

CC 3827  
11 16 04

**Council Proceedings of the City of Shreveport, Louisiana**  
*November 9, 2004*

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Theron Jackson at 3:04 p.m., Tuesday, November 9, 2004, in the Government Chambers in Government Plaza (505 Travis Street). Invocation was given by Councilman Lester.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Absent: Councilman Green. 1.

**Approve Minutes: Motion by Councilman Carmody, seconded by Councilman Gibson to approve the Administrative Conference Summary Minutes of October 25, 2004 and the Council Meeting Meetings of October 26, 2004. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1**

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

Councilman Jackson: Mr. Mayor, do you have any awards or recognition of distinguished guests today or communications?

Mayor Hightower: Nothing today Mr. Chairman.

Councilman Jackson: Thank you. Any other recognitions, awards gentlemen?

Councilman Carmody: I am pleased to have a representative from the Gladstone Area Partnership here today, John Atkins. If John could come forward please sir? John is here to deliver on behalf of his neighborhood association a check in the amount of \$10,000 to the City of Shreveport and this is an unusual occurrence, but I'm glad to see it happen and I hope that more neighborhood associations come forward. John, if you could kinda explain to us what the neighborhood association is looking to do and what you're looking to accomplish by the donation.

Mr. Atkins: Well, I have with me today our Secretary, Jim Fletcher to help represent us as well. Our neighborhood association is looking to basically revitalize our neighborhood. We're about a 100 year old neighborhood comprised of the streets of Gladstone and Centenary Blvd, Atkins and Forest in the proximity of Centenary College. Our main goal for our organization is to have a safer neighborhood, have a more family-friendly neighborhood that people want to move back into and continue to revitalize. We received a grant from the City for basically community revitalization of which we could use for various things and we had decided to use that for sidewalk repairs. The next City bond issue won't be for a few years and we'd like to continue the sidewalk repair in our neighborhood even beyond what the City is doing right now. And in my mind, that's a good

way to entice people to move back into the neighborhood. In addition to that, we're receiving more street lights this fall and I think it'll be a prettier, safer neighborhood because of it.

Councilman Carmody: I believe that, I know that Councilman Lester has had an opportunity to meet with your neighborhood association and I'm sure that he can attest to you that they are very well organized.

Councilman Lester: Extremely.

Councilman Carmody: And very professional in the way they conduct their business. At this point, I would ask the Mayor to step forward to go ahead and receive that check on behalf of the City.

Councilman Hogan: What was the check for?

Councilman Carmody: \$10,000.

Councilman Hogan: Where is it from?

Councilman Carmody: From the Gladstone Area Partnership.

Councilman Gibson: This is (unclear) privately fund raiser.

Councilman Carmody: Yes sir, they're going to use the money to help assist the City with sidewalk repairs in the neighborhood.

Councilman Jackson: They're not getting it repaired themselves, they're just giving us the money and go to (unclear).

Mr. Atkins: And I wanted to say another thing. I wanted to say thank you for working with us and additionally, when it comes time for more repair or consideration of, please don't forget about us.

Councilman Hogan: Mr. Atkins, I have a question for you. You have a bonafide neighborhood association, the Gladstone Neighborhood Association.

Mr. Atkins: We have 501c3 status of the tax deductible.

Councilman Hogan: Okay, along the lines of what Councilman Jackson was sharing a moment ago, is this funds that were left over from another source? Or is it funds that have come from your - - -

Mr. Atkins: Both.

Councilman Hogan: I'm not clear on where- - -both, explain it.

Mr. Atkins: Okay, the majority of the funds that I'm giving to you today are from monies raised by our organization on our own, either by donations from neighborhoods, or 2) garage sales that we've had in the neighborhood. A small portion approximately \$1500 has come from a neighborhood grant from Community Development from the City of Shreveport and also we received approximately \$3,000 from the Community Development as a reimbursement for some of the monies we're giving you today.

Councilman Hogan: Good. We gladly accept it, I was just kinda wondering where it was coming from. Thank you I appreciate it.

Mr. Atkins: Thank you very much. Any other questions?

Councilman Gibson: I would have to ascertain that your neighborhood association considers infrastructure, probably the number one priority or emphasis for redevelopment for our neighborhood?

Mr. Atkins: That's right.

Councilman Gibson: Thank you Mr. Chair.

Mr. Atkins: To kinda of surmise, we were originally working on putting some

traffic circles and a gateway in our neighborhood, and the cost for that was more than we thought it would be. So, this was- - , it wasn't a stepchild to what we're trying to do, but it definitely helped accomplish the same goal.

Councilman Lester: I just continue to be impressed with the Gladstone group. As Councilman Carmody indicated, earlier, I had an opportunity to come to one of their meetings and sit in on you guys working through your Master Plan process for development of your neighborhood and that along with some other things in some other areas like when Highland formed a basis for our desire to do some Master Planning in both the MLK, Martin Luther King/Cooper Road and Allendale neighborhood, so I just wanted to let you guys know that. Continue to work hard, we really appreciate your work on behalf of your neighborhood and please note that your service to your neighborhood is being replicated in other areas of the City. I think that's a great thing because it's no need for us to reinvent the wheel. When someone has done something successfully, I think we can share the information. Because at the end of the day, everyone wants to have a good neighborhood, regardless of what part of town you live in. So, I just wanted to commend you guys and thank you for your hard work.

Mr. Atkins: I appreciate it and I believe that if more inner city neighborhoods, the ones that are older continue to strive in some form along these lines, I think that less people will tend to move, which is what has happened in the past.

Councilman Carmody: Mr. Chairman, one last comment and that is to echo Councilman Lester. It's good to see a neighborhood invest their treasures in the areas in which they live in. One of the things that GAP (Gladstone Area Partnership) had insisted upon, was trying to make sure that their neighborhood stayed a viable attractive place where people would want to live. And by the donation of the monies today to help supplement the City's fund to do sidewalk repairs, you basically touch all walks of life. From the children that are gonna utilize those sidewalks, to the elderly that have difficulty negotiating anything that's not a level surface. So, my observation here is 'God bless the child that's got his own', God bless y'all for bringing the resources to us to help assist you and keep up the good work.

Mr. Atkins: Well, I appreciate it.

Councilman Carmody: Thank you.

Councilman Walford: Mr. Chairman, as I mentioned yesterday, I will have some distinguished guests. The family of Command Sergeant Major Carl Barnhill. Unfortunately, they're going to be arriving around 4:00, so I would ask your indulgence at that time to honor him with a resolution.

Councilman Gibson: Could I go back, you skipped over Convention Center and Property Standards

Councilman Jackson: We received those reports on yesterday.

Councilman Gibson: I understand, but I have a follow up to that report. Could I be recognized for that?

Councilman Jackson: Well, lets go back then and go ahead Councilman Gibson.

### **Reports:**

#### **a. Convention Center and Convention Center Hotel**

Councilman Gibson: Thank you Mr. Chair. Mr. Antee, yesterday, you were explaining that there has been a shift, or I think your original plan included, I guess for another word, a stop gap financing for the hotel? And I think we're back to that stage. Is that correct?

Mr. Antee: No sir.

Councilman Gibson: Okay, well we're at a - - -

Mr. Antee: I don't think I ever used, I'm not sure what you mean 'stop gap financing', and I don't think those words were ever mentioned yesterday.

Councilman Gibson: Okay. Alright, alright we're financing this thing in a different manner than what was proposed earlier.

Mr. Antee: No sir.

Councilman Gibson: Then, can you explain again. I'm a little slow in understanding how we're going to finance this project.

Mr. Antee: The financing is exactly the same. The only difference is the City rather than being a guarantor for the Hotel Trust Authority, who was going to own and operate the hotel, the City will own the hotel and the Trust will operate. So rather than be a guarantor only, the City now becomes the owner/landlord. The financing mechanisms are exactly the same.

Councilman Gibson: Okay, and they will follow the same guidelines that you mentioned yesterday about Independence Stadium, how we financed Independence Stadium?

Mr. Antee: Yes, they'll be financed through the same mechanism. Now, the actual structuring of the bonds is different in every bond sale. But the mechanism through the LCDA is identical. Cause this one, Independence Stadium is on a purely floating interest rate. This one will be a blended, I think with one-third floating, one-third fixed, and one-third floating with a fixed rate at a certain time.

Councilman Gibson: Okay, and we are going for the length of time for that for us owning or paying out this loan is 30 years?

Mr. Antee: That's correct. Unless it's paid off early because of it's excess revenues.

Councilman Gibson: But the maximum is 30 years.

Mr. Antee: \$40,000,000 par bond amount, 30-year term.

Councilman Gibson: Thank you Mr. Chair. Thank you for that clarification Mr. Antee.

Councilman Carmody: Yesterday, Liz Swaine was nice enough to provide me with the information that I had requested from the Administration regarding the Independence financing and I was wanting to ask if Liz could come forward and help elaborate.

Councilman Jackson: Liz Washington.

Councilman Carmody: I'm sorry, not Liz Swaine, Liz Washington. There are so many Lizs around.

Councilman Jackson: She left. Deposit that check.

Mayor Hightower: Mr. Chairman, while we're waiting, Mr. Kreft from the Broadmoor Neighborhood Association is here.

Mr. Kreft: Oh, I completely forgot.

Councilman Carmody: Make it out to - - -

Mayor Hightower: I just noticed him because he was on the front row.

Councilman Jackson: I think he came to see about taking, and not giving.

Councilman Carmody: Liz, yesterday you had provided me with information on the annual requirements to amortize all the debt outstanding as of December 31, 2003.

Ms. Washington: Yes sir.

Councilman Carmody: And specifically what I had asked about at yesterday's work session was the financing that we had done on the Independence Stadium and was hoping that you could help clarify some information. And there are actually two different categories listed on this statement, this ledger. It shows that 2000 Independence Stadium which is a variable rate and it indicates \$24,730 next to it.

Ms. Washington: Yes sir.

Councilman Carmody: That is not \$24,730 correct?

Ms. Washington: \$24, 734,000.

Councilman Carmody: And the second entry on the ledger shows 2000a Independence Stadium variable, I take it that, that's not \$4,945.

Ms. Washington: \$4,945,000.

Councilman Carmody: Okay then these two - - - can you walk me through the repayment on this obligation. It shows in 2004, a number of 140?

Ms. Washington: Yes sir, that's \$140,000.

Councilman Carmody: And in the following year.

Ms. Washington: And \$30,000 principal.

Councilman Carmody: And in 2005?

Ms. Washington: \$145 and \$30 in thousands. It balances in thousands.

Councilman Carmody: In thousands? 2006, it's \$150, and then \$30,000.

Ms. Washington: Yes sir.

Councilman Carmody: 2007 is \$155,000 and \$30,000.

Ms. Washington: Yes sir.

Councilman Carmody: 2008 is \$160,000 and then \$30,000 as well.

Ms. Washington: Yes sir.

Councilman Carmody: And if you jump over to the next page, it looks like your ledger breaks and goes 2009 to 2013.

Ms. Washington: Yes sir, those are in five year increments from- - -

Councilman Carmody: What is your obligation for that five year period from 2009 to 2013 annually?

Ms. Washington: I don't have that individual schedule, but I'll look that up for you.

Councilman Carmody: Okay now these numbers that you have here do not correlate to it?

Ms. Washington: Like I said, those are in five-year increments, so they may not be five into 130, they differ very well (unclear) one of those years.

Councilman Carmody: Okay, so it's not \$1.3 (million) that would be the annual service on that debt?

Ms. Washington: No sir.

Councilman Carmody: It's five years broken out over that amount. And then the following five years, the \$3,045,000 if for five years and then the five-year increments after that is \$5,575,000?

Ms. Washington: Yes sir.

Councilman Carmody: And then the following five years, it's \$9,130,000 over five years?

Ms. Washington: Over five years.

Councilman Carmody: And then for the remaining five years, which is 2029 through 2033, it's \$4.9 (million), \$300,000 over five years?

Ms. Washington: Yes, if that goes out an entire five years, however many years they go out in that particular category.

Councilman Carmody: Okay, and in all of this obligation, I take it that both of these are repaid through the hotel/motel tax?

Ms. Washington: Yes sir.

Councilman Carmody: Is that not correct? In checking it appears that the amount generated from the hotel/motel tax is dedicated by the State Legislature, the repayment of the I-Bowl indebtedness was \$540,261 for 2003?

Ms. Washington: Okay.

Councilman Carmody: What I'm - - - we have a reserve then for any amount that's over that, so that we're basically escrowing money to take care of these steps as they occur. Is that correct?

Ms. Washington: As the money comes in each year, we're using the money that comes in each year to pay the debt. There is no stash.

Councilman Carmody: Yes, but any overage, if it was \$540,000 for 2003 and the debt service for 200\_, we don't have it on here for 2003, but lets just use 2004 which is what you've got, would have been \$170,000 right?

Ms. Washington: Okay.

Councilman Carmody: Would have been the debt service for the two of 'em?

Ms. Washington: Yes sir.

Councilman Carmody: Okay. So, \$170,000 from the \$540,000, and if I do some quick math, would be \$370,000. That money then is escrowed so that we're retaining that in a sinking fund so to speak to repay this debt off. Correct?

Ms. Washington: It's not really any true sinking fund, but we do have the money. Like I said, any monies, we have in our hands, but it's not any sinking fund, per say.

Councilman Carmody: Then where did the excess amount of monies over debt service go to?

Ms. Washington: It's in the bank. But it's not in a sinking fund.

Councilman Carmody: It goes into the General Fund?

Ms. Washington: No sir. All monies are pooled. It's counted for in a fund, but not in a sinking fund.

Councilman Carmody: Not in a sinking fund. Now, I'm assuming we're investing that in some way to generate some interest so that we can pay - - -

Ms. Washington: Yes sir, all our monies are fully invested.

Councilman Carmody: It's fully invested?

Ms. Washington: Yes sir.

Councilman Carmody: So far, 2004 through September show that the amount generated is about \$434,000. So again, the same formula would apply that we would take whatever the amount needed to pay the debt service and the rest would go into our bank account?

Ms. Washington: Yes sir.

Councilman Carmody: At some point in the future, because it does appear that we run this debt out to the year 2033 and that over five years, it's gonna be \$5,000,000 worth of debt which I guess would be approximately \$1,000,000 a year.

Ms. Washington: Okay.

Councilman Carmody: If we don't have the available monies to service that debt, where does the shortfall- -where is it made up? Who makes that up?

Mayor Hightower: The debt service account.

Ms. Washington: I'm sure that we will have the money, because I've never know us not to have the money to pay for our debt. But there is monies in the pool that could take care, service the debt. When we get there, the money is available. We don't have the dollars today, but as you go along, the money is available.

Councilman Carmody: What we did is would we base the indebtedness on what we knew- -?

Ms. Washington: Excess revenues.

Councilman Carmody: What we knew would be a know commodity approximately of rooms that would be utilized in the City and taking that 75% hotel/motel tax calculated how much debt or how much debt service would be due I guess?

Ms. Washington: We have hotel/motel tax, plus we have rebates. We have two different sources of revenue.

Councilman Carmody: To retire this debt?

Ms. Washington: Hotel/motel tax and then there is the rebate that we get from the State. So there are two pockets of money, not just one.

Councilman Carmody: So, there are two pockets of money to pay back this indebtedness? Okay.

Mr. Antee: Councilman Carmody: I think in furtherance, when we went to the Legislature to get the extra 1 ½ %, we also changed at the time, the money that was rebated back from the State on the 4% occupancy tax to the Shreveport Convention Center and Independence Stadium account so that you'd have the combination of the two funds in order to satisfy the debt. The amount of principal on the front end that's retired each year is smaller as you pointed out in the latter years and the reason behind that was the growth and the taxes generated from the hotel/motel taxes from both sources would then project out to be enough to cover it.

Councilman Carmody: Well, and Ken I guess- -but Mr. Antee what I was trying to get to was that you'd made mention that we were going to utilize the same LCDA/LDA to finance this, and I wanted to make sure that I was clear as to how we had done it in the past for both this building and the Independence Stadium project. And I appreciate Liz for providing that information to me, but in that yesterday, we went into

some details through the work session, but I would ask Mr. Antee, if you could again, for the citizens and for all of us on the Council to make sure that you actually told us precisely how this \$40,000,000 worth of debt is going to be repaid, what the sources of the funds and what sources would be used to service that debt. If you could please elaborate for that portion.

Mr. Antee: Well, unless you were at a meeting yesterday that I wasn't at, I don't think we discussed that at all. But we did discuss that in the past in terms of the sources of revenue. The sources of revenue would come from first of all room rentals, 2) food and beverage, parking, all of the sources of revenue that were pointed out in the HVS report and the PKF report as well as the Citigroup report. In addition to those revenues, the legislation was to ear mark the taxes generated in those facilities that the City has control over with the exception of the Fire and Police percentage. Those would be the sources of revenue. If you look at what was presented to you from Citigroup in terms of the business pro forma and debt repayment, it list out unlike Independence Stadium, it lists out what the debt service would be over the entire 30 years. Now, obviously that debt service payment and I don't have those in front of me, but y'all were presented with that, it would change if the hotel generates a profit in the first year, say a half million dollars which was projected, then \$250,000 of that with the amendment that Councilman Walford offered would go to the principal reduction. Which would in term reduce the amount of debt service for all the following years. And assuming each year, turned a profit and half of it went to pay the debt, then the amount of the debt service for those years in the later years would obviously be less. But every annual debt service payment is listed in that so you can see.

Councilman Carmody: Does the Louisiana State Legislature have to approve the use of the hotel/motel tax revenue to repay this debt?

Mr. Antee: It's my understanding from our past experience that if that money is used, pledged to bond, then it's guaranteed every year. What's not, is on an annual appropriation.

Councilman Carmody: I'm sorry, would you say that one more time?

Mr. Antee: The monies that are pledged- - -

Councilman Carmody: \$40,000,000 right?

Mr. Antee: No.

Councilman Carmody: No? The revenue, excuse me, the revenue that you talked about. The room rental rates, beverages and parking. Right?

Mr. Antee: All of that's pledged.

Councilman Carmody: That's all pledged. Okay.

Mr. Antee: To the bond holders. The rebate money from the State - for every room that's rented, there's 13 ½ % occupancy tax, 4% of that goes to the State. That 4% is then rebated back on an annual basis from the State to go to the Shreveport Convention Center/ Independence Stadium Fund. Now, not all of that because there are a lot of other entities such as - - - well, there's a whole list of 'em that get part of that 4%. But if you just want to round it down, it's about 3 ½ % because part of it does go to the Convention and Tourist Bureau, I think we get between 3 and a quarter and 3.35% of that 4%. Now, when that's pledged to a bond issuance, then the State, you get that

every year. The part that's not is then appropriated on an annual basis. And that's being going on for the last I don't know how many years, but on an annual basis, we get a rebate check from the State for - - -

Councilman Carmody: So the Legislature will appropriate the money back to us for their portion so that we can use it for debt service on the Convention Center Hotel?

Mr. Antee: The portion of if that would be earmarked for on those bonds and pledged to those bonds.

Councilman Carmody: Okay, and you said that, that portion that's actually stipulated for the repayment of Independence Stadium and the Convention Center. Is that right?

Mr. Antee: With that account?

Councilman Carmody: Yeah.

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

Councilman Carmody: Okay. Thank you sir.

Ms. Washington: Is that all for me?

Councilman Carmody: Yes Ma'am. Thank you very much, I appreciate it, I'm sorry, I didn't mean to leave you standing there. The question that I still have is that I think that we had talked about the fact that we were going to put \$3.7 million in a reserve fund in order to make sure that the gap could be paid if the projected revenues from the hotel are not enough to service the debt and keep the facility open. Is that correct?

Mr. Antee: Right, I think the budgeted amount is around \$3.6-3.7 million for the debt service reserve.

Councilman Carmody: Okay, and if the debt service reserve is utilized and no longer has any sources, whose the responsibility party for the payment of any shortage due for the debt service at that point.

Mr. Antee: The City as has always been the case.

Councilman Carmody: The City has always been responsible?

Mr. Antee: If the hotel does not generate enough revenue through all the sources of revenue to pay the debt, then the City is responsible for the difference. If it's a \$1.6 million debt service in year one, and they only have \$1.5, then the City would be responsible for the \$100,000.

Councilman Carmody: Well again, we're going back I guess into how we got to where we are today. Originally, we envisioned it as being the Authority was going to be the issuer of the debt?

Mr. Antee: With the City being the Guarantor.

Councilman Carmody: And now the City is going to be the issuer and guarantor of the debt?

Mr. Antee: No, the LCDA is going to be issuer on behalf of the City. The City is ultimately responsible for any shortfall that the hotel does not have, cannot make on an annual basis.

Councilman Carmody: And that is projected to be made up from what source, if we have to tap it?

Mr. Antee: Well, the most likely would be either the Riverfront Fund or the account that is currently established for the Shreveport Convention Center Hotel/Independence Stadium Fund. Either one of those funds and that'd be up to the Council at that time, in the event there were a shortfall.

Councilman Carmody: So, the Independence Stadium/Convention Center Fund can be utilized for making whole the bond holders on the hotel?

Mr. Antee: If the Council at that time so chose to do that. That's correct.

Councilman Carmody: If the Council (unclear)

Mr. Antee: As well as any City funds. It could come out of General Funds, anything other than Enterprise Zone, now what I said to ya were the two most obvious that makes the most sense. Because those two funds are going to reap the benefit of the Economic Development created by the Convention Center and the Hotel being the occupancy tax or the rooms of people that rent when they come to conventions in the Convention Center.

Councilman Jackson: Councilman Carmody, hold on just a second. We have gone over the time limit allotted to you. There are other Councilmen's requests to speak and if you would be gracious enough to allow them when they've done that, to stay on spend that time, I'd be glad to come back to you.

Councilman Carmody: Thank you. Thank you Mr. Chairman. I'd be happy to yield.

Councilman Hogan: Okay, thank you Mr. Chairman. Mr. Antee, we had a lot of discussion yesterday on this subject. And I didn't have anything to say. I was trying to soak it all in, and I appreciate you taking the time with me after the meeting to go over some things. And since that time, I've discovered some language that I'd like you to help me understand or get some clarification on. And it talks about in the document here for the - - - it describes the Authority's agreement. It says the Authority agrees to plan, design, manage and operate the project on behalf of the City and underneath, it says the City agrees to construct and finance the project through the issuance of revenue bonds through LDA. And in the document that describes the Trust Estate, Article V, it says the Trust shall consist of (Parts A & B) Part A says the funds and property presently in the hands of the Trustee, donated for the Authority purposes by the settler, and so on and so forth. Part B says any and all money and at the bottom, coming to the possession for the Trustees persuade to the provisions of this indenture, and so, also on the back it says 'the beneficiary' which is the City of Shreveport shall have no legal title, claims or rights to the Trust Estate. It's income or to any part hereof or to demand or to require any partition or distribution thereof. So, it sounds like the City would have not right to dictate to the Trust, they would have no say in how the money is spent, as the revenues come in, and I'm just thinking what if in two years from now, when the Administration, the new Administration takes over, we don't know who that's going to be. It sounds like they would have the full authority to do with the funds, whatever they please.

Mr. Antee: That's legal language. In order to create a Trust, the Trust has got to be it's own entity, and separate entity. But keep in mind the Trust is pledging and the

revenues of the hotel, all of the revenues of the hotel are pledged to the bonds. And so -- .

Councilman Hogan: Where does it say that?

Mr. Antee: That's in the Bond, it doesn't say it in that. It says it in the Bond package when you go out and sell the bonds. The only way the Bond holders are gonna buy and put \$40,000,000 up is to know that the money that come in are going to come to them, once all the debts are paid and all the operating expenses are paid, then they've got first line of security on all the excess revenues. So, to sit here and say as was insinuated yesterday, although the hotel can, or the Trust in operating it, can come in and take all the revenue and just put it in a bank account and not pay the debt is very naive. Because the Bond holders will not allow it, and actually the Trust will not receive the money. Under all the scenarios from Day 1, the company operating the hotel, part of their responsibility is when they take the revenue in, they pay all their ongoing expenses, then they take the debt service and they pay the debt to the bond holders. Any monies after all that's done would then go to the Trust. So, it's not like the Trust is going to sit there at the cash register and every time somebody pays for their rent on the room for that night, they take it out and they put it in the Trust Account and then stick their tongue out at the City and say 'now you go pay my debt'. I mean, that's just very naive. And I know it was insinuated yesterday, but that's not how it operates in the real world. The operator, (HCI) will collect the money, they will pay the debt. When the debt is due, if they don't, the Bond Holders will come in and take over the operation of the hotel and operate it. That's how it works in the real world.

Mr. Thompson: Well Ken, shouldn't that be in the cooperative endeavor agreement?

Councilman Carmody: That's what I'm looking at.

Mr. Antee: We can put that in.

Mr. Thompson: I mean, I think it should be amended to make that clear.

Mr. Antee: There is no problem with that whatsoever. We don't have a problem with that language being in there that states that all monies that the Trust receives pursuant to the amendment goes to pay the debt first and foremost. It does need to be some reserve, continue to be built even over and above the ones stated in the budget for a rainy day, and I think that's why Councilman Walford only said let's put 50% towards debt reduction, rather than all of it, is so that you can build some of those reserves. But we could put that in the cooperative endeavor agreement and have it ready for when it passed, no problem whatsoever.

Councilman Hogan: Okay. Mr. Thompson, if that was done, would it set us back another two weeks?

Mr. Thompson: No,

Councilman Hogan: No, it wouldn't. Okay.

Mr. Antee: Just be an amendment to it and in any language like that, that any Councilman has, where they've got some concerns on how that's gonna be operated, bring it to us, we'll work out the language that satisfies the needs where it makes sense and incorporate it. That's perfectly acceptable.

Councilman Hogan: I'm glad that you've offered that, I would appreciate that wording. And I would feel more comfortable with it myself.

Mr. Antee: Cause our bottom line is to get a hotel built to service the Convention Center and pay the debt as fast as we can. That's why the Mayor sent us down to Baton Rouge to try and get the TIF, so we could capture that extra tax revenue that's gonna now go to the Convention and Tourist Bureau and to the State, so that we could pay it off in as early as 17 years rather than 13 years. So, anything like that, we're not opposed to that.

Councilman Hogan: Thank you Mr. Antee. Thank you Mr. Chairman.

Councilman Carmody: Thank you Mr. Chairman, I'll be quick. I had requested from Casten and Pearce, the Bond Attorney, a copy of the application that was submitted to the State Bond Commission. And the application stated that the agreement was going to be between the Hotel Trust Authority and the State Bond Commission to issue the bonds. Correct?

Mr. Antee: I haven't seen the application.

Councilman Carmody: Well, I know that some people believe that we're not listening as to how the process is supposed to work, but no where in it could I find any mention of the LCDA or the LDA in the application. And I just didn't know if our Bond Attorneys were listening. The reason I ask this is because it appears that we're changing, we're shifting the process and I was trying to figure out why.

Mr. Antee: Well, the primary reason why is to avoid the legal hurdles that are going to be thrown at us if we go down one of the two roads I talked about yesterday. Either the Trust issuing the debt or the Trust issuing the debt through the LCDA. Either way, there is some statutes out there that one group of attorneys who want to obstruct things and the obstructionists can interpret one way and another set of statutes that can be interpreted the other way. The way to avoid that is to take the City and move it from guarantor, to owner and it takes that whole other set of statutes out of play, so that we don't have to fight two years and spend hundreds of thousands of dollars to prove we're right or they're right. And it simplifies it, it makes it clear, the City is the owner/landlord and there is no change to the risks to the taxpayers with the exception, we lose one layer of liability by the City's now the owner, where before the Trust would have been the owner, and not the City.

Councilman Carmody: It has that appearance though that we've kinda of shifted to avoid I guess, a lawsuit. Right?

Mr. Antee: It's not an appearance, it's a fact.

Councilman Carmody: Oh, it's a fact.

Mr. Antee: It's a fact that, that's why we're making the change is when you have the attorney that held up the construction of the Cross Lake Bridge for 13 years whose already tried to hold up the Convention Center project, you know making calls to Baton Rouge requesting documents that has the appearance that the same thing could be happening here. And so, that's why we struck back and said okay, we'll take that away so that there is no question of the interpretation of which set of statutes apply, and it completely complies with the law. So, that is why we made that change.

Councilman Carmody: I ask that question because it seems like we started this process many years ago and went down this path, and it now appears that we've decided that, that is not the prudent path to follow and from what you've said yesterday and today, is that we want to avoid potential lawsuit, against it. But I guess that lawsuit would be based upon some provision, I guess in the Public Trust Code that might allow the public an opportunity to seek a referendum on the project or the City of Shreveport going into \$40,000,000 worth of debt. Correct?

Mr. Antee: Yeah. Well, to go back to your first statement, when we started this project your hairline and my hairline was a lot lower on our foreheads than they are now. So you're right, it was a long time ago and a lot of things have changed since then. But that's why we're here where we are now and that's exactly correct. Because by trying to come in and force those statutes to petition an election and all that is going to delay the hotel project, one, two or however many years. So, you're correct in that.

Councilman Carmody: Thank you Mr. Antee, I appreciate that.

Councilman Jackson: Any other questions in regards to the Convention Center/Hotel? Alright.

**b. Property Standards Report**

**Public Hearing:** *2005 Budget Appropriation Ordinances. The Chairman declared the hearing open and called for a Presentation from the Administration.*

Councilman Jackson: Is there a presentation from the Administration?

Mayor Hightower: Yes Mr. Chairman.

Councilman Jackson: Alright. We'll receive that now.

Mr. Dark: Mr. Chairman and members of the public, the City is required by State law to have a public hearing on the 2005 Budgets before they are adopted. The Council received the budget from the Administration, October 1<sup>st</sup>. You have held seven budget review hearings, so far, I have two more to go at least. You're required to pass the 2005 Budget by December 15<sup>th</sup>, and for the public, although the final budget passes will not be identical to the one that we proposed in October, it will be relatively similar we believe. The 2005 operating budget for the City is proposed by the Mayor is \$391.8 million dollars, up 6% from last year. The general fund which provides for such basic City services is Fire and Police, Parks and Solid Waste has a proposed budget of \$165.5 million, up 2.2% from this year. Other large budgets includes the ones for Airports, Community Development, the Water and Sewer System and the Riverfront Fund. If the budget proposed by the Mayor is adopted, the citizens of Shreveport will see relatively few significant changes. By the end of the year, there will be 20 additional police officers on staff. This will help us provide better response to police calls and allow the officers who are patrolling to be more proactive. With Council approval, we will begin to respond to the need to improve our Water and Sewer infrastructure, by selling \$75,000,000 in bonds dedicated to utility projects. To pay for this, and for system operations, utility rates are proposed to increase by 10% again subject to Council approval. Although the budget we proposed didn't include funds for cost of living increase for our classified employees. We're working together with Council

Members to find the funds that we need to do that before the budget is finally passed. It is time for the Chairman to call for additional public comments, for any questions that the citizens raise, that we can answer, we'll be happy to do that.

Councilman Jackson: Thank you. Do we have anyone here to speak in favor of the proposed budget ordinances? If you would for the record state your name and address and please if you would limit your comments to three minutes.

*Kenneth Kreft*: (157 Archer) I apologize, I don't have a check for the City from the neighborhood, we're here to ask the City for money, unlike Mr. Atkins. I do support most of the ordinances. I appreciate what's been put on the website. I just had a suggestion about the Riverfront Fund, since it is as Mr. Antee said in his dialogue with Mr. Carmody, one of the likely places should there be a shortfall, I would like to see starting in this budget for the '05 year, a percentage maybe a tenth, dime on a dollar, of the Riverfront Development Fund be put away every year for the next years. So, that should it be necessary, those funds would be available to make up. Just like we have operating reserve in the General Fund, I think it's a very good idea fiscally prudent to have a similar reserve to get it up to at least maybe 5%. Certainly if you do that, it would be less given to the various agencies receiving those funds, but if they all only receive a low single digit hit, I think they'll all get by. Secondly, I think that's Ordinance 184 and I know you're not going to adopt them today, but the public hearing is always a good opportunity for citizens. Secondly, I do want to encourage you to keep moving along the Neighborhood Investment Program as you have this year, and hopefully that'll be about as is recommended for 2005.

Councilman Jackson: Does anyone else here wish to speak in favor of proposed budget ordinances? If not, is there anyone here who wishes to speak in opposition to the proposed budget ordinances? If not, then this public hearing is now closed.

### **Confirmation and/or Appointments, Adding Legislation to the Agenda and Public Comments.**

#### **Confirmations and/or Appointments.**

SPAR Advisory Council - Don C. Wilcox

**Motion by Councilman Gibson, seconded by Councilman Walford to confirm the appointment of Dr. Wilcox. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1**

#### **Adding Legislation to the Agenda**

Councilman Jackson: Are there any additions to the agenda for today Mr. Clerk?

The clerk read the following:

1. Resolution No. 234 of 2004. A resolution establishing the Neighborhood Recovery Project; Authorizing a Loan from the Federal National Mortgage Association in an amount not to exceed \$2,000,000,00 to finance construction of up to twenty-six single family units and the payment of costs and expenses related to same in connection with the Pilot Mortgage Program and Lease-Purchase Program components of the project; Authorizing the Mayor to request approval from the Louisiana State Bond Commission relative to the loan; Authorizing the Mayor to execute all documents relative to the loan and the project;
2. Resolution No. 235 of 2004: A resolution authorizing the employment of special legal counsel to represent the City of Shreveport, and otherwise providing with respect thereto.
3. Resolution No. 233 of 2004. A joint resolution of remembrance and appreciation to the memory of Edward Carl Barnhill.
4. Ordinance No. 192 of 2004. An ordinance amending Chapter 106 of the Code of ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the Southwest corner of Linwood Avenue and Industrial Loop, Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, to B-3 Community Business District.
5. Ordinance No. 193 of 2004: An ordinance to create and establish a "No Parking" zone on either side of Ashley Ridge Blvd and to otherwise provide with respect thereto.

Councilman Jackson: Alright, is that it?

Mr. Thompson: That's it. We have five.

**Read by title and as read, motion by Councilman Gibson, seconded by Councilman Carmody to add these items to the agenda.**

Councilman Walford: Question Mr. Chairman, do we have paper copy of the Ashley Ridge one?

Mr. Thompson: We have a copy over here, I can get a copy for everybody.

Councilman Walford: It may be in our stuff, I was just asking. I noticed it's not on the E-Agenda.

Mr. Thompson: I thought it was. Number 3?

Councilman Lester: Yeah it is.

Mr. Thompson: It's under introductions.

Councilman Walford: Oh okay, thank you.

Mr. Thompson: I'm sorry. Under items to be added. Have you still not found it?

Councilman Walford: It's not on mine.

Mr. Dark: It's not there Art.

Councilman Walford: No. 3 is my resolution. The joint resolution, the Ashley Ridge- - I don't.

Mr. Thompson: Oh, no. No, we don't have a copy of that. That's the one I thought you were asking for.

Councilman Walford: Okay. Thank you.

Councilman Jackson: Do I - - -? Mr. Chairman, I have a resolution in front of me I didn't hear you read. It was on- - - I don't know if everybody has one. It was a copy of a resolution.

Councilman Carmody: It's not for introduction.

Councilman Jackson: It's not for introduction?

Councilman Gibson: For your information only. Two weeks from now.

Councilman Jackson: Oh, okay.

**Motion approved to add Resolutions 233, 234, and 235 of 2004 and Ordinances 192 and 193 of 2004 to the agenda by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1**

**Public Comments:** None

**CONSENT AGENDA LEGISLATION**

**TO INTRODUCE RESOLUTIONS AND ORDINANCES**

**RESOLUTIONS:** None.

**ORDINANCES:** None

**TO ADOPT RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:**

**RESOLUTION NO. 229A of 2004**

**A RESOLUTION AUTHORIZING LARRY J. EARNEST & BEVERLY M. EARNEST, LOCATED AT 8439 WEST ANTOINE LOOP, TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Larry J. Earnest & Beverly M. Earnest, be authorized to connect the building located at 8439 West Antoine Loop, to the water system of the City of Shreveport.

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

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

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

**ORDINANCES:** None.

**REGULAR AGENDA LEGISLATION:**

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

**RESOLUTION NO. 224 OF 2004**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION INTER VIVOS AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, the Gladstone Area Partnership, desires to give, grant, convey, donate, assign, set over and deliver unto the City of Shreveport \$10,000 for purposes of sidewalk replacement within the limits of the Gladstone Area Partnership, said limits being Kings Highway on the north, Gladstone on the south, Gilbert on the west and Centenary on the east; and

WHEREAS, the City of Shreveport desires to accept this donation inter vivos.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that Keith P. Hightower, Mayor, be and is hereby authorized to accept the donation inter vivos from the Gladstone Area Partnership.

BE IF FURTHER RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that Keith P. Hightower, Mayor, be and is hereby authorized and empowered to execute a Donation Inter Vivos, substantially in accordance with the document filed along with the original copy of this resolution in the Office of the Clerk of Council on October 19, 2004, attached hereto as Exhibit A.

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

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

**Read by title and as read, motion by Councilman Carmody, seconded by Councilman Walford to adopt.**

Councilman Carmody: A very quick thank you again to the Gladstone Area Partnership for providing this \$10,000 for the purpose of sidewalk replacement within the limits of the Gladstone area. And again, any other neighborhood associations who feel so motivated to help us assist them, we would certainly appreciate all the financial efforts you can bring forth. Thank you Mr. Chairman.

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

2. Resolution No. **228** of 2004: A resolution authorizing the Mayor to execute an agreement and related instruments with Municipal Asset Management, Inc., and other necessary parties for the financing of fire trucks and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman Gibson, seconded by Councilman Jackson to adopt.**

Councilman Gibson: Thank you Mr. Chair. Question for the Administration. Historically, we have normally kind of bundled for a better word expenditures capital, expenditures such as fire trucks or other vehicles for putting out to a General Obligation Bond to put out for the public. Is that correct?

Mr. Dark: No sir Mr. Chair. We have done that on fire trucks a couple of times, we've done at least six equipment financing deals that did not include fire trucks since the mid '90s. I think we sent y'all something on fire trucks and indicated the last four purchases we made of fire trucks, three of 'em were done with bond issues. One of them was done during the Beard Administration which was just for cash.

Councilman Gibson: Okay, but would you say that more times than not, we do General Obligation.

Mr. Dark: Three of the last four purchases for fire trucks, but not just for equipment.

Councilman Gibson: I guess- - - is there a reason that we're not going to pursue General Obligation Bonds? What is the General Obligation availability of money at this point and time for the City of Shreveport?

Mr. Dark: Our bonding capacity now is in excess of, I wish we had our bond guys, Liz do you know? It's in excess of \$70,000,000 plus in bonding capacity at this point. The reason that we're not asking for General Obligation Bonds is several fold. 1) I'm not so sure that it's always been the prudent thing to do. To pay for equipment that depreciates quicker than 20 years, to pay for it for 20 years. That's why we've come back and recommended a 10 year program for the fire trucks. Typically, the shorter the term, the lower the interest rate. The longer the term, the higher the interest rate.

Consequently, at the end of the day and Mr. Gibson, you're an expert on this, when you look at debt, and you add it up over a 20 year period verses a 10 year period, the number is bigger. And you've talked to everybody all over town about that for two months. So, it should seem only prudent to you as well as me, that if we finance the debt for a shorter term at a lower interest rate, we're better off. We're not going to do that with General Obligation Bonds, we're going to do it the same way that you, I and most people finance cars, pickup trucks, whatever it is you buy. And that's the reason that we've chosen this path. Also the reason we've chosen this path is so that the Fire Department can receive the equipment they need on a timely basis, so that we can get a replacement program going. And we're not only doing it on fire trucks, we're doing it with garbage trucks, we're doing it with police cars, we're doing it with SPAR vehicles, we're doing it with our whole fleet, so that our maintenance costs aren't killing us every single year and we're keeping a replacement program in place for all vehicles in all departments, again to be sure that we're providing the basic services to the citizens. That in a nutshell is the reason that we're doing what we're doing and doing it the way that we're doing it.

Councilman Gibson: Thank you Mayor. That's why I'm asking the question, so I have the information to be able to pass along to those that are inquiring, why they're used to seeing one thing happening and we're going another direction. No doubt about taking advantage of lower interest rates to shortening the term. I guess the other question I have is how long is the Fire Department and the Police Department had this information in terms of needs for equipment. Has this been ongoing, or is this something that recently came about?

Mayor Hightower: No. It's absolutely been ongoing. They've had requests every single year. I think you can go back to every single budget we've ever done, you're gonna see fire truck requests. Cause they're trying to get on a replacement program and we've only been able to do it in the past for the most part at least on fire trucks, on G. O. Bond issues. Which are hard. We could do a G. O. Bond Issue, but it's not the smart thing to do on equipment that's going to depreciate.

Councilman Gibson: Mayor, I understand. And again, these are questions or requests for information, not challenges or things of that nature. They're basic questions in order to have this Council and the public aware because again, I think you'll agree. I think everybody up here agrees that the needs are there. We're talking about financing and again, understanding exactly the ideologies of what we're doing here, so we can combat those challenges to say well, how come we haven't put that into a General Obligation Bond like we have done before? Things change. I think you've made that clear. I think several of us understand that the changes occur on a regular basis. You've answered my question and again, I appreciate the information.

Mayor Hightower: And Mr. Chair, Mr. Gibson, I appreciate the questions. But I'd also appreciate a phone call. 673-5050. And I'll be able to talk to you about any of those anytime. Instead of being on the television asking you know, are we doing this because we don't have any bond capacity? You as a City Councilman ought to know that as well as I. And if you don't I want to help you understand it and help you learn it, so that you don't have to ask questions that frankly, you ought to know or at least you

know where to come get the answers. I'd just encourage you to call me. Let's sit down, let's talk and I will fill you in on anything. Everything we do is open to the public, public record and I want you to be as knowledgeable as anybody. More knowledgeable than most because you represent 27,000 people that depend on you every single day to represent their interest. And I want you to be well informed. And I pledge my help to get you there.

Councilman Gibson: Well, I appreciate that Mayor. Thank you Mr. Chair.

Councilman Walford: Mr. Chairman, if I could address a question to the Administration, I was contacted today by a local bank offering to do this at a 4.50%. Are we locked in to this as part of the sales deal? Or are we in a position if we postpone two weeks to do it with local financing?

Mayor Hightower: We'll check with the company because the Ferraro Company actually set the financing for us. Part and I guess we need to be clear on it, because part of what we do, and Tom, correct me if I'm wrong, but part of our agreement with them is no payment for a year. But I would much rather do it with the local banks. We tried to do it with the garbage trucks, but Bank One actually was low on the garbage trucks, I think they were 3.06 or something like that. But yeah, I don't have a problem if we can get together over the next several days to talk to Ferraro and see if we can work the local banks and at the same rate, absolutely.

Councilman Walford: So with that Mr. Chairman, I would offer a substitute motion to postpone until our next meeting. And I'm not going to say two weeks because it's more than that.

**Substitute motion by Councilman Walford, seconded by Councilman Carmody to postpone.**

Councilman Jackson: The Chairman would like to recognize Chief Cochran who seem to be - - -

Chief Cochran: Mr. Chairman and Council Members. I would be very open to that. I think that we are working against the clock. Ferraro Manufactures have extended the contract that we used in 2001 to purchase fire trucks and we're good until the end of the year. If we've got the time to work it out and still meet their deadline, then I'm good with that. But I don't know if we've got that time. If the Councilmen will allow us to check into that, and if we can do it, we will move forward with that according to the Mayor's wishes.

Councilman Jackson: But it would seem at this point if in fact any of these requests are going to be valid, it's going to be three weeks before we can do anything. Notwithstanding one way or the other.

Councilman Walford: Mr. Chairman, I believe I can solve that with a substitute to my substitute. And I may need some help from the City Attorney on wording or Mr. Thompson, but I would make a substitute motion that we explore with Ferraro if we can use local financing at a lower rate and still get the same deal on the fire trucks, that we go with that, if not, then we go with this. Now, Mr. Thompson?

Mr. Thompson: I think this authorizes the Mayor to enter into those agreements, but he doesn't have to.

Councilman Walford: Can- - - . If we can go with that, that avoids the three week delay, if I can get a second to that.

Mr. Thompson: I think what you're suggesting is if you adopt this, it authorizes the Mayor to enter into the agreement, but if he decides it's not the best thing to do, then he could bring another resolution to the Council.

Councilman Walford: I'm trying to avoid that three weeks for the Chief's sake, and I did see in the information from Ferraro, that they were agreeing to hold the price until December 31, where they would normally going up December 1, or something. Maybe you sent me that information. I don't remember, but.

Councilman Carmody: No, it was in the packet.

Councilman Walford: Okay, in the packet. So, I'm trying to avoid the three week delay.

Councilman Jackson: No, listen. Mr. Councilman what happens is even on the original motion, if on the original motion we move and we vote to authorize the Mayor to enter into this agreement, it doesn't obligate him to do so before he researches the information that you requested, thus being able to find a better situation. Now, if what we want to do is be sure and not fully authorize him to do so, then we can delay for three weeks and do that, but he'll have the authority, but he'll have the authority, but not the obligation. To do it in the next three weeks.

Councilman Walford: I'd like to have my cake and eat it too. Mr. Chairman, I'd like the option available for the lower financing, but if that is not available, go ahead with- - -.

Councilman Lester: Mr. Chairman, I think that the point that the Clerk is trying to make is, I think that the Administration understands what the legislative will is of the Council, and if we authorize the Mayor as per your previous motion, to take those steps. If he's authorized to do so, he has the power to do it. And if in fact, the deal is not there, as you outlined, he will not. But if the situation is there for him to get a better deal, he is authorized to do that. We have just basically instructed the Mayor to use his discretion along those lines. And as I appreciate it, that's what this (unclear).

Councilman Walford: Okay then I'll stay with my original substitute motion that I think I had a second on.

Mr. Thompson: Mr. Walford: I think what they are suggesting is that you would adopt this resolution, but the Mayor would not necessarily use the authority that he has unless he thinks it's in the best interest of the City to do so.

Councilman Carmody: I withdraw my second on the substitute motion.

Councilman Walford: Okay, and I'll withdraw my substitute motion. Now, lets go back to the original motion.

Mayor Hightower: Art, could we not clear it up if we said 'execute an agreement related instruments with Municipal Asset Management, Inc., or other parties capable of the financing package'. And then that way, if we do get together with the local conglomerate, and it's better than the 4.55, then I'll be authorized to do that instead of only saying that I'm authorized to enter into one with Municipal Asset Management Inc.

Mr. Thompson: Well the problem is that the title of the resolution says with Municipal Asset Management and that's what we've published.

Mr. Antee: But couldn't you offer an amendment that added language that 'or any other entity, as long as the terms are better than or equal to'.

Councilman Carmody: And to other necessary parties.

Councilman Walford: It's already in there.

Mr. Thompson: Ms. Glass is taking care of other City business, but I'm sure she'll be back in a minute. It has to be in writing.

Mr. Antee: I understand.

Mr. Thompson: And we'll see if she can- - -, you know if you delay it, we'll see if she can come up with language that would be suitable for everybody.

Councilman Lester: Well, I was going to say the title of the resolution says 'execute an agreement with Municipal Asset Management, Inc and other necessary parties'.

Mayor Hightower: It needs to say "or".

Councilman Lester: It needs to say "or"? Okay.

Councilman Walford: Mr. Chairman, could I make a motion that we postpone action on this until later in the agenda when Ms. Glass is back?

**Substitute motion by Councilman Walford, seconded by Councilman Carmody to postpone action on Resolution No. 228 of 2004 until later in the meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1**

Mr. Thompson: The next was the item that was added which is a joint resolution of remembrance and if we're ready, Mr. Walford?

Councilman Walford: If I could give a little quick background. You'll recall gentlemen about three months or so ago, I asked for a moment of silence for a good friend and fellow soldier that died in Iraq. And working with the Parish Commission, I have a joint resolution of remembrance and appreciation, and his family is here, so I would like for this Council to consider and pass that resolution and honor his family.

The Deputy Clerk read the following:

**RESOLUTION NO. 233 of 2004**

**JOINT**

**RESOLUTION OF REMEMBRANCE AND APPRECIATION  
TO THE MEMORY OF  
EDWARD CARL BARNHILL**

WHEREAS, the City Council for the City of Shreveport and the Caddo Parish Commission pause to reflect upon the life and works of **EDWARD CARL BARNHILL**, whose untimely passing on May 14, 2004, marked the close of a long, illustrious life of selfless and loving service to others; and

WHEREAS, in 1988 Mr. Barnhill moved to Shreveport to accept a position as an

Engineer with Poulan/WeedEater Corporation, a position which he held until the company closed its manufacturing plant in Shreveport. Thereafter he accepted a position with the Louisiana Department of Transportation and Development, a position that he held until the time of his death; and

WHEREAS, Mr. Barnhill was a devoted Christian and tireless worker at his church, the Greenwood Acres Full Gospel Baptist Church, where he served as deacon and coordinator of the Church's HELPS Ministry; and

WHEREAS, Mr. Barnhill had 32 years of service with the Army National Guard and Army Reserve. Mr. Barnhill was serving as Command Sergeant Major of the 431<sup>st</sup> Civil Affairs Battalion, in Iraq at the time of his death. During his military career he earned many awards and recognitions, including two Bronze Stars and a Meritorious Service Medal. He was also awarded the Joint Service Commendation Medal by the Coalition Provisional Authority while serving in Iraq; and

WHEREAS, Mr. Barnhill was very devoted to his wife, Paula Barnhill; his two sons, Jason and Marcus; and his two grandchildren, Jaden and Kabon; and

WHEREAS, Mr. Barnhill was a very special person to all who knew him. Although an unassuming person, he commanded the respect of all who came into contact with him. At times a quiet person, he had the ability to communicate forcefully, often with few words or even a facial expression.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport and by the Caddo Parish Commission, in due, regular and legal sessions convened, that the City Council and Parish Commission do hereby extend their deepest expressions of appreciation for the life of **EDWARD CARL BARNHILL**, calling upon the entire community to give respectful notice and attention to the fact that this city, parish and nation were made a better place by his presence and his contributions.

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

Councilman Walford: Thank you Mr. Chairman, if you would join me down with the Barnhill family.

Councilman Jackson: Before they family leaves, let me just say to them, that I appreciate their coming down and their being patient and being here for this purpose. Along with Councilman Walford who mentioned, knowing, well I called him Carl, because I knew him as Carl. And I wanted to say to this family that we certainly, our prayers continue to ascend for you, and that as you continue to keep the faith that, the life of service, I think means a lot and it's a legacy and so, we know that God always needs more than he takes, is my opinion, and he's left some large footprints. But I think he also has left it for capable people to fulfill and I hope that certainly that, that life of service will linger as a precious memory and be one that you all will continue to emulate. Because you certainly have all the reason in the world to be proud. So, God bless you and we certainly wish Godspeed.

Councilman Walford: Mr. Chairman, and I would like to thank my fellow Council Members for their devoted support.

## **INTRODUCTION OF RESOLUTIONS**

1. Resolution No. 230 of 2004: A resolution authorizing the donation of a Shreveport Fire Department Equipment to the Bienville Parish Sheriff's Department and otherwise providing with respect thereto.
2. Resolution No. 231 of 2004: Authorizing the Mayor of the City of Shreveport, State of Louisiana to enter into a Cooperative Endeavor Agreement with the Shreveport Convention Center Hotel Authority; and providing for other matters in connection therewith.
3. Resolution No. 232 of 2004: Declaring the intention of the City of Shreveport ("The City") to proceed with financing in an amount not to exceed Forty Million Dollars (\$40,000,000.00) for the financing of acquiring, owning, constructing and equipping a convention Center Hotel and otherwise providing with respect thereto.
4. Resolution No. 234 of 2004: A resolution establishing the Neighborhood Recovery Project; Authorizing a loan from the Federal National Mortgage Association in an amount not to exceed \$2,000,000.00 to finance construction of up to twenty-six single family units and the payment of costs and expenses related to same in connection with the Pilot Mortgage Program and Lease-Purchase Program components of the project; Authorizing the Mayor to request approval from the Louisiana State Bond Commission relative to the loan; Authorizing the Mayor to execute all documents relative to the loan; Authorizing the Mayor to execute all documents relative to the loan and the project; and to otherwise provide with respect thereto.
5. Resolution 235 of 2004: A resolution authorizing the employment of special legal counsel to represent the City of Shreveport, and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman Gibson, seconded by Councilman Lester to introduce Resolution No. 230, 231, 232, 234, and 235 to lay over until November 30, 2004 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

## **INTRODUCTION OF ORDINANCES**

1. Ordinance No.183 of 2004: An ordinance amending the 2004 Capital

Improvements Budget and otherwise providing with respect thereto.

2. Ordinance No.184 of 2004: An ordinance amending the 2004 Budget for the Riverfront Development Special Revenue Fund and otherwise providing with respect thereto.
3. Ordinance No. 185 of 2004: An ordinance amending and reenacting Section 98, Article II Trees and otherwise providing with respect thereto.
4. Ordinance No. 186 of 2004: An ordinance amending Section 74-54 of the Code of Ordinances relative to landfill disposal fees and to otherwise provide with respect thereto.
5. Ordinance No. 187 of 2004: An ordinance amending Chapter 94 of the Code of Ordinances relative to utility rates and otherwise providing with respect thereto.
6. Ordinance No. 188 of 2004: An ordinance creating and establishing a No Parking Anytime Zone on either side of Ashley Ridge Boulevard and to otherwise provide with respect thereto.
7. Ordinance No. 189 of 2004: An ordinance amending Chapter 50 of the Code of Ordinances of the City of Shreveport relative to Panhandling and otherwise providing with respect thereto.
8. Ordinance No. 190 of 2004: An ordinance providing for the incurring of debt and the issuance of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) of Certificates of Indebtedness, Series 2004, of the City of Shreveport, State of Louisiana; prescribing the form, terms and conditions of said Certificates; designating the date, denomination and place of payment of said Certificates; providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for the acceptance of an offer for the purchase of said Certificates; and providing for other matters in connection therewith
9. Ordinance No. 191 of 2004: A Supplemental Ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended; providing for the issuance of not to exceed \$12,000,000 principal amount of Water and Sewer Revenue Bonds, 2004 Refunding Series C, of the City of Shreveport, State of Louisiana, pursuant to the General Bond Resolution; approving and confirming the sale of such bonds; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof for refunding certain bonds issued for the purpose of constructing and acquiring extensions and improvements to the City's combined waterworks plant and

system and sewer plant and system (the "System") of the City; making application to the State Bond Commission; and providing for other matters in connection therewith.

10. Ordinance No. 192 of 2004. An ordinance amending Chapter 106 of the Code of ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the Southwest corner of Linwood Avenue and Industrial Loop, Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, to B-3 Community Business District.
11. Ordinance No. 193 of 2004: An ordinance to create and establish a "No Parking" zone on either side of Ashley Ridge Loop and to otherwise provide with respect thereto.

Mr. Thompson: You'll notice that 188 is Ashley Ridge Blvd and the one that was added is Ashley Ridge Loop.

**Read by title and as read, motion by Councilman Carmody, seconded by Councilman Gibson to introduce Ordinance No(s). 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, and 193 to lay over until November 30, 2004 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

#### **D. ORDINANCES ON SECOND READING AND FINAL PASSAGE**

1. Ordinance No. 98 of 2004: An ordinance authorizing the Lease of City-Owned property to North Shreveport Development Corporation, Inc.

Mr. Thompson: I believe that 98 is to be postponed

**Having passed first reading on June 22, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Carmody, seconded by Councilman Gibson to postpone.**

Councilman Jackson: Do we have - - - I'd certainly like to assume that this postponement is not ad infinitum, so we have some kind of - - - I don't know Councilman Lester or the Administration - - - ?

Councilman Lester: We're waiting to get the appraisal. I think we have a situation where this asset could be sold as opposed to donated. So before we enter into that situation, we're waiting for the appraisal to get back, and that's what the hold up has been.

Councilman Walford: Mr. Chairman, for what it's worth, I saw surveyors out there yesterday.

Councilman Lester: Right.

Councilman Walford: So, I assume there is some action going on, on the property.

Councilman Lester: There is.

Councilman Jackson: I wondered why since I guess maybe October, well that was the last time it was postponed. It's been postponed a while, why we didn't table it until such time that we could deal with it and not have to postpone it each council meeting.

Mr. Thompson: The Council could certainly do that.

Councilman Lester: Po-ta-toe - Po-ta-ta.

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

2. Ordinance No. 173 of 2004: An ordinance amending Section 42-183 of the Code of Ordinances of the City of Shreveport relative to Professional Bondsmen and otherwise providing with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Walford, seconded by Councilman Gibson to adopt.**

Councilman Lester: Thank you Mr Chairman. Can someone answer the annual fee that they are charging, that says it's consistent with the charge of Bossier City? Were we charging a fee, an annual permitting filing fee with the previous jail?

Councilman Jackson: Ms. Washington is coming to answer.

Ms. Washington: No sir, we were not charging a fee.

Councilman Lester: Okay, so we arrive at this \$100 fee because it's in line with a similarly situated (inaudible).

Councilman Lester: Okay, thank you very much.

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

3. Ordinance No. 174 of 2004: An ordinance amending and reenacting Section 22-26, the comprehensive building code and, otherwise providing with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Gibson, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilman Carmody. 1. Absent: Councilman Green. 1.**

Councilman Gibson: Just on this piece of legislation, I think we've made a good move on adopting this international building code. Most states around us have at least the International Building Code, and this will help with continuity, with development, because a lot of those developers in and around the State of Louisiana and in and around the Ark-La-Tex are used to dealing with the International Building Codes, so I commend the Council for supporting that. Thank you Mr. Chair.

4. Ordinance No. 175 of 2004: An ordinance closing and abandoning the 50 foot-wide Bayou Road public right of way located in the Ravenna Subdivision Unit No. 2 in the NE 1/4 Section of 06 (T16N-R13W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Gibson, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilman Carmody. 1. Absent: Councilman Green. 1**

5. Ordinance No. 176 of 2004: An ordinance closing and abandoning the 50 foot-wide dedicated streets, Emily Blvd., between Emily Blvd. South 200 feet located in Forbing Annex Homes Sites, Unit No. 1, City of Shreveport, of the NE 1/4 of section 7 (T16N-R13W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Lester, seconded by Councilman Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilman Carmody. 1. Absent: Councilman Green. 1**

6. Ordinance No. 177 of 2004: An ordinance closing and abandoning the east portion (240 feet) of the 20 foot-wide alleyway located in between Milam Street to the North and Looney Street to the south and bordered to the east by Sycamore Street in the Hotchkiss Subdivision in Section 35 (T18N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Lester, seconded by Councilman Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1**

9. Ordinance No. 181 of 2004: An ordinance amending the 2004 Budget for the

Fleet Services Internal Service Fund and otherwise providing with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Lester, seconded by Councilman Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

10. Ordinance No. 182 of 2004: An ordinance amending the 2004 General Fund Budget and otherwise providing with respect thereto.

Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Read by title and as read motion by Councilman Lester seconded by Councilman Walford for adoption. The Clerk read the following amendment:

Amendment No. 1

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

Increase Miscellaneous by \$1,521,000.

In Section 2 (Appropriations):

Increase Fire – Improvements and Equipment by \$1,521,000.

Adjust totals and subtotals accordingly.

**Motion by Councilman Lester, seconded by Councilman Walford to adopt Amendment No. 1. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

**Motion by Councilman Lester, seconded by Councilman Walford to adopt Ordinance No. 182 of 2004 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

7. Ordinance No. 178 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, The City of Shreveport Zoning Ordinance, by rezoning property located on the south side of Marion Street, 100 feet west of Woodward Street, Shreveport, Caddo Parish, Louisiana, from R-2, Suburban, Multi-Family Residence District, to B-3 Community Business District, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion,**

**ordered passed to third reading. Motion by Councilman Jackson, seconded by Councilman Carmody to adopt.**

Councilman Walford: And your motion is to confirm the zoning?

Councilman Jackson: Yes.

Mr. Thompson: To adopt.

Councilman Jackson: To adopt, yeah.

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

8. Ordinance No. 179 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, The City of Shreveport Zoning Ordinance, by rezoning property located on the southwest corner of Pines Road and Steeple Chase Plaza Drive, Shreveport, Caddo Parish, Louisiana, from B-1, Buffer Business District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Jackson, seconded by Councilman Carmody to adopt.**

Councilman Jackson: Mr. Kirkland, thank you. We had questions. I talked to Mr. Jambor on yesterday. We didn't have full clarity, if you will with regards to this issue. We talked about liquor permitting and the fact that there was a request initially, and then the request was withdrawn. Is that correct?

Mr. Kirkland: That is correct.

Councilman Jackson: So, currently as it stands, then there won't be any alcohol sales?

Mr. Kirkland: That's correct.

Councilman Jackson: And we did permit a patio, but no outside consumption with regards to- - - well, we don't have alcohol so we- - -, but tell me what the situation is with the patio.

Mr. Kirkland: Tomorrow, by the Zoning Board of Appeals, two requests are on their agenda. The alcohol was withdrawn as you correctly noted. The outside dining is still a request. The drive thru pickup is also a request before that Board. It's our understanding and I think someone's told you as well, that the outside dining would be withdrawn, but they have not yet done that. They might do it at the meeting, but I will pass that on Councilman if that is your request, that consideration of that outside dining- - -?

Councilman Jackson: Right, that was my concern. I had questions Sunday about the outside dining portion of it as well. So, if that's withdrawn as well, then that'll be fine and I guess anything else at the ZBA level, if they've got issues, well we'll hear it at another time.

Councilman Walford: So you are asking for approval?

Councilman Jackson: Yeah.

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

11. Ordinance No. 180 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of Cross Lake Boulevard, 890 feet west of Dilg League, Shreveport, Caddo Parish, Louisiana, from R-1D & SPI-5, Urban, One-Family Residence District and Cross Lake Preservation District, to R-1D-E, Urban, One-Family Residence Extended Use District, limited to “residential use, a marina, bait stand, with boat and trailer repairs and the outside storage of boats and trailers”.

**Having passed first reading on October 26, 2004 was read by title, and on motion, ordered passed to third reading. Motion by Councilman Jackson, seconded by Councilman Carmody to adopt.**

Councilman Carmody: Thank you Mr. Chairman, Mr. Kirkland, I'm sorry. Could you come forward. I'm actually looking at the site plan that's attached to it and have a questions regarding the City owned property that shows to be looks like on the marina site?

Mr. Kirkland: Part of it is City owned, it's in the lake or within the property owned by the City. It did require a consent by the City for the zoning case to be processed. It's been there as you know for many years, it's not the only site on the lake that has this situation, but every time we come across one, we're required to go through the process correctly. These folks have done so, the Board recommended approval of the application as presented.

Councilman Carmody: The site plan indicates there is a structure on the City owned property?

Mr. Kirkland: Yes.

Councilman Carmody: What is that structure.

Mr. Kirkland: I believe there are two docks and boat houses if you will that are in the City, a building structure that is on City property.

Councilman Carmody: Is that subject to a lease?

Mr. Kirkland: To what?

Councilman Carmody: To a lease?

Mr. Kirkland: Councilman, I think that's something the Administration would have to respond to, and let me say before I pass this to the Mayor. There have been at least the last four Mayors from John Hussey forward, Bill Hannah, maybe even more than that. Bo Williams, Hazel Beard that have more or less let things continue as they were

nonconforming, so- - -.

Councilman Carmody: I understand that the ownership probably goes out to the water line and into the lake and that's where it shows- - -.

Mr. Kirkland: The contour lines is what sets the property owner ship, not the water.

Councilman Carmody: Okay, but it appears that by the site plan that's attached, that actually the City's property goes toward the Street a good ways and then comes as a structure, it looks like. And so is that structure subject to a lease? Is it a municipal structure that's- - - ?

Mr. Kirkland: Let me tell you what we did from our level is we advised Tom Cody, the Risk Manager and I think that a lot of those issues are his. Direct responsibility is to whether leases, insurance- - - , I don't think that, you cannot acquire adverse possession against an incorporated government.

Councilman Carmody: No, I understand.

Mr. Kirkland: Accordingly, we still own the property and those other issues I believe are administrative matters. But this is not the only property is what I'm saying.

Councilman Carmody: Well, I mean I have no problem with continued use of the marina, but it just jumped out at me and it looks like that we've actually got a municipal structure out there that's on the site.

Mr. Kirkland: Well, I've questioned and there are liability issues (unclear).

Councilman Carmody: That's where I was going with it. I mean, how much liability do we have if there is a structure out there that I'm assuming that we have a lease of some sort that requires them to maintain insurance, to maintain the property, so that we're held harmless?

Mr. Kirkland: I'm the wrong person to ask that question or answer it, legal might be able to or the Mayor. I'm just saying that this problem is not a new one and I don't know if the lawyers and the others in years past have said, well we just let those conditions continue.

Councilman Carmody: Did it come up in the discussion?

Mr. Kirkland: No, because land use as long as the owners have signed the application, as far as (unclear) is concerned, it doesn't matter. The use is appropriate and they approved that.

Councilman Carmody: Well then the City of Shreveport did sign the application, as the owner?

Mr. Kirkland: Yes sir. The Mayor signs it on behalf of the City,

Councilman Carmody: Okay.

Mr. Kirkland: Which is again, not unusual on public property. Any other questions I can answer?

Councilman Carmody: No sir. I would ask though if the Administration could explain to us what the situation is with this structure and whether or not it is indeed a lease on it or some sort of insurance requirement to have the proprietor of the Brazzell Properties, LLC indemnify the City of Shreveport for the use of that asset?

Mayor Hightower: We may be able to do that. As Mr. Kirkland said, apparently this has been - - - it's a privately built structure, it's the marina office that's out there

that's built on technically City owned property. I'm not aware of any lease with the property owner or with the building owner. But again, as Mr. Kirkland, we'll have Tom Cody take a look and see where we are from a liability standpoint. And we should, I agree with you, at least (unclear) indemnity.

Councilman Carmody: I'd almost be more interested in postponing it, and letting y'all come back and report that we've got those knots pulled out of this situation, and then I'd feel happy in supporting it. As long as we knew that we were covered.

Mr. Antee: We can do that, but generally what takes place on these areas around the lake where people go and build on the City's or encroach on the City's property, the actual structure that you're looking at on the map in most cases. And we'll go back to check to make sure, but that's not owned by the City. It's owned by the individual that built it. But they built it on the City property. So while the City owns the dirt, the actual building and structure is owned by the property owner or the person that built it. And that's the - - - and all the other cases that we dealt with, that's the case. But we can get that at risk management to get that information so that we can make sure that all of that is available. But generally, that's the case. They own the building, we own the land, they cannot transfer their property without getting an assignment to the new owner from the city on each of those around the lake.

Councilman Carmody: But are you aware of any ground lease for the use of that property?

Mr. Antee: I'm not familiar with this circumstance. I'm not aware of any ground leases for any of these encroachments around Cross Lake. Are you Mike?

Mr. Strong: No.

Mr. Antee: And we've dealt with this on other issues, and like I say, they're on a case by case, where when they go to transfer the property, they've got to come to the City to get the right to assign it because for whatever reason, it was built on the City's property.

Councilman Carmody: And I think that it appeared that the water is actually the City of Shreveport's. I'm assuming that those improvements of the piers are by some agreement with the City to allow them to construct them out on the water.

Mr. Antee: That's permitted isn't it Mike?

Mr. Strong: Anything that is done on water itself requires a permit to do this. What has happened on this, this goes back to the '50s when this was built initially. And we have other areas on the lake the same way. Other marinas that have dealt in (unclear). We do not have any leases with 'em. And I think it's been operating this way before. Now, if they get ready to sell the property or get rid of the property, they've got to come through the City if there is a loan agent involved to get us to sign off on whose the new owner that'd be coming in on that. Now if something happened to that structure, burned totally like that, then we could start looking at backing up off of the City property. But the way it is now, I don't see this as any different than the other areas that we have on the lake.

Councilman Carmody: Thank you Mr. Strong, and again, my issue I guess goes toward the liability the City has with having a known encroachment on a piece of City property without an agreement to indemnify - - -

Mr. Strong: Mr. Cody did look at this and did come back because it is their property that's on there.

Councilman Carmody: It's their property on our property?

Mr. Strong: Excuse me. It's their building that are on our property.

Councilman Carmody: It's their improvement on our real estate.

Mr. Strong: Right.

Councilman Carmody: Okay, thank you. Thank you Mr. Chair.

Councilman Gibson: Mr. Strong, just real quick. If that structure, you described it as burning, and let say it contaminated our lake, who is DEQ coming after?

Mr. Strong: Who would we be going after?

Councilman Gibson: Who would they go after?

Mr. Strong: We would be going after the owner.

Councilman Gibson: The owner of the building?

Mr. Strong: The owner of the structure itself. See what we would be looking at- -

Councilman Gibson: They first come to us, and then we go after the owner.

Mr. Strong: We're going to be involved in anything that happens on the lake and within the (unclear).

Councilman Gibson: I was just curious. Thank you Mr. Chairman.

Councilman Walford: Piggybacking on Councilman Carmody, and then Councilman Gibson, first of all, Mike's right. This was Barnwell's Marina back in the '50s and '60s. What little bit of (unclear), there's some sunken boats there. It's a hazard as it is. So it's good if somebody's going to take it and clean it up. I think maybe where Councilman Carmody's going about our liability and then Councilman Gibson mentioning DEQ, if a full service marina is going in and would be putting petroleum on our property, then I do think that it may be time that we look at protecting ourselves. I mean, it's adjacent to our water supply and we are responsible for anything that happens to the ground. So I think that is a very valid consideration, but I think that building was the shop back in the '60s where they worked on boats. There's barely a building there and less than piers. So thank you Mr. Chairman.

Councilman Jackson: Right. I want to offer a substitute motion to postpone.

**Substitute motion by Councilman Jackson, seconded by Councilman Carmody to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

Councilman Jackson: Mr. Mayor in light of what this discussion has been, can we at our next meeting get some disposition from Tom Cody with regards to what our liability would be and what perhaps is the smartest way to move forward to make sure we protect ourselves?

Mayor Hightower: We'll have that done.

***The adopted ordinances and amendments follow:***

**ORDINANCE NO. 173 OF 2004**

**AN ORDINANCE AMENDING SECTION 42-183 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO PROFESSIONAL BONDSMEN AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Section 42-183 of the Code of Ordinances is hereby amended to read as follows:

Sec. 42-183. Permit; fees.

(a) All persons engaged in the business of professional bondsman shall, on or before March 1 of each year, file with the director of finance an application for a permit to engage in such business, which application shall include a written power of attorney authorizing the applicant to obligate as surety on bonds a surety company which is legally registered and authorized to do business in the state, as evidenced by a certificate of authorization issued by the state commissioner of insurance.

(b) The annual permit filing fee shall be \$100.00.

©) There shall be an administrative fee of \$25.00 per occurrence for any changes to the permit documentation during the permit year.

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. 174 OF 2004**

**AN ORDINANCE TO AMEND AND REENACT SECTION 22-26, THE COMPREHENSIVE BUILDING CODE, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Section 22-26 of the Code of Ordinances for the City of Shreveport pertaining to the Comprehensive Building Code is hereby amended and reenacted to read as follows:

**Article II. Standards**

**Sec. 22-26 - Comprehensive Building Code**

(a) This code represents the complete building code for the City of Shreveport and replaces ordinance number 126 of 1953 and all of its amendments and revisions and subsequent ordinances re-enacted. The Comprehensive Building Code shall include the following, all of which are on file in the offices of the City of Shreveport, Clerk of Council and Permits and Inspections Division:

(1) Building Code shall be the International Building Code, 2000 Edition, and Chapters 2 - 10 of the International Residential Building Code, 2000 Edition.

- (2) Mechanical Code shall be the International Mechanical Code, 2000 Edition.
- (3) Electrical Code shall be the National Electrical Code, 2002 Edition.
- (4) Gas Code shall be the International Gas Code, 2000 Edition.
- (1) Plumbing Code shall be the Louisiana State Plumbing Code, 2000 Edition.
- (b) The Administrative Procedures shall be the Administrative Procedures for this section.
  - (1) There shall be a Comprehensive Board of Appeals in addition to other boards cited in this Section. All board members shall be appointed by the Mayor and confirmed by the City Council. The members of the Comprehensive Board of Appeals shall serve at the discretion of the Mayor.
    - (a) The Comprehensive Board of Appeals will serve to hear appeals of rulings issued by all boards established by Section 22-26(a).
    - (b) Members of the Comprehensive Board of Appeals will be one (1) architect, one (1) engineer, one (1) registered voter from within the Shreveport city limits, the chairmen of the Building, Electrical, Mechanical, and Plumbing Boards, as well as one (1) rotating member who is considered technically proficient to serve in the place of any chairman disqualified from participation.
    - © At no time shall the chairman of any board be allowed to serve as a member in any appeal generated by a decision of the board of which he is the chairman. Whenever such disqualification occurs, the affected chairman shall be replaced by the rotating member of the board.
- (2) All boards referenced in this section shall have the right to request the presence of any witness they deem necessary. Any person or corporation required to appear before any board shall have the right to request the presence of any witness they deem necessary. Either party requesting witnesses must put such requests in writing to the Chief Building Official providing the name, address, and telephone number of each witness they are requesting at least fifteen (15) working days prior to the date of the scheduled meeting. The Chief Building Official will be responsible for notifying, by certified mail, return receipt requested, all witnesses identified of the date, time, and place of the meeting at least ten (10) working days prior to the meeting.
- (3) Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, electrical, gas mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the Chief Building Official.
- (4) The City of Shreveport, Permits and Inspections Division, may issue permits as

may be required by other city ordinances.

\*\*\*\*\*

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. 175 OF 2004**

**AN ORDINANCE CLOSING AND ABANDONING THE 50 FOOT-WIDE BAYOU ROAD PUBLIC RIGHT-OF-WAY LOCATED IN THE RAVENNA SUBDIVISION UNIT NO. 2 IN THE NE 1/4 SECTION 06 (T16N-R13W), CADDO PARISH, LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, today the Property Management Section of the Department of Operational Services has received a request to close and abandon a portion the above identified alleyway; and

**WHEREAS**, Water and Sewerage Engineering has reviewed this request and has no objections to this portion of the alleyway 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 unimproved Bayou Road right-of-way as acquired by the City of Shreveport and recorded in Book 650, Page 143, February 28, 1952 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. 176 OF 2004**

**AN ORDINANCE CLOSING AND ABANDONMENT OF THE 50 FOOT-WIDE DEDICATED STREETS, EMILY BLVD. BETWEEN WALLACE LAKE DRIVE AND SENTELL STREET AND SENTELL STREET FROM EMILY BLVD. SOUTH 200 FEET LOCATED IN FORBING ANNEX HOME SITES UNIT NO.1 CITY OF SHREVEPORT OF THE NE 1/4 OF SECTION 7 (T16N-R13W), CADDO PARISH,**

**LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, today the Property Management Section of the Department of Operational Services has received a request to close and abandon the above identified dedicated streets; and

**WHEREAS**, Water and Sewerage Engineering has reviewed this request and has no objections to this portion of the alleyway 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 unimproved 50 foot-wide dedicated streets, Emily Blvd. Between Wallace Lake Drive and Sentell Street and Sentell Street from Emily Blvd. South 200 feet located in the Forbinf Annex Home Sites Unit No.1 City of Shreveport as acquired by the City of Shreveport and recorded in Book 450, Page 513, 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. 177 OF 2004**

**AN ORDINANCE CLOSING AND ABANDONING THE EAST PORTION (240 FEET) OF THE 20 FOOT- WIDE ALLEYWAY LOCATED IN BETWEEN MILAM STREET TO THE NORTH AND LOONEY STREET TO THE SOUTH AND BORDERED TO THE EAST BY SYCAMORE STREET IN THE HOTCHKISS SUBDIVISION IN SECTION 35 (T18N-R14W), CADDO PARISH, LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, today the Property Management Section of the Department of Operational Services has received a request to close and abandon a portion the above identified alleyway; and

**WHEREAS**, Water and Sewerage Engineering has reviewed this request and has no objections to this portion of the alleyway 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 east portion (240 feet) of the 20 foot- wide alleyway as acquired by the City of Shreveport and recorded in Book 50, Page 391 May 9, 1911 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. 181 OF 2004**

**AN ORDINANCE AMENDING THE 2004 BUDGET FOR THE FLEET SERVICES INTERNAL SERVICE 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 2004 budget for the Fleet Services Internal Service, to shift funds among expenditure categories and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 170 of 2003, the 2004 budget for the Fleet Services Internal Service Fund, be amended as follows:

In Section 1 (Estimated Receipts):

Increase Transfer from General Fund by \$125,000.

In Section 2 (Appropriations):

Increase Materials and Supplies by \$25,000.

Increase Contractual Services by \$100,000.

Adjust totals and subtotals accordingly.

**BE IT FURTHER ORDAINED** that the remainder of Ordinance No. 170 of 2003, as amended, shall remain unchanged and in full force and effect.

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

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

**ORDINANCE NO. 182 OF 2004**

**AN ORDINANCE AMENDING THE 2004 GENERAL FUND BUDGET 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 2004 General

Fund budget, to adjust estimated revenues and expenditures 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. 158 of 2003, the 2004 General Fund budget, is hereby amended as follows:

In Section 2 (Appropriations):

In General Government, decrease Operating Reserve by \$517,200. Increase Transfer to Golf Fund by \$174,100 and Transfer to Community Development Fund by \$94,000. Appropriate Transfer to Airports Fund at \$124,100.

In Police, increase Transfer to Fleet Services Fund by \$25,000.

In Operational Services, increase Transfer to Fleet Services Fund by \$100,000.

Adjust all totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 158 of 2003 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.

#### **Amendment No. 1 to Ordinance 182 of 2004**

An Ordinance Amending the 2004 General Fund Budget.

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

Increase Miscellaneous by \$1,521,000.

In Section 2 (Appropriations):

Increase Fire - Improvements and Equipment by \$1,521,000.

Adjust totals and subtotals accordingly.

#### **ORDINANCE NO. 178 OF 2004**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON SOUTH SIDE OF MARION STREET 100 FEET WEST OF WOODWARD STREET, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-2, SUBURBAN, MULTI-FAMILY RESIDENCE DISTRICT, TO B-3, COMMUNITY BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lots 65, 66, & 67 Canan Land Resub, Shreveport, Caddo Parish, Louisiana, located on the south side of Marion Street 100 feet west of Woodward Street, **be and the same is hereby changed from R-2, Suburban, Multi-Family Residence District, to B-3, Community Business District:**

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

1. **Development of the property shall be in substantial accord with a revised site plan showing landscaping to Ordinance standards to be submitted to and approved by the Planning Director, with any significant changes or additions requiring further review and approval by the Planning Commission.**

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. \_179 OF 2004**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTHWEST CORNER OF PINES ROAD AND STEEPLE CHASE PLAZA DRIVE SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-1, BUFFER BUSINESS DISTRICT, TO B-2, NEIGHBORHOOD BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lot 8 Steeple Chase Plaza in Huntington Park, Shreveport, Caddo Parish, Louisiana, located on the SW corner of Pines Road and Steeple Chase Plaza, be and the same is hereby changed from B-1, Buffer Business District to B-2, Neighborhood Business District.

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

2. **Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**

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.

## **UNFINISHED BUSINESS:**

1. 2005 Budget Appropriation Ordinances (Introduced and Tabled on October 12):
  - 153 Adopting the 2005 Capital Improvements Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 154 Adopting the 2005 General Fund Budget, appropriating the funds therein, and otherwise providing with respect thereto.
  - 155 Adopting the 2005 Budget for the Retained Risk, Internal Service Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 156 Adopting the 2005 Budget for the Fleet Services Internal Service Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 157 Adopting the 2005 Budget for the Metropolitan Planning Commission's Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 158 Adopting the 2005 Budget for the Community Development Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 159 Adopting the 2005 Budget for the Riverfront Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 160 Adopting the 2005 Budget for the Environmental Grants Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 161 Adopting the 2005 Budget for the Shreveport Redevelopment Agency Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 162 Adopting the 2005 Budget for the Police Grants Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 163 Adopting the 2005 Budget for the Downtown Entertainment Economic Development Special Revenue Fund, appropriating the funds therein, and otherwise providing with respect thereto.
  - 164 Adopting the 2005 Budget for the Golf Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 165 Adopting the 2005 Budget for the Airports Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 166 Adopting the 2005 Budget for the Water and Sewerage Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with

- respect thereto.
- 167 Adopting the 2005 Budget funding contractual services to SPORTRAN by Metro Management Associates, Inc., and otherwise providing with respect thereto.
- 168 Adopting the 2005 Budget for the Downtown Parking Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
- 169 Adopting the 2005 Debt Service Fund Budget, appropriating the funds therein, and otherwise providing with respect thereto.

Councilman Jackson: We have obviously tabled these budget items.

Mr. Thompson: Mr. Chairman, under item 10 I believe that the budget items will remain tabled, however we can go back to the resolution authorizing the Mayor to execute an agreement and the related instruments with Municipal Asset Management Inc., if that's your pleasure.

Councilman Jackson: Yes, please sir.

Mr. Thompson: It has one amendment and after I read the amendment, then Ms. Glass might want to explain what is happening. The amendment says:

**“A resolution authorizing the Mayor to execute an agreement and related instruments with Municipal Asset Management Inc., and/or other parties for the financing of fire trucks and otherwise providing with respect thereto”.**

Mr. Thompson: The amendment actually amends the title to give the Mayor the authority to negotiate with somebody other than this company.

**Read by title and as read, motion by Councilman Gibson, seconded by Councilman Walford to adopt Amendment to Resolution No. 228 of 2004. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

Ms. Glass: Mr. Chairman, Ms. Washington and I had already intended, and I believe I missed the opportunity earlier in the meeting to ask that you postpone this. The resolution references contract documents on file with the Council. Those are not complete yet and we had already intended to ask you to postpone those until those are finally completed. I've just received them by email today. That would also give us time to change the document if we determine that it would be a good idea to go with a different party. What the amendment did was broaden the title so that you could go either way next time. But we would ask that you amend it at this time. I mean postpone it.

**Motion by Councilman Walford, seconded by Councilman Carmody to postpone Resolution No. 228 until the November 30, 2004 meeting. Motion approved by the**

**following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Jackson. 6. Nays: None. Absent: Councilman Green. 1.**

**NEW BUSINESS:** None.

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES.** None.

**CLERK'S REPORT:**

Councilman Jackson: Mr. Clerk, do we have any report?

Mr. Thompson: Just the reminder that the next Administrative Conference and City Council Meeting will be Monday, November 29th and Tuesday, November 30th.

**ADJOURNMENT:** The meeting adjourned at approximately 4:59 p.m.