm not a gambler, I would be willing to bet my jacket that I have on that I love so dearly, that, that is not true for all the rest of us, as to, we have not been called.

The next thing is when we talk about spending money, I've discovered in America, we buy what we want and we beg for what we need; so, money is never a problem. In fact, when you talk about city government, we gave away \$1,000,000 dollars. We gave away \$600,000 (not this Council) but its in the record. We gave away \$250,000 and we came up with a reason to do it that was sound; so, we can do anything we want to.

But, I just think that if in fact, one particular item is given due process, then I think we ought to be consistent. And along with what I just said a minute ago with the legislation that Councilman Gibson was sponsoring, I did not want to support it because of whatever, but I did.

And, here again, I just think that if in fact you're going to vote against it, then call your constituents up or call whoever is calling you and say look, I just wanted due process to take place. And they can't vote against you or for you for the next 3 ½ years anyway.

Councilman Jackson: Call for the question.

Councilman Gibson: I'm going to use a couple of City Councilmen's statements in terms of money and issues. This is an apples to oranges scenario. Let me ask you something Mr. Thompson. Did I hear you say, and one of the things that would weigh heavily on my mind is this, the Council could direct you to cease and desist or temporarily delay the due diligence on all the discovery?

Because again in my mind, if we vote on something, just like on the amendment that we were talking about, the ordinance that we were talking about on asphalt overlay. Until that final vote is taken, the Administration can't do a thing. And again, on this particular piece of legislation, did I hear you say that the Council would direct you to delay until July any further due diligence that you could do so and stay within the spirit of what we're doing?

Mr. Thompson: What I said was, that I thought that I had an obligation under the ordinance to move forward unless I was directed or the Council took some action that directed me not to do it.

I would bring up though that if you direct me not to do it, then when July comes, you will not have done everything that the ordinance requires and it would not, probably not be right for a voting at that time..

Councilman Gibson: So, there is, then again, (unclear) what you're going through over there, there is an interdependence?

Mr. Thompson: Yes, one of the things that we do is, we send letters to all of the people who own property that abuts either one of these streets and we notify them of the action that the Council is proposing to take and ask whether or not they agree or disagree with the proposed action of the Council. And then once we get all of those figures, then we have to tabulate to determine what percentage of the owners of property that abuts the street or what percentage, . . . I might not be saying that exactly correct, agree or disagree with the proposed action. And so, that's one of the things that the ordinance requires us to do. It also requires us to look at the business owners and to notify them and to give the Council an ideal of the number of the businesses that are there, so that they will have some idea of what it costs businesses to change.

So, there are a number of factors that must be weighed under the ordinance before it is right for action. And, that if you would direct me not to do anything else at this time, I don't think those things will have occurred by that time and you will not be in a position to vote if you are following the dictates of the ordinance.

Councilman Gibson: So, this is a very, very unique situation that we're under here.

Mr. Thompson: Yes.

Councilman Green: Okay, on Ford Street, I don't believe there are a lot of business owners. There are some possible homeowners that if in fact you send the homeowners, in fact, I basically can't think of maybe but about three business owners that's on Caddo. Of course, if you send the homeowners the letters, then I don't think they are going to object. So, it is more unique than what the uniqueness look like.

So, therefore again, it brings us back to. . . I don't think you will find a letter with a business on Ford Street saying 'we don't want to change the name', because there are not a lot of businesses down there, if you all have not gone, I'll take you on a tour when we leave here. But there are some residents that's on Ford Street and I don't think that they would be the ones with an outcry. Whatever outcry that we have, will come from outside of Caddo and outside of Ford. Again, I would urge this Council to just leave this on the table or to accept Councilman Jackson's substitute motion and let's move forward.

Councilman Jackson: I just wanted to call for the question. And just a note of clarity for this council, henceforth, I hope and I think Ms. Glass can reinforce what I'm saying. Whenever there is a call for the question in parliamentary procedure, the call for the question is not debatable. The next vote should be a vote on whether or not the call is one that we're going to listen to. If there is another person who wants to speak--if there is nobody who wants to speak, we immediately vote. If there is somebody who wants to speak, that person must wait for a vote to see whether or not the call is a legitimate call and then we proceed from there. But we've been having discussion following a call, which is out of parliamentary procedure. (You are doing it now. We are doing it now.)

Councilman Walford: You're calling for the question?

Councilman Jackson: Right

Councilman Walford: My question of you as we vote, we're voting on?

Councilman Jackson: The call? If somebody else still wants to speak.

Councilman Walford: No, no, no. Your motion is to leave it tabled; so, a "yes" vote leaves it tabled?

Councilman Jackson: Right.

Councilman Walford: Everyone got that?

*Substitute motion approved by the following vote Ayes: Councilman Lester, Gibson, Green and Jackson. 4. Nays: Councilman Walford, Carmody and Hogan. 3.*

**NEW BUSINESS:**

1. Taxi Driver License: Idea Badger. (Decision rendered on June 9)
2. Sexually Oriented Business Employee Card: George S. Yerger IV. (Decision rendered on June 9)
3. Sexually Oriented Business Employee Card: Jessica Anderson. (Decision rendered on June 9)

Councilman Jackson: Mr. Chairman, its not on the New Business, but I would . . . well I'm sorry. There is one that somebody is here on after we finish that. I have a . . .

Councilman Walford: Right. Madame Clerk, am I supposed to be reading these or do you?

Ms. Lee: Well, the only thing we have left is the BAC 22-03 for M L & FANNIE H. CALDWELL.

4. BAC-22-03, M L & FANNIE H. CALDWELL, 2216 Hollywood Avenue, Special Exception use and a variance in hours of operation in a B-2 Dist., package liquor (including daiquiris) with a drive-thru operating to Midnight Monday -Thursday and 1 a.m. Friday -Saturday. (B/Walford) (Postponed on May 27)

Councilman Walford: Okay.

Ms. Lee: And I think that is in your district.

Chairman Walford: That is in my district? Can the Chair make a motion?

Councilman Green and Ms. Lee: Yes.

Motion by Councilman Walford, seconded by Councilman Green to overturn the ZBA and deny the appeal

Councilman Walford: You've all heard from Reverend Gant.. I've heard from a lot of the neighbors, perhaps Reverend Green has too. They don't want more liquor along there.

Captain Shoemake, could I ask you to step forward and shed any light on this for us?

Councilman Green: We are ready. A clarification of vote to overturn is "yes?"

Mr. Thompson: Yes.

Councilman Walford: Okay, I would ask you for a "yes" vote.

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

Councilman Walford: Thank you very much. Reverend Gant, thank you sitting here for so long

Reverend Gant: I'll see you in two weeks on the next one.

Chairman Walford: I genuinely appreciate you being here.

5. *House Bill 1822: Councilman Jackson moved to suspend the rules to add an item to the agenda relative to the expressing support for HB 1822 by Representative Cedric Glover, seconded by Councilman Green.*

Councilman Hogan: Excuse me Mr. Chairman, this is for introduction?

Councilman Jackson: No, this is really to express support to add an item to the agenda which would express, simply a letter or what have you, to express support for House Bill 1822 by Representative Glover. But we can't bring talk about it until we get in on the agenda; so, I was moving to suspend the rules that we might entertain it.

Councilman Hogan Mr. Chairman, I would like, I have not seen this, I've heard it talked about.

Councilman Walford: But right now, we're on the suspension of the rules.

Councilman Hogan: Okay.

Councilman Walford: So, we're merely moving that. He stated the purpose of his motion to suspend the rules. So, the question is at the moment whether or not to suspend the rules.

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

*Motion by Councilman Jackson that the City Council of the City of Shreveport would support House Bill 1822 by Councilman Glover which authorizes the governing authority of certain municipalities, Shreveport in particular to create Citizens Review Boards to review actions of police officers, seconded by Councilman Lester.*

Councilman Hogan: I have not had a chance to read the Bill and I can't support something that I have not had a chance to read, so, I would like to. . .I'm in support of putting it on the agenda, but I need time to read the Bill.

Councilman Jackson: As you know the Legislative Session is in progress right now as I stated earlier. Mr. Thompson, I think e-mailed everybody and faxed or sent a fax of a letter that Representative Glover sent outlining some of the specifics of the Bill. And, I might add also, I'd be glad to provide a website, where you can find the Bill No. 1822 on the Internet through the State legislature. But it in fact is just what is written there and it also speaks to training of officers and areas of diversity and sensitivity and those kinds of things.

But I assumed everybody sent, everybody read, everybody had gotten a fax or e-mail because it was all done just recently you know and of course between Friday, I'm sorry Wednesday and today some time.

Councilman Walford: Not to interrupt you, but are there two separate Bills. Is the Training one, I got the information on the training, but I didn't get any information on the other one?

Mr. Thompson: I attempted to e-mail both of them to everyone. Now, Mr. Carmody indicated to me that he could not pull his up.

Councilman Walford: I couldn't either.

Councilman Carmody: Every time I clicked on it, it goes to the Shreveport web page. It used to have a link that tied it to the document, but its no longer doing that.

Mr. Thompson: No, I mean the bill, Cedric's Bill. When I tried to e-mail that to you.

Councilman Carmody: Oh, I have not received it.

Mr. Thompson: You indicated to me that you could not pull it up, could not open it and I faxed it to you, I believe or we talked about I'm not sure. I read it to you.

Councilman Carmody: Yeah, you did. You read it to me.

Councilman Walford: Well, it went to hieroglyphics when it came to me. It was in a format that just would open.

Mr. Thompson: We attempted to send it to everybody and apparently that didn't work.

Councilman Walford: So, I have not seen the bill, I'm like Mr. Hogan. But what you sent on training on a separate Bill No. 1800 and something.

Mr. Thompson: The Training Bill was in WordPerfect.

Councilman Walford: And it came through.

Mr. Thompson: Yes and the other bill. . .

Councilman Walford: And I have no problem with supporting that one, I just don't know what the other one said; so, I guess if I may question Mr. Jackson,

Mr. Thompson: I mean I have a copy of it here, but I don't know how we could get it to everybody to be comfortable with it.

Councilman Walford: If we separate the two, I'm very comfortable going with the one I've read on the training, if you would consider separating the two items. I'm shooting in the dark on the other one, I haven't seen it, other than the little bit in the newspaper.

Councilman Green: Is there a way for us to vote for support and if in fact once you read the letter or read the Bill that he has, then we can direct the Clerk as to what we are supporting? Basically what the Representative needs is some support. And basically Councilman Jackson has given us the nuts and the bolts as to what's in the other bill, as to a Review Board or whatever. Its either you're for a Review Bard or you're against one. Its either you are for the citizens having the opportunity or you're against that. So basically, he has summarized what the basic legislation is all about. And I just think, its either we're gonna give the Representative support for it or we're not gonna give him support for it. That's basically where we are.

Councilman Jackson: Mr. Chairman, the other alternative obviously, I think the sensible other thing to do is if there is any concern is to make sure that the letter simply states what in fact we do support. Not in fact, it does not have to say Bill this and that. . .but we may support what we support. You know and I think not having read it, we can still say whether or not we support A, B, or C. Whether we support legislation that would require additional training, whether we support legislation that would what. . .allow municipalities to if they choose to so impanel and empower a Police Review Board, whatever the case may be.

Councilman Lester: Mr. Antee is here. Has the Administration taken a position on HB No. 1822 by Representative Glover, and if so, could someone articulate what the Administration's position is on that?

Mr. Antee: The Mayor has been involved directly with Representative Glover as well as with Michael Wainwright, the City's lobbyist. If it's the deal, I'm thinking of, there's been discussions and possible amendments. I don't know what form the Bill is in now, whether its in it's original form, when offered prior to Session or if it's been modified or changed in committee. I don't know what form its in and I don't know what the Mayor's knowledge of where it is now, is. So, I can't comment for the Mayor as to what his position is on the Bill and I can't comment as to how he's instructed Mr. Wainwright to handle it down in the Legislature without knowing what changes may or may not have been made to it.

Councilman Hogan: Mr. Antee, do you know if we were to postpone this vote, would it put us past the possibility of it being accepted in the session down there? When does the session end, is my question?

Mr. Antee: I think the session ends by Statute on June 23<sup>rd</sup>, but don't hold me to that.

Councilman Hogan: Okay.

Councilman Jackson: Say again?

Mr. Antee: I think, I'm not positive, but I think remember seeing where the session ends on Midnight on June 23<sup>rd</sup>.

Councilman Jackson: 23<sup>rd</sup> is exactly right.

Mr. Antee: Then I saw right?

Councilman Jackson: Right.

Councilman Hogan: And the date of our next Council Meeting is?

Ms: Lee: 24<sup>th</sup>.

Mr. Thompson: But it would be too late to. . .

Councilman Jackson: Yeah, its going to the House. It is on the House floor this week. He had asked about it last week when the fax was originally sent. But again, mine is just a request of this body. I certainly don't mind, you know, sending one myself just as an individual, but just asking of this body to do it, because either we support it or we don't. And I think, I mean if we have any questions about it, all I can say is we can read the legislation, but I'm not going to ask us to call a special meeting for it and those kinds of things. I just don't want us to pour water on it either, but just give it some consideration.

Councilman Hogan: Mr. Thompson, how long is the information you have there, how many pages is it?

Mr. Thompson: Its about three pages. I can read the abstract to you, if that will be helpful, I don't know whether it will. But I have to caution you, this is when the Bill was originally proposed and there have been amendments and some have been rejected and I'm not sure exactly what the status of the Bill is at this moment. But I can read to you the abstract that I have and if that's helpful and I don't know that it is.

Councilman Hogan: Well, the amendments that have been proposed, had they been conveyed to the Council Members yet? I've not received those either.

Mr. Thompson: The amendment, if the information that was sent by Mr. Glover went through to Council Members, they were a series of, I think four different documents that I tried to send to you and one of those was the amendment that he proposed. And, that amendment was rejected in Committee and there was some attempt to put it back on.

What that amendment essentially. . . there's a provision in the Bill as originally drafted that says that any review, investigation or recommendation of the board shall not limit or be inconsistent with any provision of R. S. 40:2531 or any other provisions of State Law. And what that did was in affect was to prohibit, would have prohibited in our opinion, the Committee from getting certain information from police officers or the Police Department. And therefore there was an attempt to allow this review committee to get the information that it needed from the Police Department or from police officers. And that was the big question of contention as to whether or not that should be changed or not.

Councilman Jackson: In its current form, I'm looking at it on the web site at the House in its current form. There are several things that I'll be glad to share. 1) The Abstract basically says that it authorized the governing authority of a municipality with the population between 175,000 and 215,000 to create a Citizens Review Board to review actions of police officers. 2) Provides that, all complaints alleging police misconduct which acts of alleged misconduct occur after January 1, 2004 are to be received by the Board and the Board may hear individual complaints and review issues regarding community and police relations. 3) Further provides, that any review, investigation or recommendation of the Board may not limit or be inconsistent

with any provisions of law affecting rights of law enforcement officers under investigation or any other provisions of State Law, is the Abstract.

And the law basically, any ordinance adopted under this proposed law would establish the membership of the Board, and the appointment, removal and term of office of members of that Board. It would also be subject to limitations of the act, the duties and procedures of the Board. There are several other things that I'll just enumerate more specifically what each one of them speaks to.

But it talks about the discretion that this Board would have to hear individual complaints. It doesn't obligate 'em to listen to complaints, but it does in fact give them the discretion to hear individual complaints and review issues regarding community and police relations. And based on the investigative findings of the Board, the Board may issue recommendations on the appropriate disposition of a complaint to the governing authority of the municipality and the Chief of Police.

Councilman Hogan: Mr. Thompson, you need to help me understand. We had years ago, the Mayor had enacted a committee, the Citizen Advisory Committee. How is this different from that committee?

Mr. Thompson: This committee would have more power. It would have the power to actually investigate individual complaints. The Mayor's committee looked at the policies and procedures of the Police Department as I understand it, but they could not investigate individual complaints.

Councilman Jackson: And if you all couldn't see the web site, all of the amendments are listed and they are underlined and some words struck out. But the chief amendment as I see it, Summary of Amendments adopted by the House, the committee amendments proposed by House Committee on Municipal and Parochial and Cultural Affairs to the originally Bill, makes act perspective by limiting complaints received by the Board to acts of misconduct which occur after January 1, 2004. So the Board would have no authority over anything that happened prior to January 1, 2004. Only allegations that happen after January 1<sup>st</sup>.

Councilman Lester: What I'm feverishly trying to do Mr. Chairman, is I'm trying to take a look at RS 40:2531 and I'm not getting luck. And I'm saying this for the benefit, if there is anybody in the City Attorney's Office that might be able to use West Law or Lois Law, if they could pull me the RS 40:2531, I really would appreciate that.

The reason I ask is that on the amendment, it says that the proposed law provides that any review, investigation and recommendation of the Board may not limit or be in consistent with any provisions of RS 40:2531 which deals with the rights of law enforcement officers under investigation and the Digest also said it adds RS 33:2338. So, if anybody is upstairs and can hear me, if you could either pull up one of those statutes or somebody could help you pull up those statutes, I really would appreciate it (that is if I can't get it pulled up in the next five minutes).

Councilman Green: I call for the question.

Councilman Walford: We have a call for the question. Can you tell us exactly what we're voting on, please?

Mr. Thompson: It was motion by Councilman Jackson and he can read it again, or I can read it if you like for us to. Would you like for me to read it: "I move that the City Council of the City of Shreve--and this is by Councilman Jackson, "I move that the City Council of the City of Shreveport supports HB 1822 by Councilman Glover which authorizes the governing

authority of certain municipalities including Shreveport to create Citizens Review Boards to review actions of police officers.”

Councilman Walford: So that addresses only the one Bill?

Mr. Thompson: That’s correct.

Councilman Walford: That’s not the Training Bill?

Mr. Thompson: That’s correct.

Councilman Jackson: I’m not aware of the. . .I thought all the language was in a single bill, but its two different bills and I don’t know the number designation of the other bill.

Councilman Hogan: Mr. Chairman, a quick question for Mr. Thompson.

Councilman Walford: We’ve had a call for the question.

Councilman Jackson: You can have a Point of Order. You want to ask Mr. Thompson?

Councilman Hogan: I’d like a Point of Order then to state my question.

Councilman Walford: Ms. Glass, keep me in line with Roberts’

Ms. Glass: Well, on the Call for the Question, Roberts’ Rules of Order says that, you should go ahead and take a vote as to whether to cut off debate. However, it does say that it is permissible for the Chairman to say, No, we have three people who have requested to speak who haven’t spoken yet, but other than that, its supposed to be open to debate.

Chairman Walford: Okay, so Councilman Hogan’s question came up after the call for the question, he was not waiting to speak.

Ms. Glass: So, the maker of the motion to Call for the Question doesn’t yield. Technically, you’re supposed to go ahead and vote and if there are members who believe that there are more, or further debate should be had, then they should vote “no” on the Call for the Question.

Councilman Walford: Councilman Jackson, will you yield to Councilman Hogan’s question?

Councilman Jackson: Absolutely.

Councilman Hogan: This won’t take but just a moment. Mr. Thompson, I’m just wondering if the Abstract that you have right there in front of you, how does it compare to what Mr. Jackson just read from the web site?

Mr. Thompson: I didn’t really follow him, but what he read from the web site is more current than what I have in front of me. His is the most current information that is available..

Councilman Lester: Mr. Chairman, I’m sorry. No, no, no, no, I’ll wait, because Councilman Hogan might not have been finished.

Councilman Hogan: Well, in just comparing those, do you see a startling difference in the two,? Can you tell? Are you able. . .

Ms. Glass: I’m not good at off the cuff, but according to the web site, the one amendment since the original bill is the one that says, *they shall consider only perspective investigations of incidents occurring after January 1, 2004*, that’s what I saw from the web site.

Councilman Hogan: Okay, thank you.

Councilman Lester: Councilman Jackson, I believe read, did you read the entire bill or did you just read the Abstract?

Councilman Jackson: I read the Abstract, a couple of portions that explained the Abstract and the amendment that was at the bottom.

Councilman Lester: Okay. I would ask two things cause this is an unusual situation. Those of us that have dealt with the legislature before know how fast things changes on the fly. I would ask that the Assistant Clerk read the entirety of the Bill, so that at least could have had the

bill read into the record.

I support the idea of a Police Review Commission. My concern is that we're being put, or at least, let me just say me. I'm gonna only speak for me--I'm being placed in a position of voting on something on something that I know what form its in.

Councilman Carmody: Hear, hear.

Councilman Lester: And I just don't appreciate that. I think its pretty unfair for us here in Shreveport to be voting on something that can affect just our municipality specifically, that has to go through the miscegenations of legislative process in Baton Rouge without having the information.

Now, having said that, I will say this, I am in favor of the idea of a Citizens Review Board. And so, if we're going to say that we're going to not say any, with any specificity, what form that Citizens Review Board is in, if we're going to vote to send a letter of support saying we are for the idea of a Citizens Review Board, then I would ask that Councilman Jackson amend his motion for that purpose. But for us to deal with some of the other issues and say specifically we are in favor of House Bill 1822.

I mean, the bill that I read and that Councilman Jackson read just moments ago, is a bill that is in it Engrossed form right now, but we don't know whether or not that bill has been Re-Engrossed which means to say after it has gone from the committee, what exactly is going to happen. Because, several of Councilman and I'm looking at the website right now, several of Representative Glover's bill are either scheduled to be heard tomorrow or have been heard. So, we don't know exactly where that particular process is.

So, I would say, I would vote for the idea, the general idea of a police or Citizens Review Board, but I cannot say that I can vote specifically in favor of HB 1822, because I'm unclear what form it's in. We haven't had a presentation by Representative Glover no anyone of our people that we have down there in terms of our lobbyists, nor have we had any clear articulation of the position of the Administration.

So, I would just say if Councilman Jackson is saying I'm for his motion to support a Citizens Review Board, then I'm saying I'm for that but I can't get anymore specific than that because I mean I'm just not comfortable voting on something I don't know exactly what form its in.

Councilman Jackson: I have no problem with that at all, I'm flexible. And, as a matter of fact, a few minutes ago, I said if we got problems with the specificity of the bill, then what I'm suggesting is if we can agree, which nine out of ten times today, it seems like we cannot agree on what we do support, then a letter could simply say, the things we may in fact support as it relates t a general disposition and not specifics. And it may be addressed in Bill 1875 by Representative from somewhere else, but it just sends general support.

I think when you look at the k at a municipality was written, it really only affects Shreveport . And so I think it would be derelict of us if we are in favor of it in any way to not have weight in at all and to allow people in Baton Rouge to decide this fate without having heard from the Council, period.

The other thing I would caution us to remember is that we, I think we, I don't know what the specific vote is, but we have had times before and we do annually, Mr. Antee if I am correct form. I think we, I don't k now remember the specific votes was, but we have had times before and we do annually, Mr. Antee if I'm correct. We have a lobbyist who goes down and we sit here and agree on our disposition not knowing form a bill is going to end up in when it leaves this place. And so, we generally just say, we have a general support for these ideas that are

priorities for the City. We need money for this and money for and the truth is we never know how the bill is going to come out, we just want our piece in that bill to be in there even if it is amended in any way shape or form, this is what our general support is for. And I think that I what we do in this legislative process when we employ a lobby we state a particular position and hope that somehow or another, they can come out of some bill in some way shape or form; I think that is what we do.

What I am asking is for us not to be any more reckless, I' not suggesting that we would be reckless in doing this. That we would describe those of us, you know I know I don't have a problem voicing what I am support of and those of us who are not in support of them, lets say it. I don't want to take all night on this one particular issue. If you are not in support of it, you are no t in support of it, you are not in support of it then lets say it today, you are not going to be in support of it.

You either support a police review board or not. Not in whatever form, you either do or you don't. If we want to specify a form we support it in, then it ought to be articulated. But everybody here is using an excuse. The love to hid behind the fact that, we don't know when it is convenient not to know. And I'm suggesting that, that is what it is. I am not afraid, never have been, not now but I am not going to—I don't need the petty sarcasm. Either you support the motion or you don't and that is all I'm saying. I am ready to vote on it if it dies. I offered and that is all I'm asking. I willing to change it to be flexible to meet whatever pallet you want to, but nobody has said to me except Councilman Lester, here is what I'd be willing to agree on, that's what I'm asking.

Is there something that we are willing to agree on? I think Carmody, earlier said something about peace, and the minds coming together an all of that. You know, that is a great theory, it just hadn't happened in practice on this Council. So, what I am asking is not even for peace—just to say, are we support of that idea or not.

Councilman Green: Councilman Jackson, I am in support of the whole deal. Basically, I agree with everything you say. We hide behind whatever, whatever. I am in support of it. I am in support of it. And I think that basically at this point in time, we all must agree that we need something, so therefore, I am support of a Police Review Board, at this point. And of course, here again, I'll have to go to the brass facts. We understand that the Police has a union and when we run for office, they support us and that kind of stuff and (Councilman Jackson: They ain't support me.) I understand that. (Councilman Lester: Hush. Speak up, hold on. Councilman Jackson: I ain't worried about that.) So therefore, we know that they have a lot of numbers and whatever, so basically when you come down to this, then we don't like to muddy the water.

I am a supporter of the badge. I am a supporter of the Police Department. But I am also a supporter of the citizens and I think that we need a Citizen Review Board, so whatever form it is in, I am supporting it.

Councilman Lester: I would offer this. I would support a Police Review Board that does in fact, that can issue recommendations to the—and the governing authority of the municipality would be, the City Council and a Police Review Board with subpoena power. So I would ask that if Councilman Jackson would include that into his motion, I could support that.

I'll say it again: Police Review Board? Yes. Subpoena Power? Yes. Police Review Board that reports to the City Council. I can support that.

Councilman Jackson: I don't have any problem with that. Let me caution with all the talk that we are doing around this table, at the end of the day, if they pass it in whatever form, we have nothing to say about it because if we don't say anything—what I am suggesting is when the

general public sits by—whether it passes or fails, when the general public views the history of the action of this Council, I might add, the inaction of this Council, the question is if it comes and we had nothing to do with it, it comes and we never weigh in, if we hate it. I think we have an incumbent obligation to send a word down there and say, ya'll talking about our municipality. We don't want it.

I think a letter out to go out here one way or the other saying, we don't like it. We don't like it in its form. We don't like it in any form. We like it in any forms. We like it in some forms. We don't like it in any form. I think something has to be said because it is too easy to sit by and do nothing, because something is going to happen on this bill. It is going to pass or fail in Baton Rouge with the state representatives who are elected and who are down there. I recognize that. The reality of it is that we all ought to recognize that.

It comes down to though whether or not we are going to weigh in, at all. And all I'm saying is that this is a vote on whether or not we weight in, at all. In what form the letter is? I am open to simply saying, I would like to amend my motion Mr. Chairman to say that we as a Council, *I would like to move that we would send a letter stating either our support or non-support for legislation that would in fact create a Police Review Board, seconded by Councilman Green.*

Mr. Antee: I was asked earlier, what the Administration's position was and I've been running back and forth to try and get the Mayor and Mr. Wainwright which I have been able, through modern technology just like when Mr. Jackson earlier didn't want to vote on the Albertson's deal because he didn't have the information and hadn't been provided it. We were fortunate enough to have the architect there to provide the information so that if you get the information and vote. Through modern technology we were fortunate enough to where I could get in touch with the Mayor and Michael Wainwright.

What happened today, the bill came up on the floor. Representative Glover returned it to the calendar which means they didn't take it up and they will bring it up at a later date. His reasoning for returning it to the calendar as stated to our Lobbyist Michael Wainwright is that he wants to offer more amendments when it comes on the floor.

And those amendment were to: provide subpoena power so that this Review Board could have the authority to subpoena and to also to give the Board more authority. The Mayor has stated that he does not have a position because he has not seen the amendments and so in order to form an opinion on the amendments, obviously he has to know what they are and I think Representative Glover was going to get those to Mr. Wainwright as soon as possible so that it could be reviewed. That's the most recent information that I have from both Wainwright who has been down there today with Representative Glover and the Mayor's position, who has been in contact with them.

Councilman Jackson: With all due respect to Mr. Antee, my decision on this has nothing to do with what the Administration feels about it.

My vote is based on how I feel about it as an individual Councilman and I respect Keith's ability to either take a position and/or not based on those amendments and I think he has an absolute right to do that. I am not asking anybody to do anything that takes them out of the boundaries of their rights.

Vote against it. You don't have to get into anything else, just vote against it if it is not palatable to you today, just as it was not palatable to me, I was the sole person who wanted to see the deal. The guy was here. I was able to see it. That is the same reason through modern technology, as Ken brings up that I pulled this up on the screen to see what the current form of

that bill was as of the time I pulled it up. That is all I'm suggesting that I use that which is within my purview to use. Everybody else has the same thing. I am not suggesting that they ought to.

I am just telling you that my decision. You know I have what I believe is a sound and intellectual framework for making my decision and I refuse to allow my or any other person's emotions to erode that framework and I suggest that everybody do the same thing else. You don't have to answer to me about your framework for making a decision. I am just suggesting that I am putting it out there, in hopes that we can get to a vote, be it negative or affirmative, and that we would send a letter one way or the other so that they would know that the City Council is not here with our thumbs, dwindling our thumbs and sitting on the sidelines and that is my concern.

Councilman Walford: I did speak to Cedric Glover. He was asking if we had any questions. And what I was explaining to Cedric was I had explained to him earlier today, I haven't seen the bill. I haven't. My screen is blank for those of you who wondered why I was reading over Mr. Jackson's shoulder, my computer has gone dead (it doesn't like me as chair). But I couldn't digest enough in reading it. I will say that if you would like to and I am not sure the form your motion is in right now since we talked about it so much.

I would go for a very generic letter saying that we would support that concept of both the Police Review Board and diversity training for the officers, but I don't want a reference to a specific bill for the very reason I haven't read it and it is being amended.

Councilman Jackson: I have no problem, that is amenable to me as the person who made the motion.

Councilman Walford: If that is the direction we are going, I will go with you because any board that is adopted, would have to be adopted by this Council and not formed by the Legislature.

Councilman Jackson: It only gives the Council the power to---

Councilman Walford: I want to thank Mr. Lester for making that point, before I had to, we haven't read it and for that reason am not comfortable supporting a bill. I am not in any way saying I am against Cedric's bill because I might very well be, I just hadn't had the opportunity to read it. You want to go with the very generic letter, I'll support you.

Councilman Jackson: I think it is fair Mr. Chairman and I appreciate our support. It can be as general as we would like it to be as long as it is palatable to everybody.

I would add, nobody was listening earlier as I've had a conversation with Councilman Lester. What is causing me the greatest amount of displeasure in this situation is that Councilman Glover did not do what Councilman Glover should have done in order to get this. I am not willing to cut off my nose to spite my face. I am doing. I am holding my nose albeit. I am doing it because I think it is a good thing for the City. Cedric flunked again in my estimation. He failed to do his homework for at least the second time since I've been on this Council. He don't get a pass for that. He should be dismissed for that. But I am just not willing to throw the baby out with the bath water, if you, on this matter.

Councilman Walford: I understand that and I requested about twenty to 3 that this information be faxed to the Council Office so we would have access to it.

Councilman Jackson: *I want to offer again, a motion that would suggest that this Council, that would ask that this Council to send a letter to the Legislature addressed to Representative Glover in support or in non-support, in support let me say of a Police Review, the idea of Police Review Board and the additional training that they are asking to do in those deal, seconded by Councilman Green.*

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

Mr. Thompson: Just to make sure what we put in the letter. The City Council supports the concept of a Citizens Review Board and Legislation requiring additional training for police officers?

Councilman Walford: That was the direction I was going in, but I didn't make the motion.

Councilman Gibson: We are under Suspension of Rules and I have had many a problem over here on my voting. *I am going to make a motion to reconsider Ordinance No. 40, seconded by Councilman Carmody.*

Councilman Jackson: What's Ordinance 40?

Councilman Hogan: It's the re-naming of the street.

Councilman Walford: Any discussion, Mr. Gibson?

Councilman Gibson: No discussion.

Councilman Jackson: Tell me what the deal is again, please. In other words, I would like an explanation of what it is that Councilman Gibson is attempting to pull, I mean, do?

Councilman Walford: Before we go there, so that you won't scold me on Robert's if I may address the, Robert's expert.

Councilman Jackson: I just called for a question now.

Councilman Walford: Right. Since we went into suspend of the Rules for one specific item shouldn't we return to regular session and then have Mr. Gibson make his motion which I guess would be to suspend the rules for to go to reconsideration?

Mr. Thompson: That was our opinion on a prior matter.

*Motion by Councilman Carmody that we re-convene into our Regular Agenda, seconded by Councilman Hogan.*

Councilman Green: According to the Rule, Mr. Jackson did not yield to me, so we voted. But according to the Rule, after we voted then you was suppose to recognize what I had. All I wanted to say was I could not sit idly by and let you talk about my Cousin; that is all I have to say.

Councilman Walford: Now, we have a motion on the floor to go back to Regular Session.

Councilman Lester: I don't think we need a motion to go back into Regular Session.

Ms. Glass: That is correct.

Councilman Jackson: We don't need. .

Ms. Glass: The suspension of the Rules. . .

Councilman Jackson: . . . ended when we finished that subject.

Councilman Lester: That right, we don't need a motion to go back because we suspend the rules for one purpose and one purpose only and we have accomplished that purpose.

Councilman Walford: Now, do we consider Mr. Gibson's motion or does Mr. Gibson make a motion to suspend the Rules?

Mr. Thompson: I think it is to re-consider, is that correct? Is your motion to re-consider?

Councilman Gibson: Reconsider.

Councilman Jackson: What is the number of votes?

Mr. Thompson: One of the rules of reconsideration is that it can only be made by a person who was in the prevailing side.

Councilman Jackson: It was a simply majority?

Councilman Lester: Only a person who was in the prevailing side, can move to reconsider. Let me ask this question. (Councilman Jackson: I guess he is saying, he did it by mistake.) On moving to reconsider, is there a particular point that we, do we have to be in one particular area or another on the agenda?

Does a motion to re-consider something that we have previously dealt with after we've gone past that particular issue. Now, is it germane? Is it one of those motions that supercede and can be considered at any time, that's my question.

Mr. Thompson: I think I mis-spoke. Julie, you want to.

Ms. Glass: If that is not the point where you are on the agenda, then you would need a Suspension of Rules to get off of the regular order of the agenda.

Mr. Thompson : Which requires a?

Ms. Glass: Two-thirds vote.

Councilman Walford: So, at the moment to do anything in this area, I need a motion to suspend the Rules, is that what you are saying Ms. Glass?

Councilman Green: And you need five votes?

*Motion by Councilman Carmody to Suspend the Rules, seconded by Councilman Gibson. Motion denied by the following vote: Nays: Councilman Lester, Green and Jackson. 3. Ayes: Councilmen Walford, Carmody, Gibson, and Hogan. 4.*

Councilman Gibson: Point of Order. Under Robert's Rules, if we are dealing with technical problems, how does that come into play?

Ms. Glass: I am not certain. . . .

Councilman Gibson: I was under the impression, again, I've had several instances where I pushed no and it came up yes and the same thing holds true there. How does that come into play on this particular issue.

Ms. Glass: I don't know that Robert's Rules of Order addresses technical problems, but I think the practice of the Council is that if the machine is not registering your vote correctly, that you say---

Councilman Gibson: I didn't see how cast up on the screen. I just know what I pushed here.

Councilman Jackson: Perhaps, Chief Owens could help us with that.

Mr. Antee: I think Chief Owens had an opinion on the last issue, not this issue.

Mr. Thompson: Is the question that on a prior vote, that your vote was not registered correctly and you did not realize it at the time?

Councilman Gibson: Yes, it is.

Ms. Glass: I have no idea. It seems to me that that would be a Point of Order because your vote did not register correctly. I really don't know what to tell you, I really don't know of any specific rule on that.

Councilman Green: Is there anything in Roberts Rules or Billy Ray's Rule or anybody that you ought to have a timely fashion on knowing that your vote did not register? Can I just get to any point of the meeting that, well my deal was malfunctioning, so I need to go back to that and reconsider?

Ms. Glass: As I said, I don't think Robert's Rules of order or your Rules contemplate a technical malfunction.

Councilman Green: So if it does not address that, how can this Council since we have got legislation that we are governed by Roberts's Rule and since there is nothing there for that, then how can we make up our own rules as we go, when Robert has already said. . .

Ms. Glass: When there is a question of interpretation of the Rules, then a Point of Order can be made addressed to the Chairman. He can rule on it. If the member does not agree with the ruling, then he can appeal it to the entire Council.

Councilman Green: But the Rule does state at this particular time, in order for us to suspend the Rules, that you got to have five (5) votes and that rule is clear. And if we don't have five votes then the rule does state that we can't suspend the rules.

Ms. Glass: That is what the Rules state.

Councilman Jackson: I think Robert's Rule of Order, I obviously will not address the technical—it does not take to the fact that technology is incorporated and it talks about *ayes* and *yeas* and those kinds of things.

I think if I can quote Councilman Gibson earlier, he talked about the citizens in District D and what they expect of him and fiduciary responsibility that he has here. I would say that it is not as in-depth and maybe we don't need to get as deep into technicalities, but I would suggest that each time I vote, I have a responsibility to be sure that my vote was recorded, my vote was cast and it was recorded. I think what Councilman Gibson said, he didn't know what his showed up as.

What I am suggesting is lack of attention on his part in that area ought not constitute for this Council, an emergency. And what I am suggesting is that all of us have learned a lesson from this scenario that if you vote, if you intend for your vote to be counted as you cast it, I would make sure and defend vigorously the fact that my vote is up there, the way it is suppose or raise—if our computers go out, we immediately say, hey it is not working lets raise our hands, that is a correctional measure that happens immediately. And, I guess my concern would be that I wouldn't want his computer to be dysfunctional or nor would I want mines or anybody else's to malfunction but I don't know that we can go back and address it now because I can't take the responsibility as a Council for Councilman Hogan either going out to the restroom or pushing the wrong button or anything like that, that is an individual responsibility and when you usurp that responsibility, then I don't think it becomes the problem of this Council to try to remedy that scenario.

If it is a functional, mechanical error then I do believe that all of us have a vested interested in making sure it operates correctly, but the fact that it didn't show up, I think per vote. I think you can go back and I think everybody knows how they voted and Jeff said one time, Councilman Hogan (I am sorry) said one time today, I didn't push that and it just showed up, but he didn't have a problem with the outcome of the vote so it was not a major issue.

I guess what I am saying that, as a rule for us I think in operating this meeting, we've got to pay attention as each thing begins to happen and then correct it at that point because I think it will be unfair to us to go back now, to say we are going to correct that. . .

Councilman Gibson: Point of Order. I would like to get a ruling of the Chair. Did I hear the ruling of the Chair, could occur?

Ms. Glass: If, you have a Point of Order, you can ask for a ruling of the Chair.

Councilman Gibson: I would like a ruling of the Chair on the cast of the vote, that was cast one way and recorded the other?

Councilman Walford: As unpopular as this going to be, I am going to have to go along with Mr. Jackson that we have a responsibility to look at what our votes are and not come back later in the meeting. And, unless we set a policy for malfunction, that is where I will have go, and remember I was on the losing side of that one.

**REPORTS FROM OFFICERS, BOARDS AND COMMITTEES:** None.

**CLERK'S REPORT:**

Letters of Appeal (*cases not to be considered before June 24, 2003*):

1. BAC-37-03, *Frank Jackson*, 1616 Hollywood: Special Exception Use in a B-2 District - Restaurant with on-premise consumption of low alcoholic content beverages. (B/Walford)
2. BAC-38-03, *Sharron Lacy*, 218 Texas Street: Special Exception Use in a B-4 District - lounge. (B/Walford)
3. BAC-39-03, *D. Richard Carroll, Jr.*, 1401 Oden #2: Special Exception Use in a R-3 District - Expanded Home Occupation (home office with one employee). (C/Carmody)

Councilman Carmody: As I stated yesterday, I will be out of town at our next Council meeting and would ask that the Council go ahead and look to table consideration of BAC-39-03. Both parties have expressed an interest in trying to come to some resolution before the matter is actually considered by the Council and they have asked me to be in attendance, at that meeting.

Councilman Walford: I would have to problem that.

Mr. Thompson: I need to inquire whether we need to notify anybody of that?

Councilman Carmody: Mr. Thompson, I would ask that we please notify both the I believe it is the appellants attorney, as well as the appellant, as well as the Homeowners Association, that is my desire to schedule as soon as we can get together and meet and discussion this. It will not be prior to June 24 because I will not be in attendance. The first meeting in July I think would probably be appropriate.

Mr. Thompson: You've requested the Council to postpone it, but to no date certain?

Councilman Carmody: July, is it July 8 our first meeting?

Mr. Thompson: For the first meeting in July.

**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 9:20 p.m.

*/s/Monty Walford, Chairman*

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