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Council Proceedings of the City of Shreveport, Louisiana
September 8, 2009

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Ron Webb at 3:02 p.m., Tuesday, September 8, 2009, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Wooley.

The Pledge of Allegiance was led by Councilman Walford.

Councilman Webb: Want to welcome everybody, and want to respectfully ask that if you have a cell phone, if you would turn it off and put it on vibrate.

Councilman Shyne: I think he did that because he saw me coming in.

Councilman Webb: I wasn't going to mention your name today, but if you insist.

On Roll Call, the following members were Present: Councilmen Calvin Lester, Monty Walford, Michael Long, Bryan Wooley, Ron Webb, Joe Shyne, and Joyce Bowman. 7. Absent: None.

Mr. Thompson: Mr. Chairman, you may want to take August 25th separately, since we have to approve the amendment and the minutes as amended.

Councilman Webb: Okay, so I'll ask for approval of everything but the Amendment No. 1 to the Special Meeting?

Mr. Thompson: That would be August 24th, August 28th, and August 31st.

Councilman Webb: Okay.

Motion by Councilman Shyne, seconded by Councilman Wooley to approve the minutes of the Administrative Conference, Administrative Conference (August 24, 2009), Special Meeting Minutes, August 28, 2009, and Shreveport City Council and Caddo Parish Commission Special Meeting Joint Session, August 31, 2009.

**SHREVEPORT CITY COUNCIL AND CADDO PARISH COMMISSION
SPECIAL MEETING AND JOINT SESSION MINUTES - August 31, 2009**

The Special Meeting and Joint Session of the Shreveport City Council and the Caddo Parish Commission was called to order by Chairman Ron Webb at 1:10 p.m., Monday, August 31, 2009, in the Government Chambers at Government Plaza 505 Travis Street, Shreveport, LA.

This special and joint meeting was called to discuss the following:

“To consider matters pertaining to the Shreveport-Caddo Master Plan”

On Roll Call the following Shreveport City Council members were present: Calvin Lester (10:40), Monty Walford, Michael Long, Ron Webb, Joe Shyne, and Joyce Bowman. 7. Absent: Councilman Bryan Wooley. 1.

Also on Roll Call the following Caddo Parish Commissioners were present: Commissioners David Cox, Douglas Dominick, John Escude, Sam Jenkins, Matthew Linn, Stephanie Lynch, Jim Smith and Michael Thibodeaux. 8. Absent: Commissioners Lindora Baker, Kenneth Epperson, Rose McCulloch, and Carl Pierson. 4.

Invocation was given by Councilman Ron Webb.

The Pledge of Allegiance was led by Councilman David Cox.

Opening Comments were made by the Chairman of Shreveport City Council (Ron Webb) and the President of the Caddo Parish Commission (Stephanie Lynch).

The President of the Caddo Parish Commission asked for a vote to suspend the rules to allow public comments and the following citizens spoke: Ms. April Daum, Dr. Philip Roseman, Mr. Loren Demerath, Ms. Joyce M. Lawrence, and Mr. Rogers Gueory.

The President of the Caddo Parish Commission asked for comments from the Council and Commission and all the members of each body shared their concerns about the process of the Master Plan.

Commissioner Jenkins asked for more citizen input and the following citizens offered comments: Ms. Mona H. Conrad, Mr. James D. Mohr, Ms. Barbara Jarrell, Mrs. Bessie Smith, and Dr. Phillip Roseman.

There being no further business to come before the Council the Special Meeting adjourned at 3:05 PM.

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

Councilman Webb: And what's the deal on the others?

Mr. Thompson: On Amendment No. 1 to August 25th, the draft of this resolution was inadvertently published in the minutes. This amendment deletes that draft and inserts the resolution that was adopted.

Councilman Webb: So, we have to two weeks on that one?

Mr. Thompson: No, no. We just adopt the Amendment No. 1, then the Council Proceedings of August 25th as amended.

City Council Meeting - August 25, 2009 and Amendment No. 1 to Council Proceedings – August 25, 2009,

Amendment No. 1 to the August 25, 2009, City Council Minutes as published on September 1, 2009, in the Official Journal.

Amend the August 25, 2009 Council Proceedings relative to Resolution No. 154 of 2009, as follows:

Delete the resolution as advertised and substitute the following:

EXPLANATION

An initial draft of this resolution was inadvertently published in the minutes. This amendment deletes that draft and inserts the Resolution that was adopted.

RESOLUTION NO. 154 OF 2009

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SHREVEPORT (THE "CITY") TO PROCEED WITH LOANS IN AN AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000) DOLLARS FOR THE PURPOSE OF BUILDING TWELVE HOUSES FOR CONCORDIA PLACE DEVELOPMENT IN STONER HILL (THE "PROJECT"), APPROVING THE APPLICATION TO THE LOUISIANA HOUSING FINANCE AGENCY FOR A \$1,000,000 FORGIVABLE LOAN TO USE LOUISIANA HOUSING TRUST FUNDS AS

A MARKET BASED SUBSIDY FOR AFFORDABLE HOUSING FOR THE “PROJECT”, APPROVING THE APPLICATION TO BANCORP SOUTH FOR A \$800,000 CONSTRUCTION LOAN FOR THE PROJECT, PAYING THE COST OF CLOSING OF THE LOANS, MAKING APPLICATION TO THE LOUISIANA STATE BOND COMMISSION, HIRING PROFESSIONALS IN CONJUNCTION WITH THE LOANS; AUTHORIZING DISBURSAL OF THE PROCEEDS OF THE LOANS TO OR ON BEHALF OF QUALIFYING FIRST TIME HOMEBUYERS, AUTHORIZING THE MAYOR AND THE CLERK OF THE CITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport (“City”) acting through its governing authority, the City Council for the City (the “City Council”), has been engaged in extensive revitalization efforts in certain targeted neighborhoods within the City; and

WHEREAS, the City, through its Department of Community Development, has been approved for a forgivable loan in the amount of \$1,000,000.00 (the “LHFA Loan”) from the Louisiana Housing Finance Agency (“LHFA”) and approved for an additional \$800,000.00 loan (the “Bancorp Loan”) from Bancorp South (“Bancorp”) for purposes of construction of twelve (12) houses for the Project, subject to receipt of all necessary approvals; and

WHEREAS, the LHFA funds will be used as a market based development subsidy to assist households whose income is at or below one hundred twenty (120%) percent of the areas median income thereby making the home affordable for the buyer; and

WHEREAS, the Bancorp funds will be used for construction costs of each unit and Bancorp South Mortgage Division will provide permanent financing for each homebuyer upon completion of construction of houses for the Project; and

WHEREAS, the City desires to proceed with the Loans as set forth above in an amount not to exceed One Million Eight Hundred Thousand (\$1,800,000.00) Dollars for purpose of building twelve (12) houses for the Project; and

WHEREAS, the City desires to seek the necessary approval(s) for the Loans from the State Bond Commission and the City Council associated with the above, including, but not limited to paying the costs related to such action including but not limited to legal fees and financial advisor fees; and

WHEREAS, the City desires to engage professionals in order to seek approval by the Louisiana State Bond commission and the City Council for the foregoing action.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in legal session convened, acting as the governing authority thereof, that:

Section 1: Declaration of Intent. The City is authorized to proceed with a financing through the LHFA in an amount not to exceed One Million and no/100 (\$1,000,000) Dollars, in the form of a forgivable loan (the “LHFA Loan”) and a financing from Bancorp in an amount not to exceed Eight Hundred Thousand and No/100 (\$800,000.00) Dollars (the “Bancorp Loan”) both of which (hereinafter collectively referred to as the “Loans”) will be used as set forth above respectively, for the purpose constructing twelve (12) houses in the Stoner Hill area of Shreveport and through a market based subsidy, selling them to households whose income is at or below one hundred twenty (120%) percent of the area median income thereby making the home affordable for the buyer.

Section 2: Terms and Conditions of the LHFA Loan. The structure, terms and conditions of the \$1,000,000 LHFA Loan shall not exceed three years from its date of closing and will bear interest at a fixed rate not to exceed zero percent (0.0%); provided however, upon any

default on the LHFA Loan, the interest rate may not exceed ten percent(10%) per annum.

Section 3: Terms and Conditions of the Bancorp Loan. The structure, terms and conditions of the \$800,000.00 Bancorp Loan shall not exceed three (3) years from its date of closing and the interest on the Bancorp Loan will be WSJ Prime+ 1% with a floor of 4.5% and not to exceed a rate of 12%, with a one (1%) percent origination fee.

Section 4. State Bond Commission Application. The City Council, as the governing authority of the City, hereby authorizes and directs that application be formally made to the Louisiana State Bond Commission (“SBC”), Baton Rouge, Louisiana for approval of the Loans within the parameters set forth above.

Section 5: Borrower Counsel. The City hereby finds and determines that a real necessity exists for the employment of special counsel in connection with the entry into the two loans and accordingly Weems, Schimpf, Gilsoul, Haines, Landry & Carmouche, (APLC) and Jacqueline Scott, Esq., Attorney at Law, both of Shreveport, Louisiana (together, “Borrower Counsel”), are hereby appointed and employed to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Loans. Said Borrower Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to, and counsel shall advise the City and the City Council on the closing of the Loans. The fees of Borrower Counsel shall be contingent upon the issuance of the Loans. The fees to be paid to Borrower Counsel shall be in the amount approved by the City and shall not exceed the Attorney General's then current Fee Schedule as negotiated and other guidelines for comprehensive, legal and coordinate professional work in the issuance of loans applied to the actual aggregate principal amount of the Loans together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Loans, said fees and expenses to be payable out of general funds of the City that have been appropriated for the Project.

Section 6. Financial Advisor. Grigsby & Associates, Inc., of Shreveport, Louisiana is hereby appointed and employed by the City to do and perform financial advisory work with respect to the Loans. Said Financial Adviser shall prepare and submit to such officials of the City for implementation of a comprehensive financial strategy incidental to, and shall advise the City Council on the foregoing. Financial Advisor shall coordinate third-party financial negotiations with LHFA and Bancorp South, and shall perform such other duties as are included in its Financial Advisory contract with the City. Any compensation to Financial Advisor shall be subsequently approved by and shall be paid by the City. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced payable as provided by the Financial Advisory contract with the City, out of general funds of the City that have been appropriated for the Project.

Section 7. Declaration of Official Intent under Reg. 1.150-2. Prior to the issuance of the Loans, the City anticipates that it may pay a portion of the costs of the Project from other available funds. Upon issuance of the Loans, the City reasonably expects to reimburse said expenditures from the proceeds of the Loans. Any such allocation of the proceeds of the Loans for reimbursement will be with respect to capital expenditures (as defined in Treasury Regulation 1.150-1(h)) and will be made upon the issuance of the Loans and not later than one year after the date of either (i) the date such expenditure was made or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

Section 8. SWAP Approval. By virtue of City’s application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission’s approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned

upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the “State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.”, adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City to do any and all things necessary and incidental to carry out the provisions of these resolutions.

BE IF FURTHER RESOLVED, that if any provision or item of these resolutions 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 to be severable.

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

Motion by Councilman Shyne, seconded by Councilman Wooley to Amendment No. 1 to the Council Proceedings, August 25, 2009 and Council Proceedings, August 25, 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

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

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

Mayor Glover: Thank you Mr. Chairman and members of the Council. At this point and time, I'd like to ask Chief Brian Crawford and Chief Henry Whitehorn to join me here. Mr. Chairman and members of the Council, this is one that I spoke with Chairman Webb earlier today, to make sure that we all are on the same page, cause I want this not to be just an expression of the Administration, but also an expression from the Council. And so we are here today and despite the fact that there are substantial number of individuals who are worthy of recognition, and a highlight for that particular award with regard to what happened, the fire at the Shreveport Regional Arts Council. These two gentlemen, our two Chiefs have given the Mayor's office a list of individuals who they believe are certainly worthy of special recognition in that regard. So, we are here today to honor the two groups of individuals, one Fire and one Police who were involved and helped us to address what we all know to have been a very tragic set of circumstances with the fire that was set there at that very historic building. Now I (inaudible) present here today honoring these individuals as our city in any way to lessen or diminish the recognition that should be extended to the balance of the firefighters and the police officers involved and certainly, which I know Ms. Nettie Brown is listening, that in now way diminish the level of importance and the great alliance that the City of Shreveport has on those folks within the Water and Sewerage Department and Operational Services when it comes to addressing these factors. Because we know that if were not for the fact that that water was being pumped out of Amis as effectively and efficiently as it was that there would not have been much that Chief Crawford and his men and women could have done on that fateful morning. So, while

we recognize and appreciate and honor all, based upon the recommendations of these two chiefs, we'd like to be able to give specific and special recognition to this particular list of individuals. And so, it's my great privilege to extend to this group of firefighters and I ask them to come up by name as we call them. We will start with the Assistant Chief of Fire Prevention, Mr. Randy Stephens, would you please come up? And we have a presentation being made by the Chief also. Chief?

Chief Crawford: Thank you Mr. Mayor. Mr. Chairman, this is just to echo what the Mayor had said, the firefighters, I think we have all recognized performed exemplary that morning in extinguishing the flames that blazed the SRAC as well as the other seven arsons that were ignited that morning. These are kind of some of the guys and ladies that were behind the scene of an incredible arrest. Its something to say that an arson is probably the least prosecuted crime in this country. Some 500,000 occur every year. Only 15% are actually prosecuted and brought to justice. The fact that these group of men and women were literally perusing the streets of Shreveport at 5:00 in the morning, and looking for this gentleman and being able to arrest him that morning, hours after the fire having a confession, 16 counts including the seven counts that morning and the additional charges of additional arson fires, is nothing short of miraculous and incredible police and fire investigative teamwork and cooperation, and those are the people that we are here recognizing this morning. This gentleman behind me, Chief Randy Stephens (inaudible) are fire arson investigators. So, on behalf of the Shreveport Fire Department, for your commitment, and this will be on all additional certificates, so I won't read each one, I will just follow the Mayor as he calls out the names after this, for your commitment and dedication in providing exceptional and cooperative fire and police public safety response that led to the apprehension of a serial arsonist on August 25, 2009, through your rapid and determined actions that went above and beyond, the suspect was quickly apprehended, and faces 16 counts of felonious arson, your actions removed a serious potential fire and life safety threat from our city streets. Congratulations.

Mayor Glover: Mr. Chairman and Members of the Council, the next firefighter we'd like to recognize is Chris Robinson. Is he in court for this arson?

Chief Crawford: He's in court for this arson.

Mayor Glover: Okay. He is in court in related to this arsonist. Wonderful. I saw that on the news this morning, I didn't know (inaudible) that quickly. Mr. Mike Hood, would you join us please? Mr. Rodney Murray.

Councilman Webb: And look this way and smile.

Mayor Glover: Josh McCollum. And now the members of the Shreveport Police Department. Shreveport Police Detective, Shawn Hinderburger. Detective Jeff Brown.

Councilman Shyne: I don't know, somewhere look like I could get a little smile or something on one of those pictures there Chief, both of you Chiefs, y'all just so solemn, do like the Mayor. I see a little grin on the Mayor's face. So, there you go.

Mayor Glover: Well, when you've got great firefighters and great police officers like these Councilman Shyne, you can't help but smile.

Councilman Shyne: There you go, there you go.

Mayor Glover: Detective Roger Courtney.

Councilman Shyne: Lets see if Roger is going to smile on the picture. There you go, alright.

Mayor Glover: Shreveport Police Captain, Tony LeBlanc.

Councilman Shyne: Tony is coming up with a smile. There you go.

Mayor Glover: Tony always smiles.

Councilman Lester: Almost didn't recognize him without his trademark shades.

Mayor Glover: Mr. Chairman, Cpt LeBlanc wants to give a speech as well. Shreveport Police Sgt, Kevin Perry.

Councilman Shyne: There's a smiling face. Alright.

Mayor Glover: Shreveport Police Sergeant, Greg Washam.

Councilman Walford: Mr. Mayor, he's also one of Uncle Sam's finest I might point out.

Councilman Webb: Marine or U.S. Army?

Mayor Glover: Hooah! Cpl Joe Dews.

Councilman Shyne: Seems like Joe is pretty popular.

Mayor Glover: Last but certainly not least, Shreveport Police Corporal, Laura Sorrells.

Councilman Shyne: Ah, there's a smiling face.

Mayor Glover: Chief, did you have any comments?

Chief Whitehorn: I think everything has basically been said by Chief Crawford and the Mayor, the one thing that I'd like to emphasize, Brian touched on it. But one of the things that Mayor Glover has demanded throughout this Administration is teamwork, and it's just an honor to be a part of that, these men and women with the fire service and the police department, we do work as a team, not only on this fire, but all the fires, we work as a team. So, it's just another great opportunity for us to work together, and the SRAC building had a special meaning to me, because that was my Dojo. That's where I took karate classes in my younger day. So, thank you.

Chief Crawford: I really don't have anything to add, you may notice that there's twice as many police officers as firefighters, it's just cause we do more with less usually. Seriously, I think it shows you the commitment and the cooperation, and all these officers and fire officers that you see behind me were up two weeks ago, in their patrol cars risking their lives to find not knowing that this individual was armed or dangerous. The fact that he burnt abandoned property is only through the grace of God that we didn't have somebody killed that night. But through their efforts, he's off the street and hopefully will be put away for a long time. So, thank them on behalf of the Shreveport Fire Department.

Mayor Glover: At this point, I'd just like the entire group to stand and have us all give them a great round of applause. Thank you guys, and I know that Pam Atchison is standing in the back. Pam, we appreciate you being here as well, thank you much, and again Lady, and Gentlemen, we thank you all for your leadership and for your efforts.

Councilman Shyne: Mr. Mayor, I see Mike Strong standing back there looking kind of sad, and you know Mr. Mayor, if he had not had the water pressure up, right Mike? If you had not had the water pressure up, we would have been in a lot of trouble. So, thank you Mike.

Mayor Glover: Mr. Shyne, we gave specific recognition to Nettie Brown and crew.

Councilman Shyne: Oh great!

Mayor Glover: For keeping the water pressure up. We weren't quite sure whether Mike was up yet, but we do know that Nettie and all the folks within Water and Sewerage and over at Amis were hard at work making sure the water pressure was up, so we thank them a lot.

Councilman Shyne: Great Mr. Mayor.

Mayor Glover: Appreciate it Mr. Shyne. Mr. Chairman, Members of the Council, this will conclude my Mayoral communications at this particular time, I know that at some point, we will address the issue involving Community Development. I'm prepared to make comments at that time as well. But I'll wait for your direction Mr. Chairman.

Councilman Webb: Go ahead and make your comments right now.

Mayor Glover: Alright. Thank you Mr. Chairman, and Members of the Council. You all know on Monday of last week, we became aware of the results of an investigation that was started by the Shreveport Sheriff's office and the District Attorney some six months ago, and since that point and time, we have been taking the opportunity to address what are without question great concerns to you all as well to - - - as well as this Administration. I think as I shared with you all on last week during the course of the Council Work Session, there were even some measures and some things that we undertook during the course of the investigation itself as we became aware of some of those concerns. However, I just want to give you an update with regard to some of the actions we have taken here within the last several days regarding this situation. As you all know we had the resignation of the individual who was the head of the Housing Bureau within Community Development. We also on Thursday of last week scheduled and held the pre-disciplinary conferences of the three inspectors involved in this situation. Those individuals also could have taken the option of resignation prior to those pre-disciplinary conferences being held. They chose to go through that process, upon the conclusion of them, they were in fact terminated from employment with the City of Shreveport. They have I believe some 10 days to appeal that decision to the City's Personnel Board. In addition, personnel at this point have posted openings for those three certified inspector positions. We will do a roster revision to include a third inspector or a field supervisor. We're also evaluating the criteria upon which we go about selecting and hiring our inspectors as well. We have contacted several certified inspectors in the Ark-La-Tex to assist with the completion of work that is already in progress. We have solicited bids to address all emergencies identified with the Sheriff's investigation, and others identified through the complaint system. We are only looking at specific issues such as electric, plumbing, gas leaks, etc., and we will utilize the inspections made by the City inspectors to document our files. We have reviewed the files in question and will be reviewing all the limited repair projects at this particular point and time, to identify any problems that may exist there. We are in the process of reassigning projects that are currently underway to new contractors. Those projects that were currently underway by the four involved contractors are being assigned to new contractors. We have met with our current contractors and mailed out letters clearly articulating the need to do good work, to pull the proper permits, to utilize licensed subcontractors, and other measures that we believe will insure that we will have the type of results that we all seek to expect. A similar letter was sent to the community housing development organizations, those are housing agencies based throughout the area who work with the City of Shreveport. We will start an internal audit process based upon you all's lead and direction I believe that will start at 9:00 a.m. or I'm sorry, 10:00 a.m. on tomorrow. I stand to be corrected, that is a Council directed process. But that's what my notes show me at this point, from what we have been able to pull together. We have solicited proposals for internal review for all of our HUD programs at this particular point and time, and we are reevaluating the way in which we process payouts for what we believe to be completed and inspected work, and we will make the necessary adjustments there. We have shifted additional personnel involved in this area to be over special projects, specifically dealing only with the Concordia Place, (inaudible) Place, and Cedar Springs Project at this particular point and time. We are evaluating every dime of HUD funding over the last five years, to ensure that they have been expended through appropriate and proper fashion. And we are in the process of creating a homeowner manual to be utilized in the various processes and programs that we have in place over with Community Development. We have visited some of the homeowners to ensure that the work will be done, and it will be done in a proper and appropriate fashion. Monitors have been deployed to interview the remaining homeowners who have received services under the limited repair

program. And lastly, we are extending acknowledgment letters to those who have called, any complaints we have made referrals to other organizations when applicable. Again, any emergencies will be addressed that have previously applied under this particular program. That is just the latest update that we have for you all regarding this particular situation. We expect to do so, on an ongoing basis. We hope that you all will make yourselves available as we seek to reach out and share that information with you. Obviously we'd like to be able to do so on time intervals that would be obviously much shorter, than in between our normal formal Council Work Sessions and Regular Meetings, but we will also at Council request do an official on record update at each and every Council Meeting as we move forward as well. Also, I had the opportunity to go out and visit at least three identified aggrieved homeowners that we were able to determine at this particular point and had a chance to be able to express to them the debt of regrets on the part of the Mayor's office for this particular situation, and assured them that we would as I said to them directly, that we would be making them whole. I want to acknowledge the support and cooperation of the folks at the Department of Housing and Urban Development, their direction to us, simply has been to go out and find those folks who have been impacted and to address their problems. And we will work with you all to resolve how it is that we go about covering the expenses associated with that at this particular point and time. But they have insured us that they do intend to work with us. We do have available funding still to be able to address those issues and as I stated to you all last week, we have every intention at this point of going at these individuals at a civil level. We are right now assessing the validity of the bonds that they posted for the various jobs that were performed, to see what recourse we may have there, but I guess as Ms. Bowman has put it, these size 15s are coming down, they are coming down on them very hard.

Councilman Shyne: Mr. Mayor, very good. I would just like to make one suggestion. I would hope and I hope Bonnie can hear this, I would hope that whenever there is a project in a certain Councilman's district, I would hope that Mr. Mayor, that Ms. Moore or somebody or the CAO would let that Councilman know when a project is let in that particular district, and when the project is finished so to speak in that particular Councilman's district, so we can at least - - - cause I've had a couple of people call me and say, 'Well Joe, why didn't you come out and look?' And I didn't want to scratch my head and say, I didn't even know anything was going on at your particular house. So, if we could get that information at such and such a street, or such and such address, the project will start on such and such a date, it kinda lets us know what the project is going to entail, and then before the contractor is paid, you know kinda give us a little heads up. We'd like to go out and look at it. Cause I know when Mike is doing street work or drainage work, or that kinda stuff, or when Code Enforcement is doing some work, you know we used to go out and take a look, because you and I have been out a couple of times, go and look at some places where we had some problems, so if Ms. Moore and them could do the same thing when it comes to those kinds of projects, I think the Council would really appreciate that. Because a lot of times, people are thinking that we know whose houses are getting done, and we know what projects are being let. But we don't, because we have not - - - Bonnie, we have not been informed. And you know you hate to tell people, and you say, 'Well I'm coming by there', you don't want to say, 'Well you know we really didn't know that you were getting your house done, and this is what you were doing', so Mr. Mayor, we would appreciate it. Thank you.

Mayor Glover: Mr. Shyne, I think that's an excellent suggestion. We will get with staff and see how we can help facilitate that.

Councilman Wooley: Just a couple of comments to the Administrator and I guess also to Ms. Moore. I would based on the comments from Councilman also a copy of current

procedures (inaudible) of either homes repaired and to what extent the amount of money. I know there was questions and I don't know if these are rumors or what, but the one house got \$28,000 worth repairs done versus the house getting \$200 or \$3,000 or whatever, so it what determines the amount of money someone gets versus someone else? Obviously I'm sure (inaudible) in disrepair, but make sure the process is fair, since there is a lot unfairness going on. I would be curious to see Mr. Mayor what comes from you in regards to how we're going to pay for the work that apparently was not done, (inaudible) done with the money from HUD and other sources. Also at this point are we sure that every contractor is a licensed contractor that we are utilizing? Another concern I do have, cause that's just another thought I wanted to bring to you, is that at this point, I'm not confident. Anyone I spoke with in the general public is not confident, and we needn't spend another dime in Community Development until all this is resolved. I know there's still an ongoing investigation in the Sheriff's Department. We've called the Internal Audit, or the Chairman did on last Friday at the Work Session, people are just not unfortunately have the trust not necessarily one individual, but the department as a whole. Because obviously there are a few who abused that trust. So, I'm very concerned at this point until we understand exactly what we're doing, and if we're going to review the process, and put out new apps, and the Mayor mentioned soliciting proposals for HUD review, you know that we're real careful that the employer spend another that everything is in place and is in order. If it's not in order, then we could find ourselves in the same situation again. Thank you.

Mayor Glover: Mr. Wooley, we appreciate those concerns. Yes, of the 12 total contractors involved in this particular situation, we have been able to as I think the Sheriff also determined that 8 of those contractors are in fact in good standing, have the proper licenses, that their work has been done, and been done in proper and appropriate fashion. And part of the reason as to why I'm reluctant to suggest that we simply follow with your suggestions, that there are in fact unfortunately so many individuals who do have a great need. And I would hate to see those folks end up suffering because of the greed of some and the failures of others. And so we believe that it's possible to be able to move forward facilitate a situation where the necessary dangers, adjustments, review, accountability measures put in place would also at the same time ensuring that those individuals out there who do have a clear identified need can have their work be done by those folks who have proven themselves to be worthy of having that work, giving them responsibility doing that work. And so, we would look to try and I guess for lack of a better term carry out that kind of bifurcated process as we move forward because the greatest harm I guess that could come from this, would be not only see individuals not receive the full value of what they deserve, but also to see folks who have a definite need especially as we move into the fall and winter months to not have those needs met based upon the fact that we just simply brought everything to an absolute halt. So we would look to work with you all.

Councilman Wooley: Thank you Mr. Mayor, I would like for us to get, I guess the work that's going to be completed, that has not been completed. I do agree that it's unfortunate for those folks, because they didn't deserve that type of treatment. Just where the money is going to come from, and how much is left to do. Is it \$5,000 for two homes, or is it \$500,000 for (inaudible). If we could get that information, we'd certainly appreciate it.

Mayor Glover: Certainly, certainly. What I think would also be I think helpful was that and obviously probably a regular Council Meeting may not be anything that we'd want to end up belaboring you all with, but we would welcome the opportunity in as large of a gathering as you all would have interest or as small of a gathering as you all would have interest, to be able to sit down with you and kind of go through a kind of step by step of how these particular programs work, what their requirements are, and what have you. Because all that is in fact on record and

available. And we certainly would be more than willing to sit down and go with you all through how that process moves forward. To be able to make sure that everybody knows exactly where we are. And Councilman Shyne himself has made an excellent suggestion that we think we ought to factor into how we go about this particular program (inaudible). Can I lastly leave you with one of the things that came up I believe last week in Monday's Council's Work Session. I didn't have this as a part of my notes. I think that Councilwoman Bowman mentioned that the only finding that came out as a result of the External Audit that was done by BKD of Community Development was that there were actually three files that were missing. Well as it turns out, while those files were missing, they were in fact found, I think within short order. So, there is nothing that has been deemed missing (inaudible), I would yield to Leanis and to Bonnie to give any clarification in that regard. But I don't want to give any indication that there's actually any information that is being sought or that is being needed with regard to this situation that has not in fact been identified, located, and is in possession of the City of Shreveport. And I think it was only for a brief period of time during that external audit process last year that those files could not be found. And I also understand that those three files were not pertaining to or related to the Limited Repair Program.

Councilwoman Bowman: One was.

Mayor Glover: Okay. One was?

Councilwoman Bowman: I got that from Leanis Graham, the Internal Auditor, that one for \$3 (thousand) whatever was Alphonso Williams, the contractor doing the work.

Mayor Glover: Well I stand corrected.

Councilwoman Bowman: Am I correct Leanis? That's where the (inaudible)

Mayor Glover: But I wanted to make sure that those three files were in fact located and are available for inspection, audit and review. And anything else that needs to be done to make sure that they are in fact in proper order, and properly documented. We also will be providing to you within short order as well, a breakdown of the actual contracts and vending of these four contractors over the identified period that the Sheriff has indicated from this investigation as I mentioned in last week, to determine if that \$1.6(million), \$315,000 of it pertains specifically to the limited repair program. We will give you all in full detail of where the \$315,000 went with regard to the limited repair program, as well as where the balance of where those dollars went in terms of the other contracts that those individuals were awarded based upon I think in most instances competitive bids for the City of Shreveport. But we will put you in a position that will fully detail where those dollars are, where those dollars were expended throughout the City of Shreveport.

Councilwoman Bowman: Mr. Mayor, when you mentioned the 15, the shoe size?

Mayor Glover: I'd like to borrow one of them, because I see my former Council Representative, Theron Jackson back there, and this is the first chance I've had to see him and certainly would like to borrow one, cause I've got something for him.

Mayor Glover: Well now, I don't want to be party to an assault Mrs. Bowman, so maybe I could get you somebody - - -

Councilwoman Bowman: No, he walks in and put on his shades like I wasn't going to recognize him. I'm through.

Mayor Glover: Thank you Mr. Chairman, thank you Members of the Council. And I apologize I guess for the frog that's in my throat today, we're going to see if we can't clear it out before it's all said and done.

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

Councilman Webb: Thank you. There are still a lot of unanswered questions when it comes to the events that took place last week. And I think we're a long ways from really getting to the truth and to the bottom of it, and for that reason, I would like to call for a special Council investigation of the Community Development. Looking at the City Charter, Section 4.29, Council Investigations, it says, "The council, or any committee thereof when authorized by the council, shall have power to investigate the official conduct of any office, department, commission, board or agency of the city government or of any officer or employee thereof. For this purpose any member of the council shall have the power to administer oaths, and the council or any authorized committee thereof may compel the attendance of witnesses and require the production of books and papers. Any person who refuses to obey the lawful subpoena of the council or an authorized committee thereof shall upon conviction in any court of competent jurisdiction be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than thirty (30) days or both. "The council shall have authority to specially appropriate out of the general fund sufficient funds necessary to meet the cost of any investigation hereunder which funds may be segregated in a special bank account and withdrawn as authorized by the council, for such purpose only." And I believe it does require a vote, so I would like to make a motion as Chair to authorize that. If my fellow Council Members would agree. And it's seconded by Councilwoman Bowman.

Motion by Councilman Webb, seconded by Councilman Bowman to call for a special investigation into the actions of Community Development.

Councilman Wooley: And I thank you for doing this. There's been all kinds of conversation going on. To my understanding here at City Hall, I have received a series of phone calls while I was out of town on vacation, as soon as I got back from vacation over the weekend, very, very disturbing information, and if any of it is true, obviously the public has a right to know if it's true, it needs to be dealt with. And so, I'm hoping that through this investigation, bringing people under oath, asking any question that needs to be asked, we'll find out exactly what has transpired over time that has led us to this point. And so that is the reason why I'm seconding this motion.

Councilman Webb: Thank you very much. And I might add I spoke with Sheriff Prator by phone over the weekend, and he said that this would in no way interfere with his investigation, and if we wanted to, that he welcomed it. Councilman Walford are you ready for comments?

Councilman Walford: Mr. Chairman, I support what you're doing 100% (inaudible) resolved and I want to make sure that when we do it, it's properly constituted to know that there is absolutely no question about authority and so on. And I questioned whether with this not on the agenda, we could actually do a resolution, because I'm not comfortable that we can. I would suggest that we consider a resolution at a special meeting or if we have time and we could get a unanimous vote to add such a resolution today. But I'm not sure that we're in order doing it now, and I'm not going (inaudible), but I'm behind it 100%.

Councilman Webb: Well, it's a valid question, and maybe Julie can answer that.

Councilman Walford: That's what we've been - - -

Ms. Glass: We were just looking at the Charter provision, and it doesn't specifically say that it needs to be done by resolution. It says, and you just read it, "The council, or any committee thereof . . . can do an investigation . . .", but I think when we've done these in the past there's been maybe a resolution that sets up how the Council or the Committee would go about it.

Mr. Thompson: Yeah, I can only recall one that we've done. And we appointed a person to do it, and we had as I recall what he was supposed to do, sort of a you know sort of a box about what the investigation was supposed to be about. We also had a budget for that, and I think we would be better off if we had a resolution and it was adopted by the Council. So that everybody would be on board about what was suppose to occur.

Councilman Webb: Well can we bring it up under Adding Items to the Agenda to see if we can get a unanimous vote to add it to the agenda to add a resolution?

Mr. Thompson: We don't have the resolution.

Ms. Glass: We have to draft a resolution.

Councilman Webb: Okay.

Mr. Thompson: And I was reading in the paper I guess Sunday, one day where Cotton Valley - - -

Councilman Webb: Yeah, I read that also. And we certainly don't want to do anything that's - - -

Mr. Thompson: We could schedule a special meeting for later if - - - I think we need to really think through this, and figure out how much it's going to cost, and whose going to do it, and how we're going to divide up the work or whatever.

Councilman Webb: Are you through with your comments Mr. Walford?

Councilman Walford: Yeah, I wanted to be clear that I support the concept, I just didn't want to - - -

Councilman Lester: Yeah, Mr. Chairman. I think that we have shown that we have the ability to do special meetings. And I think this fits the need for a special meeting, and I think that so that everyone would have confidence that this process was done fairly, above board, that we had an understanding of what the scope of the investigation was, what the outcomes were, the whole nine yards, rather than to do it and not be completely prepared. And obviously we would want to have some direction in terms of who is going to lead the investigation from a prosecutorial standpoint, because obviously that's the direction that we're going. I would suggest especially to the Chairman that we postpone action on that now, get with Mr. Thompson and Ms. Glass, draft a resolution, reducing that to writing and then having a special meeting maybe toward the end of the week, with the sole item being the adoption of that particular item.

Mr. Thompson: If we're going to do it Mr. Chairman, I would suggest that we withdraw so that there is nothing to postpone, it's not on the agenda. That would be a cleaner way to do it.

Councilwoman Bowman: At this point, and I agree with what was said by Councilman Lester just now, but I'm going to make the suggestion that whoever it is, the attorney or judge that we get to administer this investigation, have no dealings at all with the City of Shreveport.

Councilman Webb: Okay, well having said that I will withdraw my motion, and I will let y'all draw up that resolution, I'll get with y'all in the morning, and maybe we'll call a special meeting Thursday afternoon. I'll get with you tomorrow morning, that way you can get the word out with a 24 hour notice.

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

Reports:

Councilman Webb: Mr. Holt, Property Standards Report.

Mr. Sibley: Mr. Holt is out, he just became the grandfather of twin baby girls this morning. So Ms. Farnell is here.

Councilman Shyne: Mr. Chairman, I hate to call this to your attention, but I think you missed special guests from the Council. And I have a special guest, since Ms. Bowman recognized somebody special, I'd like to recognize Mr. Lynn Braggs back there. Lynn, are you still there? I'd like to recognize Mr. Lynn Braggs who is a young businessman here in the City of Shreveport. A good friend of mine.

Mayor Glover: Mr. Chairman, If I could before you all move into Property Standards, I did mean to mention in my comments that we are proudly hosting for the first time in 24 years, this year's annual conference of the National Baptist Convention of America, Inc., some 12-1500 delegates who are here in Shreveport, started last night and will be here through Thursday. The host pastor for that event also happens to be on today's agenda for confirmation for the Fire and Police Civil Service Board. And I know he has pressing business with all the delegates who are back at the Convention Center right now, and if I could, I would ask if you all might give consideration to suspending the rules to move that confirmation up before you all did Property Standards, or if you all would be amenable to that, because I know he has business that he has to get back to over at the Convention, and would not want to delay him any further. But he certainly wanted to be here today for his confirmation, and - - -

Councilman Lester: Mr. Chairman, I move to suspend the rules for the confirmation of Dr. R. Timothy Jones.

Motion by Councilman Lester, seconded by Councilman Walford to suspend the rules to consider the executive appointment of Dr. R. Timothy Jones. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Shyne. 1.

Councilman Webb: Is he here?

Councilman Lester: Yes.

Motion by Councilman Lester, seconded by Councilman Walford to confirm the executive appointment of Dr. R. Timothy Jones to the Shreveport Municipal Fire and Police Civil Service Board.

Confirmations and Appointments:

Shreveport Municipal Fire and Police Civil Service Board

Dr. R. Timothy Jones

Councilman Lester: I've known Dr. Jones for quite some time. He's an excellent individual whose background and academia is second to none. Having just recently in the last six months, earned his Doctorate of Theology as I appreciate it from a college on the east coast. Is it - - - Virginia Union, School of Theology, earned doctorate in theology, he is the pastor of the Peaceful Rest Baptist Church, one of the largest and most progressive congregations in Shreveport in the Cedar Grove area. He certainly is a learned individual and has a tremendous track record in terms of Community Service. I believe that he would be an excellent, excellent

addition to this board in terms of bringing community light and standards to the board. And I wholeheartedly support his confirmation.

Councilwoman Bowman: I was like for Mr. Jones to come and tell us a little bit about himself, as we didn't get a resume.

Councilman Webb: Dr. Jones, come up.

Councilwoman Bowman: Did you get a resume?

Ms. Johnson: Yes ma'am. We received it in the last meeting.

Councilwoman Bowman: Did you see it, did you see it? We didn't see it.

Councilman Webb: I don't recall seeing it.

Ms. Johnson: I never received an electronic copy. I have a hard copy.

Councilwoman Bowman: I just want you to introduce yourself, and let it speak for itself. What you tell us in church.

Dr. Jones: Thank you so much Mr. Mayor, the Administration, Chairman Webb, Vice Chairperson Bowman, to all of the Council persons, my councilman, Brother Bryan, and to the citizens of Shreveport. I'm Timothy Jones, a lifelong resident of Shreveport. Most of my work has been in the Cedar Grove area. This year marks 25 years of preaching the gospel of our Lord Jesus Christ. And 15 years as pastor of the Peaceful Rest Missionary Baptist Church. I also serve as President of the Baptist Missionary Educational State Convention of Louisiana. We were very successful in bringing the 129th Annual Session of the National Baptist Convention to our city and it is going on even as we speak. I am honored for the nomination, and any capacity that I can serve the citizens of Shreveport, I am more than willing to do so.

Councilman Shyne: Mr. Chairman, I just wanted to say to the Mayor and to Dr. Jones, that I would like to vote favorable in this, but I would also Mr. Mayor, like for you to appoint me maybe as one of the official city greeters to their meeting. I think that would help me to - - -.

Mayor Glover: If they need a couple of Methodists in their presence, Mr. Shyne, I was there last night, I look forward to going over here and you and I both shall serve in that capacity. Consider yourself so designated.

Councilman Shyne: Dr. Jones, it's a pleasure to have you.

Councilman Walford: I too am going to support Dr. Jones. You probably don't remember, but once upon a time, we had a rather heated discussion in a conference room at your church over a matter (inaudible).

Dr. Jones: Yes sir, I remember that all too well.

Councilman Walford: But you convinced me with that that you had a very serious concern for Shreveport and we're not going to go into all the details, but I was very impressed with the fact that you stood up for what you seriously believed was a problem for Shreveport, and you were willing to argue it out. How's that? We discussed it, and I have a great respect - - - because I know you cared.

Councilman Webb: Well did he convert you?

Councilman Walford: That isn't where we were going that day. Lets just say that there was a problem in Shreveport and I appreciate the stand that he was willing to take, although I disagreed 180 degrees with where we were on it. We both were going in the same direction I think for what was best for Shreveport. You cared. He cares, and I appreciate that.

Councilman Shyne: Mr. Chairman I think in the church circuit, we don't use the word argue, we say debate.

Councilman Walford: Okay, we debated.

Dr. Jones: Or, we have theological discussions.

Councilman Walford: We had philosophical discussions too didn't we.

Councilman Wooley: Dr. Jones, I just wanted to say greetings to you today, so thank you for your service to Cedar Grove and to our city, and look forward to you serving in your new capacity as well. Thank you Mr. Chairman.

Mr. Thompson: Mr. Chairman, we do have the hard copy and I thought we passed out a hard copy. I know we did not put it on the E-agenda, but we do have it.

Motion to confirm the executive appointment of Dr. R. Timothy Jones to the Shreveport Municipal Fire and Police Civil Service Board. approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Mayor Glover: Thank you Mr. Chairman and Members of the Council.

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

Property Standards Report

Ms. Farnell: Good afternoon. Members of Council, I'm here to take any concerns that you have regarding Property Standards.

Councilman Wooley: I need to get a follow up on property standards on property at the corner of Flournoy Lucas and Youree Drive, Hwy 1, the convenience store and the abandoned golf course or driving range, excuse me. I'd like to get an update at some point this week.

Ms. Farnell: I'll get that to you.

Councilman Lester: I just wanted to say Mr. Chairman, that Property Standards has not looked this good in quite some time.

Councilwoman Bowman: Mr. Chairman, I had something to discuss, my issues with her earlier.

Councilman Shyne: Mr. Chairman, I can't make the same statement that Councilman Lester made. I'm a little ole down home Methodist, and I'm married.

Councilman Lester: Unless you know something that I don't, I'm still married too. Unless you got a memo. Please tell me.

Revenue Collection Plan & Implementation Report

Councilman Webb: Mr. Sibley, you got a Revenue Collection Plan report for us?

Mr. Sibley: Just a brief update Mr. Chairman on some things we talked about last meeting. We talked about the RFPs for the outside collectors, those will be going on the net this week. The PAFs to fill the two positions, in Finance and Revenue Auditors will be finalized this week also. And I have some updated numbers for you on the booting program. We actually have an ordinance on file today. We've been communicating with Councilman Walford, regarding fees on that. But let me know that Mr. Shea is very ill today, we'd asked him to come down, he couldn't make it because of his illness, but he did send some information that I would just like to briefly share. Just a couple of notes on the booting program, so far. As you know now we have five of the manual boots, and they began booting on August 24th, averaging 5-6 cars per day. The top four of the top ten offenders have been booted including the top two which were in the amount of \$2,820 and \$2,385 respectively. Don notes that every car that's been

booted has paid all outstanding fines. Total collection since August 24th is \$14,255 and that's across nine business days.

Councilman Shyne: Can we give you a hand on that?

Mr. Sibley: DDA Mr. Shyne.

Councilman Shyne: Because we need that.

Mr. Sibley: Also related to the ordinance, and we'll have further discussions between DDA and the Council, but one of the things that they still feel pretty strongly about is that the bulk of the collections is that we don't modify the ordinance to drop that violation down to the three, that that would slow it down, because the bulk of the people are with less than three violations, and also as I shared with Councilman Walford, the DDA still feels that the electronic way is the way to go. We however, would like to agree with the Council. You know wait and see how the manual booting goes, simply because of the cost on the electronic booting. We don't know whether or not it will make that significant of a difference. We also had shared it will be a part of the discussion on the ordinance with Councilman Walford, our thoughts on what we think the fee should be for that booting based on information we got from other cities. Also wanted to briefly give you a major part of the collection as you know is adjudicated properties program. I know the Council just passed an ordinance to put that in effect. It just gives you a couple of numbers. Malcolm is not here, but he sent me some information to share with you. Beginning - - - you know the program started back on August 17th. They are scheduling 16 appointments a day, Mondays and Thursday; 32 per week. So far 272 appointments have been scheduled. 39 have actually applied and submitted valid applications. Two redemptions have occurred thus far; 18 reports have been ordered, and another 20 ordered on Monday, September 21st. What we'll do is try and get Malcolm to either come himself and update you (inaudible) and provide additional information. But just wanted to let you know the response so far with 272 appointments scheduled so far. So hopefully that's going to allow us to get a lot of those properties off the books, in fact, into a tax paying positive situation.

Councilman Shyne: Mr. Sibley, before you continue. I don't know Mike might want to answer this one too. Because I've had some people to call me. Do they need to come down and do an application first, or do they need to - - - what is the procedure that you all have set up?

Mr. Sibley: And Mike correct me if I'm wrong, but according to Malcolm they take it by phone and do the research on the property first to make sure that it is adjacent, to make sure it is even eligible for it, then they schedule the appointment for the person to come down and start to work the process. So, if they simply call the Property Management Office, they can start that process.

Councilman Shyne: What is that number?

Mr. Sibley: We can get it in just a second.

Councilman Webb: We'll email you.

Councilman Shyne: Cause somebody is probably watching on TV. Mike if I put you on the spot, we can go head on and come back to it. Because somebody is probably watching. Because we have a lot of people watch our.

Mr. Seaton: 6016.

Mr. Sibley: 6016. 673-6016.

Councilman Shyne: 673-6016. Okay, they heard it out in TV Land.

Councilman Walford: Mr. Chairman, before you leave that, is there a way that we could get a press release or get that in the media. Because that is a question that a lot of people ask. Is what the procedure is, I don't care how many times we talk about it, could we get our local daily or some of them?

Mr. Sibley: We can get it back out?

Councilman Webb: Adam, are you hearing that?

Mayor Glover: (Inaudible) in the official press release that we send out, but we will send it back out again.

Councilman Shyne: And please every so often Mr. Mayor, if we could do it, because I think we can get it done free can't we?

Mayor Glover: Well and since we're on Comcast, it may be something that we look to put on the Comcast Bulletin Board. We put it on, I think it's already on the city's website, but we also know there are lots of folks who don't have access to that as well. So, we'll find all the convenient ways - - -

Councilman Shyne: And everybody is not like you and I who is up on this high tech.

Mayor Glover: Exactly. We will go both high and low tech.

Mr. Sibley: Mr. Chairman, just one final note. When the Marshal was here, he talked about the bail bondsmen program. That's one thing that the city attorney is working on the exact procedure necessary to basically as we appreciate it, block those so we can possibly get that amount of money in, so we're going forward with that also in terms of collection. Unless there are specific questions, that concludes the report for today.

Councilman Walford: I do have one Mr. Chairman. When the MBI folks were here, we heard that taxes prime most other things in the bankruptcy, and I know that Beairdco and one of his other companies owe us some substantial Ad Valorem Tax, as well as a number of other companies that are in bankruptcy. Are we doing anything to put ourselves in line for payment on those?

Mr. Sibley: Yes we are and Ms. Scott, I don't see her in the building, but she addressed it the last time. There is a process where we file our proof of claim, and she does that. The City Attorney's office does that in all the bankruptcies that we're aware of.

Public Hearing: None.

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

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

Public Comments (*Comments on items to be adopted*)

Councilman Webb: Mr. John McKinley.

Motion by Councilman Shyne, seconded by Councilman Long.

Councilman Long: Mr. Chairman, the Zoning Appeal Case, Item No. 11 on the agenda, can we suspend the rules? I'd like to go ahead and - - -

Substitute motion by Councilman Long, seconded by Councilman Lester to suspend the rules to consider BAC-17-09.

Councilman Shyne: Wait a minute. We've got a motion on the floor.

Councilman Webb: What do we do?

Councilman Shyne: I'll withdraw my motion, if Councilman Long gives me a reason.

Councilman Webb: To allow him to speak?

Councilman Shyne: No, to suspend the rules. Wasn't that what you asked for?

Councilman Long: I wanted to suspend the rules to bring that item up on the agenda.

Ms. Glass: Allow the citizen to speak first, and then go ahead and (inaudible) is that what you're saying?

Councilman Long: I'll give him the opportunity to speak, but what I was wanting to do was that case, I want to defer to the next meeting.

Councilman Shyne: But still, could we - - - I mean since we only have one Councilman, could we give him an opportunity to speak?

Councilman Long: If he wants to come up and talk, he certainly can.

Ms. Pilkinton: He wanted to be here in case you all had any questions to let y'all know he was here. Because he knew you were going to ask for (inaudible).

Councilman Webb: Well a motion is on the floor to allow him to come up to speak, so lets vote on allowing him to come up. Then after he speaks, you can make a motion to suspend the rules.

Councilman Shyne: Right.

Councilman Long: John, it's your choice.

Councilman Webb: Is he here? Come on up sir.

Councilman Long: I apologize, I didn't know.

Councilman Shyne: I accept your apology, personally.

Substitute motion to allow Mr. McKinley to speak approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Mr. John McKinley: (4533 Gilbert): And I'd like to ask for a continuance on this if it's okay with you guys.

Councilman Webb: Okay, you want to state why you want to continue it?

Mr. McKinley: My attorney is not here.

Councilman Webb: Okay, that's good enough. Any questions? Okay, thank you sir.

Mr. McKinley: Thank you.

Councilman Webb: Okay, you want to make your - - -

Councilman Long: (Inaudible)

Councilman Webb: I don't have the authority to speak on this matter.

Councilman Long: Are we through with that? The comments?

Councilman Webb: Yeah, the rest of them are at the end of the meeting.

Councilman Long: Could I get a second to suspend the rules?

Councilman Wooley: Second.

Motion by Councilman Long, seconded by Councilman Wooley to suspend the rules to consider BAC-17-09. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

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

Councilman Long: Concerning Item No. 11, which is a - - - BAC-17-09, I would like to defer to the next meeting please.

Motion by Councilman Long, seconded by Councilman Wooley to postpone until the next regular meeting.

Councilman Webb: What day would that be Mr. Thompson?

Mr. Thompson: September 22nd.

Councilman Long: In the meantime, we'll have more discussion outside, you know when we get together.

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

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

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

RESOLUTIONS: None.

ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES

RESOLUTIONS: None.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

The Clerk read the following:

RESOLUTION NO. 165 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE GRANT
DOCUMENTS WITH THE LOUISIANA COMMISSION ON LAW ENFORCEMENT,
LOUISIANA STIMULUS PROGRAM AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009, AND OTHERWISE PROVIDE WITH RESPECT
THERE TO**

WHEREAS, the Louisiana Commission on Law Enforcement (LCLE) has invited the City of Shreveport Police Department to file a application for grant funds under the Louisiana Stimulus Program American Recovery and Reinvestment Act 2009 (ARRA), Violence Against Women Act Grant and

WHEREAS, the award, if approved will be for a total of \$13,317 and requires no cash match by the City of Shreveport. The funds will used to provide accredited stalking and domestic violence training for Detectives of the Shreveport Police Department, equipment to enhance and aid the prosecution of offenders and provide resource materials for victims of domestic violence and stalking crime.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened, that it does hereby authorize the execution by Cedric B.

Glover, Mayor, those grant documents necessary to apply and receive funding established within the program administered by the Louisiana Commission on Law Enforcement.

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 affect 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 Shyne, seconded by Councilman Long to adopt.

Councilman Shyne: Mr. Mayor, you all ready for this one?

Mayor Glover: Yes sir, we are.

Councilman Wooley: Is the Chief here?

Councilman Webb: Which Chief?

Mayor Glover: Chief Whitehorn.

Councilman Webb: Okay, Chief Whitehorn?

Mr. Sibley: Duane.

Councilman Wooley: Duane is fine. Just for the benefit of the public, explain this one and when we get to 166, will you do the same?

Cpt Huddleston: Sir?

Councilman Wooley: For the benefit of the public, would you explain what this is about?

Cpt Huddleston: This is on the - - -?

Mr. Thompson: 165.

Mr. Sibley: Domestic Violence.

Cpt Huddleston: Domestic Violence Grant. The money we receive here, we're going to use to train our members of our Domestic Violence Unit, and we're also going to be able to buy some additional equipment. Cameras and things like that so they can better document these incidents of domestic violence.

Councilman Wooley: Thank you Mr. Chairman.

Councilman Webb: Don't go away, you're going to be asked to explain the next one.

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

RESOLUTION NO. 166 OF 2009

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE GRANT DOCUMENTS WITH THE STATE OF LOUISIANA GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS, AND OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) through the Northwest Law Enforcement Planning Agency (NWLEPA) district has allocated funds in Interoperable Communications and Improvised Explosive Device Mitigation Projects for the City of Shreveport Police Department in and
WHEREAS, the award, if approved will be for a total of \$69,095 and requires no cash match by the City of Shreveport. The funds will used to purchase portable and mobile radios for the police

vehicles and training and equipment for the Special Response Team of the Shreveport Police Department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened, that it does hereby authorize the execution by Cedric B. Glover, Mayor, those grant documents necessary to apply and receive funding established within the program administered by the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness.

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 Shyne, seconded by Councilman Long to adopt.

Cpt Huddleston: This is some money that we got through the State Homeland Security Office for inner operability, the things we're going to do with this funding is to finish equipment on our (inaudible) units. We have a lot of investigators' cars that don't have mobile radios permanently installed. They're just using walkie talkies, and sometimes, they get out on a long deal, and the radio goes dead, and they don't have any communications. And so, this will allow us to finish our fleet with mobile radios.

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

RESOLUTION NO. 167 OF 2009

A RESOLUTION CLOSING TO VEHICULAR AND PEDESTRIAN THRU TRAFFIC AN UNIMPROVED DEAD END PORTION OF MATTHEW PLACE BOUNDED BY RAINBOW DRIVE, RESIDENTIAL PROPERTY 717 RAINBOW DRIVE, RESIDENTIAL PROPERTY 721 RAINBOW DRIVE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the unimproved dead end portion of the Matthew Place Right-of-Way bounded between the intersection with Rainbow Drive, residential property located at 717 Rainbow Drive, and residential property located at 721 Rainbow Drive in Section 30 (T17N-R13W), Caddo Parish, Louisiana, is hereby closed to vehicular and pedestrian thru traffic.

BE IT FURTHER RESOLVED that the office of Public Works is authorized to permit to barricade and erect such structure as necessary to prevent the passage of vehicular and pedestrian thru traffic from the intersection of Rainbow Drive and Matthew Place. Any constructed facility must allow access for City personnel.

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

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

herewith are hereby declared severable and repealed.

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

Councilman Wooley: Just wanted to say thank you to the Council for your support. We are creating a green space on behalf of the Eden Gardens Neighborhood Association per their request.

Councilman Lester: A lot of good bike riding back there Mr. Chairman.

Councilman Shyne: I think Councilman Lester used to shoot marbles down there.

Councilman Lester: And I did my Dukes of Hazard act (inaudible)

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

4. **Resolution No. 168 of 2009**: Resolution authorizing the Mayor to execute a cooperative endeavor agreement with Mid-South Fleet Leasing, allowing the use of certain city-owned property at Betty Virginia Park for the construction of a croquet court.
(B/Walford)

Mr. Thompson: Mr. Chairman, earlier today, the City Attorney's office asked that we would postpone this matter.

Councilman Webb: Okay. For how long?

Mr. Thompson: Two weeks. I think they're working on the contract.

Councilman Webb: Oh, okay.

Read by title and as read, motion by Councilman Walford, seconded by Councilman Long to postpone until the next regular meeting.

Councilman Walford: I would strongly each of you to read this and every contract that is on the agenda before you vote. I don't think I need to go further than that.

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

RESOLUTION NO. 169 OF 2009

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SHREVEPORT (THE "CITY") TO HIRE PROFESSIONALS IN CONJUNCTION WITH THE ISSUANCE OF NOT TO EXCEED FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000) TAXABLE WATER AND SEWER BONDS (DHH WATER PROJECT) SERIES 2009C TO BE PLACED WITH THE LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS, OFFICE OF PUBLIC HEALTH FOR FUNDING UNDER THE DRINKING WATER REVOLVING LOAN FUND FOR THE PURPOSE OF FINANCING THE COSTS OF THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS, EXTENSIONS AND REPLACEMENTS TO THE DRINKING WATER PORTION OF THE CITY'S COMBINED REVENUE PRODUCING WATER AND SEWER UTILITY SYSTEM AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, State of Louisiana (the “City”) has filed an application with the Louisiana Department Of Health and Hospitals, Office of Public Health (“DHH”) for funding under its Drinking Water Revolving Loan Fund Program whereby the City would issue its Taxable Water and Sewer Revenue Bonds in an amount not to exceed Fifteen Million and No/100 (\$15,000,000) (DHH Water Project) Series 2009C (the “Bonds”) and place such Bonds with the DHH; and

WHEREAS, the City desires to engage professionals in order to seek the approval by the Louisiana State Bond Commission for the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Shreveport (the "City"), in legal session convened, acting as the governing authority thereof (the “Governing Authority”), that:

Section 1: Employment of Bond Counsel. The City hereby finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds, and accordingly Washington & Wells, L.L.C. of Shreveport, Louisiana, Bond Counsel, and The Boles Law Firm, APC, Monroe, Louisiana, Co-Bond Counsel (together, “Bond Counsel”), are hereby appointed and employed to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Bonds. Said Bond Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to, and shall counsel and advise the Mayor and City Council on the issuance of the Bonds. The fees of Bond Counsel shall be contingent upon the issuance of the Bonds. The fees to be paid to Bond Counsel shall be in the amount approved by the City and shall not exceed the Attorney General's then current Bond Counsel Fee Schedule as negotiated and other guidelines for comprehensive, legal and coordinate professional work in the issuance of bonds applied to the actual aggregate principal amount of the Bonds at the time the Bonds are issued, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Bonds, said fee to be payable out of Bond proceeds.

Section 2. Special Issuer Counsel. Weems, Schimpf, Gilsoul, Haines, Landry & Carmouche (APLC) of Shreveport, Louisiana are hereby appointed and employed as special issuer counsel ("Issuer Counsel") in connection with the Bonds, any compensation to be subsequently approved by the City and to be paid from the proceeds of the Bonds. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced are contingent upon issuance of the Bonds and the Special Issuer Counsel are authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

Section 3. Financial Advisor. Grigsby & Associates, Inc., of San Francisco, California is hereby appointed and employed as financial adviser in connection with the Bonds, any compensation to be subsequently approved by the City and to be paid from the proceeds of the Bonds. Said Financial Adviser shall prepare and submit to such officials of the City for implementation of a comprehensive financial strategy incidental to, and shall advise the City Council on the foregoing. Financial Advisor shall coordinate third-party financial negotiations, and shall perform such other duties as are included in its Financial Advisory contract with the City. Any compensation to Financial Advisor shall be subsequently approved by and shall be paid by the City. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced payable as provided by the Financial Advisory contract with the City. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced are contingent upon issuance of the Bonds, said fee to be payable out of Bond proceeds.

Section 4. Other Professionals. Should it be necessary to engage other professionals, the

Authorized Officers (as defined below) shall be entitled to engage such professionals provided the contracts employing such professionals shall be promptly submitted to this Council.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City (the “Authorized Officers”) to do any and all things necessary and incidental to carry out the provisions of these resolutions.

BE IT FURTHER RESOLVED, that if any provision or item of these resolutions 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 to be severable.

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

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

Councilman Walford: You know we’re making Bond Counsel rich, and we’re not getting very far. This is coming up over and over and over again, and we always hear the attorneys say that the fees are set by the Bond Commission. Yet, I’ve sat in the Bond Commission when State Treasurer Kennedy asked the Bond Issuers if they would do it for 75% of their normal fee, to which they agreed. And I think we should postpone on this until we can have an amendment, and if our Bond Counsel will do it for 75% of the State fee, we go for it. Otherwise, I’m voting ‘NO’.

Councilman Shyne: You know I would ask the Council to let’s go forward with this, because Mr. Mayor, what I understand is that on all of these situations, we are saving the city money. Am I understanding the King’s language right?

Mayor Glover: That’s correct Mr. Shyne.

Councilman Shyne: So, you know I would ask the Members of the Council, let’s move forward on it. We did not start off doing this. I don’t know why we need to change horses or take a different road at this particular point, unless the Administration has some reasons on it. So, I would ask us to move forward on it, and let’s save the city some money.

Councilwoman Bowman: Yes sir, Mr. Walford I basically agree with you on some of the other ones, but on these two, this is the \$15,000,000 and the \$12,000,000 and of course, if you can recall, this was a part of the \$75,000,000 that we originally had. We separated these two. \$50,000,000 was set aside, I mean that’s already gone through. And we sent the other \$25, or whatever to the Department of Health and Hospitals. And mainly because we had already had this as a part of it, I would recommend that we stick with this for these two, but I agree with you 100% on some of those other ones.

Councilman Lester: And just for what it’s worth Mr. Chairman, thank you for recognizing me. This - - - the process that we have been going through in terms of being on a different agenda, it’s not a process that has been prescribed by our Bond Counsel. It is prescribed by law. So for them, I don’t want anyone to get the impression that they are doing something and scheduling this longer for which to draw the meetings out on, because I can imagine that as a practicing attorney, you really don’t make a lot of money sitting in a Council Meeting for about 4 hours. When you miss an opportunity because of doing other work. And those fees that are set, are set by statute and that’s been dealt with, and as I appreciate it, correct me if I’m wrong Ms. Bowman, the team that we have now has actually come up with a better bond rate and a better lending rate than was originally calculated. So, not only is this going to

save us money, this team has found a way to make the interest rate that much more competitive than originally contemplated.

Councilwoman Bowman: Councilman Lester, one of these is at .09%. I mean it's really low in comparison to these other ones that we've handled.

Councilman Lester: So, given the fact that they have saved us money on the front, and find a way to get the money at a better rate for us to ask them to do that for a reduced fee, I think sets a bad standard Mr. Walford. If someone is working well for you, you generally reward them as opposed to punish them. And I think for us to be doing this would be punitive in nature particularly when they've done by any objection measure, and outstanding job at the task they perform. Thank you Mr. Chairman.

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

RESOLUTION NO. 170 OF 2009

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SHREVEPORT (THE "CITY") TO PROCEED WITH THE ISSUANCE OF NOT TO EXCEED FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000) TAXABLE WATER AND SEWER BONDS (DHH WATER PROJECT) SERIES 2009C TO BE PLACED WITH THE LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS, OFFICE OF PUBLIC HEALTH FOR FUNDING UNDER THE DRINKING WATER REVOLVING LOAN FUND FOR THE PURPOSE OF FINANCING THE COST OF ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS, EXTENSIONS AND REPLACEMENTS TO THE DRINKING WATER PORTION OF THE UTILITY SYSTEM, MAKING APPLICATION TO THE LOUISIANA STATE BOND COMMISSION FOR APPROVAL OF SUCH BONDS, APPROVAL OF THE CONTENTS OF THE NOTICE OF INTENTION AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, State of Louisiana (the "City") now owns and operates a combined revenue-producing water and waste water (sewer) utility system (the "System") and desires to upgrade the water distribution and related facilities of such System by the acquisition and construction of improvements, extensions and replacements related thereto (the "Project").

WHEREAS, the City desires to and is proceeding with an application to the Louisiana Department of Health and Hospitals, Office of Public Health ("DHH") for funding under the Drinking Water Revolving Loan Fund program for a loan by the City of not to exceed Fifteen Million Dollars (\$15,000,000) for the purpose of financing the Project and that the loan be in the form of the issuance of not to exceed FIFTEEN MILLION AND NO/100 Dollars (\$15,000,000) Taxable Water and Sewer Revenue Bonds (DHH Water Project) Series 2009C to be privately placed with DHH in the manner prescribed by and under the authority of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 as amended (LSA-R.S. 39:1011 to 1025 inclusive) (the "Act") and other constitutional and statutory authority; and

WHEREAS, the City desires to apply to the Louisiana State Bond Commission for preliminary approval of the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport (the "City"), in legal session convened, acting as the governing authority thereof (the "Governing Authority"), that:

Section 1: Declaration of Intent. Pursuant to and in compliance with the provisions of the Act, and other constitutional and statutory authority, the Governing Authority does hereby

declare its intention to issue not exceeding **FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000)** Taxable Water and Sewer Revenue Bonds (DHH Water Project), Series 2009C (the "Bonds"), the proceeds of which will finance the constructing and acquiring of improvements, extensions and replacements to the drinking water portion of the combined revenue producing utility system (the "System") of the City (the "Project"), a work of public improvement for the City. The Bonds shall be limited and special revenue bonds of the City, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the City from the operation of the System, after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the City as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the City. The Bonds will be issued and authorized by ordinance (the "Ordinance") of the Governing Authority. The Bonds shall be of such series, bear such dates, mature at such time or times (not to exceed twenty-two (22) years from their date of issuance), bear interest at such rate or rates not exceeding two and ninety-five hundredths per centum (2.95%) per annum (inclusive of any DHH administrative fee), be in such denomination or denominations, in fully registered form, carry such privileges, be payable in such medium of payment at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such Ordinance may provide.

The City will, in the Ordinance, enter into such covenants with the Department of Health and Hospitals, Office of Public Health ("DHH") to whom the City intends to place the Bonds or any future owner or owners of the Bonds as to the management and operation of the System, the imposition and collection of rates and charges for the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and/or the revenues therefrom, the carrying of insurance on the System and the disposition of the proceeds of insurance, the keeping of books and records, and other pertinent matters as may be deemed proper by the Governing Authority to assure the marketability of the Bonds, consistent with the provisions of the Act. Such Ordinance will also include remedies in case of default, provision for the issuance of parity bonds, and such additional covenants, agreements and provisions as are judged advisable or necessary by the City for the security of the registered owners of the Bonds, including (if any) sinking funds and reserves for the payment of principal and interest on the Bonds and an adequate depreciation fund for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

Section 2. State Bond Commission Application. This Governing Authority hereby authorizes and directs that application be formally made to the Louisiana State Bond Commission ("SBC"), Baton Rouge, Louisiana for preliminary and final approval of the Bonds within the parameters set forth above.

Section 3. Notice of Intent. The Mayor, upon approval of the SBC, be and he is hereby authorized, empowered and directed to publish an appropriate notice of the intention substantially in the form of **Exhibit "A"** hereto (the "Notice of Intention"). Such Notice of Intention shall embody in a general way substantially all the provisions of this resolution hereinabove set out and shall be published four (4) consecutive weeks in issues of *The Shreveport Times*, a newspaper of general circulation in the City and the Parish of Caddo and published daily in said Parish, with such alterations as the Mayor, upon advice of Bond Counsel, may deem necessary and appropriate.

Section 4. Public Hearing. The Governing Authority will meet in open and public session at its next regularly scheduled meeting or at a special meeting following the fourth consecutive publication of the Notice of Intention (the date of such meeting which shall be determined by the Mayor prior to publication and set forth in the Notice of Intention) to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition or petitions duly signed by electors of the City in an aggregate number not less than five percent (5%) of the number of electors of the City voting in the last special or general election held in the City object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the City who vote at a special election held for that purpose in the manner provided by Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950. Any such petition shall be accompanied by a certificate of the Caddo Parish Registrar of Voters certifying that the signers of the petition(s) are registered electors of the City and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last election held in the City, all as provided by the Act.

Section 5. Declaration of Official Intent under Reg. 1.150-2. Prior to the issuance of the Bonds, the City anticipates that it may pay a portion of the costs of constructing and acquiring improvements, extensions and replacements to the System from other available funds. Upon issuance of the Bonds, the City reasonably expects to reimburse said expenditures from the proceeds of the Bonds. Any such allocation of the proceeds of the Bonds for reimbursement will be with respect to capital expenditures (as defined in Treasury Regulation 1.150-1(h)) and will be made upon the delivery of the Bonds and not later than one year after the date of (i) the date such expenditure was made or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

Section 6. SWAP Approval. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby. **BE IT FURTHER RESOLVED**, that the Governing Authority hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City individually and/or collectively to do any and all things necessary and incidental to carry out the provisions of these resolutions.

BE IT FURTHER RESOLVED, that if any provision or item of these resolutions 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 to be severable. **BE IT FURTHER RESOLVED**, that all resolutions in conflict herewith are hereby repealed.

EXHIBIT "A"
NOTICE OF INTENTION
TO ISSUE NOT TO EXCEED
FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000)

TAXABLE WATER AND SEWER BONDS (DHH WATER PROJECT) SERIES 2009C OF THE CITY OF SHREVEPORT, PARISH OF CADDO, STATE OF LOUISIANA PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the provisions of a resolution adopted on September 8, 2009, by the Mayor and City Council (the "Governing Authority") of the City of Shreveport, Parish of Caddo, State of Louisiana (the "City"), and in accordance with the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, that the Governing Authority does hereby declare its intention to issue not exceeding **FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000) TAXABLE WATER AND SEWER BONDS (DHH WATER PROJECT) SERIES 2009C** (the "Bonds"), the proceeds of which will finance the constructing and acquiring improvements, extensions and replacements to the drinking water portion of its combined revenue-producing water and sewer system of the City, a work of public improvement for the City. The Bonds shall be limited and special revenue bonds of the City, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the City from the operation of its combined revenue-producing water and sewer utility system (the "System"), after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The proposed Bonds shall not be a charge on the other income and revenues of the City as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the City. The Bonds will be issued and authorized by ordinance of the Governing Authority (the "Ordinance") and shall be of such series, bear such date, mature at such time or times (not to exceed twenty-two (22) years from their date of issuance), bear interest at such rate or rates not exceeding two and ninety-five hundredths per centum (2.95%) per annum (inclusive of any DHH administrative fee), be in such denomination or denominations, be in fully registered form, carry such privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such Ordinance may provide. The City will in the Ordinance enter into such covenants with the Louisiana Department of Health and Hospitals, Office of Public Health ("DHH") or such other owner and future owner or owners of the Bonds as to the management and operation of the System, the imposition and collection of rates and charges for the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and the revenues therefrom, the carrying of insurance, the keeping of books and records, and other pertinent matters as may be deemed proper by the Governing Authority to assure the marketability of the Bonds, consistent with the provisions of the Act. Such Ordinance will also include remedies in case of default, provisions for the issuance of parity bonds and such additional covenants, agreements and provisions as are judged advisable or necessary by said Governing Authority for the security of the owners of the Bonds, including (if any) sinking funds and reserves for the payment of principal and interest on the Bonds, and an adequate depreciation funds for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

NOTICE IS HEREBY FURTHER GIVEN that it is anticipated that the DHH will be the sole purchaser of the Bonds. Any Bonds not purchased by DHH may be sold at public or private sale, as provided for in the Act and statutory authority supplemental thereto.

NOTICE IS HEREBY FURTHER GIVEN that the Bonds will, before the delivery thereof, be approved by the State Bond Commission, Baton Rouge, Louisiana.

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet in open

and public session on October 13, 2009, at three o'clock (3:00) p.m., at City Hall, Shreveport, Louisiana, to hear any objections to the proposed issuance of the Bonds as provided by the Act. **THUS DONE AND SIGNED** at Shreveport, Louisiana, on this, the 8th day of September, 2009.

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

Mr. Thompson: Mr. Chairman. Rick brought to your attention that Exhibit A has been substituted because it was contemplated by the Bond Attorneys that this would be adopted on August 25th and if it is adopted, it would be today, so the date August 25th has been changed to September 8th.

Councilman Webb: Okay.

Councilman Shyne: That's fine.

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

RESOLUTION NO. 171 OF 2009

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SHREVEPORT (THE "CITY") TO HIRE PROFESSIONALS IN CONJUNCTION WITH THE ISSUANCE OF NOT TO EXCEED TWELVE MILLION AND NO/100 DOLLARS (\$12,000,000) TAXABLE WATER AND SEWER BONDS (DEQ SEWER PROJECT) SERIES 2009D TO BE PLACED WITH THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FUNDING UNDER THE MUNICIPAL FACILITIES REVOLVING LOAN FUND FOR THE PURPOSE OF FINANCING THE COSTS OF THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS, EXTENSIONS AND REPLACEMENTS TO THE SEWER PORTION OF THE CITY'S COMBINED REVENUE PRODUCING WATER AND SEWER UTILITY SYSTEM AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, State of Louisiana (the "City") has filed an application with the Louisiana Department Of Environmental Quality for funding under its Municipal Facilities Revolving Loan Fund Program whereby the City would issue its Taxable Water and Sewer Revenue Bonds in an amount not to exceed Twelve Million and No/100 (\$12,000,000) (DEQ Sewer Project) Series 2009D (the "Bonds") and place such Bonds with the DEQ; and

WHEREAS, the City desires to engage professionals in order to seek the approval by the Louisiana State Bond Commission for the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Shreveport (the "City"), in legal session convened, acting as the governing authority thereof (the "Governing Authority"), that:

Section 1: Employment of Bond Counsel. The City hereby finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds, and accordingly Jacqueline Scott & Associates of Shreveport, Louisiana, Bond Counsel, and The Boles Law Firm, APC, Monroe, Louisiana, Co-Bond Counsel (together, "Bond Counsel"), are hereby appointed and employed to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Bonds. Said Bond Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to,

and shall counsel and advise the Mayor and City Council on the issuance of the Bonds. The fees of Bond Counsel shall be contingent upon the issuance of the Bonds. The fees to be paid to Bond Counsel shall be in the amount approved by the City and shall not exceed the Attorney General's then current Bond Counsel Fee Schedule as negotiated and other guidelines for comprehensive, legal and coordinate professional work in the issuance of bonds applied to the actual aggregate principal amount of the Bonds at the time the Bonds are issued, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Bonds, said fee to be payable out of Bond proceeds.

Section 2. Special Issuer Counsel. Weems, Schimpf, Gilsoul, Haines, Landry & Carmouche (APLC) of Shreveport, Louisiana are hereby appointed and employed as special issuer counsel ("Issuer Counsel") in connection with the Bonds, any compensation to be subsequently approved by the City and to be paid from the proceeds of the Bonds. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced are contingent upon issuance of the Bonds and the Special Issuer Counsel are authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

Section 3. Financial Advisor. Grigsby & Associates, Inc., of San Francisco, California is hereby appointed and employed as financial adviser in connection with the Bonds, any compensation to be subsequently approved by the City and to be paid from the proceeds of the Bonds. Said Financial Adviser shall prepare and submit to such officials of the City for implementation of a comprehensive financial strategy incidental to, and shall advise the City Council on the foregoing. Financial Advisor shall coordinate third-party financial negotiations, and shall perform such other duties as are included in its Financial Advisory contract with the City. Any compensation to Financial Advisor shall be subsequently approved by and shall be paid by the City. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced payable as provided by the Financial Advisory contract with the City. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced are contingent upon issuance of the Bonds, said fee to be payable out of Bond proceeds.

Section 4. Other Professionals. Should it be necessary to engage other professionals, the Authorized Officers (as defined below) shall be entitled to engage such professionals provided the contracts employing such professionals shall be promptly submitted to this Council.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City (the "Authorized Officers") to do any and all things necessary and incidental to carry out the provisions of these resolutions.

BE IT FURTHER RESOLVED, that if any provision or item of these resolutions 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 to be severable.

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

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

RESOLUTION NO. 172 OF 2009

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SHREVEPORT (THE "CITY") TO PROCEED WITH THE ISSUANCE OF NOT TO EXCEED TWELVE MILLION AND NO/100 DOLLARS (\$12,000,000) TAXABLE WATER AND SEWER BONDS (DEQ SEWER PROJECT) SERIES 2009D TO BE PLACED WITH THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FUNDING UNDER THE MUNICIPAL FACILITIES REVOLVING LOAN FUND FOR THE PURPOSE OF FINANCING THE COST OF ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS, EXTENSIONS AND REPLACEMENTS TO THE SEWER PORTION OF THE UTILITY SYSTEM, MAKING APPLICATION TO THE LOUISIANA STATE BOND COMMISSION FOR APPROVAL OF SUCH BONDS, APPROVAL OF THE CONTENTS OF THE NOTICE OF INTENTION AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, State of Louisiana (the "City") now owns and operates a combined revenue-producing water and waste water (sewer) utility system (the "System") and desires to upgrade the sewer distribution and related facilities of such System by the acquisition and construction of improvements, extensions and replacements related thereto (the "Project").

WHEREAS, the City desires to and is proceeding with an application to the Louisiana Department of Environmental Quality ("DEQ") for funding under the Municipal Facilities Revolving Loan Fund program for a loan by the City of not to exceed Twelve Million Dollars (\$12,000,000) for the purpose of financing the Project and that the loan be in the form of the issuance of not to exceed TWELVE MILLION AND NO/100 Dollars (\$12,000,000) Taxable Water and Sewer Revenue Bonds (DEQ Sewer Project) Series 2009D to be privately placed with DEQ in the manner prescribed by and under the authority of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 as amended (LSA-R.S. 39:1011 to 1025 inclusive) (the "Act") and other constitutional and statutory authority; and

WHEREAS, the City desires to apply to the Louisiana State Bond Commission for preliminary approval of the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport (the "City"), in legal session convened, acting as the governing authority thereof (the "Governing Authority"), that:

Section 1: Declaration of Intent. Pursuant to and in compliance with the provisions of the Act, and other constitutional and statutory authority, the Governing Authority does hereby declare its intention to issue not exceeding **TWELVE MILLION AND NO/100 DOLLARS (\$12,000,000)** Taxable Water and Sewer Revenue Bonds (DEQ Sewer Project) Series 2009D (the "Bonds"), the proceeds of which will finance the constructing and acquiring of improvements, extensions and replacements to the sewer portion of the combined revenue producing utility system (the "System") of the City, a work of public improvement for the City (the "Project"). The Bonds shall be limited and special revenue bonds of the City, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the City from the operation of the System, after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the City as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the City. The Bonds will be issued and authorized by ordinance

(the "Ordinance") of the Governing Authority. The Bonds shall be of such series, bear such dates, mature at such time or times (not to exceed twenty-two (22) years from their date of issuance), bear interest at such rate or rates not exceeding ninety-five hundredths per centum (.95%) per annum (inclusive of any administrative fee), be in such denomination or denominations, in fully registered form, carry such privileges, be payable in such medium of payment at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such Ordinance may provide.

The City will, in the Ordinance, enter into such covenants with the Department of Environmental Quality ("DEQ") to whom the City intends to place the Bonds or any future owner or owners of the Bonds as to the management and operation of the System, the imposition and collection of rates and charges for the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and/or the revenues therefrom, the carrying of insurance on the System and the disposition of the proceeds of insurance, the keeping of books and records, and other pertinent matters as may be deemed proper by the Governing Authority to assure the marketability of the Bonds, consistent with the provisions of the Act. Such Ordinance will also include remedies in case of default, provision for the issuance of parity bonds, and such additional covenants, agreements and provisions as are judged advisable or necessary by the City for the security of the registered owners of the Bonds, including (if any) sinking funds and reserves for the payment of principal and interest on the Bonds and an adequate depreciation fund for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

Section 2. State Bond Commission Application. This Governing Authority hereby authorizes and directs that application be formally made to the Louisiana State Bond Commission ("SBC"), Baton Rouge, Louisiana for preliminary and final approval of the Bonds within the parameters set forth above.

Section 3. Notice of Intent. The Mayor, upon approval of the SBC, be and he is hereby authorized, empowered and directed to publish an appropriate notice of the intention substantially in the form of Exhibit "A" hereto (the "Notice of Intention"). Such Notice of Intention shall embody in a general way substantially all the provisions of this resolution herein above set out and shall be published four (4) consecutive weeks in issues of *The Shreveport Times*, a newspaper of general circulation in the City and the Parish of Caddo and published daily in said Parish, with such alterations as the Mayor, upon advice of Bond Counsel, may deem necessary and appropriate.

Section 4. Public Hearing. The Governing Authority will meet in open and public session at its next regularly scheduled meeting or at a special meeting following the fourth consecutive publication of the Notice of Intention (the date of such meeting which shall be determined by the Mayor prior to publication and set forth in the Notice of Intention) to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition or petitions duly signed by electors of the City in an aggregate number not less than five percent (5%) of the number of electors of the City voting in the last special or general election held in the City object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the City who vote at a special election held for that purpose in the manner provided by Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950. Any such petition shall be accompanied by a certificate of the Caddo Parish Registrar of Voters certifying that the signers of the petition(s) are registered electors of the City and the number of signers amounts to not less than five percent (5%) of the registered voters that voted

in the last election held in the City, all as provided by the Act.

Section 5. Declaration of Official Intent under Reg. 1.150-2. Prior to the issuance of the Bonds, the City anticipates that it may pay a portion of the costs of constructing and acquiring improvements, extensions and replacements to the System from other available funds. Upon issuance of the Bonds, the City reasonably expects to reimburse said expenditures from the proceeds of the Bonds. Any such allocation of the proceeds of the Bonds for reimbursement will be with respect to capital expenditures (as defined in Treasury Regulation 1.150-1(h)) and will be made upon the delivery of the Bonds and not later than one year after the date of (i) the date such expenditure was made or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

Section 6. SWAP Approval. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

BE IT FURTHER RESOLVED, that the Governing Authority hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City individually and/or collectively to do any and all things necessary and incidental to carry out the provisions of these resolutions.

BE IT FURTHER RESOLVED, that if any provision or item of these resolutions 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 to be severable.

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

EXHIBIT "A"

NOTICE OF INTENTION TO ISSUE NOT TO EXCEED

TWELVE MILLION AND NO/100 DOLLARS (\$12,000,000)

TAXABLE WATER AND SEWER BONDS (DEQ SEWER PROJECT) SERIES 2009D OF THE CITY OF SHREVEPORT, PARISH OF CADDO, STATE OF LOUISIANA PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the provisions of a resolution adopted on September 8, 2009, by the Mayor and City Council (the "Governing Authority") of the City of Shreveport, Parish of Caddo, State of Louisiana (the "City"), and in accordance with the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, that the Governing Authority does hereby declare its intention to issue not exceeding **TWELVE MILLION AND NO/100 DOLLARS (\$12,000,000) TAXABLE WATER AND SEWER BONDS (DEQ SEWER PROJECT) SERIES 2009D** (the "Bonds"), the proceeds of which will finance the constructing and acquiring improvements, extensions and replacements to the sewer system of the City, a work of public improvement for the City. The Bonds shall be limited and special

revenue bonds of the City, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the City from the operation of its combined revenue-producing water and sewer utility system (the "System"), after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The proposed Bonds shall not be a charge on the other income and revenues of the City as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the City. The Bonds will be issued and authorized by ordinance of the Governing Authority (the "Ordinance") and shall be of such series, bear such date, mature at such time or times (not to exceed twenty-two (22) years from their date of issuance), bear interest at such rate or rates not exceeding ninety-five hundredths per centum (.95%) per annum (inclusive of any administrative fee), be in such denomination or denominations, be in fully registered form, carry such privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such Ordinance may provide.

The City will in the Ordinance enter into such covenants with the Louisiana Department of Environmental Quality ("DEQ") or such other owner and future owner or owners of the Bonds as to the management and operation of the System, the imposition and collection of rates and charges for the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and the revenues therefrom, the carrying of insurance, the keeping of books and records, and other pertinent matters as may be deemed proper by the Governing Authority to assure the marketability of the Bonds, consistent with the provisions of the Act. Such Ordinance will also include remedies in case of default, provisions for the issuance of parity bonds and such additional covenants, agreements and provisions as are judged advisable or necessary by said Governing Authority for the security of the owners of the Bonds, including (if any) sinking funds and reserves for the payment of principal and interest on the Bonds, and an adequate depreciation funds for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

NOTICE IS HEREBY FURTHER GIVEN that it is anticipated that the DEQ will be the sole purchaser of the Bonds. Any Bonds not purchased by DEQ may be sold at public or private sale, as provided for in the Act and statutory authority supplemental thereto.

NOTICE IS HEREBY FURTHER GIVEN that the Bonds will, before the delivery thereof, be approved by the State Bond Commission, Baton Rouge, Louisiana.

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet in open and public session on September 22, 2009, at three o'clock (3:00) p.m., at City Hall, Shreveport, Louisiana, to hear any objections to the proposed issuance of the Bonds as provided by the Act.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this, the 25th day of August, 2009.

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

Mr. Thompson: Mr. Chairman, the same changes have been made to Exhibit A in this document.

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

RESOLUTION NO. 173 OF 2009

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND RED RIVER ROAD RUNNERS, INC., AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Red River Road Runners annually sponsor several events in the City of Shreveport, including, but not limited to, the Red River Road Race and the Summer Fun Run Series; and

WHEREAS, the City of Shreveport typically has been a co-sponsor of the events; and
WHEREAS, the events provides a benefit to the public and provide wholesome recreational activity for all citizens of the City of Shreveport and surrounding areas; and

WHEREAS, the City=s continued co-sponsorship of the events and activities will enable the Red River Road Runners to continue to provide wholesome event to the citizens of this city.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Shreveport, in due, regular, and legal session convened that the Mayor is authorized to execute a cooperative endeavor agreement with the Red River Road Runners, Inc., relative to the City's co-sponsorship of events and activities organized, sponsored and produced by the organization, substantially in accordance with the draft thereof which was filed for public inspection with the original of this resolution in the Office of the Clerk of Council on August 26, 2009.

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

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

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

Mayor Glover: Mr. Chairman, before you all move on I would mention - - - make this statement, after the approval of 172, I want to thank you all for your positive consideration of those resolutions. Would ask that the members of the Bond Counsel for these issues, if they would please stand at this point.

Councilman Shyne: Who are they Mr. Mayor? Ah, okay.

Mayor Glover: As you all will remember, these are folks who have been a part of our Bond Team from the very beginning. They started off in the secondary role, but have had the opportunity over the last 2+ years to be able to go to school, learn this process, get more expert at it, and for now, today here, taking the lead position on the City of Shreveport Bond Issue for the very first time. So, I want to thank them for the work that they've done, the service that they've provided, and commend them on - - - I think at this point and time, being able to be in a position to enter into - - - I think what they refer to as the 'Red Book', and will be in a position to be able to do bigger and better types of issues as we go into the future. So, thank you Council Members, and thank you guys for your outstanding service to the city.

Councilman Shyne: Mr. Shyne, I have one question. Gentlemen and Lady, since the Mayor said something about going to school, I was just wondering if you all listened to President

Obama's educational message today? Oh, okay. Thank you.

10. **Resolution No. 174 of 2009:** Agreeing to utilize the American Association of Arbitrators (AAA) to determine whether a majority of certain employees of the City of Shreveport desire to be represented by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO (USW), and to otherwise provide with respect thereto.

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

RESOLUTION NO. 175 OF 2009

A RESOLUTION ACCEPTING DEDICATION FOR KINGS HWY IN INTERTECH PARK UNIT 2 PLAT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Kings Hwy in Section 11, (T17N-R14W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Kings Hwy be recorded in the official records of the Clerk of Court for Caddo Parish, Louisiana.

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

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

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

Councilman Walford: This is just making a better radius around the corner at Mansfield and Kings.

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

RESOLUTION NO. 176 OF 2009

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES AND CHAPTER 106 RELATIVE TO ZONING FOR SHIRLEY'S LOUNGE LOCATED AT 4044 ANSFIELD ROAD FOR A SHRINER'S FUNDRAISING EVENT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN MONTY WALFORD

WHEREAS, Shirley's Lounge located at 4044 Mansfield Road will host a Shriner's Fundraising event on October 17, 2009; and

WHEREAS, the establishment desires to dispense, and allow the consumption and sale of alcoholic beverages on the parking lot of the establishment, between the hours of 12:00 p.m. - 12:00 a.m., with no music being played outdoors after 8:00 p.m.; and

WHEREAS, Section 106-130(6) provides that unless otherwise excepted, all uses shall be operated entirely within a completely enclosed structure; and

WHEREAS, any special exception approval granted to the establishment for alcoholic beverage sales, consumption and/or dispensing does not specifically authorize outside sales and/or consumption on the premises; and

WHEREAS, Section 10-80(a) makes it unlawful for any person to sell, barter, exchange or otherwise dispose of alcoholic beverages except within those sections of the city wherein such sale is permitted by the applicable zoning ordinance; and

WHEREAS, Section Chapter 10-103(a)(5) provides that the city council may suspend or revoke any permit if a retailer allows any person to consume any alcoholic beverage on the licensed premises or on any parking lot or open or closed space within or contiguous to the licensed premises without a proper license; and

WHEREAS, the adoption of this resolution would allow the dispensing, sale and consumption of alcoholic beverages on the parking lot of Shirley's Lounge, 4044 Mansfield Road, on October 17, 2009 for a Shriner's Fundraising event, with no music being played outdoors after 8:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened Section 106-130(6), 10-103(a)(5) and 10-80(a) are hereby suspended on October 17, 2009 for a Shriner's Fundraising event, between the hours of 12:00 p.m. - 12:00 a.m., with no music being played outdoors after 8:00 p.m., at Shirley's Lounge, 4044 Mansfield Road.

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

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

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

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

Councilman Walford: Very quickly, this is Johnny Dee's, it will be our third time voting for it I think, and it's I believe the seventh time it's come up, but Johnny Dee passed away, and Shirley now is Mrs. Johnny Dee and has the facility, so they're going to do an afternoon fundraiser for Shriner's.

Councilman Shyne: Mr. Chairman, I just didn't want Councilman Walford to misunderstand my vote.

Councilman Walford: It's alcohol Joe.

Councilman Shyne: It's alcohol, because usually I vote against alcohol, so Councilman Walford, this is nothing personal toward you.

Councilman Walford: Sure.

Councilman Shyne: Mr. Mayor understand how it is with a good ole Methodist.

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

RESOLUTION NO. 177 OF 2009

A RESOLUTION REJECTING BIDS RECEIVED FOR IFB # 09-043, FOR CLYDE FANT PARKWAY SHELTERS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, seven (7) bids were received as a result of solicitations for Clyde Fant Parkway Shelters, IFB #09-043; and;

WHEREAS, the City has rejected these bids in accordance with La R.S. 38:2214 B, because all bids received were over the budget of \$80,000.00;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #09-043 be rejected;

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

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

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

INTRODUCTION OF RESOLUTIONS: *(Not to be adopted prior to September 22, 2009)*
The Clerk read the following:

1. **Resolution No. 178 of 2009:** A resolution authorizing the Mayor to accept the donation of fifteen portable radios as listed in Appendix "A" from the Caddo Bossier Office of Homeland Security for the Shreveport Police department in Caddo Parish, Louisiana, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Walford, seconded by Councilman Shyne to introduce Resolution No. 178 of 2009 to lay over until the next regular meeting.

Councilman Long: Who going to use those radios?

Councilman Webb: Do what?

Councilman Long: No, I thought we were trying to - - -

Councilman Webb: Whose going to use 'em?

Councilman Long: We approved a (inaudible) a while ago to get permanent radios for the cars, and we're getting some more portable radios.

Chief Whitehorn: Mr. Chairman, Members of the Council, Councilman Long, those are the best part of our inner operability initiative. We would use those radios as we coordinate activities with other departments. We can pass out those portable radios. We had borrowed 38 radios from the State Police. Now we can return those radios back to Department of Public Safety, and utilize these.

Councilman Long: Are they multiple frequency radios or are they just designed to work in certain frequencies?

Chief Whitehorn: Multiple frequencies.

Councilman Shyne: Chief, would you be willing to show Councilman Long how to operate one if he - - -?

Chief Whitehorn: Absolutely, absolutely. You ought to come out on one of those disasters, we'll have a radio for you.

Councilman Shyne: Okay, I think that's what he wanted to know in the beginning.

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

INTRODUCTION OF ORDINANCES: *(Not to be adopted prior to September 22, 2009)*
The Clerk read the following:

1. **Ordinance No. 102 of 2009:** An ordinance amending certain sections of Chapter 38 of the Code of Ordinances relative to housing and property standards, and to otherwise provide with respect thereto.
2. **Ordinance No. 103 of 2009:** An ordinance amending Section 26-107(a) of the Code of Ordinances relative to the fee for copies of Public Records, and to otherwise provide with respect thereto.

Mr. Thompson: One amendment has been given to us I think by Mr. Walford. I don't know if you want that read, it can't be adopted today.

Councilman Webb: Yes, please. Read it as part of the introduction.

Mr. Thompson: It makes the exception for records requests by law enforcement agencies or by any branch of federal or state government retroactive to January 1, 2009. It removes the exception that allows charging for records when the request is excessive records required during discovery, or required to be copied and submitted, and there should not be a charge for such copies. The exception for records copied during discovery is limited and would not exempt records requested outside of discovery during litigation.

Councilwoman Bowman: Mr. Chairman, I have a correction. I amended that in the last meeting, didn't I?

Mr. Thompson: I'm sorry, I misspoke.

Councilman Shyne: There you go Art.

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

Read by title and as read, motion by Councilman Bowman, seconded by Councilman Long to introduce Ordinance No(s). 102, 103, and 104 of 2009 to lay over until the next regular meeting.

Councilman Webb: What is 104?

Mayor Glover: Mr. Chairman, it has to do with the accepting of the stimulus dollars for the compressed natural gas buses for SPORTRAN.

Councilman Shyne: Mr. Mayor, seems like I remember in our last budget hearing that there was some Council Member who just kept on chewing on that, and thought that it would be a good idea. Do you remember that?

Mayor Glover: In fact, I do Mr. Shyne. And not only do I remember that there was a particular Council Member who chewed on that particular point, but despite the fact I don't see Gene Eddy here, we had a particular public transportation director who wasn't necessarily very excited about that.

Councilman Shyne: That's right, that's exactly right.

Mayor Glover: But Mr. Shyne, I think between your efforts and mine, we kind of caught him in the middle, and now he's fully converted, and absolutely enthusiastic about the idea.

Councilman Shyne: I think he did.

Mayor Glover: Good cooperation.

Councilman Shyne: Thank you, that's that teamwork, working together.

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

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

The Clerk read the following:

1. **Ordinance No. 66 of 2009**: An ordinance to adopt Chapter 25 of the City of Shreveport Code of Ordinances establishing regulations relative to the conduct of oil, gas and other hydrocarbon well operations with the City of Shreveport, and to otherwise provide with respect thereto. (*Postponed August 25, 2009*)

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Wooley to postpone until the next regular meeting.

Councilman Webb: How long we're going to postpone this?

Councilman Long: Until the next meeting.

Councilman Webb: Are we going to have it all together then?

Councilman Long: I think we should.

Councilman Shyne: If not Mr. Chairman, we might have to send Dale back over to - - - I almost said St. Louis Dale, what is it Ft. Worth?

Mr. Sibley: Ft. Worth.

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

2. **Ordinance No. 67 of 2009**: An ordinance to amend Chapter 78 of the City of Shreveport Code of Ordinances to adopt regulations relative to the placement of pipeline across City-Owned property or within city rights of way, and to otherwise provide with respect thereto. (*Postponed August 25, 2009*)

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Bowman to withdraw.

Councilman Shyne: Mr. Chairman, is that - - - the Administration?

Mr. Sibley: That's correct.

Councilman Walford: Well, the discussion if I may add?

Councilman Webb: Please.

Councilman Walford: At the meeting at Riverview, and I think Mr. Strong and the Administration, and the discussion went that we have ordinances in place, and then we grant by permit which would give us the control that we're looking for.

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

3. **Ordinance No. 92 of 2009**: An ordinance authorizing amendments to the lease agreement with Studio Operations, L.L.C., and to otherwise provide with respect thereto. (*Postponed August 25, 2009*)

Mr. Thompson: Mr. Chairman, I have a note that the Administration would like to postpone, but I also have an amendment that was just presented to me by the City Attorney that amends Paragraph 5 and it amends Section A and C of the contract, I believe.

Councilman Lester: Motion to postpone.

Councilman Webb: Hold on a minute, let me get a motion on the floor.

Councilman Walford: I'll second for discussion.

Having passed first reading on August 11, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Walford to postpone until the next regular meeting.

AMENDMENT TO ORDINANCE NUMBER 92 OF 2009

Amend Paragraph 5 of the amendment to now read as follows:

“5. ALTERATIONS TO LEASED PREMISES/
DISPOSITION OF IMPROVEMENT(S)

A. Construction of Improvements. Tenant agrees that construction of the improvement(s) contemplated by this Lease Agreement shall commence on or before October 31, 2009. The date for commencement of construction may be extended by the parties in writing for good cause shown.

Except as otherwise provided herein, any/all improvements constructed or otherwise made by Tenant on or to the Leased Premises shall be made at Tenant's expense.

C. Disposition of Improvements. Lessor and Tenant agree that upon expiration or termination of this Lease Agreement, and/all improvements, as the term is defined in Section 5.C. of this Lease Agreement, constructed by Tenant or on Tenant's behalf during the Initial Term or any Renewal Term of this Lease Agreement shall be disposed of as hereinafter provided:

- (i) City shall be obligated to compensate Tenant, at fair market value, for the cost of all

improvements (as the term is defined in Section 5.C. of this Lease Agreement) constructed on the Leased Premises by or on behalf of Tenant pursuant to the terms of this Lease Agreement in the event this Lease Agreement is terminated by Lessor for any reason or cause except a public purpose revocation as set forth in Section 2.C of this Lease Agreement or default of any term, provision or condition of this Lease Agreement by Tenant.

Except as otherwise provided herein, in the event this Lease Agreement is terminated for any other reason or cause contained herein or at the expiration of any term or renewal term, other than public purpose revocation as set forth in 2.C., Public Purposes Revocation or default of any term or condition of this Lease Agreement by Tenant, Tenant shall be permitted sell, donate or otherwise convey or transfer Tenant's interest in any improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement), to any third party, if such improvements are removed from the Leased Premises within one hundred eighty (180) days of termination or expiration of the Lease Agreement. If the conveyance or transfer and removal of such improvement(s) does not take place within this one hundred eighty (180) day period, improvement(s) not removed shall be deemed to be abandoned and transferred to Lessor without any obligation by Lessor for payment of the improvements provided however, that Tenant shall have the right to convey or transfer such improvement(s) in place on the Leased Premises within this one hundred eighty (180) day period, subject to Lessor's agreement with the prospective transferee and entering into a lease of the Leased Premises with the transferee within the one hundred eighty (180) day period. Lessor and Tenant agree that the time period for execution of any subsequent agreement between Lessor and the prospective transferee may be extended in writing between the parties for a term not to exceed ninety (90) days. Tenant acknowledges, understands and agrees that the sale, donation or conveyance of any such improvement(s) in place shall be subject to Lessor's prior written consent, which consent shall not be unreasonably withheld, in which case, use of such improvement(s) by the approved third party shall be limited to the permitted use(s) as provided in Section 1.B. of this Lease Agreement or as permitted by applicable zoning laws, regulations or ordinances. Notwithstanding the following uses are, among others, specifically prohibited whether permitted by applicable zoning laws, ordinances or regulations: (i) movie theater showing "X" rated, "adult" or pornographic films of any type, (ii) pornographic or pornographic type literature sales, (iii) "X" rated or "adult" video tape, DVD or other medium, sales or rentals, (iv) offering "X" rated or "adult" entertainment of any type ("X" rated or "adult" as used herein shall mean stores in which any portion of the inventory is not available for sale or rental to children under 18 years old because such inventory explicitly deals with or depicts human sexuality or from which business children under eighteen (18) years of age are barred by law), (v) tattoo, body art, body piercing, including the sale of materials related to any such activities, (vi) fueling of vehicles or storage of hydrocarbons, (vii) any industry or business engaged in the raising of livestock or poultry, slaughtering livestock or poultry, or rendering or processing livestock or poultry, (viii) a dance hall, (ix) an off-track betting business, (x) a billiard or pool hall, (xi) bingo or other games of chance; (xii) a massage parlor (other than a bona fide therapeutic massage clinic of the type usually associated with a healthcare facility), (xiii) a game arcade, (xiv) a night club, (xv) any business which emits noxious odors or excessive noise, (xvi) any ultrahazardous activities, and (xvii) any business storing, manufacturing or processing hazardous and toxic materials. Lessor agrees that it shall negotiate a Lease Agreement of the Leased Premises with such transferee, in good faith. Notwithstanding anything to the contrary set forth herein, Lessor consents to Tenant granting to leasehold mortgagee(s) security interest and/or mortgages in improvements on the Leased Premises and the right to proceeds of any sale of those improvements in the event of sale or transfer of those

improvements in accordance with any leasehold mortgage or security interest.

Councilman Webb: Do you want to discuss it first since you made the motion or?

Councilwoman Bowman: I'd like to hear the amendment first, before we postpone it.

Councilman Shyne: Yeah, right, and let's move to add the amendment, and then postpone.

Councilman Webb: You want to hear the amendment?

Councilwoman Bowman: Mr. Lester, I believe you do have the floor, but I certainly would like to know 1) Why are we postponing, and 2) What are the amendments?

Councilman Lester: Okay, well I can tell you what my unreadiness was, I can only speak for myself. Don't do that very well sometimes, but to the extent as I appreciate it, Mr. Thompson just indicated that there was an amendment to Paragraph 5 that was just prepared, and submitted to us by City Attorney today. Unless there - - - if I can get someone to explain how this materially deals with any issues with the lease, I just would feel uncomfortable voting on the deal, having just been given the amendment at this point. If someone maybe could get me comfortable with it, then maybe that's the case, but as we have said on more than one occasion, as you have said, you know getting a comfort level of voting for something up here that's just been presented, is something that I'm generally not comfortable with. If again, someone either Ms. Scott, and/or Counsel for the proponent, I think I saw their attorney here, could kind of maybe get me comfortable with some of those issues, I would think so, but that's what my unreadiness is now.

Councilwoman Bowman: Mr. Chairman, how many times Mr. Sibley have we postponed this? Because it's been on the agenda quite a while.

Mr. Sibley: At least (inaudible).

Councilwoman Bowman: What's taking us so long to not do what we're supposed to do?

Mr. Sibley: I think we're actually - - - I'll refer to the Mayor, I think we're actually ready to go forward based on some discussions that have been held all day, and we think we've gotten all the issues resolved, so that - - -

Councilwoman Bowman: So, why are we getting a notice Mr. Thompson to postpone?

Mr. Thompson: That was on Friday.

Councilwoman Bowman: Oh. So at this point, we're ready to roll?

Mr. Sibley: That's correct.

Mayor Glover: That request to postpone from the Administration is withdrawn, and we request that you all would act based upon the amendment that's in place. And I'll yield to Council discussion at this point, but we would ask that you all take the opportunity if at all possible to be able to act on this today.

Councilman Shyne: Mr. Chairman, I would ask my distinguished colleague if it would be alright with him if we would at least add the two amendments before we postpone?

Councilwoman Bowman: We're not going to postpone.

Councilman Lester: And with respect to my right honorable friend, I don't have a problem with that, I mean we - - - meeting after meeting, I've heard Council Members say, 'I was just given this now, I don't feel comfortable voting on it'. I just simply said, I was just provided with this amendment that the City Attorney just indicated was just done. Cast no aspersions on the Administration, cast no aspersions on the folks with Millennium, but they hammered out an agreement recently, today, they brought this agreement to us written in writing, today, and they asked us to vote on it today, and Councilwoman Bowman, I more than anybody want to see this project built. I have been begging and asking for this because the moment we

get this deal done, it's going to signal something good happening in Ledbetter, and by association, something great happening in Allendale, cause I believe that once the movie theatre is built, we're going to have more people down in a critical mass to do some business in Allendale, and maybe even (inaudible) live there. But as you have said on more than one occasion, I just don't feel comfortable voting for something this important when I was just had it handed to me. So, again if someone on either side could come to the dais and explain what we have done and why, cause clearly there was a reason why there had to be a material alteration to a portion of the lease, I could get a couple of them, and I could move forward. But as you have said - - -

Councilwoman Bowman: Oh exactly, and I don't need you to repeat what I said.

Councilman Lester: Well I mean, but if - - -

Councilwoman Bowman: Ms. Scott is here and she can come and (inaudible), but normally Mr. Lester when you put stuff on the agenda at the last minute and expect us to just jump on it, and I refuse to do that.

Councilman Lester: Well, with respect Ms. Bowman, if I put something on the agenda, and you refuse to do it, (inaudible) the Administration put something on the amendment, and if I refuse, then there's a problem.

Councilwoman Bowman: I'm sorry, I have to look at it three or four times.

Councilman Lester: Well, I need to look at least once.

Councilman Webb: Is Ms. Scott here?

Councilwoman Bowman: She's right there.

Councilman Webb: Come up Ms. Scott and explain to us.

Councilman Lester: Welcome to the meeting.

Councilman Webb: Why this amendment had to be put in place, and what changed that and whatever it is that you had and changed it to.

Councilman Shyne: Is that Mr. Scott coming up with you?

Councilman Webb: No, that's Danny Malone.

Ms. Scott: Mr. Chairman and Members of the Council, the current lease agreement provides that the City is to compensate the tenant which is Studio Operations in the event that the lease is terminated for any cause, including termination by the tenant. You have the opportunity to tighten some things up in the lease agreement, this is one of the provisions that we wanted to assure came out of the lease agreement and was modified to include or to add conditions under which the city would have to compensate the tenant for the fair market value of the improvement. The amendment that you have in front of you, and let me point out, the ordinance was originally introduced on your August 11th meeting, it has not been postponed. Because of state law, we were required to advertise this particular ordinance amendment, which means that once it was introduced on August 11th, today was the earliest that it could be considered timely. So, it has not been postponed before. The amendment that you have in front of you, the only thing that has been changed from what was originally introduced on August 11th is to insert Paragraph 5b of Section 1. That first paragraph. That now provides and clarifies that the city will compensate the tenant for improvement in the event the lease is terminated by the city except if the lease is terminated for or because of default by the tenant. We will still compensate the tenant for the fair market value for the improvement in the event the city determines that we will terminate the lease for public purpose. That's currently provided under Section 2c of the lease agreement, and it now provides that we will not compensate the tenant in the event the lease is terminated because of a default by the tenant. Before it left it wide open for the tenant to be able to terminate the lease agreement with or without reason, the city would have to pay them.

Councilwoman Bowman: Ms. Scott, we haven't discussed this prior to August 11th?

Ms. Scott: No ma'am, the reason we went on to introduce it was because we knew that it would have to be advertised three times within fifteen days, one week apart. And generally, if there's an advertising requirement in order to get the advertisements done to satisfy state law, it requires that the matter be heard three times by Council. It generally lays over for one meeting, and then it can be adopted at the next meeting.

Councilwoman Bowman: And you feel comfortable with the way it is right now?

Ms. Scott: With this language, yes ma'am. The other thing I'd like to point out is that there was language added to the end of Section 5c(2), to the end of that second paragraph, that provides some uses that in the event the property is ever conveyed to a third party or a third party is allowed to use the property, that some uses that we find objectionable in that we would not consider to be permitted use under the lease agreement. Right now the lease specifically provides that the property is to be used for the operation production of a movie studio and related uses. The list of prohibited uses so to speak that these are uses that we would find objectionable, and that the tenant would not be allowed to engage in on that property, and as you can see it's a very long list.

Councilman Webb: Councilman Lester, did you have any questions or comments?

Councilman Lester: Mr. Chairman, I appreciate that explanation. I don't feel comfortable voting on something that I was just given, particularly something that this is important. This is the first time we actually had a discussion about this. I would ask that we postpone it till the next meeting. I mean, if the Council chooses to move forward, that's fine. I registered my objection, and it is what it is.

Councilman Wooley: Just for clarification, what is the motion that's on the floor?

Councilman Lester: My motion is to postpone for two weeks.

Councilman Walford: Mr. Chairman I would definitely like to discuss. I thought I was going to be the one doing the most talking. I spent a lot of my weekend on this. And what I've done is taken the original lease document, which I still suggest each of you read as a lesson to the fact that we should thoroughly read anything that we pass, myself included. The quicker the get rid of that, the better. It's a terrible document, it should never have been passed by us, it should never have been signed, but it's done. We have the chance now to correct the mistakes that were made, and again I spent much of my morning, and I was on the phone with the Administration, I was on the phone with Millennium, I pestered Councilman Long to death today. I think what we're doing is definitely good. It takes us away from a tremendous obligation, that we don't have the money to do, should it ever be necessary. And it says what the original document should have said. It protects Millennium and their lenders, but it takes the burden off of us. And it allows them to move forward. The clock is ticking and it's ticking with the state. For them to get the benefits that they truly need to do a project like this, through the various film incentives and so on. I can't speak to all those, maybe Mr. Malone or somebody from Millennium can. But the clock is ticking very, very quickly on those. They're not going to be able to finish the project by the end of the year, but the quicker we approve this and the Mayor signs it, the quicker they can turn dirt, and I think escrow money to show the state that there's good faith effort and get the credits and so that they are entitled to from the state and through no fault of anyone except having to find the financing and so, there's been delay. But now we have the clock ticking I'm comfortable with the amendment. With the second part of the amendment in there. I'm glad to know now that after a lot of discussion, Millennium is comfortable with it. It's a win/win now and I really think we should go ahead. I would like to make a subsidiary motion at this time.

Ms. Scott: Mr. Chairman, if I may? Just for the record and so that everyone is aware, also if you look in Section 5a2, and this coincides with Mr. Walford's comments, there is an amendment in this section that requires that the tenant commence operations on (inaudible) construction on the improvement on or before October 31st.

Councilman Walford: If I may, that's to get all the incentives that are available to them?

Ms. Scott: Yes, and it also serves as - - - it provides a deadline or sunset date by which the construction is actually suppose to begin on the property, and they have been agreeable to agree to this particular provision, but again it confirms in writing that there's a date (inaudible) that construction on that site is to begin and that's October 31st.

Substitute motion by Councilman Walford, seconded by Councilman Bowman to adopt Amendment No. 1 to Ordinance No. 92 of 2009.

Councilman Shyne: Mr. Chairman, I totally agree. I saw Mr. Sibley looking at his watch, so it must have meant that time was running, and Mr. Mayor, I'm good at reading body language, having lived in Mooretown and worked on the Cooper Road. You know how you have to be able to do that. And I would like to promise Councilman Lester that after he reads this, and if it's anything that he doesn't like about it, I'll be willing to make the motion to bring it back up. But at this particular point, I think it would be in our best interest after watching the CAO look at his watch that we would move on with this.

Mr. Thompson: If this is terminated for a public purpose, if it's a public purpose revocation, what happens then?

Ms. Scott: Under Section 2c of the lease agreement, we're obligated pay the tenant the fair market value for the improvements in the event the lease is terminated for a public purpose. We are not however obligated to pay the tenant for any improvements if the tenant should decide to terminate the lease for any reason or any cause. Right now the lease agreement provides that we are to compensate the tenant in the even the tenant should elect to terminate the lease agreement. And it also provides that we do not pay the tenant fair market value in the event the lease is terminated because of the default in some term or condition of the lease agreement by the tenant.

Councilman Wooley: Just real brief. Shreveport has a great opportunity here to be a part of the film making industry. We've all been waiting for this opportunity, we've all spent a lot of hours and time, and everybody involved in the city couldn't land together to make this all happen, and I would hate to see us - - - slow down the process, some for legal reasons cause we had to, some maybe not for legal reasons, but I think today is the day we have moved forward so they can get busy, being an active part of the community and we can do our part in the community to support the film industry. Thank you Mr. Chairman.

Councilwoman Bowman: Once we vote on this amendment for Councilman Walford, and then go back and vote on the original?

Councilman Walford: The ordinance as amended. Right.

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

Motion by Councilman Walford, seconded by Councilman Bowman to adopt the ordinance as amended.

Councilman Walford: I certainly respect what Mr. Lester is saying more today, than I ever have in my almost seven years here.

Councilman Shyne: Wow! That is a big statement.

Councilman Walford: Well I'll explain to you later if you'd like.

Councilman Shyne: I would appreciate it.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Webb, Shyne, and Bowman. 5. Nays: Councilman Lester. 1. Out of the Chamber: Councilman Wooley. 1.

4. **Ordinance No. 94 of 2009**: An ordinance amending the 2009 General Fund Budget, and to otherwise provide with respect thereto.

Councilwoman Bowman: Wait a minute, what is this?

Councilman Webb: What is the difference in this one Mr. Thompson?

Mr. Thompson: To adjust funds within the 2009 General Fund Budget for the Police Department to decrease funds in Personal Services by \$172,700 and increase funds in Materials and Supplies by \$153,800 and increase Other Charges by \$18,900.

Councilman Shyne: Oh, so moved on that.

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Shyne, seconded by Councilman Long to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Walford. 1.

5. **Ordinance No. 95 of 2009**: An ordinance amending the 2009 Budget for the Environmental Grants Fund, and otherwise providing with respect thereto.

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Shyne to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Walford. 1.

6. **Ordinance No. 96 of 2009**: An ordinance amending the 2009 Public Safety Grants Special Revenue Fund Budget, changing the name of the fund to 2009 Grants Special Revenue Fund, and otherwise providing with respect thereto.

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Shyne, seconded by Councilman Long to adopt.

Councilman Wooley: All we're doing is changing the name?

Mr. Sibley: That's correct, and you're basically creating one place to put all then non police and fire grants.

Mr. Seaton: It's adjusting three projects as well.

Mr. Thompson: It also adjusts some funds.

Mayor Glover: We'll let Rick Seaton give you guys a quick blurb on what exactly it does.

Mr. Seaton: This is the \$1.2(million) grant. It also two SPORTRAN grants.

Councilwoman Bowman: That doesn't explain nothing.

Councilman Shyne: That's a good explanation Rick.

Councilwoman Bowman: No it wasn't. Explain that again. I mean in detail.

Mr. Seaton: As the Council has passed previously, this is a 2009 JAG grant recovery, \$1,272,300 for the Police Department. Then there are two other grants that are from Federal Transit Administration that go to SPORTRAN for operating systems.

Councilwoman Bowman: So you combined both of these?

Mr. Seaton: They'll still go into individual index, so there's no mingling, it just adds all three of those, yes. And the combining of the name the intent there is that in 2010, we'll have a Grants Special Revenue Fund that will include Police, Fire, SPORTRAN, and Environmental Affairs. There's no reason to have four different funds.

Councilwoman Bowman: I can agree with that, but it was the idea that the revenues were all amended at one time in one ordinance, with me.

Councilman Wooley: Yes, can you explain in a little more detail again what the JAG grant is, or what is JAG?

Mr. Seaton: I'd like to ask Chief Whitehorn or Duane to come up? It's the \$1,272,00.

Chief Whitehorn: We get so many different kinds of grants, it's hard to keep up with them. This is one that we've discussed before that we split with the Sheriff's Department. We were awarded a little over \$1,000,000, \$1.3(million). We split that 50/50 with the Sheriff's Department, and we will use that to offset some of the operations that we do for overtime payments and some other initiatives that we do in our crime prevention effort.

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

7. **Ordinance No. 97 of 2009**: An ordinance amending and re-enacting Chapter 2 of the Code of Ordinances relative to the Travel Policy, and to otherwise provide with respect thereto.

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Bowman, seconded by Councilman Wooley to adopt.

Councilman Wooley: Either you or Councilman Walford explain it? For the benefit of the public. If we just voted and they don't know what we're voting on.

Councilman Shyne: Councilman Walford?

Councilman Walford: I'm playing catch up here, give me just a second. Should I attack this Ron, or you?

Councilman Webb: Go ahead.

Councilman Walford: I think what we were trying to do after there were items in the External Audit that showed that they'd never been closed out, they were undocumented. Obviously the policy is not working and this would just really codify the policy to put more teeth in it. In most cases, there's an explanation, but the auditors shouldn't have to be writing up the

documentation is not there. And that's basically what we're doing. It's just like we did on the other travel policy that we had. We put it in ordinance form and this is what this is.

Councilman Webb: Exactly. Some of them were getting too old. You have ten days filing period to turn in your expense report.

Mr. Thompson: 30 days.

Councilman Webb: 30 days? Okay. Everyone that travels should have all your receipts to document you expense and turn it in a timely fashion. It shouldn't be a problem if you don't have a receipt, you shouldn't put it on your travel report, and pay for it out of your pocket. That's the way I feel about that.

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

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

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Shyne to adopt.

Councilman Walford: Just a quick question over here. Mike, is this the most we can charge for this? This seems like the greatest bargain I've ever seen.

Mr. Strong: Councilman, no. You can charge anything.

Councilman Walford: How did you come up with the recommended fee?

Mr. Strong: Well I'll tell you how it came up originally. When it originally came up, with I think it was like \$3 a month which was like \$9 a quarter. And it was calculated at that time, then that would be the basis for the difference in backdoor pickup, and curbside pickup. That's how it was deemed at that time. Whether I agreed with it or not, but that was the basis from where it came up. So that's where the \$3 came up. We have raised it from the backdoor in the past year, I think it's been two other increases that have come up with this. But it will always be the difference in what curbside and backdoor was.

Councilman Walford: And this was 1998 that this was started?

Mr. Strong: I believe that's correct.

Councilman Walford: So it's really only gone up \$3 a month since 1998?

Mr. Strong: That would be correct.

Councilman Walford: Would it be a hardship if we were to postpone this for two weeks, and I got with you and we discussed the real cost of doing this and consider possibly a slightly higher fee?

Mr. Strong: And understand we've limited it to the numbers that we've got in there, because you're talking about right now, we're at 1,019 customers. That have backdoor that would be the residential type, backdoor pickup. So they're going down, there's no other ones that can be added on to it. It's just what these are and (inaudible).

Councilman Shyne: Mr. Mayor, I figure you all probably had a chance to look at this, and I think if this is what you all recommend, I think the economy is so until I'd hate to be a part of adding on an additional fees, and monies to our citizens here in Shreveport at this particular time, because the economy is what it is, and if you all feel comfortable with it, and I felt like if

you didn't you would not have come forth with it, and it seems like we might have kinda the same sentiment. It's no use to keep on tacking on fees and raising prices when we really don't have to. And Mike, I think what I'm hearing from you is that at this particular time, you and the Administration are satisfied with what you have here in the ordinance. Am I reading you right?

Mr. Strong: That's what we put in for Councilman, that's in here, and to tell you when we look at this, we're only looking at this is going to be about an additional \$12,000 for the city out of all the garbage pickup.

Councilman Long: Mike, didn't I ask you at one point if an additional service that we could provide for a fee, that you'd look at that as well, because the manpower cost wasn't there to support it?

Mr. Strong: That's correct.

Councilman Long: I mean your actual staffing levels just couldn't do it.

Mr. Strong: If we went to all backdoor, no, we couldn't do it.

Councilman Long: No, not all. I mean for somebody who wanted to pay for it.

Mr. Strong: That is correct. That's why we have locked out anybody else.

Councilman Long: Right, because if anything this program will probably shrink over time.

Mr. Strong: Oh, it is shrinking. I mean as I said, we're at 1,019 at this point and time, and it cannot be transferred.

Councilman Long: I guess if those folks enjoy that service now and are probably older folks, elderly who are not physically able to move cans around. I guess the other question I would have is for handicapped individuals. Do we do this for some handicapped folks?

Mr. Strong: That has nothing to do with the handicapped or medically infirmed that's on there, because that's a different - - - and there is no fee for that. This is only the ones that are paying for it.

Councilman Long: I just wanted to make sure that everybody understood that.

Councilwoman Bowman: Some of the communities that use this service, like Southern Trace, do they have the backdoor service? I've been told that and what is it, Long Lake Estates or something like that?

Mr. Strong: They're definitely going to be in some of those areas. I believe Long Lake is, and there is a different type deal in the townhomes. But it's going to be in those types area.

Councilman Webb: Councilman Walford, you have a question?

Councilman Walford: No, I sense that - - - I mean I'll be happy to make a motion to postpone.

Councilman Webb: This is for the people that don't want to take their trash out to the street?

Councilwoman Bowman: Right.

Councilman Walford: That's basically what it is. You hear it, it's not the handicapped, and to me it's quite a bargain. So, I'd be more than happy to offer a subsidiary motion to postpone for two weeks.

Councilwoman Bowman: Second the postpone.

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

9. **Ordinance No. 99 of 2009**: An ordinance amending Section 74-54 of the Code of

Ordinances relative to landfill disposal fees, and to otherwise provide with respect thereto.

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Walford to adopt.

Councilman Long: Mr. Strong, please?

Mr. Strong: Our landfill disposal cost at the landfill, Woolworth Road, and it is based upon an consumer price index increase, of about 5.36%. So the current fee is \$35, and we're taking it up to \$36.50.

Councilman Long: And that's what we pay?

Mr. Strong: No that's gate fee. That is the gate fee, that is what every customer pays. We pay less than that.

Councilwoman Bowman: When is the last time this went up?

Councilman Long: So, we get increase in revenues?

Mr. Strong: Yes sir. Well, it'll be still how it is, because theirs is going up and ours is (inaudible).

Councilman Long: I got cha, so we're just trying to keep in line. Alright very good.

Councilwoman Bowman: When is the last time you had a fee increase on this?

Mr. Strong: Last year.

Councilwoman Bowman: And you increase it every year?

Mr. Strong: Basically with the CPI, there is an increase every year. Yes.

Councilwoman Bowman: But our employees didn't get CPI, and it might be some of the ones that have to pay this.

Mr. Strong: If it is coming from citizens of the city, - - -

Councilwoman Bowman: (Inaudible) at the gate, is that what you meant?

Mr. Strong: Pardon?

Councilwoman Bowman: Didn't I hear you say something about at the gate?

Mr. Strong: This is the gate rate.

Councilwoman Bowman: A tipping fee?

Councilman Long: Yeah, when you go drop something in there, this is what you pay to get in.

Councilman Webb: Commercial folks?

Mr. Strong: Would be all commercial. If you have - - -

Councilwoman Bowman: This is all commercial, not the everyday citizen?

Mr. Strong: I'm not going to say that. They may go in there, but if they will bring in their drivers license or water bill showing that they are at a certain address as a resident, there is no charge. But if it is a commercial type hauling operation, then there is a charge.

Councilwoman Bowman: I can go along with commercial, but - - -

Mr. Strong: But if you carried your drivers license showing that your address is inside the city limits of Shreveport, then whatever you hauled in there would be no cost.

Councilman Webb: Seems like everybody has their water bill with them.

Mr. Thompson: Mike, is this in our contract that we have to do this every year, or that we have to pay the difference?

Mr. Strong: Yes sir.

Mr. Thompson: So, this is in the contract, if we don't do this, then we would have to pay it as a city, right?

Mr. Strong: That would be correct.

Councilman Shyne: Mike, you didn't hear the Chairman, did you?

Mr. Strong: No sir.

Councilman Webb: Not everybody takes their water bill with him when they go to the dump.

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

10. **Ordinance No. 100 of 2009**: An ordinance amending and re-enacting Chapter 90 of the Code of Ordinances relative to vehicle impoundment, immobilization, and parking penalties, and to otherwise provide with respect thereto. (B/Walford/E/Webb)

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Long. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 100 of 2009

In Section 90-273(h), delete the number "\$130.00" and substitute the number "\$75.00."

Motion by Councilman Walford, seconded by Councilman Wooley to adopt Amendment No. 1 to Ordinance No. 100 of 2009.

Councilman Webb: Why are we lowering the fee?

Councilman Walford: Well we're not really lowering the fee, we're just not raising the fee as much as we discussed. The \$130 as the Administration talked about, was if we went to the electronic boot and had to pay the company that provides it for the \$100 each time. At this point, I'm kinda like Mr. Sibley, I'm not sure that we want to go with the electronic. I mean, you've heard that over the first few days, we've been very successful. But at \$30, we're losing money because we have a \$30 fee in there, well stop and think that's two trips. One to put the boot on and one to take it off. So, I corresponded back and forth with the Administration. If you'll remember, last meeting they were going to try to help come up with a cost figure, which is kinda hard to do. But after a lot of back and forth, Mr. Sibley and I were working between \$60 and \$75. And you know \$75 is only \$37.50 each time they have to go to the vehicle, and I think that's very, very reasonable. If people are going to get booted, and it costs us to do it, and it cost us to take it off, I think we should go with it. So, I did the amendment for \$75 for now, and I think it's very reasonable. If you make comparisons, Dallas and New Orleans are \$100, Houston is \$200, Richmond, VA is \$60. Those are the numbers Mr. Sibley came up with today. But I think \$75 is very close to what our actual cost is.

Councilman Webb: So, you're changing it from \$130 to \$75?

Councilman Walford: Yes. Well actually, we're changing the ordinance from \$30, which is what it is now, instead of going to \$130, we're going to go to \$75, and we're not doing the electronic boots for now. So I would urge a yes vote on this.

Councilwoman Bowman: When was this amendment put on? Because I didn't see it the other day.

Councilman Walford: Well, let me explain that if I may?

Councilwoman Bowman: No, you've already explained the amendment. I want to know when it was put on here.

Councilman Walford: Well I'm going to tell you why it was a little bit late getting settled on what we were doing. There was this Millennium issue that absolutely dominated my morning. I did finally correspond with Mr. Sibley, and got it to Julie, and it was put in my hands when we got to Council. And I apologize, I would like to have done it sooner, but

Councilwoman Bowman: But you gave a good explanation. See, so I don't have a problem voting on it.

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

Motion by Councilman Walford, seconded by Councilman Webb to adopt Ordinance No. 100 of 2009 as amended.

Councilman Walford: Well basically, I've covered the booting side of it, the immobilization and Mr. Chairman, can I yield to you on the parking of trucks?

Councilman Webb: Absolutely, and that's one of the pet peeves of mine in my district is the people parking the trucks and laughing about the parking fees. So, I wanted to include the towing so that we can put some more teeth in the ordinance to have the vehicles removed with repetitive parking violators.

Councilman Shyne: One question. Mr. Sibley, is the Chief here? Chief Whitehorn? I would hope that when this gets to be long, that we could get this out in the hands of - - - we could get it to the Chief, and let him get it out in the hands of his officer. Because Cpt Nelson is checking on a situation today that as you recall - - -?

Chief Whitehorn: The tractor?

Councilman Shyne: Right. Called the people in the Meadows neighborhood a lot of problems, and this guy just refuses, saying 'Look, this is my property, and I park anything I want to here'. And so he's checking on it, and I appreciate it if you all would keep me abreast on how it's coming out.

Chief Whitehorn: Cpt Nelson is handling that today. That's actually in Cpt LeBlanc's area, but he didn't realize it until he actually got out on the scene. So, he's still taking care of it.

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

11. **Ordinance No. 101 of 2009**: ZONING APPEAL - C-46-09: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by re-zoning property located on the SW corner of Ford and Norma, Shreveport, Caddo Parish, Louisiana from R-3, Urban Multi-Family residence District, to R-3-E, Urban, Multi-Family Residence/Extended Use District limited to "A Grocery Store selling WIC supplies only", and to otherwise provide with respect thereto. (A/Lester)

Having passed first reading on August 25, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Shyne to adopt.

Councilman Lester: Mr. Kirkland, could you come up please? Thank you Mr. Kirkland. We've had a lot of discussion about this particular site, and I think the owner has finally gotten to understand that we do not intend to permit alcohol at this site.

Mr. Kirkland: I believe he heard that.

Councilman Lester: Okay, I think he gets it. My question is by moving forward with this, if for some reason he or one of his tenants decides to try to move forward with an alcoholic type use, would that invalidate the zoning or would they in fact have to come back before the ZBA to do that process?

Mr. Kirkland: They would have to file an application to come back before the ZBA, public hearing and the whole process.

Councilman Lester: Okay, and as I appreciate it, one of the things that the Zoning Board asked for was the fence and the shrubbery, and I'm certainly in favor of that, so thank you, I just wanted to make that clarification and clear to the folks in the area. So, if they move forward with this and they see something happening, then they'll know that we're not in favor of alcohol.

Mr. Kirkland: That's correct.

Councilman Lester: Yes, thank you. I'm sorry, what I was going to do also and then I'll turn it over to you Mr. Chairman is I had an actual meeting with the owner and he reduced that to writing.

Councilman Webb: I'm sorry, he did what?

Councilman Lester: He reduced our conversation to writing relative to the specific uses there, and I don't know if - - -

Mr. Thompson: Well, as I understood his letter, he wanted a number of additional uses, but this would limit him to only one use.

Councilman Lester: Right.

Mr. Kirkland: But what he said after - - - as you know the Board approved specifically what he asked for. A rec store operation, and that a certain specified products with coupons and that sort of thing. Subsequent to the approval with the MPC, I believe Mr. Thompson has (inaudible), what I heard Mr. Christian say in our office, is that he wanted additional rights, and what we said was he'll have to deal with you or come back to the Board at a later date.

Councilman Lester: Well, let me ask this question. Mr. Thompson, do you have that letter that Mr. Christian - - -?

Mr. Thompson: I do not have it and we did not prepare an amendment.

Councilman Lester: Mr. Chairman, I would ask for a two week postponement, because I did in fact sit down with Mr. Christian and we went, just for the Council's edification, painstakingly through every - - - each and every use that a B-3 allows. Some of those would be objectionable to the neighborhood, and some of them weren't.

Councilman Webb: So, you're withdrawing your original motion?

Councilman Lester: So I would do a substitute motion to postpone for two weeks.

Councilman Shyne: And none had to do with alcohol?

Councilman Lester: None.

Substitute motion by Councilman Lester, seconded by Councilman Shyne to postpone until the next regular meeting.

Councilman Webb: I have one question on this before we vote. I also got a call from Mr.

Christian and I went by there and took a look at the property, and I don't have a problem with approval with sales, but I was curious to know what's he going to do about parking?

Mr. Kirkland: He's got enough parking.

Councilman Webb: Where?

Mr. Kirkland: It's been thoroughly looked at and he can accommodate that.

Councilman Webb: Okay, cause I know I tried to drive up in the little piece of land that's there, and I don't see how (inaudible).

Mr. Kirkland: He's going to have to make some improvements, but it can be accomplished.

Councilman Webb: Is he planning on asphaltting it or?

Mr. Kirkland: Well, it will have to be hard surfaced, which could be concrete or asphalt.

Councilman Webb: That's in the - - -?

Mr. Kirkland: That's in the ordinance.

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

The adopted ordinances and amendments follow:

ORDINANCE NO. 92 OF 2009

AN ORDINANCE AUTHORIZING AMENDMENTS TO THE LEASE AGREEMENT WITH STUDIO OPERATIONS, L.L.C., AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport ("City") has executed a Lease Agreement with Studio Operations, L.L.C., for lease of city-owned property for the construction, development, creation and operation of a film and movie studio and related uses within the City of Shreveport; and WHEREAS, the property is bounded by Fannin Street on the North, Travis Street on the South, Douglas Street on the East and Christian Street on the West; and

WHEREAS, this ordinance would authorize amendments to the Lease Agreement to assist Studio Operations obtain financing for construction of improvements on the Leased Premises; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that the Mayor is hereby authorized to execute an amendment to the Lease Agreement between the City of Shreveport and Studio Operations, L.L.C., substantially in accord with the draft filed herein for public inspection in the Office of the Clerk of Council on August 11, 2009.

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

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

AMENDMENT TO ORDINANCE NUMBER 92 OF 2009

Amend Paragraph 5 of the amendment to now read as follows:

“5. ALTERATIONS TO LEASED PREMISES/
DISPOSITION OF IMPROVEMENT(S)

A. Construction of Improvements. Tenant agrees that construction of the improvement(s) contemplated by this Lease Agreement shall commence on or before October 31, 2009. The date for commencement of construction may be extended by the parties in writing for good cause shown.

Except as otherwise provided herein, any/all improvements constructed or otherwise made by Tenant on or to the Leased Premises shall be made at Tenant’s expense.

C. Disposition of Improvements. Lessor and Tenant agree that upon expiration or termination of this Lease Agreement, and/all improvements, as the term is defined in Section 5.C. of this Lease Agreement, constructed by Tenant or on Tenant’s behalf during the Initial Term or any Renewal Term of this Lease Agreement shall be disposed of as hereinafter provided:

(i) City shall be obligated to compensate Tenant, at fair market value, for the cost of all improvements (as the term is defined in Section 5.C. of this Lease Agreement) constructed on the Leased Premises by or on behalf of Tenant pursuant to the terms of this Lease Agreement in the event this Lease Agreement is terminated by Lessor for any reason or cause except a public purpose revocation as set forth in Section 2.C of this Lease Agreement or default of any term, provision or condition of this Lease Agreement by Tenant.

Except as otherwise provided herein, in the event this Lease Agreement is terminated for any other reason or cause contained herein or at the expiration of any term or renewal term, other than public purpose revocation as set forth in 2.C., Public Purposes Revocation or default of any term or condition of this Lease Agreement by Tenant, Tenant shall be permitted sell, donate or otherwise convey or transfer Tenant’s interest in any improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement), to any third party, if such improvements are removed from the Leased Premises within one hundred eighty (180) days of termination or expiration of the Lease Agreement. If the conveyance or transfer and removal of such improvement(s) does not take place within this one hundred eighty (180) day period, improvement(s) not removed shall be deemed to be abandoned and transferred to Lessor without any obligation by Lessor for payment of the improvements provided however, that Tenant shall have the right to convey or transfer such improvement(s) in place on the Leased Premises within this one hundred eighty (180) day period, subject to Lessor’s agreement with the prospective transferee and entering into a lease of the Leased Premises with the transferee within the one hundred eighty (180) day period. Lessor and Tenant agree that the time period for execution of any subsequent agreement between Lessor and the prospective transferee may be extended in writing between the parties for a term not to exceed ninety (90) days. Tenant acknowledges, understands and agrees that the sale, donation or conveyance of any such improvement(s) in place shall be subject to Lessor’s prior written consent, which consent shall not be unreasonably withheld, in which case, use of such improvement(s) by the approved third party shall be limited to the permitted use(s) as provided in Section 1.B. of this Lease Agreement or as permitted by applicable zoning laws, regulations or ordinances. Notwithstanding the following uses are, among others, specifically prohibited whether permitted by applicable zoning laws, ordinances or regulations: (i) movie theater showing “X” rated, “adult” or pornographic films of any type, (ii) pornographic or pornographic type literature sales, (iii) “X” rated or “adult” video tape, DVD or other medium, sales or rentals, (iv) offering "X" rated or "adult" entertainment of any type ("X" rated or "adult" as used herein shall mean stores in which any portion of the inventory is not available for

sale or rental to children under 18 years old because such inventory explicitly deals with or depicts human sexuality or from which business children under eighteen (18) years of age are barred by law), (v) tattoo, body art, body piercing, including the sale of materials related to any such activities, (vi) fueling of vehicles or storage of hydrocarbons, (vii) any industry or business engaged in the raising of livestock or poultry, slaughtering livestock or poultry, or rendering or processing livestock or poultry, (viii) a dance hall, (ix) an off-track betting business, (x) a billiard or pool hall, (xi) bingo or other games of chance; (xii) a massage parlor (other than a bona fide therapeutic massage clinic of the type usually associated with a healthcare facility), (xiii) a game arcade, (xiv) a night club, (xv) any business which emits noxious odors or excessive noise, (xvi) any ultrahazardous activities, and (xvii) any business storing, manufacturing or processing hazardous and toxic materials. Lessor agrees that it shall negotiate a Lease Agreement of the Leased Premises with such transferee, in good faith. Notwithstanding anything to the contrary set forth herein, Lessor consents to Tenant granting to leasehold mortgagee(s) security interest and/or mortgages in improvements on the Leased Premises and the right to proceeds of any sale of those improvements in the event of sale or transfer of those improvements in accordance with any leasehold mortgage or security interest.

AMENDMENT NUMBER 2 TO ORDINANCE NUMBER 92 OF 2009

Amend Paragraph 5 of the amendment to now read as follows:

“5. ALTERATIONS TO LEASED PREMISES/ DISPOSITION OF IMPROVEMENT(S)

A. Construction of Improvements. Tenant agrees that construction of the improvement(s) contemplated by this Lease Agreement shall commence on or before October 31, 2009. The date for commencement of construction may be extended by the parties in writing for good cause shown.

Except as otherwise provided herein, any/all improvements constructed or otherwise made by Tenant on or to the Leased Premises shall be made at Tenant’s expense.

C. Disposition of Improvements. Lessor and Tenant agree that upon expiration or termination of this Lease Agreement, and/all improvements, as the term is defined in Section 5.C. of this Lease Agreement, constructed by Tenant or on Tenant’s behalf during the Initial Term or any Renewal Term of this Lease Agreement shall be disposed of as hereinafter provided:

(i) City shall be obligated to compensate Tenant, at fair market value, for the cost of all improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement) constructed on the Leased Premises by or on behalf of Tenant pursuant to the terms of this Lease Agreement in the event this Lease Agreement is terminated by Lessor for any reason or cause, including public purpose revocation as provided in Section 2.C. of this Lease Agreement, except that Lessor and Tenant expressly acknowledge, understand and agree that in the event of termination of this Lease Agreement by Lessor, for default by Tenant, Lessor shall have no obligation to compensate Tenant for the cost of any such improvement(s).

Except as otherwise provided herein, in the event this Lease Agreement is terminated for any other reason or cause contained herein or at the expiration of any term or renewal term, other than public purpose revocation as set forth in 2.C., Public Purposes Revocation or default of any term or condition of this Lease Agreement by Tenant, Tenant shall be permitted sell, donate or otherwise convey or transfer Tenant’s interest in any improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement), to any third party, if such improvements are removed

from the Leased Premises within one hundred eighty (180) days of termination or expiration of the Lease Agreement. If the conveyance or transfer and removal of such improvement(s) does not take place within this one hundred eighty (180) day period, improvement(s) not removed shall be deemed to be abandoned and transferred to Lessor without any obligation by Lessor for payment of the improvements provided however, that Tenant shall have the right to convey or transfer such improvement(s) in place on the Leased Premises within this one hundred eighty (180) day period, subject to Lessor's agreement with the prospective transferee and entering into a lease of the Leased Premises with the transferee within the one hundred eighty (180) day period. Lessor and Tenant agree that the time period for execution of any subsequent agreement between Lessor and the prospective transferee may be extended in writing between the parties for a term not to exceed ninety (90) days. Tenant acknowledges, understands and agrees that the sale, donation or conveyance of any such improvement(s) in place shall be subject to Lessor's prior written consent, which consent shall not be unreasonably withheld, in which case, use of such improvement(s) by the approved third party shall be limited to the permitted use(s) as provided in Section 1.B. of this Lease Agreement or as permitted by applicable zoning laws, regulations or ordinances. Notwithstanding the following uses are, among others, specifically prohibited whether permitted by applicable zoning laws, ordinances or regulations: (i) movie theater showing "X" rated, "adult" or pornographic films of any type, (ii) pornographic or pornographic type literature sales, (iii) "X" rated or "adult" video tape, DVD or other medium, sales or rentals, (iv) offering "X" rated or "adult" entertainment of any type ("X" rated or "adult" as used herein shall mean stores in which any portion of the inventory is not available for sale or rental to children under 18 years old because such inventory explicitly deals with or depicts human sexuality or from which business children under eighteen (18) years of age are barred by law), (v) tattoo, body art, body piercing, including the sale of materials related to any such activities, (vi) fueling of vehicles or storage of hydrocarbons, (vii) any industry or business engaged in the raising of livestock or poultry, slaughtering livestock or poultry, or rendering or processing livestock or poultry, (viii) a dance hall, (ix) an off-track betting business, (x) a billiard or pool hall, (xi) bingo or other games of chance; (xii) a massage parlor (other than a bona fide therapeutic massage clinic of the type usually associated with a healthcare facility), (xiii) a game arcade, (xiv) a night club, (xv) any business which emits noxious odors or excessive noise, (xvi) any ultrahazardous activities, and (xvii) any business storing, manufacturing or processing hazardous and toxic materials. Lessor agrees that it shall negotiate a Lease Agreement of the Leased Premises with such transferee, in good faith. Notwithstanding anything to the contrary set forth herein, Lessor consents to Tenant granting to leasehold mortgagee(s) security interest and/or mortgages in improvements on the Leased Premises and the right to proceeds of any sale of those improvements in the event of sale or transfer of those improvements in accordance with any leasehold mortgage or security interest.

ORDINANCE NO. 94 OF 2009

AN ORDINANCE AMENDING THE 2009 GENERAL FUND BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City Council finds it necessary to amend the 2009 budget for the General Fund. NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 131 of 2008, the General Fund Budget, is hereby amended as follows:

In Section 2 (Appropriations):

In Police Department General Fund Budget, decrease Personal Services by \$172,700 and

increase Materials and Supplies by \$153,800 and Other Charges by \$18,900.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 131 of 2008 shall remain unchanged and in full force and effect.

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

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

ORDINANCE NO. 95 OF 2009

AN ORDINANCE AMENDING THE 2009 BUDGET FOR THE ENVIRONMENTAL GRANTS FUND, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City Charter provides for amendment of any previously-approved budget; and WHEREAS, the City Council finds it necessary to amend the 2009 budget for the Environmental Grants Special Revenue Fund, to appropriate funds for a new grant 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. 146 of 2008, the 2009 budget for the Environmental Grants Special Revenue Fund, is hereby amended as follows:

In Section 1 (Appropriations), appropriate Energy Efficiency and Conservation Block Grant at \$1,977,900.

All totals and subtotals shall be adjusted accordingly.

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

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

ORDINANCE NO. 96 OF 2009

AN ORDINANCE AMENDING THE 2009 PUBLIC SAFETY GRANTS SPECIAL REVENUE FUND BUDGET, CHANGING THE NAME OF THE FUND TO 2009 GRANTS SPECIAL REVENUE FUND, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Article 7 of the Charter of the City of Shreveport required the adoption of a comprehensive operating budget for the year 2009; and

WHEREAS, the City has created a Public Safety Grants Special Revenue Fund, to account for the receipt of and expenditure of funds provided to the City by various agencies to assist in specific programs; and

WHEREAS, the city has received grant funds to be used by Shreveport Transit and by this amendment will include those funds in the Public Safety Grants Special Revenue Fund budget, therefore a more accurate title for that revenue fund would be "Grants Special Revenue Fund"; and

WHEREAS, the city may receive other grants not specifically related to police or fire operations,

and those funds can also be included in the Grants Special Revenue Fund; and WHEREAS, the City Council finds it necessary to amend the 2009 budget for the Grants Special Revenue Fund, to appropriate new revenues and for other purposes.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Ordinance No. 142 of 2008 is hereby amended by changing the name of the Public Safety Grants Special Revenue Fund to the Grants Special Revenue Fund. All funds appropriated and budgeted therein and in any subsequent ordinance amending Ordinance No. 142 of 2008 shall remain in full force and effect and all references to the Public Safety Grants Special Revenue Fund or the Public Safety Special Revenue Fund shall now be deemed to refer to the Grants Special Revenue Fund.

BE IT FURTHER ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 142 of 2008, the Public Safety Grants Fund Budget, is hereby amended as follows:

In Section 1, under Fiscal Year 2009 Revenues:

Insert "2009 Jobs Access Reverse Commute Grant, \$267,882."

Insert "2009 New Freedom Grant, \$111,077."

Insert "2009 JAG Grant Recovery, \$1,272,300."

In Section 2, under From FY 2009 Revenues:

Insert "From 2009 Jobs Access Reverse Commute Grant, appropriate \$267,882 to Contractual Services.

Insert "From 2009 New Freedom Grant, appropriate \$111,077 in Contractual Services."

Insert "From 2009 JAG Grant Recovery, appropriate \$385,000 in Personal Services, \$275,900 in Materials and Supplies and \$611,400 in Other Charges."

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 142 of 2008 shall remain unchanged and in full force and effect.

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

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

ORDINANCE NO. 97 OF 2009

AN ORDINANCE TO AMEND AND REENACT CHAPTER 2 OF THE CODE OF ORDINANCES RELATIVE TO THE TRAVEL POLICY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilmen Walford and Webb

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Section 2-455 of the Code of Ordinances of the City of Shreveport is hereby enacted to read as follows:

Sec. 2-455. Credit card Policy.

(a) Any employee who has been issued a travel credit card by the city shall use said card only for valid travel expenses in accordance with the travel regulations established pursuant to Section 2-453.

(b) Any employee who uses a city travel credit card for a trip shall file a travel expense statement within thirty days after completion of the trip. Said expense statement shall include receipts for

all expenses charged to the credit card, even if those expenses are for items which are included in per diem calculations, and such other receipts as required by the travel regulations.

(c) Any employee who does not file the travel expense statement and all receipts and supporting documentation within thirty days after completion of the trip shall lose the privilege of using the city-issued credit card, until all travel expense statement filings are current.

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

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

ORDINANCE NO. 99 OF 2006

AN ORDINANCE TO AMEND SECTION 74-54 OF THE CODE OF ORDINANCES RELATIVE TO LANDFILL DISPOSAL FEES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Section 74-54 of the Code of Ordinances of the City of Shreveport is hereby amended to read as follows:

Sec. 74-54. Disposal fees for city-owned facilities.

* * * * *

(a) (3) The fee per ton shall be \$36.50, with any partial fee being prorated on the basis of that basic fee exclusive of the minimum fee requirement.

(b) (6) The fee for Exploration and Production shall be \$30/yard for 5,000 yards or less, \$29/yard for 5,001 to 10,000 yards, and \$28/yard for 10,001 yards and above.

* * * * *

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. 100 OF 2009

AN ORDINANCE TO AMEND AND REENACT CHAPTER 90 OF THE CODE OF ORDINANCES RELATIVE TO VEHICLE IMPOUNDMENT, IMMOBILIZATION AND PARKING PENALTIES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilmen Walford and Webb

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Sections 90-273(b) and (h), 90-305(e)(1) and (2) and 90-332(b) of the Code of Ordinances of the City of Shreveport is hereby amended and reenacted to read as follows:

Sec. 90-273. Impoundment or immobilization of motor vehicles.

* * *

(b) Any motor vehicle that appears inoperable and is left unattended on public property for a period of more than seven days, or that has remained illegally on public property for a period of

more than seven days, or that has remained on the property of any city-owned housing project, or the property of any city-owned housing project operated under contract by another, for more than seven days, or which has been issued more than three parking infractions for violations of Section 90-305(b), shall be subject to removal, impoundment and detention by the city or any person authorized and instructed by the city to do so. Prior to the removal, impoundment, or detention of a motor vehicle in accordance with this subsection, a notice shall be securely affixed to such vehicle, stating that the vehicle has been parked there for an excessive period of time, and notifying the owner thereof that it will be towed away unless removed within seven days.

* * *

(h) The fee charged for immobilization of a motor vehicle by the city shall be \$130.00.

* * *

Sec. 90-305. Parking of trucks, trailers, etc., in residential, semi-residential, semi-commercial and commercial zones.

* * *

(e) Penalties. Violators of the provisions of this section shall be assessed a civil fine to be paid to the city as follows:

(1) First offense, \$100.00;

(2) Second offense, and any subsequent offense which occurs within three years of the first offense, \$200.00; and

* * *

Sec. 90-332. Overtime parking.

* * *

(b) For the offense of overtime parking or parking beyond the period of legal parking time established for any parking meter zone, the penalty shall be a fine of \$10.00; provided, however, that if such fine is not paid within ten days of the date of the offense, the fine shall be \$25.00, \$15.00 being added as cost.

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

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

Amendment No. 1 to Ordinance No. 100 of 2009

In Section 90-273(h), delete the number "\$130.00" and substitute the number "\$75.00."

UNFINISHED BUSINESS:

Councilman Webb: Any unfinished business Mr. Thompson?

Mr. Thompson: Yes sir, Number 7, under Unfinished Business.

1. **Ordinance No. 32 of 2008:** An ordinance to amend and reenact portions of Division 3 of Article V of Chapter 26 of the Code of Ordinances relative to Retained Risk and to otherwise provide with respect thereto. (*Introduced – March 25, 2008 - Tabled April 22, 2008*)
2. **Ordinance No. 24 of 2008:** Amending Chapter 42 of the City of Shreveport Code of Ordinances to add Article XI relative to operation of a rendering plant or transfer center

within the City of Shreveport and to otherwise provide with respect thereto. (*Introduced March 11, 2008 - Tabled May 13, 2008*)

3. **Ordinance No. 83 of 2008:** ZONING: C-35-08 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of Hilry Huckaby, 1800' south of North Lakeshore, Shreveport, Caddo Parish, Louisiana, from B-3-E , Community Business/Extended District, to B-3-E, Community Business/Extended Use District **Limited to “an office, equipment storage yard, with the addition of stockpile materials (wood chips/recyclable wood products” only,** and to otherwise provide with respect thereto. (A/Lester) (*Introduced July 22, 2008 - Tabled August 26, 2008*)
4. **Ordinance No. 115 of 2008:** An ordinance requiring a permit for use of municipal property for business operations in the City of Shreveport; requiring the provision of certain information prior to issuance of such permit; and otherwise providing with respect thereto. (*Introduced September 9, 2008 - Tabled October 14, 2008*)
5. **Ordinance No. 166 of 2008:** An ordinance amending and reenacting Chapter 98 of the Code of Ordinances relative to vegetation, and to otherwise provide with respect thereto. (*Introduced November 25, 2008 - Tabled January 27, 2009*)
6. **Ordinance No. 33 of 2009:** Authorizing the City to close and restrict vehicular access to Fannin Street from Baker Street to Douglas Street, and otherwise providing with respect thereto. (B/Walford) (*Tabled July 14, 2009*)
7. **Ordinance No. 64 of 2009:** ZONING: C-34-09 – Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning of property located on the northwest corner of Flournoy-Lucas Road and I-49, Shreveport, Caddo Parish, Louisiana, from R-A Residence/Agriculture District, to B-3, Community Business District with MPC Approval, and to otherwise provide with respect thereto. (D/Wooley) (*Remanded to MPC July 14, 2009*)

Mr. Thompson: This was remanded to the MPC on July 14, 2009. We have received it back from the MPC, or at least a report from the MPC and the report says that the Board voted 4-0 to deny the application, and there was one abstaining vote, and it also says the applicant requests withdrawal. Is that correct Mr. Kirkland?

Mr. Kirkland: Mr. Bragg did request a withdrawal, but what was before the Board was a remand and the Board I think correctly had all the options in front of it. It could approve, it could deny, it could accept a withdrawal, although Mr. Thompson, if we move forward on the withdrawal, I would have called you to request on a remand whether actually someone could withdraw at the MPC level.

Mr. Thompson: I was just giving them his intentions. What he wanted to do, and I've talked to Ms. Glass about this, and I think the proper motion would be a motion to withdraw from the agenda, since it was not approved. It was disapproved by the MPC.

Mr. Kirkland: Well we recommend denial, and the board took that action. And it a result of if you - - - there's an approved ZBA action that leaves a recreational use in place for one year. That as you know was not appealed Councilman. If you approve the B-3, in fact our opinion

was, you keep that alive without the B-3, you couldn't have that recreational use, and we felt like the cleanest thing for the neighbors and others since a lot of work went into this with neighbors and others, and you know better than I, Mr. Wooley, that we felt the cleanest thing to do was to deny the B-3, and the MPC did that, and that's to report back to you is a denial of this remand. And we recommend you uphold the MPC, and deny it.

Councilman Webb: Do we have a letter from him saying that he wants to withdraw?

Mr. Thompson: No.

Mr. Kirkland: There was a letter that said he wanted to withdraw.

Ms. Glass: And normally Charles, if the MPC denies a zoning request, and no one appeals it to Council, it normally wouldn't come to Council at all. But it is on your agenda, because you had had it before and you remanded. That was why Mr. Thompson and I thought the correction would be just to withdraw it.

Councilman Webb: Well either way, he would have to start all over would he not?

Mr. Kirkland: That's the point. The neighborhood went through almost five months of work back and forth, and rather than someone re-file that tomorrow for some other B-3, felt like the best thing to do was make 'em suffer the consequence of a one year delay, also kill that ZBA approval for the outdoor use.

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long to uphold the decision of the MPC. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

8. ZONING BOARD OF APPEALS

BAC-39-09: Property located on the south side of Fortson at its intersection with Thomas Drive, Shreveport, LA *Mr. Bruce G. Roberts* 1500 North Market Street, Shreveport, LA 71107 (A/Lester) (*Postponed August 25, 2009 until September 8, 2009*)

9. PROPERTY STANDARDS APPEALS:

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

PSD0700058: 557 Egan Street, Shreveport, LA (B/Walford) *Mr. Daniel Markulus*, 853 Place, Shreveport, LA (B/Walford) (*Postponed April 27, 2009 until November 9, 2009*)

PSD0700214: 2732 Logan Street. Shreveport, LA (G/Bowman) *Willie Roberson*, 6915 Quilen Rd, Shreveport, LA (E/Webb) (*Postponed August 24, 2009 until September 21, 2009*)

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

HBO0800039: 7221 Bethany Street, Shreveport, LA (C/Long) *Mr. Ellis Pope*, 11085 Sandwood Drive, Keithville, LA 71047) (*Postponed August 24, 2009 until September 21, 2009*)

HBO0900005: 241 Wichita Street, Shreveport, LA 71101 (B/Walford) *Ms. Deborah McCauley, 241 Wichita Street, Shreveport, LA 71101 (B/Walford) (Postponed July 27, 2009 until October 26, 2009)*

PSD0800336: 1652 ½ Cross Lake Blvd, Shreveport, LA (G/Bowman) *Mr. Donald R. Pelham, 150 Humming Bird Lane Blvd, Stonewall, LA 71078 (Postponed August 24, 2009 until September 21, 2009)*

PSD00900103: 2860 Looney Street, Shreveport, LA (G/Bowman) *Mr. Reginald Mims, 527 East 85th Street, Shreveport, LA 71106 (D/Wooley) (Postponed September 4, 2009 until October 12, 2009)*

PSD0900006: 2006 Looney Street, Shreveport, LA (A/Lester) *Ms. Niakia Cook-Jones, 6777 Raspberry Lane, Apartment 1421, Shreveport, LA (G/Bowman) (Postponed August 24, 2009 until November 20, 2009)*

PSD090017: 171 Ardmore, Shreveport, LA (C/Long) *Ms. Shelia Wharton, 3215 Knight Street #147, Shreveport, LA (C/Long) (Postponed September 4, 2009 until September 21, 2009)*

PSD0800344: 2723 W. Jordan, Shreveport, LA (B/Walford) *Mr. Clarence Davis, 906 N. Victory Drive, Houston, TX 77088 (Postponed August 24, 2009 until September 21, 2009)*

Councilman Webb: Is there any other Unfinished Business?

Mr. Thompson: No sir, we have something under New Business.

NEW BUSINESS

PROPERTY STANDARDS BOARD OF APPEALS:

Mr. Thompson: Under the Property Standards Board of Appeals, if you recall on Friday, with 1824 St. Paul Street, Mr. Roosevelt Taylor, you postponed that until today.

Councilman Webb: Yeah, because Councilman Lester was absent, so we postponed it until today. Is the applicant here?

Mr. Thompson: Is Mr. Roosevelt Taylor here? Would you come up please?

Councilman Webb: Go ahead, start all over on this, because I forgot since Friday.

HBO00900028: 1824 St. Paul Street, Shreveport, LA (A/Lester) *Mr. Roosevelt Taylor, Jr., 5309 Avon Avenue, Shreveport, LA 71109 (F/Shyne) (Postponed September 4, 2009 until September 8, 2009)*

Ms. Farnell: This was a substandard structure that we had scheduled for demolition. Mr. Taylor starting demolishing the house. He is partially done it without a permit. It was stopped, and he as appealed it to be able to get time to demolish it.

Councilman Lester: Mr. Farnell, the ruling of the Property Standards Board was to demolish the structure?

Ms. Farnell: He did not show up for the Property Standards Board of Appeals. He filed one, but he did not show up on July 16th. So when we sent him that notice, he had 10 days to file here.

Councilman Lester: Okay. But the ruling of the - - - the disposition of the Board was to demolish the house?

Ms. Farnell: Yes.

Councilman Lester: Okay, and so as I appreciate it, he's not fighting the demolition? Would it be fair to say he's just asking for time to do it himself as opposed to paying himself, as opposed to paying and having a city contractor pay for it?

Ms. Farnell: He is asking for time yes, to do it himself. The issue is that he was doing it without a permit also.

Councilman Lester: Got cha. Thank you. Alright Mr. Taylor, so correct me if I'm wrong. Your desire is to tear down the structure yourself?

Mr. Taylor: Yes sir.

Councilman Lester: You did not have a permit prior?

Mr. Taylor: No.

Councilman Lester: And as I appreciate it, if you are locked out of the system based upon Council action, then you cannot in fact get a permit. Is that correct? Okay so if we desire to - - - if my desire was to allow Mr. Taylor to tear it down himself, what would be required? Would I have to move to give him additional time on the condition that he tear it down in a certain period of time?

Mr. Farnell: Yes, we would give it to him based on that, specifying the time limits.

Councilman Lester: Mr. Taylor, how long did you think you needed to tear this structure down?

Mr. Taylor: About a month.

Councilman Lester: Mr. Chairman, I would - - -

Mr. Thompson: Mr. Chairman, I also believe there was another issue, and that was that he had paid somebody to tear it down and they thought that they could get the city's facility, what is the large container to haul it off, and if he's hiring somebody to do it, the city will not give him the trash trailer. So, I think he needs to understand that he needs to do it himself, if he's going to get that, or he has to pay somebody to haul it off also.

Councilman Lester: Okay. With that said, my motion will go as follows: 1) I would move to allow Mr. Taylor 30 days to demolish the structure himself without further notice. In other words, 30 days from today, if the structure is not torn down, the city will be able to move forward with tearing it down itself and send you a bill. A condition of that would be that you obtain a valid permit for the demolition.

Mr. Taylor: Where do I go to get that.

Councilman Long: He's frozen out right now.

Councilman Lester: Right, I'm going to give you until - - -what's today, Tuesday? I'm going to give you till Friday to actually get the permit. So, if the Council is of the mind to give you this time, you cannot go start working until such time you get the valid permit. Alright.

Councilman Shyne: He wants to know where to go get it.

Councilman Webb: He needs to understand that he has to get his own container, you understand that?

Councilman Lester: Right. So, that's my motion Mr. Chairman.

Motion by Councilman Lester, seconded by Councilman Shyne to allow Mr. Taylor 30 days to demolish the structure, obtain a valid permit by Friday, September 11, 2009, and secure his own trash trailer or container to remove all debris.

Councilman Shyne: Question Mr. Chairman. If you do it yourself, and not hire somebody, then he's able to get a trash trailer, but if you hire somebody to do it, then they have to haul it off.

Mr. Taylor: Well the guy that was helping me and still helping me, he's not a contractor, he's a neighbor in the neighborhood, and he volunteered to help me, and I volunteered to pay him what I was going to give him. You know?

Councilman Shyne: Okay, well that's a different situation. I think when you came up before, you said that you had hired somebody, but actually, you're doing it yourself?

Mr. Taylor: Yes sir.

Councilman Shyne: Okay, and you want to know where you go and get your permit?

Councilman Lester: They will direct you.

Councilwoman Bowman: I have a question. Mr. Taylor, do you understand everything that's been said here today?

Mr. Taylor: I think I do.

Councilwoman Bowman: You think you do?

Councilman Lester: Tell us what you don't understand.

Councilwoman Bowman: You need to understand so you won't end up back here again, not knowing what's taken place.

Mr. Taylor: I understand that I got to get a permit before I go back over and start back to work on it.

Councilman Webb: And you have 30 days, which is what day Mr. Thompson?

Councilman Walford: Work Session is on the 12th.

Mr. Thompson: October the 12th.

Councilman Webb: That gives you till October 12th.

Mr. Taylor: Thank you.

Councilman Lester: Thank you.

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

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

ABO APPEAL:

Mr. Keith Thomason, 137 Marionnenx Avenue, Shreveport, LA 71106; *TGI Friday's, 7515 Youree Drive, Shreveport, LA (D/Wooley) (Council voted to uphold the decision of the Shreveport Police Department)*

Mr. Roderick Abner, 5159 Hwy 175, Frierson, LA 71027 *Thrifty Liquor, Store #5, (E/Webb) (Council voted to overturn the decision of the Shreveport Police Department)*

ALCOHOL APPEALS:

Denial of Application for renewal of alcohol permit for Pizza Town Café, 2905 Youree Drive, Shreveport, LA 71104 (B/Walford) (*Postponed September 4, 2009 until October 12, 2009*)

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES
CLERK'S REPORT**

THE COMMITTEE RISES AND REPORTS: (Reconvenes Regular Council Meeting)

Motion by Councilman Webb, seconded by Councilman Shyne to reconsider Ordinance No. 92 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Ordinance No. 92 of 2009: An ordinance authorizing amendments to the lease agreement with Studio Operations, L.L.C., and to otherwise provide with respect thereto. (*Postponed August 25, 2009*)

Councilman Webb: Where is our City Attorney? There she is. Come up and tell us what y'all told me outside the Chamber, and why we need to reconsider this.

Ms. Scott: Mr. Chairman and Members of the Council and Administration, after the previous amendment to Ordinance No. 92 of 2009 was adopted a few minutes ago, we took a look at the language again, and realized that the language that's included in that amendment particularly the language in Section 5c1, does not convey what it was intended to convey. If you notice the amendment that was previously adopted, it actually is an exception to what we intended to say. Instead of that particular section of the amendment was intended to convey that the City would end up compensating the tenant in the event the lease agreement was terminated for a public purpose revocation, as currently provided in the lease agreement. The language of this amendment that you adopted earlier, says 'except a public purpose revocation', and we caught that after the Council had adopted it. We wanted to make sure that the intent of what was discussed and agreed upon was in fact conveyed in the legislation that you adopted. And we've asked your indulgence that you would offer the motion to reconsider this legislation so that it says specifically what it is intended to convey. And with your indulgence, I will read the amendment. Ms. Glass has a copy of it, and this is actually being changed with some modifications and recommendations.

Councilman Shyne: Do you need a motion first?

Motion by Councilman Shyne, seconded by Councilman Wooley to reconsider Ordinance No. 92 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Motion by Councilman Long, seconded by Councilman Bowman to adopt Amendment No. 2 to Ordinance No. 92 of 2009.

Councilman Walford: Which Amendment No. 2? Cause I can go with this Amendment No. 2.

Councilman Shyne: The one that she just - - -

Councilwoman Bowman: How many are floating around?

Ms. Scott: Mr. Chairman, Councilman Walford came out and made some recommendations on some language that he felt would help this section of the amendment read a little better. Mr. Thompson, has since indicated that there is a change that he wants, and so again, with your indulgence, what I'd like to do, and Ms. Glass has a copy of those changes that

we penciled in, but with your indulgence, I'd actually like to read the amendment that we're proposing.

Councilman Webb: Okay.

Ms. Scott: The Amendment is in Section 5c(1): (i) City shall be obligated to compensate Tenant, at fair market value, for the cost of all improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement) constructed on the Leased Premises by or on behalf of Tenant pursuant to the terms of this Lease Agreement in the event this Lease Agreement is terminated by Lessor for any reason or cause, including public purpose revocation as provided in Section 2.C. of this Lease Agreement, except that Lessor and Tenant expressly acknowledge, understand and agree that in the event of termination of this Lease Agreement by Lessor, for default by Tenant, Lessor shall have no obligation - - -

Councilman Lester: Wait a minute, give me that again?

Ms. Scott: Pardon?

Councilman Lester: Give me that part, - - - in the event of this lease agreement by Lessor and what else?

Ms. Scott: Yes sir, 'in the event of termination of this Lease Agreement by Lessor, for default by Tenant, Lessor shall have no obligation to compensate Tenant for the cost of any such improvement(s). Again the intent is to make absolutely clear that the city will compensate the tenant if we terminate the lease for a public purpose revocation, but we will not compensate the tenant in the event the lease is terminated because of a default by the tenant in the terms of the lease.

Councilman Shyne: Is that it?

Councilman Webb: Does everybody understand that?

Councilman Wooley: I just wanted to ask Mr. Malone, is your client in agreement with everything?

Mr. Malone: That's correct. That accurately (inaudible)

Councilman Wooley: Thank you Mr. Chairman.

Councilman Long: What you read Terri, Monty is that what you're reading right now? That y'all have over there?

Mr. Thompson: We followed as she was reading it and that's been penciled in on this copy.

AMENDMENT NUMBER 2 TO ORDINANCE NUMBER 92 OF 2009

Amend Paragraph 5 of the amendment to now read as follows:

“5. ALTERATIONS TO LEASED PREMISES/ DISPOSITION OF IMPROVEMENT(S)

A. **Construction of Improvements.** Tenant agrees that construction of the improvement(s) contemplated by this Lease Agreement shall commence on or before October 31, 2009. The date for commencement of construction may be extended by the parties in writing for good cause shown.

Except as otherwise provided herein, any/all improvements constructed or otherwise made by Tenant on or to the Leased Premises shall be made at Tenant's expense.

C. **Disposition of Improvements.** Lessor and Tenant agree that upon expiration or termination of this Lease Agreement, and/all improvements, as the term is defined in Section 5.C. of this Lease Agreement, constructed by Tenant or on Tenant's behalf during the Initial Term or any Renewal Term of this Lease Agreement shall be disposed of as hereinafter

provided:

(i) City shall be obligated to compensate Tenant, at fair market value, for the cost of all improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement) constructed on the Leased Premises by or on behalf of Tenant pursuant to the terms of this Lease Agreement in the event this Lease Agreement is terminated by Lessor for any reason or cause, including public purpose revocation as provided in Section 2.C. of this Lease Agreement, except that Lessor and Tenant expressly acknowledge, understand and agree that in the event of termination of this Lease Agreement by Lessor, for default by Tenant, Lessor shall have no obligation to compensate Tenant for the cost of any such improvement(s).

Except as otherwise provided herein, in the event this Lease Agreement is terminated for any other reason or cause contained herein or at the expiration of any term or renewal term, other than public purpose revocation as set forth in 2.C., Public Purposes Revocation or default of any term or condition of this Lease Agreement by Tenant, Tenant shall be permitted sell, donate or otherwise convey or transfer Tenant's interest in any improvement(s) (as the term is defined in Section 5.C. of this Lease Agreement), to any third party, if such improvements are removed from the Leased Premises within one hundred eighty (180) days of termination or expiration of the Lease Agreement. If the conveyance or transfer and removal of such improvement(s) does not take place within this one hundred eighty (180) day period, improvement(s) not removed shall be deemed to be abandoned and transferred to Lessor without any obligation by Lessor for payment of the improvements provided however, that Tenant shall have the right to convey or transfer such improvement(s) in place on the Leased Premises within this one hundred eighty (180) day period, subject to Lessor's agreement with the prospective transferee and entering into a lease of the Leased Premises with the transferee within the one hundred eighty (180) day period. Lessor and Tenant agree that the time period for execution of any subsequent agreement between Lessor and the prospective transferee may be extended in writing between the parties for a term not to exceed ninety (90) days. Tenant acknowledges, understands and agrees that the sale, donation or conveyance of any such improvement(s) in place shall be subject to Lessor's prior written consent, which consent shall not be unreasonably withheld, in which case, use of such improvement(s) by the approved third party shall be limited to the permitted use(s) as provided in Section 1.B. of this Lease Agreement or as permitted by applicable zoning laws, regulations or ordinances. Notwithstanding the following uses are, among others, specifically prohibited whether permitted by applicable zoning laws, ordinances or regulations: (i) movie theater showing "X" rated, "adult" or pornographic films of any type, (ii) pornographic or pornographic type literature sales, (iii) "X" rated or "adult" video tape, DVD or other medium, sales or rentals, (iv) offering "X" rated or "adult" entertainment of any type ("X" rated or "adult" as used herein shall mean stores in which any portion of the inventory is not available for sale or rental to children under 18 years old because such inventory explicitly deals with or depicts human sexuality or from which business children under eighteen (18) years of age are barred by law), (v) tattoo, body art, body piercing, including the sale of materials related to any such activities, (vi) fueling of vehicles or storage of hydrocarbons, (vii) any industry or business engaged in the raising of livestock or poultry, slaughtering livestock or poultry, or rendering or processing livestock or poultry, (viii) a dance hall, (ix) an off-track betting business, (x) a billiard or pool hall, (xi) bingo or other games of chance; (xii) a massage parlor (other than a bona fide therapeutic massage clinic of the type usually associated with a healthcare facility), (xiii) a game arcade, (xiv) a night club, (xv) any business which emits noxious odors or excessive noise, (xvi) any ultrahazardous activities, and (xvii) any business storing, manufacturing or processing hazardous and toxic materials. Lessor agrees that it shall negotiate

a Lease Agreement of the Leased Premises with such transferee, in good faith. Notwithstanding anything to the contrary set forth herein, Lessor consents to Tenant granting to leasehold mortgagee(s) security interest and/or mortgages in improvements on the Leased Premises and the right to proceeds of any sale of those improvements in the event of sale or transfer of those improvements in accordance with any leasehold mortgage or security interest.

Councilman Walford: Well I think the original Amendment too, I think contradicted itself in that paragraph unintentionally, and so I think what Terri just read is what we've come up with here. And if both sides are comfortable with - - - basically if we terminated for anything other than default on your part, yes we will owe you. Terri, I'm asking - - - I'm doing this kind of as a question now, but if you default, it's thank you very much, goodbye. Right, if some future Council should say 'Hey you know we want that back, we'd very much like an expropriation', and take it, we owe you. So, okay.

Ms. Scott: And if they default on the lease for whatever, (inaudible) insurance or whatever the term is that they default under, we are not obligated to compensate them.

Councilman Walford: That's where I wanted us to go, and that's the discussion that we've had. In fairness, is the Administration okay Mayor Glover?

Mayor Glover: Yes we are Mr. Walford.

Councilman Walford: I've read it Mr. Mayor, I'm not going to make that mistake again. I've read and I think I understand.

Mayor Glover: We are in agreement.

Councilman Lester: Just the irony that before the meeting is over, we're reconsidering something that I said. Maybe we should take our time and look at, but I will say this for the record, Proverbs 19:11, "The discretion of a man deferreth his anger; and it is his glory to pass over a transgression." I'm done.

Councilwoman Bowman: I've got one. Galations 6:7 ... 'For whatsoever a man soweth, that shall he also reap'.

Councilman Lester: I believe in that one. I believe in that one.

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

Motion by Councilman Walford, seconded by Councilman Wooley to adopt Ordinance No. 92 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at approximately 6:23 p.m.

//s// Ron Webb, Chairman

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