

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA
NOVEMBER 12, 2002

The Regular Meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman Roy Burrell, at 3:10 p.m., Tuesday, November 12, 2002, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Spigener.

On Roll Call, the following members were Present: Councilmen Huckaby (3:20), Stewart, Carmody, Shyne, Spigener, Serio (3:25), and Burrell. 7. Absent: None.

Motion by Councilman Shyne, seconded by Councilman Stewart for approval of the Administrative Conference Summary Minutes of October 21, 2002, and the Regular Meeting Minutes of October 22, 2002. Motion approved by the following vote: Councilmen Stewart, Carmody, Spigener, Shyne, and Burrell. 5. Absent: Councilmen Huckaby and Serio. 2.

Awards, Recognition of Distinguished Guests, and Communications of the Mayor Which Are Required By Law. None.

Councilman Stewart: We have Representatives here from the organization, F.A.M.E., to make a brief report and we have people present with them to attest to support of a wide array/a broad array of personalities. Having said that, I would be happy to entertain the first party of the five distinguished people in the front row and we are awaiting Mr. Billy Montgomery's presence.

Daryl Medlin (2508 Keystone Circle): I am the attorney for F.A.M.E. and have been representing the organization for a number of years. I thought it might be a good idea in these three minutes just to give this Council an update on how we gotten from where we were 3 years ago to where we are today and also to familiarize the new Council members who are attendance today because those are the Council members who will be working with F.A.M.E. in the future on this monumental project.

In 1999, in October this Council passed Resolution 256 which basically provided for two things: 1. the preparation of a preliminary plan by the F.A.M.E. organization for the development of a historic music and cultural redevelopment area in downtown Shreveport and 2. the second part of that resolution was actually or this Council to recognize that historic music and cultural redevelopment area as one that needed support by the City.

About a year and half later, towards the end, actually the beginning of the year 2002, Resolution 13, we came back to the Council and we presented to the Council the preliminary redevelopment plan that F.A.M.E. had put together. And this Council then acknowledged the receipt of that preliminary plan and then secondarily, encouraged F.A.M.E. to continue toward the completion of a comprehensive redevelopment plan for this same historic, cultural and music redevelopment area.

We are here today in Step 3 of what I hope are only four steps, I know this seems like a pain staking and difficult process, which it is, it has taken a lot of time, but we are doing it one step at a time in an orderly fashion. This third step is to present to the Council the final Comprehensive Redevelopment Plan which F.A.M.E. raised roughly \$550,000 of grant funds to put together to develop this same area as well as to seek the Council's endorsement of that plan and its recommendation that, that plan be sent on to the Metropolitan Planning Commission which has already seen the plan, has been presented the plan some months back and has accepted the plan as such but we now need to take that plan from this Council with this endorsement onto the Metropolitan Planning Commission.

And then also in addition to that, to begin the negotiation process and the discussion process both with the City Council as the Redevelopment Agency, pursuant to Ordinance and statute, and with the Office of the Mayor for some cooperative endeavor agreements which would be helpful toward the completion and the implementation of the comprehensive development plan. That is what really we are looking for now is the endorsement of the, the

acknowledgment of the receipt of the plan, the endorsement of that plan, and then the authorization to go forward with that plan and to talk to the City and to the Council itself about how to go about redeveloping this area.

We think that the Board of Directors of F.A.M.E. is very well involved in all of this process and feels that now is the time to take that significant next step to actually put into place the comprehensive development plan, I think all of you have copies of that plan now and I know that I am the person to answer questions about it, but I did want to kind of get you up to speed on the legislation and where we are to this point, so that you would know exactly why we are here today. Now, that resolution will be on the agenda for the next, November 26th, I believe.

Councilman Shyne: I really appreciate the long hours and the hard work that you all have put into this program. I think it is going to be a tremendous addition to the activities that we have in place, already in Shreveport in order to get tourists to come in. We are living in some tough economic times. Anything that we can do that is this positive in order to oil our economic engine, I believe we need to do it. Maggie, you have been the heart and soul of that project and I salute you and I take my hat off to you and I thank you have done a magnificent job. God bless you and thank you.

Kim Mitchell: Yesterday, we presented to you a PowerPoint that gave you a quick overview of the plan and really significant number of accomplishments that F.A.M.E. has made in advancing the plan to this point.

We want to, just a few things, by way of review of that, this project is really about the value of our history in a way that we can build an economy on that history and do this as a local project. It is very much aimed at being about local wealth building, about a mixed income neighborhood that is a real place that you won't find in most of these other similar music developments, and then it is very diverse. The diversity in this neighborhood, racially and economically, is very much a part of building the new economy.

And I mentioned yesterday, some thing about the importance of that in us preparing for the future and the connection of this project to Intertech and the job creation in the inner city. It is going to do wonderful things for us.

The fact that we now have a plan, means that we are prepared to invite investors to the table and this doesn't mean one investor, it means multiple investors in F.A.M.E. and its leadership is beginning to build partnerships with a number of different groups that can participate in the economic returns for our community.

We appreciate your support and encouragement as we begin to move forward to leverage all of the various interests and to making things happen. So, once again, thank you for receiving the plan and we appreciate your past and future support.

Maggie Warwick: Thank you very much and thank you Kim Mitchell who just spoke. Kim is an Urban Planner and Architect, has worked on this project very hard for the last several years and we appreciate him and his firm very much.

I want to thank all of you today, Chairman Burrell, Councilman Shyne, John David Stewart, Pat Spigener, Thomas Carmody, those who are present here today on the sitting City Council and Mayor Keith Hightower. Without your endorsement of this citizens group, with this venture that we have set forth to accomplish, we could not have come this far.

As I said yesterday we began without a dime, but the belief that we could do this. We had the knowledge or the value of the entertainment history and the cultural history of this district and that has what has been the foundation and the roots for this planning.

For the new City Councilmen who are here today: Jeff Hogan, Monty Walford, Mike Gibson, we thank you all so much for your interest. We have spoken with all of you about the plan and we look forward to some negotiations or conversations with you because we believe that this is something that everybody in this City wants and Calvin Lester---hello, Calvin, just arrived, one of our new City Councilmen. We are so happy for all of those who are now on the City Council and we thank you all for your support. We have had support from this, a wonderful group of citizens in the community. This is a citizens' effort without all of us working together to build this.

And for those in the audience who may not be familiar with it, it is the area around the Municipal Auditorium. It goes up Texas Avenue to the old City Hall. It is Ledbetter Heights and the Blue Goose area. These areas are rich in our cultural and music history and we, our goal is to build a tourist destination here primarily of family-oriented tourist destination and that will exhibit our music and our history all over the world.

We were just declared in the recent study that the Tourist Bureau did, recommendations and strategic planning for expansion of tourism, our plan was declared as, the home run tourist development project for this area and we are so proud of that, the gentleman and the firm was from Nashville, so they are familiar with the importance of a development project based on our music and our roots of this area.

And we thank all of you and we look forward to conversations with you about how we might go forward. And as everybody knows, we don't have all of the answers. We look to you for answers, for suggestions, for ways that we might go forward and our focus now is on funding. We are seeking out all the various ways and available funding for these type projects as we go forward.

We have people who have endorsed us: the State Delegation of Louisiana, all of them have endorsed us. We have just found out that several of our Legislators were called to Baton Rouge for discussions on the budget, but they will be here at the next meeting on the 26th from the State Delegation.

Today, we have some dear friends, and people who are sponsoring this, who work very diligently to promote economic industry in this area who have come to speak in our behalf. And if it is okay, it is my pleasure now to introduce Don Pierson, Chairman of the Bossier Chamber of Commerce and Dick Breamer, President of the Shreveport Chamber of Commerce and they are coming now to speak.

Don Pierson, Bossier Economic Development Foundation: Today, speaking to you on behalf of the Northwest Louisiana Economic Development Partnership. I know your agenda is long, so I don't want to take a lot of your time, but you can certainly appreciate that when a lady is working this hard on such a great project, you want to get involved and you want to be a part of it.

And for us, we see this extending far beyond the boundaries of the City of Shreveport. This is truly a regional project, one that is going to take a life of its own and be a part of our future and we will certainly be in touch with our legislative delegation to garner the support that we can from the state and from other agencies to bring the important funding that this project needs to move forward.

And, we thank you for your consideration of this proposal and for the acknowledgment of the years of work and intense study that has been done to bring a great project to Shreveport.

Dick Breamer, President of the Greater Shreveport Chamber of Commerce: It is fun working with people that have a high energy level and it has been a pleasure working with Maggie and her entire team.

We have supported the F.A.M.E. proposal wherever we could at the Chamber. Most recently we were successful in having the Deputy Secretary of HUD visit our community and he spent two days here, Mr. Alphonso Jackson is responsible for a \$40 billion dollar annual budget. And he encouraged us, strongly, to put together a proposal that incorporates churches in the area, the F.A.M.E. organization and of course, the City, and submit that proposal to HUD for their consideration. This proposal would primarily focus on housing, primarily low to moderate income housing but an integral part of what F.A.M.E. is trying to do.

We believe that Maggie and her entire team, their objective is right in concert with what we are doing as a community, with all of the downtown development that is going on and we applaud the leadership of the Council and we would encourage your support of the F.A.M.E. organization as they go forward.

Councilman Stewart: Mr. Montgomery is meeting in Baton Rouge and will not be joining us and that represents the five commentaries.

I would compliment without question the Administration for its support and the efforts

that this group has put forward in their effort to bring nationwide attention to Shreveport and Bossier and Northwest Louisiana. Many people have raised questions about how ambitious this plan is and then posed the question, could it go forward. They approved the date by regional, national, statewide support, financially and otherwise, that this is an opportunity to benefit us all.

I hope that the new Council members, under the guidance of Mayor Hightower and really the citizens of Northwest Louisiana, not just Shreveport and Bossier would support this in every possible way because it will be a success for all of us.

Councilman Burrell: I may add too, Maggie I been watching for you for some time working on this project and some of us have also worked on this, some years back, not on that particular project, but trying to get some revitalization effort in that area.

As you know, my heart is in the inner city and that is a big part of our inner core area. I am hoping that there are some things that will take place there. I know the Red River Entertainment District, at first was to be considered on Texas Avene, but because of the boats, I guess, and the economic engine being on the riverfront, they changed to that location. Maybe now we can restart using another component, maybe housing and redevelopment as a catalyst to push the project, so hopefully it will be a success. I am looking forward to it being a success.

Public Hearing: The public hearing is open for the 2003 Budget Appropriation Ordinances (Ord. Nos. 161 thru 177 and Ord. No.180).

Mr. Dark, Assistant CAO: Mr. Chairman, Members of the Council, Members To Be of the Council: I really wanted to do this partly because this is our one chance to give the very briefest of overview of the budget. Our total Operating Budget as we propose it to the Council for next year is approximately \$344,000,000. That is about 1.6% more than this year.

We have, as though of you who have been here for any length of time, we have 16 separate operating funds. The largest ones of those is the General Fund which includes the basic services like Fire and Police, Parks and Recreation, the Public Works part of Operational Services. That budget, the one we submitted to your October 1st is almost \$153,000,000 which is about 2% less than this year, but that budget will grow because the voters' decision November 5th to increase the sales tax for fire and police salaries, so it will grow so that it will actually be a little bit larger than the current year budget, by the time you, the next Council finally adopts it in December. That budget basically continues current services, with the one exception is that we will eliminate in January the separate yard waste collection, do a combined collection at that point.

Other significant funds in the budget provide money for our airports, our golf courses, the bus system, the water utilities. Those funds generally are self-supporting.

We have a separate fund for the city's river boat casino revenue. That revenue will expected to be going up somewhat, approximately 15% next year. Those monies are used to pay debt on this building and on the Convention Center bonds and for various economic development and neighborhood improvements projects.

Overall, we will have about 30 fewer employees next year. Those reductions, primarily occurring in Operational Services, SPAR, and Finance and to the greatest extent possible, that will be done by attrition.

We have a separate budget, \$595,000,000 or so, for Capital Improvements, that's about 2% more than the current year and the new money is almost in total coming from river boat money and from state and federal grants.

The budget ordinance has to be adopted by December 15th. The Council members start their review of this budget tomorrow night. Look forward to your participation and any comments from the public.

The Chairman called for any persons who want to speak in favor of the Ordinances. No one came forward to be heard.

The Chairman called for any persons who want to speak in Opposition to the Ordinances. No one came forward to be heard and the public hearing was closed.

Confirmations and/or Appointments: Motion by Councilman Stewart, seconded by

Councilman Shyne to appoint Charla Maxedon, Assistant Director of DOS. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

Councilman Burrell: I want to recognize the fact that Councilman Huckaby has joined us was not originally.

Secondly, I want to go back to Item 5 and recognize our newly-elected Council members: Mr. Mike Gibson (District D) and Mr. Monty Walford (District B). Comeback Kid there Mr. Carmody (District C) and for our first time, Mr. Calvin Lester (District A) and Mr. Jeff Hogan (District E in Southwest Shreveport). Welcome on board, may you hit the ground running like we have in the past.

Motion by Councilman Shyne, seconded by Councilman Huckaby to confirm to the Greater Human Relations Commission: Munir Bader. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

Councilman Burrell: I would like to welcome Charla Maxedon and Mr. Bader on board.

Adding Legislation to the Agenda. The Council added the following legislation to the agenda.

1. Resolution No. 175 of 2002: A resolution authorizing the Mayor to execute a Cooperative Endeavor Agreement with the National Baptist Convention of America (NBCA) relative to holding the NBCA's 2003 Winter Board Meeting in Shreveport, and to otherwise provide with respect thereto.

Motion by Councilman Shyne to add Resolution 175 to the agenda, seconded by Councilman Burrell.

Councilman Shyne: This resolution came about after a meeting with Dr. E. Edwards Jones who is the President of the National Baptist Association of America. He requested, in your resolution it will show the economic benefit that this conference will bring to the City of Shreveport. I think it will be in our best interest as a City to waive the fees in order to make to make close to between a half a million and a million dollars in revenue. I would ask you for your support. I believe at the next Council meeting. Is Dr. Jones here today? I believe at the next Council meeting, he will be at the next Council meeting if you have any questions pertaining to this organization, he will be more than happy to answer.

Councilman Carmody: I do have a question for Mr. Shyne. It appears that the way that this Cooperative Endeavor Agreement is written is that, the City of Shreveport will be waiving all fees pertaining to the use of the municipal facilities at the riverfront and as I recall, the Council has not entered into a Cooperative Endeavor Agreement with any organization to waive all the fees. And I believe that we do have on our agenda, Les Boutiques De Noel which we are agreeing to waive the concession fee.

I would point out, as Mr. Dark reminded us, that we do have a shortfall in revenue and that we are laying off, I shouldn't say that. We are going to lose some employees apparently thirty by attrition from SPAR as well as the Department of Operational Services.

And at this point, as Mr. Shyne says, with economics as they are, appears to me that this might not be the best thing for the City to waive in entirety, the fees to utilize this particular venue. As you will recall, Council members that we had worked diligently two years ago to reduce the fees for non-profits and in good faith, I have advised a number of fine organizations, which I am sure that this is one of them, that I could not support the

waiver of the fees in the entirety because basically in the lowering of the fees that we have created a level playing ground for all non-profit organizations to utilize these facilities at a cost lower than that at which it takes us to operate it.

And therefore, I am hesitant to support this, not in that I don't believe that this particular organization is probably well deserving of everything that they can get, but as a matter of principle and to make sure that I stay true to my word, I can not support waiving all of the entire fees.

Councilman Shyne: And Councilman Carmody, I don't mind you staying true to your believes but this organization doesn't necessarily have to bring this convention to the City of Shreveport.

This organization can carry this convention to the City of New Orleans or Baton Rouge or Houston or somewhere else, and it is kind of like you are cutting off your nose in order to spite your face. I think that the fees that we would waive, would more or less be an act of love, an act of appreciation if we would appreciate it if you would bring between \$500,000 and \$1,000,000 into the City of Shreveport.

The facilities are going to be sitting ideal and I think that it would behoove us to bring in as many organizations and conferences or institutes as we can in order to make as much as we can, even if we have to maybe waiver some of the fees.

Councilman Carmody: Could I ask in the mean time that the representative from the National Baptist Convention of America touch base with the Shreveport-Bossier Convention and Tourism Bureau as I believe that they actually have a department or a division of their organization that facilities bringing these type of organizations in and very possibly have some money allocated to take care of the expenses for non-profits and we might be able to, Mr. Shyne, to stay true to our commitment and to facilitate bringing in this type of organization.

Councilman Shyne: . . I think, Mr. Thompson. And like I said, Dr. Jones will be here at the next Council meeting to answer any questions that you would like to answer. And I think it is good to stay true to your principles but sometimes that is why you have, that is why they put the elastic clause in the Constitution. You know, sometimes you have to give a little bit and this might be one of those times, it might be prudent and wise for us to, kind of, give a little bit. I think Mr. Thompson has something that he wanted to say.

Mr. Thompson: We have been in contact with Ms. Stacy Brown and she has e-mailed me a letter. The Mayor asked the same thing that you did and I posed a question to her, she sent me an e-mail and I'll be happy to get that e-mail to you.

Councilman Carmody: Thank you sir, I appreciate. (Clerk's Note: Council continued with discussions of adding Resolution No. 178 to the agenda.)

Motion to add the resolution to the agenda for Introduction denied by the following vote: Nays: Councilman Carmody, Stewart and Spigener. 3. Ayes: Councilman Huckaby, Serio, Shyne and Burrell. 4.

Ms. Glass: Don't forget that under the Open Meetings Law on Tuesday to add an item to the agenda, you need a 2/3rds vote, you need five (5) votes. I don't do math, but I think that. . . Councilman Burrell: In that case then, the resolution is defeated.

Mr. Thompson: It is not added.

Mr. Antee: We have a number of items to add also.

Councilman Burrell: Since we are doing it on an individual basis, that is the reason I went back and started the process over again.

2. Resolution No. 176 of 2002: A resolution authorizing the Mayor to sign a Cooperative Purchasing Agreement between the City of Shreveport and the Caddo Parish School Board and to otherwise provide with respect thereto.

Motion by Councilman Shyne to add the resolution to the agenda, seconded by Councilman Spigener. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

3. Resolution No. 177 of 2002: A resolution acknowledging completion by Foundation for Arts, Music & Entertainment of Shreveport-Bossier, Inc., and receipt by, and endorsement of, the City Council of the City of Shreveport, of the Comprehensive Plan for Redevelopment of the Shreveport Historic Music and Cultural Redevelopment Area; authorizing and encouraging the initiation of formal discussions among the Shreveport City Council, the Office of Mayor and Foundation for Arts, Music & Entertainment of Shreveport-Bossier, Inc. with regard to the implementation of the Comprehensive Redevelopment Plan; and otherwise providing with respect thereto.

Motion by Councilman Stewart to add the resolution to the agenda, seconded by Councilman Carmody. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

4. Resolution No. 178 of 2002: A resolution approving the amendments to the site plan and giving final approval of other related site development exhibits as required by Ordinance No. 74 of 2001, and otherwise providing with respect thereto.

Motion by Councilman Stewart to add Resolution 178 to the agenda, seconded by Councilman Spigener.

Councilman Stewart: This is the final approval of the new store that Albertson's has planned just south of Wilkinson Terrace on Kings Highway, Southern Avenue at Kings Highway exit and on Barrett Street. I would appreciate ya'lls support and certainly extend my sincere thanks to the Mayor for his assistance as well as Mr. Kirkland and the entire staff of the Metropolitan Planning Commission.

This has been almost seven years, and will be through three mayoral terms, coming to completion. And for those who didn't take notice, the comment by the architect, it will be the best looking facility that Albertson's has in the United States.

Councilman Carmody: Mr. Thompson, would it be better if we took the resolutions one at a time in order to vote so that my vote will accurately reflect a "no" vote on the resolution for the Cooperative Endeavor Agreement for the waiver of the fee and a "yes" vote for the Albertson's?

Mr. Thompson: Certainly, that would be in order and you might want to go back and start at the beginning, with the first one. We are only introducing, but he might want to vote

against introducing it.

Councilman Burrell: What are you saying, because we are just adding legislation to the agenda, at this point?

Councilman Carmody: Right.

Mr. Thompson: I think his vote would be against it to introduce it.

Councilman Carmody: Correct.

Councilman Burrell: Is that where you are with it, because if not, it would wind up showing up later on or either at another meeting. I am just trying to get a clarification on this.

Councilman Carmody: If we can take each individual resolution and take it on its own merits, I would appreciate it.

Councilman Shyne: I'll make my motion again and we'll vote on it.

Councilman Burrell: We haven't taken individual motions, I guess we can at this time and do each one. We go back to Councilman Shyne. I know that Councilman Stewart has just introduced one too (vote taken on adding Resolution 175 to the agenda).

Motion to add the resolution approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

5. Resolution No. 179 of 2002: A resolution providing for canvassing the returns and declaring the results of the special election held in the City of Shreveport, State of Louisiana, on Tuesday, November 5, 2002 relative to authorizing the levy and collection of a 25 year (in lieu of the existing 5 year authorization) 7.99 mills property tax in the Downtown Development District and otherwise providing with respect thereto.

Motion by Councilman Carmody to add the resolution to the agenda, seconded by Councilman Huckaby. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

6. Ordinance No. 191 of 2002: An ordinance closing and abandoning a 15 foot-wide alleyway running between Lawrence and Hope Streets in the R.A. Grays Subdivision Located in the SW 1/4 Section 37 (T18N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.

Motion by Councilman Shyne to add the ordinance to the agenda, seconded by Councilman Serio. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

7. Ordinance No. 192 of 2002: An ordinance amending Chapter 106 of the Code of Ordinance, the City of Shreveport Zoning Ordinance, to rezone property located on the South side of Oakland Street between Hope and Lawrence Street, Shreveport, Caddo Parish, Louisiana, from R-3 , Urban, Multiple-Family Residence District and R-3-E, Urban, Multiple Family Residence/Extended Use District to B-3, Community Business District with MPC approval

and to otherwise provide with respect thereto.

Motion by Councilman Shyne to add the ordinance to the agenda, seconded by Councilman Serio. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

8. Ordinance No. 193 of 2002: An ordinance levying a tax of seven and ninety-nine one hundredths (7 and 99/100ths) mills per dollar on all property subject to ad valorem taxation within the bounds of the Downtown Development District of the City of Shreveport as defined by Act 554 of 1978, as amended, for the purposes as set forth herein, and otherwise providing with respect thereto.

Motion by Councilman Stewart to add the ordinance to the agenda, seconded by Councilman Carmody. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

Mr. Thompson: A number of, at least one or two resolutions that have been added today can be vote on today such as the F.A.M.E. resolution. We would ask you to consider adopting those resolutions today. The only reason I say that is, I remind you that the next Council meeting will be at 9 o'clock in the morning and the swearing-in ceremony starts at 10:30 so there won't be a lot of time for the Council to take a lot of action, so anything that can be done, that you feel comfortable in doing today, we would ask you to consider doing it.

Councilman Burrell: Well, is it appropriate to do it at this time.

Mr. Thompson: When the F.A.M.E. resolution, it is a one reading, it can come up for instance. Councilman Stewart's other resolution covering Albertson's is a one reader and there might be others, that if you feel comfortable in doing.

Councilman Burrell: So it will come up during the, later on in the program.

Mr. Thompson: The normal course.

9. Board Appointments: Margy Ray, Shreveport Housing Authority; David Alexander (re-appointment), Downtown Development Authority; John Hubbard (re-appointment), Downtown Development Authority; Sandy Cimino, Shreveport Regional Sports Authority; Joe Gant, Shreveport Airport Authority, Bessie Smith, Metropolitan Planning Commission (re-appointment); Mark DeFatta, Personnel Board; Dr. A. R. Ebrahim, Civil Service Board.

Motion by Councilman Shyne to add the Board Appointments to the agenda, seconded by Councilman Carmody.

Mr. Thompson: What was the motion? Was that to add that to the agenda or to adopt those?

Councilman Burrell: To add to the agenda not to make the approval on today, that is what I understand, that is what was said. Is there a correction, a new revocation?

Mr. Thompson: No.

Councilman Burrell: Those names will be added to the agenda for next time, I take it.

Councilman Spigener: I was just wondering if that would be appropriate or if we are in a position to vote on those today. I think what Mr. Thompson is trying to get us to do is, to vote on as many things as possible. We will probably have a quorum at our next meeting, but time is of the essence it appears, so do these have to lay over, I guess is my question?

Mr. Thompson: They don't have to lay over. It is up to the Council. If the Council members feel comfortable in voting on these, they can. If you don't feel comfortable, please don't, but if you do, you might.

Councilman Shyne: If the Administration would like for us to approve them today, I mean, I have no problems with it.

Councilman Burrell: Mr. Mayor, do you have, because these were just introduced to us today and I know that many times they attach resumes and stuff on it because we called for a resume earlier for Mr. Bader.

Mr. Thompson: If anybody does not feel comfortable, please don't do it, but if you do.

Councilman Burrell: That is what I am trying to do is get some sort of feeling from the Council.

Mayor Hightower: We are comfortable waiting until the next meeting.

Councilman Burrell: Okay, well if that is the case, then I've already introduced them.

Public Comments:

Archie Winsor: We come here today as the Brotherhood of Locomotive Engineers propose to you what we feel is a serious risk for the citizens of Shreveport. Today with me on my right is Michael Bryant, he is Louisiana State's Legislative Board Chairman. I have Sam Parker, the General Chairman of the Brotherhood of Locomotive Engineers and also Clift Starks, President of Division 599, right here in Shreveport.

What we are coming here to talk about is the use of remote control locomotives within the boundary of Shreveport. Irresponsible implementation of remote control technology, locomotives are being operated with no one on board. Much of our commodities handled in the Shreveport area is petrochemicals and haz mats and the first responder in a hazardous materials incident has been removed from the locomotive. Remote control locomotives are operating in rail yards near your water supply right here in Shreveport and over your water supply. As you know security against terrorism and trespassers is virtually non-existent and children or (inaudible) can not be seen by these un-manned locomotives.

With the threat of terrorism in the United States these days, this is what you see in a remote control locomotive yards, but there is nobody on board. This remote control accident happened in Hinkle, Oregon. This one happened in your Sister City of Baton Rouge, and just luckily that tank car was not hazardous, its another picture of it. You'll also see another picture. This happened in Romoville, Illinois on May 19th. De-railed and landed on 135th Street Bridge, remote control locomotive. This remote control locomotive ran over a de-rail, nobody knew about it and nobody knows what's happening to the locomotive when it is being operated by remote. This is something

the railroad tells us can't happen. This is a runaway that ran through a semi. This just happened last Friday, in Lincoln, Nebraska. Notice the arrow pointing at a hazardous material tank line. We don't want that to happen here in Shreveport. What you will see under the Federal Railroad Administration as you can see, is minimal guidelines for safety standards for the operation of these remotes. FRA says that its first priority is that these remotes pose no threat to railroad workers or the general public. And once again, according to wire service the DOT has issued a warning about possible attacks on rail and transit systems across the country.

Our concern is to keep our community safe. To require the railroads to be more responsible with this new technology, to more adequately plan and train those who respond to emergencies to have our Congressional leadership create laws ensuring our safety due to this new technology. This, is just a map of Shreveport and as you will see railroad yards encompass the entire city, including Bossier. And we just ask that you will protect your citizens as your sister city, Baton Rouge did, by passing a resolution and telling the railroads that we do care.

Councilman Burrell: On this issue, I know that these gentlemen have met several times, I know they have met with the Mayor and they called a meeting to try to get the Council members involved and I know that they are very concerned about this issue. Mr. Lester even before you got on the Council, I remember seeing him in a meeting and I know that he had a concern about this, but I had a die hard fan and constitute who kept pounding on me, Mr. Starks, where are you. He wouldn't let me sleep over this issue. So, I felt that before I left the Council, the best thing I could do was try to introduce a resolution similar to the one in Baton Rouge to at least deal with this issue. I understand that the resolution is really non-binding but it gives us some teeth to argue with and Baton Rouge, right now is working on an ordinance.

Mr. Winsor: I am going to turn that over to the legislative representative from Louisiana.

Michael Bryant (Brotherhood of Locomotive Engineers): Currently Baton Rouge, the KCS Railroad so far did a resolution, I think you all have seen it, we will pass out later. It is a non-binding resolution and currently the KCS railroad is snubbing their nose at Baton Rouge, by not doing anything, not taking their safety concerns legitimately so we will be going back and we've already been approached about having an ordinance passed and that would be law. And currently, there are no laws, rules or regulations concerning remote control, either at the state or federal level.

Councilman Burrell: You mentioned the number of miles that they can use remote controls to operate trains, I understand.

Mr. Winsor: Remote controls can operate within yard limits but one thing that everybody has to realize is your definition of a yard, which you believe may be where they just switch the cars, but really the yard in Shreveport encompasses the whole city and 25 miles outside that radius, is their yard.

Councilman Burrell: So they can operate a remote train 25 miles from the central location?

Mr. Winsor: Outside the yard, they are not doing it yet, but according to their definition of yard limits, where these remotes operate within yard limits, that could happen, yes.

Mr. Bryant : What I wanted to add was is that you have this switching yard, but they can actually go outside this limit. They were doing this in Kansas City, taking trains by remote control

across the Mississippi River, the FRA stopped them. And our concern on this safety issue is that the carriers keep pushing the button. There is nothing to stop them. They can keep going and when they caught, then something happens, somebody says, no you can't. What we don't want to happen, is we don't want a hazardous material released. We don't want anybody killed. We don't want anybody injured. We don't want anybody run over at a crossing by one of these remote control engines.

Councilman Burrell: Have we had many casualties dealing with remote control, at this point, that we can identify?

Mr. Bryant: No casualties.

Mr. Winsor: We've had 22, not in the railroad industry and private industries within the steel workers, and it is documented. There has been 22 deaths. We had a pedestrian who was blocked at a crossing and he had to get home, so he went to crawl through the train and it moved, cut both of his legs off. And that was just a regular switchman who was operating the box.

Councilman Burrell: Well again, this issue, became a concern to me because personally because I know that although the train up near, in partly in District A, but it passes through the other districts too, especially on the north side of Cross Lake where I-220 crosses the Blanchard Road, that is a very, very serious situation up there where you have trains actually running along Cross Lake. And then I asked Mike Strong about the possible hazards that could occur from these vehicles or should I say, from these locomotives, and he did admit to the fact that if there were spills in to Cross Lake, it would be very, very difficult to try to clean it up before it goes into the intake. So, I do think we have a concern here. Hopefully we can do something on a local level to try to control this because I understand it is under the federal regulations and maybe our new attorney, since he does have an interest in this, may be able to look in that and see what it would take to help craft the language for this because I know he is interested in it; so, we appreciate that.

Councilman Spigener: Of the trains in Shreveport-Bossier, do you have any idea as to the percentage that are controlled by remote control?

Mr. Winsor: Yes, we do and I would like to ask Sam Parker, he has that information.

Mr. Parker, BLG General Chairman for KCS-Shreveport: At the present time, it would be about 40% of our jobs (inaudible) that is with remote controls and probably by the end of the year, it will be probably 80% of them will be gone to remote control that work across the end of the lake that we are concerned about. So, it is a pretty large number and they are going to increase as we go along.

Councilman Burrell: Do we have any other waterways that we are concerned about other than Cross Lake with these remote controls?

Mr. Parker: Well, there is Red River, we cross Red River here in town. Like I said, our yard limits go from the Blanchard area out to Forbing all the way down to Curtis in Bossier Parish, over to probably the racetrack in Bossier Parish, the other way. That is the yard, what encompasses the yard, here in Shreveport-Bossier area.

Mr. Winsor: I'd like to add that the Kansas City Southern is not the only railroad that operates in Shreveport. We are just talking about this one. Union Pacific operates here and also the

BNSF.

Councilman Burrell: You are Brotherhood of Locomotive Engineers, which seems to be somewhat generic. Ya'll don't cover the other groups too, the other railways?

Mr. Bryant: I do from the legislative side. And the Union Pacific has stated plans to move in remote control into the Shreveport area around next year. The BNSF is putting the remote control in on their properties and I really haven't heard when they have plans for the Shreveport area. The KCS is the only operator in the state of Louisiana, so far at Shreveport, Baton Rouge, well in the Beaumont area (well, I guess that is not Louisiana, but it is close). But the Union Pacific, next year has already stated that they will be moving them into the New Orleans area, the Baton Rouge area, and the Alexandria area. And like I said, the Shreveport area is coming, so you are going to have remote control operations from all three railroad, eventually from the BNSF, the KCS, and the Union Pacific.

Councilman Burrell: Well, I know from personal experience as a child having seen someone get run over by a train, that is traumatic. I can still see the picture vividly in my mind, years later so I know we have a safety issue here whether it is water or whether it is the health of our citizens; so, hopefully we can do something with it.

Dennis Sims (284 Hidden Hollow): I am here to urge your passage of agenda Item 9D-153, limiting the operations of sexually oriented businesses. To that end, I want to appeal to you on the following three levels.

First, I want to appeal to your sense of compassion. I do not know of anyone here today that would want their daughter to work at such an establishment and therefore be reduced to an object of lustful desire. The daughters that do work at such places carry their loss of self-esteem well beyond just the dim lit interiors of these businesses and out into the bright sunlight of their everyday relationships. So, if this is not good enough for our daughters, whose daughters, then?

I do not think any one here wants their sons to frequent these businesses either. Who would want their son to think that women are only pets for pleasure rather than people worthy of respect? This low opinion of women will color their relationships with every female they see out in the marketplace. And if this is unacceptable for our sons, whose son, then?

Which of our spouses would not be pained at the discovery of our involvement with one of these businesses. If this pain is not something that we would desire for our spouses, whose spouse, then?

The reason that none of us would want our daughters, son or spouses to be associated with such businesses, is that we inherently know that it is degrading to the humanity and dignity of everyone involved. We also know that this business is destructive of the family relationships that form the very foundation upon which our community is built. And therefor out of compassion we should pass this ordinance to limit the negative effects of those businesses that they may have on our daughters, sons, and spouses.

In addition to your sense of compassion, I want to appeal to your sense of community pride. Who among us would include a reference to a sexually oriented businesses in a public relations piece used to attract industry, business, tourism or families seeking to relocate into our city? I

suspect that none of us would include such a reference because we know that these businesses are not a point of pride for any community nor are they a force for drawing future industry and families into our city. This ordinance protects and strengthens our sense of pride and respect that we have in ourselves and in our community.

Lastly, I want to appeal to your sense of common decency. I heard a newscaster reporting that someone called this ordinance a veiled attempt to legislate morality. To that I say, let's proudly remove the veil. Every governmental body throughout the United States has not only right, but the solemn responsibility to legislate some behaviors as blatantly immoral. Prostitution and polygamy are illegal even among consenting adults because we have laws prohibiting these behaviors. Other examples of good moral legislation would include prohibitions against public nudity, the use of certain graphic images in public settings and acts of public lewdness.

This ordinance does not prohibit the operation of sexually oriented businesses, but simply limits their scope of operation and this ordinance also limits the inevitable side effect that these businesses have, namely the erosion of the moral standards which define our common guidelines of civil behavior .

In closing, voting to approve this ordinance protects the dignity of our daughters, sons and spouses. It maintains and strengthens our sense of pride and respect that we have in ourselves and for our City. It upholds the high moral standards which are the basis of our common civil lives. In short it is good citizenship and good government. Therefore, I ask you to be bold and unequivocal in your support of this ordinance. As an act of compassion based upon community pride and common morality, pass this ordinance and make a better Shreveport.

Mrs. Roxann Johnson (10345 Evangeline Oak Circle): I am grateful for the opportunity to address you this afternoon and I stand before you because I believe that the decision that you looking to make today is of the most important determinations that has faced this Council in many years. And I can tell you that I'm probably the most surprised that I am standing here today. But there are just too many phone calls, one to many e-mails and too many people that I did not know that came to see me about this issue.

Over the past several weeks and months you have been inundated with research and testimony, and documentation of the negative secondary affects that sexually oriented businesses have on communities such as ours. These facts are undisputed and cannot be ignored or denied. As a citizen of my Shreveport, I'm saddened by the prospect of what a loosely regulated industry such as the SOB's can and would do to our rates of crime, sexually transmitted diseases, drug abuse, and addictions.

I am fearful of the legacy and environment that we are building for our children. And as the Administrator of the YWCA of Northwest Louisiana, I have an even greater and more urgent burden. As each of you know our organization has been working in this community for around seventy-seven (77) years providing counseling, shelter, and support services for women who are victimized in our society. Our mission is to empower women and eliminate discrimination and suffering of all kinds. Everyday, everyday in the city. We help pick up the pieces of lives that are broken and ravished by the very social ills that sexually oriented businesses bring here. And I don't stand here with mere theoretical, our anecdotal evidence of some far out possibility of the harm that might one day perpetuate, perpetuated by SOB's that are not properly regulated. I read the

information of the testimony from David Sherman and SOB Ordinance Revision Committee and the legislative report from Houston's City Council and it was absolutely nothing new to me. I have heard these stories and I have heard them first hand. I came here today to look each of you in the eye and to tell you that you – that a hope that a vote against the proposed ordinance revisions or a vote for any amendment that would weaken their scope or effect will be devastating to the lives of the women and the families who you and I are sworn to serve.

And I have read the studies, I have read and studied those proposals and the ordinances and I can tell you that everyone of these provisions is crucial. The stage height requirements, and it is embarrassing as a woman, I'm standing here having this conversation, but the stage height requirements, the distance requirements, no touch rules, the prohibition against closed private rooms, they all seem like technical or petty regulations, but these rules have been proven essential in the protection of women and the reduction of the greatest needs the courts would allow and the negative effects upon us all.

There have been much discussion and deliberation on this issue and has been said that your decision today may be a tough one. Well I disagree with that. I think most certainly that your decision is in fact a very simple one. I know that in your heart, your desire is to do what's best for this community and this people. I hope that you do the right and the necessary thing today by voting for these ordinances in their present form you will help insure for all history that the priority of this Council was what was best for our beloved city. And I think that this more certainly has been your legacy and I think most certainly that you can solidify that today. Before I leave may I ask one question, sir.

Councilman Burrell: Sure.

Mrs. Johnson: If you wouldn't mind, Councilman Shyne, I would like to ask you a question with permission please? I have heard – I know you might not answer but I'm going to ask it anyway.

Councilman Shyne: If it is one that I can, I will be more than happy to answer it.

Mrs. Johnson: I have heard you say just in the last few days that if you don't want to go then just don't go. I don't want to go and more certainly I don't intend on going, but as I think I know you I think I most certainly know your heart and if you could have placed a regulation on the home of that 4 year-old child that was abused and starved that we all looked and watched, if you could have placed a regulation that would have saved her in that house from the abuses that she went through, I know you would have. I also believe that if you had the ability to stop the abuse that happens in the homes every 15 seconds, I believe that you would if you could. But most of the terrible things that happen in life –

Councilman Shyne: Could I answer your question?

Mrs. Johnson: I haven't asked it yet.

Councilman Shyne: Okay.

Mrs. Johnson: So the regulations you – my question is, can you do that today?

Councilman Shyne: I don't smoke and I feel sorry for the millions of people that suffer from

emphysema, but I'm not out trying to put the tobacco industry out of business. I feel like it's a sin to smoke because you are destroying that holy temple that God gave you. But God also gave you the right to might that choice if that's what you want do.

I don't drink. Matter of fact my oldest brother who had been a minister for over fifty years and his wife was killed in Chicago by a drunk driver. Look at the hundreds of thousands of people who are killed every year. Look at the families that are destroyed. Look at the money, the millions and billions of dollars that it cost our economy because of alcohol. I'm not out trying to pass a law saying look, let's do away with all the alcohol; that's an individual's decision that you have to make. I still stand by what I said in the beginning, you cannot legislate, morality, period.

Mr. Leonard Ross, Sr. (3771 Elmer Lane, Shreveport, Louisiana, 71109, District G, Ward 4, Precinct 45): Where is Mr. Mayor, he is absent already.

Councilman Burrell: He may have left out momentarily.

Mr. Ross: Well, to the Chamber I was just going to give him a compliment that I like his appearance in his threads when I see him. He kind of put me in the mind of one of the boys from the East Coast, the boys I use to hang around with when I was living in the Big Apple.

So, I was sitting here listening and I got down some notes but I'm just going to by-pass them. I was listening at what they were talking about entertainment here in Shreveport. And I don't think that it would be a better entertainment than with a strip club, that's me. They didn't say a nude club, now, they said a strip club and this is not the first time that a strip club been in Shreveport. It might have had license for a bar or lounge but it was a strip club if you would remember the Xanadu, the Grand down there, the Twenty Grand. Did you see this on the tube where the lady that was taking her exercise something like a strip club, all she was doing on top of a post and they call the law enforcement up there to stop her. She said, well I'm just taking my exercise. He said well, you got to come down. She said, well why is that? Because you got all this traffic jammed. So I don't see nothing wrong with it, I mean you know people go where they want to and when they want to and things of that sort; so, I think you should pass it and let them go ahead on and do whatever they going to do. So, I think it's going to be a decent place---ain't no more than what you see out on the streets. Thank you City Council.

Mr. Mike Welch (259 Olive Street in Shreveport): I appreciate you Chairman Burrell and honorable members of the City Council for once again allowing me to address you about the ordinances before you to repeal and replace Chapter 72 of the Shreveport Code to provide for the licensing and regulation of sexually oriented businesses and their employees and repealing and replace Section 106-1129, Chapter 106 of the Code to provide for zoning of sexually oriented businesses.

We are here today because we want to protect our city. As cities grown in new eras it is often time difficult to control the side effects of that growth. Mayor Hightower could certainly give us testimony about the difficulties he had with working with the Entertainment District. He's trying to control what goes on inside there and it is sometimes difficult to figure out what to do and what not to do.

This is not one of those situations where it is difficult to know what to do and what not to do. It is common sense regulations that is necessary for an industry that is littered with negative

secondary affects. Over the last couple of weeks we have heard some of those effects, I won't go through the whole list. I don't have time and some of them are disgusting if you want to know the truth but I do want quote Brad Bullock who is the assistant city attorney at San Antonio and who drafted their city's SOB laws. Mr. Bullock says," if not strictly regulated these businesses will provide and have provided in our city a vehicle for all source of crimes ranging from pandering to prostitution to drug dealing to murder. If a city is naive about the negative secondary effects of these businesses and doesn't put into place the most serious regulation possible, it's my opinion that they are flirting with disaster." I believe many of the people here today agree with Mr. Bullock.

The ordinance before the City is constitutional, that's without question but I have also heard from Councilmen whether or not the ordinance is fair. Some say it is just unfair. I have read the ordinance and I find nothing in it that discriminates on the basis of race, color, religious affiliation, gender, nationality or anything that would normally be considered discriminatory. It deals equally with all sexually oriented businesses no matter who owns them.

I have also heard questions about it being un-American, it is just not the American way. Well, the main responsibility of the government of America is to protect its people, okay. There is not more American than being able to come before this Council and ask you to repeal and replace a law with a better law, that's the American way. That's what the Constitution was designed for and more specifically the Bill of Rights and the First Amendment was so that laws could be replaced by better laws.

Last meeting, Councilman Shyne accused the people, with this ordinance of trying to run people out of business, he said it's a witch hunt, you are trying to run people off. The aim of this legislation is not to discourage decent honest business people. We are pro-business. However, certain industries affect the community differently and they must be regulated as such. It's not that we don't like business or we are mean or we dislike people or we don't like women or we want to tell everybody what to do, okay. None of that could be farther from the truth. It is because this industry has proven to have negative secondary effects and the laws are necessary to protect people. That's what this law is about, protecting people. They want to protect the general public and not just the general public but the people that patronize these places, the people that work at these places. We want to protect them.

The last meeting I heard Councilman Shyne say that it is hard enough to control people when they are sober less much when they are drinking. Let's throw about ten strippers in there and see how hard it is to control people. Pretty hard. If I could quote directly from the ordinance it says: The City Council desires to minimize and control the adverse effects and thereby protect the health, safety, and welfare of the citizenry. It want to protect the citizens from increased crime, preserve the quality of life, preserve the property values, and the character of the surrounding neighborhoods and deter the spread of urban blight. And what could be more noble than protecting the citizenry of Shreveport.

The ordinance then goes on to say that it is not the intent of this ordinance to suppress any speech activities protected by the First Amendment of the Constitution or Article I, § 7 of the Louisiana Constitution, but to enact a content neutral ordinance which addresses the negative secondary effects of sexually oriented businesses.

Council, we are not asking you to reinvent the wheel. These ordinances have been looked at

they have been passed in other communities and other cities and I believe that the citizens of Shreveport deserve what those other cities have and that's the most up to date, most current laws for their protection. So, once again I ask you to please pass this legislation without delaying it any further so that you might protect the citizens of Shreveport.

Councilman Burrell: We are going to prolong this meeting. We realize that we have points to be made on both sides of this issue, probably more on one side than the other but it's just going to prolong this meeting if we can't get the information out so a decision can be made. So, I ask you if you would at all possible restrain from your applause so that it will not prolong our meeting any more because we have quite a number here. I would hate for us to go through a marathon as we did before.

Mr. Mark Milam (1525 Cambridge, 71105). Chairman Burrell, Mr. Carmody, Ms. Huckaby, Mr. Shyne, Mr. Serio, Mr. Stewart and who else is not here and the Mayor, thank you for the time today. A couple of things I would like emphasize if I may, we have heard and it's not just Mr. Shyne that said this but what has been said is, if you don't like it don't go. Notice the paper this morning on the front page it has an article here on "City Council Vote on Strip Club Issue Today", right underneath the "Anti-milk campaign features David Duke". It's got a picture of the billboard that the PETA people put up of David Duke and they are saying that they are against – I really don't understand what they are against, they don't want us to drink milk or they don't want milk cows to be milked, I'm not sure what the unethical part is. But it also mentioned that no billboard company here in Shreveport would put that up. If you would notice it is from out of town, they are from Denver, Colorado. Also, in Baton Rouge nobody agreed to put it up in Baton Rouge, nobody agreed to put it up in New Orleans. No one agreed to put this billboard up in New Orleans, that's saying really something there.

Last year I was approach by putting a billboard up for these same people. I said, what is it about? They said, it's an anti-fishing. I said, exactly what do you mean, anti-fishing? Well, we want to put a picture of collie with a huge fish hook in his mouth and it will say, you don't want your pet to look like this then why do you want to subject our fish to this, something to that effect. And I said, are you crazy, you will get laughed out of town. Well, Lamar also refused to put that billboard up. However, they went to someone out of town just as the PETA people did with David Duke here and they got someone to put it up out of Denver Colorado.

I'm saying that to when Larry Flint come in with his Hustlers Club, he is going to be putting these billboards up. They are going to be all over town. (Inaudible) has got a lot of billboards in town. Larry Flint is going to have the money to do that. We are going to be subjected to that we will have to look at that on a daily basis. Maybe if we don't want to see it, we just don't have to look at. Maybe we can close our eyes for a quarter of a mile while we are driving, if we don't want to look at it.

Also, in today's sport section, I like sports, I like to read about Louisiana Tech, and LSU and Southern and Grambling, North Western, Centenary, now you all have seen this, this is only a quarter page ad. "Take your sex life to a whole new level" there are two half-dressed people, they are in bed and they are trying to get you to buy some pills that will increase your sex drive. Well, I get tired of looking at that every week. It has been there for a year and sometimes it is a whole page. Right across the page, and this is going to happen because this ordinance is already here, instead of reading about the schools that I mentioned, right in the middle Larry Flint is going to have

his sex ad right there in the middle. Now, if I don't want to see that then say out of the sports page, I guess. It's going to be there.

Why do we have to be subjected to that? It looks like we are going to have to be subjected – I'm asking you to support this. I think two things can happen if we tighten this up: 1. Larry Flint is not going to make as much money as he thought he was here and he may even decide to pull out of town and go somewhere else and he may donate that building to the City, who knows. 2. I think similar business, I think this is real important, similar businesses will be discouraged from coming to Shreveport. They won't be able to make as much money as they had thought, they will look somewhere else and I think that's a good thing; I appreciate your support.

Ms. Jennifer Peck (738 Camilla Lane, Shreveport, 71104): Nervously and embarrassingly I am here to be a voice for the ordinances. I'm a mother and a very devoted mother and a board member of my children's PTA and I have had business experience, I'm educated and I have worked in one of these establishments years ago.

I was a single mother of my two oldest daughters. I was scared. I had no support network and – well, no family support network, excuse me, didn't have a good idea of what my options were and was approached with this as an option and look like I could provide for my children in a much better fashion than the alternatives seen at the time. So I cocktail waitress-ed, which one might say, well that's not as bad. Well, I can justify, I did for about a year and a half. I was miserable and I didn't cross any lines of my own limitations or so I thought. Looking back I'm very saddened that, that's a part of my past. Reason being is, the things that I witnessed there are way more than disappointing. They are sorrowful. They are horrible dangerous.

And Mr. Shyne, I would venture to guess that if your daughter were participating in an environment such as this –

Councilman Shyne: Excuse me, I would hope that you would not make this personal. The Chairman should have stopped you. We don't usually let persons come up and make things personal. Now, if you want to make it personal after the City Council meeting, I'll be glad to meet with you.

Ms. Peck: No sir. This is just in response to your comment, if I may?

Councilman Burrell: Let me take it back to the Chair. We normally don't make it personal and I guess I didn't constitute that as personal statement, but try to just keep it to the issue.

Ms. Peck: Okay, well I was referring to the "don't like it don't go" comment and all I would like to say to that and this is personal to me, so I apologize. I believe that anyone would change their mind if their daughter was going through some of the things like drug addiction that I saw so that they could maintain their figure. Leaving their children in parked cars outside because they just need to make money for their rent. And, going in there to the darker back room to make a little extra because the patron offered it if they just slide their g-string to the side. Men--and forgive me for my candidness but I think it is very important, excuse me – it is very embarrassing and I'm very sorry that this has been my experience. The prostitution, men having sex with women, the managers having sex with the girls, threatening them for their jobs if they don't and these girls don't feel like they have other alternatives so they drink excessively, they go to the next step, and if there were just the opportunity to just put in place something that could at least stop that contagion of ills of moving

along, then it would help prevent so many things.

When a woman goes through this experience, I have never taken a drug, I have never smoked a cigarette and I don't drink. I was so afraid to, of losing control and I did go home to my daughters every single night, but I was so tired and I was depressed and it took me years after that to gain some sense of myself back because I felt horrible.

My main concern is the trickle down effect of this to the children because I saw – as best as I could do, is not as best as lot of other women could do given their circumstances but just to tell you, I took care of a young lady, I didn't even know her name until it happened, that was having a miscarriage in the bathroom while she came off stage. She had a son. She had no family to go to. I took her to the hospital. They threatened her that if she didn't come back she would lose her job. These are the kinds of people that these women who are already broken are being owned by.

Then there is the patrons. No ones that goes to these kind of places are people that aren't somewhat broken at least and I have seen men that who marriages just fall apart. Their families fall apart. They spend thousands of dollars. I have made that much just in serving the drinks and regrettably, regrettably, it's not worth it. Their children's college funds, just new shoes. I mean it really gets to that level, the very basics. And I just hope that you will consider all of this as very real and very – it's a fatal thing to do to your people, to your community to allow it. They can't impose their own limits because they are broken and they are hurt. They don't have the support that hopefully you do and that I now do, thank God and they need you to protect them and they need you to put limitations where there aren't because I'll tell you those club owners and managers, they are not going to enforce the things that are already in existence very well. So, you raise the stage and you create the distance and you put a time restriction and what you are going to do is you are going to at least in a small way impede the progression of this horrible — the crimes that are committed because it will help. It will help, I promise you. Thank you very much.

Councilman Spigener: I have a comment. I want to applaud you for having to courage to come forward and state this from not what we are speculating but from someone who has been there and I applaud you. I know this must have been a horrible thing. It's horrible for me as a woman and as the council person to sit here and have the discussions that we have already had and I just applaud you for your courage and telling us like it really is.

Mr. Jason Lee (740 Linden Street, Shreveport): The appeals for passing the ordinances have been based on really moral values, religious convictions, common decency, you have heard those appeals and probably know them very well. Just two quick comments that I would make, one of the things – the two things that we have been concerned with already for future business for the Council has been regulations and hoping to protect public safety with the remote control railways and also using the FAME Project for downtown improvement. And in a sense to be consistent with the concerns of the council who has already expressed in both of those, encouraging the FAME Project and downtown renewal and also encouraging looking at tough restriction on radio controls so that public safety is protected really in this ordinance both of those things can be addressed so the Council can be consistent with its concerns and maintaining a good decent downtown that has a good appeal to most folks and that will draw people to that for good businesses and good commerce and good entertainment. And, that also that obviously the previous speaker mentioned, just preserving public safety and decency through its action. Thank you for your time.

Mr. Chuck Pourciau (I'm still Chuck Pourciau and I still live at 551 Slattery and I still pastor the Broadmoor Baptist Church which is still located at 4110 Youree Drive): I think the merits of passing this ordinance have been very eloquently stated and I will not belabor the point.

Just reminded of my first preaching class at seminary where the professor told us the most important thing on a sermon was the conclusion. I hesitate to say that because I'm sure many of my church members will say, why don't you just start and end with that then in the future. And the reason it's the most important thing is cause you draw it all together and you make a concluding statement and it's what people remember the most. This Council is going through its conclusion, this sitting Council is going through its conclusion, and I think it's no coincidence that you have such a profound issue before you during this conclusion. And what you are going to decide on this issue is what people are going to remember the most and you have the opportunity to make sure that what they remember the most is that as in this, they did what was right for Shreveport and what is right is right if it is in Shreveport, it's right if it is in your district or your district or your district, it's right. It was right when the word of God was pinned a thousand years ago and longer, two thousand years ago and longer and it's right now. And so I urge you to help people, remember most, that you did what was right for Shreveport in protecting the citizens and the children and I know and believe you will and I thank God for it.

Mr. Stephen Angel (2608 Crosswood Lane, Shreveport 71118): . Ladies and gentlemen today is going to be a historic day. There is not much I can say after Ms. Jennifer got up here and spoke and I just kind of looked at my notes and she said it all. One thing we do know today is that we have one Council member that is for it, we have one Council member that is against it. The rest of you we really don't know today, where you stand. Here shortly, we will know.

A couple of things these ordinances do for us – it's basically three things. 1. It reduces our secondary effects which is crime, drugs, STD's and prostitution. Also, it protects the citizens. The citizens that will not go to these establishments but in reality it actually protects the ones who do go to this establishment because of the cleaning effects and the different things that are taking place there. And there is nothing out of the scope in these ordinances that are not placed somewhere else in some other different city, some other government has proposed. But one thing that I have heard over the last few days is a lot of people talking in the paper, a lot of people talking on television and I'm one of them is this, we are trying to legislate people out of business. Folks, I'm pro-business, always have been, have a business degree. But that has nothing to do with what we are talking about here today. We are talking about rule changes that take place yearly by businesses. Our United States government, our Louisiana government, even you as government here in Shreveport, each year there is different pieces of legislature that comes through that changes for businesses. This particular industry needs to be regulated.

We talk about regulating morality, you hear that. Well, ladies and gentlemen I want to say to you today that there are laws in our land to protect people who have been shot. You cannot go out and just murder someone for that I'm thankful because I know I have a few people at my door each morning. Also, we cannot steal. Those are morality issues. Those are things that have been legislated – as said by the police captain here, these ordinances help officers make a case. That's what we are looking for, ordinances. We are looking for regulation of a business, not to put them out but if they are going to be in our community we need ordinances that are tight, that are strict from which our Police Department, who works diligently to protect this community, can make a case

against these people. I think you are well aware of the articles that have been in the paper. In 1999, there were several cases of some of these strip clubs that we are talking here currently, that the Vice unit went in and legally, legally, made some arrest because some of these illegal acts that we are talking about were taking place inside.

Today, I ask the Council to show some leadership. Today, I ask you to make this decision as you are going out, as your last act, to say, you know what, I was called to serve Shreveport, to protect Shreveport. Today, I want to do that and that's what I'm going to be remembered for as I leave office. Thank you for your time.

Ms. Brenda O'Brock (248 Lake Point Drive here in Shreveport and Pat Spigener): I would like to thank you for standing against the Deja Vu this summer. You showed courage and backbone and I appreciate your stand.

And I'm not going to talk a lot about this moral issue because I feel like that has already been covered but I want each one of you for just a minute to think about your daughters, your granddaughters going into a place like this whether they work there, participate there in any way, and maybe even your sons and many of you or some of you maybe even a few of you have talked openly at these meetings about your Christianity. And I think true Christianity is not only wanting your daughters and granddaughters from being tempted by a place like this to pull them down but also making it as hard as possible from anybody's daughter or granddaughter.

But I want to go on about what might be about this issue. It is not legal for Deja Vu to open its doors for business because of the 1996 Bond Issue. This Bond Issue allotted funds for a children's park and where is our park today. It still exist in the minds and the hearts of some people in this room and some people in our community and I just handed out a paper that I took – I took a photo of what you are looking at, it was on an easel, it was placed out here in our foyer, you will see the blinds that covering the windows in the background and this was the dream. Some artist that you hired, our City hired to do this rendering, made this possible.

I feel like I have been robbed. My money, your money was taken by this '96 Bond Issue and this park was promised. This bond issue was either forgotten, ignored or misrepresented. If the children's park was were here today the strip club would never have started construction. Why has the children's park been pushed aside? When Deja Vu officials came to town to do business, why did our city administration ignore the funds that were allocated for the park's existence? If this park will never exist, what happened to our monies that were allocated for this project? A trust is broken when a city allots money for a project but the project never come to fruition. I'm watching the City Council and City officials and keeping close tabs on how our leaders endorse projects that are good for business for a few but not for all. Businesses that cause urban blight and degeneration cost us as citizens in a long run. If you don't believe that get the book, Annie McCune: Shreveport Madame, and you will understand why those businesses had to stop. The community suffered, businesses suffered. Can't we learn by our past mistakes.

It has been said that this business the Deja Vu went through the proper channels to open legally. How can that be when the Administration let this deal go through knowing that our city park would be across the street. This city park was there first maybe not in the form of brick and mortar, but from the bond issue, the allocated funds cemented the park. I am here to ask the City Council to do everything it can to make a way for the city park existence.

Ms. Debra L. Roeten (3531 Lannon Street, Shreveport, Louisiana): And, too had written notes but I think most things have been said already that I had on here.

I am going to say about the legacy, that has already been mentioned, each and everyone of you as you vote today, it does matter how you vote. Everybody is watching, everybody is looking to see what you do for your city and for your community. We do not have to put out a welcome mat for these types of businesses. There is nothing unlawful about passing these ordinances today.

I want to make a note that I saw at the beginning this body open with prayer. I found that profound considering the discussions that we have been having here. We should not even be having them, not if you really believe in prayer like you just opened with. You sent two messages; so, I'm confused by that but you all can explain that later.

The second thing that I want to say is the thing that has disturbed me the most and I am going to go to my notes a little bit on this and this isn't personal towards any single member of this Council. It is for all of you, I have been disturbed by what some of the others have said about the hearing about morality and that some how another we shouldn't be moral about this, that we are trying to legislate morality. There are already on the book laws that were rooted in morality and that is where they came from. If you would like to take a look back in history, you will see that this country was founded on laws, moral laws. That is where we got them from. I don't have time today and three minutes to take you through that, but I know that most of you, you all had your history, you know this and I'm asking each member to remember this as you vote, that your character counts, that your morals count when people elected you to office of which you hold and seat up here, you are also elected because of the values that you stated, the values you had and now you are being called to account for them.

And you were not the first ones that were elected based on values and on morality and about what you believed. "It is impossible to rightly govern the world without God and the bible," first president of the United States, George Washington. Our founding fathers didn't think that it was so wrong to have morality in the laws. I don't understand why any member of this board would be any different.

John Milkovich (656 Jordan).

Councilman Shyne: John, I just want to congratulate you for making a good run for the United States Congress. I think you did an excellent job, you didn't have very many or very much resources, but you did an excellent job. I saw your signs all over the District. Congratulations!

Mr. Milkovich: *(656 Jordan)* Thank you Mr. Shyne.

Chairman Burrell: He does deserves applauds anyway.

John Milkovich (656 Jordan): You're more than gracious to note that Mr. Shyne and members of the Council. Mr. Chairman, Council members, Mr. Mayor and Councilmen elect. When the hearing was before this honorable body earlier this summer, Mr. Kirkland, the director of the City's MPC stated essentially that 98% of the City, may have said 95% of the City was against Deja Vu. The City leadership told us at this time and the Mayor told us, the members of the Council told us. We're against the Deja Vu. We also were against the Deja Vu, but we feel compelled to cite it because our City Attorney says we have too. We are relying on the counsel of our City

Attorney.

Now, is the time and the day and the place where we find out the reality of those sentiments. Is our City leadership truly against DeJa Vu? I say that because it is true that these ordinances could regulate DeJa Vu out of existence. The implementation of these ordinances may make Larry Flint or Stacy Anderson or whoever owns this particular place, Mr. Hightower said I think that one of the recent meetings he wasn't sure exactly who the ownership structure was, but whoever the owners are, when these ordinances are enacted, they may want to leave, because its going to affect their ability to make money. Now we find out was the City Government being honest with us when you all told us you don't like DeJa Vu? And I say that because we have one of the most eminent scholars on the constitutionality of sexually oriented business is sitting in this room, that is Mr. Arceneaux who has been going to seminars and studying the constitutionality of these ordinances for months and has spent hundreds of hours research on this issue and this is what he is going to present to this body. His newly drafted ordinance is constitutional. The City's Attorney is going to tell you, these laws will pass constitutional muster.

So now, we find out the City Council is now going to be dealing with a recommendation of their own paid legal counsel that says these statues are legal. Now we will find out is our City leadership truly against the DeJa Vu. Because now we have an ordinance that may regulate it out of existence or will at least clamp down on its operation and now we have a paid attorney, legal official, formal legal counsel for the City Government saying these ordinances are legal. And now we have the decision of the City government. Is the City government as the City government has publicly stated, is the City government truly against DeJa Vu? I believe that this vote will reveal. And I appreciate what Pastor Pourciau said. He said this is the concluding note, one of the concluding acts of this City government is going to be a statement by the City government. Is the City government truly against DeJa Vu as they have said? If that a fact, I certainly hope that you will abide by the wishes of the 98% of the City's citizens as Mr. Kirkland said. I hope that you abide by their wishes and support and vote for these ordinance amendments.

Craig Lee (3500 Milam): I just wanted to basically Councilman Stewart, Councilman Spigener, even though we've been adversaries on many issues, this is you all's last go around. I want to thank my mentor, Councilman Joe Shyne for laying the foundation for my activism here in the City of Shreveport. Councilman Huckaby, you did your husband proud during your enure. Where is Councilman Serio? We've had our battles as well, so this is kinda like a farewell to those of you. I'll be giving Councilman Carmody hell for the next four years as well.

But, I wanted to tell Mayor Keith Hightower something in particular. The City of Shreveport is moving toward the area of culture diversity. Five Million Dollars of federal 108 money which is backed by the CDBG Grant was used to leverage the Riverfront Entertainment district. There will not be any charges for patronage going down to the District. We will fight that vehemently. We are going to also continue to push for culture diversity. I'm not on one side of the issue of this DeJa Vu issue, I think that Shreveport is moving into a very progressive era and we have to understand that people will have different taste and I'm kinda like siding with my mentor, Joe Shyne, as it relates to those individuals who don't seek to go to these particular places, they should not venture to go to them. But I will say that it has been a pleasure battling certain individuals on the Council. And Roy and I have been working together since 1996 on bringing about the disparity study and trust me Joe, I will bring that home to 2003. Councilman Shyne: I would just like to commend Mr. Lee for

keeping his speech to about a minute and 50 seconds. Usually, he goes over time. Craig, so you're getting better.

CONSENT AGENDA LEGISLATION.

TO INTRODUCE RESOLUTIONS AND ORDINANCES ON CONSENT:

Read by title and as read motion by Councilman Shyne, seconded by Councilman Spigener for Introduction of the Ordinance on the Consent Agenda. Motion passed by the following vote: Ayes: Councilmen Huckaby, Stewart, Serio, Spigener, Shyne and Burrell. 6. Nays: None. Out of Chamber: Councilman Carmody. 1.

RESOLUTIONS: None.

ORDINANCES:

1. Ordinance No. 184 of 2002: An ordinance to create and establish a no parking anytime zone on both sides of Business Park Drive between east Bert Kouns Industrial Loop (LA 526) and Fern Avenue and to otherwise provide with respect thereto.

ADOPTION OF RESOLUTIONS AND ORDINANCES ON CONSENT:

Read by title and as read motion by Councilman Huckaby, seconded by Councilman Stewart for adoption of the Resolutions on the Consent Agenda.

Councilman Stewart: Madam Clerk, does this include the resolutions that were introduced today?

Ms. Lee: Not at this time, we will do those later on when we do the Regular Agenda legislation.

Councilman Stewart: Thank you very much. Thank you Mr. Chairman.

Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Carmody. 1.

RESOLUTIONS:

RESOLUTION NO. 150 OF 2002

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND NORRIS FERRY ROAD, L.L.C., A LOUISIANA BUSINESS CORPORATION, FOR PRIVATE WATER AND SEWERAGE MAIN EXTENSIONS SERVING ST. CHARLES PLACE SUBDIVISION, UNITS NO. 1 AND 2 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 Keith Hightower, Mayor, be and is hereby authorized to execute on behalf of the City of Shreveport a Donation Agreement with Norris Ferry Road, L.L.C., represented by Randel

J. Mason, substantially in accordance with the terms and conditions contained in the draft of said agreement which was filed for public inspection with the original draft of the resolution in the office of Council on October 22, 2002.

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

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

RESOLUTION NO. 161 OF 2002

A RESOLUTION REJECTING BIDS RECEIVED ON IFB #02-088, COURTESY LANE BRIDGE REPLACEMENT 96-C014

WHEREAS, four bids were received as a result of solicitations for the Courtesy Lane Bridge Replacement, IFB-02-088; and

WHEREAS, the City has rejected the bids due to the fact that all bids were \$65,000 over the estimated cost in the specifications allotted by the Engineering Department;

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 #02-088 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.

RESOLUTION NUMBER 162 OF 2002

A RESOLUTION DECLARING THE CITY'S INTEREST IN A CERTAIN ADJUDICATED PROPERTY AS SURPLUS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, there are numerous parcels of property which have been adjudicated to the City of Shreveport and Caddo Parish for non-payment of ad valorem taxes; and

WHEREAS, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

WHEREAS, pursuant to Section 26-294 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

WHEREAS, the purchasing agent has inquired of all city departments regarding the properties described herein and has not received any indication that they are needed for city purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the following described properties are hereby declared surplus:

Lots 10, 11, 12, 13, 14, 15, and 16 less a

Geographic Number 171417-021-0062

ten foot dedication off of Lots 15 and 16 for

Monkhouse Drive, Redbud Heights Subdivision

Municipal Address: None

Council District "G"

A 4.17 acre tract of land in the Southwest corner

Geographic Number 171417-000-0072

of Greenwood Road and Westwood Park Drive

and 171417-000-0073

Municipal Address: None

Council District "G"

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

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

RESOLUTION NUMBER 163 OF 2002

A RESOLUTION DECLARING THE CITY'S INTEREST IN A CERTAIN ADJUDICATED PROPERTY AS SURPLUS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, there are numerous parcels of property which have been adjudicated to the City of Shreveport and Caddo Parish for non-payment of ad valorem taxes; and

WHEREAS, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

WHEREAS, pursuant to Section 26-294 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

WHEREAS, the purchasing agent has inquired of all city departments regarding the property described herein and has not received any indication that it is needed for city purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the following described property is hereby declared surplus:

Lot 129 and the east one-half

Geographic Number 171426-035-0219

or lot 130, Woodhaven Subdivision

Municipal Address: 501 West 82nd Street

Council District "D"

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

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

RESOLUTION NUMBER 164 OF 2002

A RESOLUTION DECLARING THE CITY'S INTEREST IN A CERTAIN ADJUDICATED PROPERTY AS SURPLUS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, there are numerous parcels of property which have been adjudicated to the City of Shreveport and Caddo Parish for non-payment of ad valorem taxes; and

WHEREAS, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

WHEREAS, pursuant to Section 26-294 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

WHEREAS, the purchasing agent has inquired of all city departments regarding the property described herein and has not received any indication that it is needed for city purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the following described property is hereby declared surplus:

Lots 21, Block 2, West Shreveport

Geographic Number 181435-019-0021

Municipal Address: None

Council District "A"

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

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

are hereby repealed.

ORDINANCES:

Read by title and as read motion by Councilman Huckaby, seconded by Councilman Spigener for adoption of the Ordinances on the Consent Agenda. Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Carmody. 1.

ORDINANCE NO. 156OF 2002

AN ORDINANCE CLOSING AND ABANDONING A 15 FOOT- WIDE RETAINED DRAINAGE AND UTILITY EASEMENT ADJACENT TO LOT 31 OF THE NORTH PIERREMONT SUBDIVISION, 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 the 15 foot-wide drainage and utility easement located at the rear of Lot 31, North Pierremont Subdivision in the SE/4 of Section 18 (T17N-R13W) Caddo Parish, Louisiana, as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

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

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

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

ORDINANCE NO. 178OF 2002

AN ORDINANCE CLOSING AND ABANDONING ELLISON STREET RUNNING BETWEEN BAXTER AND TATE STREETS IN THE ROOSEVELT SUBDIVISION LOCATED IN THE SE 1/4 OF SECTION 16 (T17N-R14W), CADDO PARISH, LOUISIANA 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 the 50 foot-wide Ellison Street right-of-way running between Baxter and Tate Streets in the Roosevelt Subdivision in the SE1/4 of Section 16 (T17N-R14W), Caddo Parish, Louisiana, and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned, and be it ordained that utility servitudes be retained throughout the closed and abandoned street right-of-way.

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

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

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

ORDINANCE NO. 179 OF 2002

AN ORDINANCE TO SUPPLEMENT AND AMEND SECTION 2 OF ORDINANCE NO. 27 OF 1948 PARKING METER ZONES TO PROVIDE FOR THE INCLUSION OF A SPACE ON THE NORTH SIDE OF THE 1500 BLOCK OF GLEN OAK PLACE BEGINNING 180 FEET EAST OF LINWOOD AVENUE AND EXTENDING ALONG THE NORTH SIDE TO DOWDELL STREET, AND SHALL CONFORM WITH ALL OTHER SECTIONS OF ORDINANCE NO. 27 OF 1948 AND ALL AMENDMENTS THERETO, AND THAT THE MAXIMUM TIME LIMIT FOR THIS METER ZONE SHALL BE TWO (2) HOURS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN STEWART

BE IT ORDAINED by the City Council of Shreveport in due, legal and regular session convened that Section 2 of Ordinance No. 27 of 1948 is hereby supplemented to include a space on on the north side of the 1500 block of Glen Oak Place beginning 180 feet east of Linwood Avenue and extending along the north side of Glen Oak Place to Dowdell Street excluding any existing no parking zones.

BE IT FURTHER ORDAINED that this parking meter zone on the north side of the 1500 block of Glen Oak Place shall conform with all other sections of Ordinance No. 27 of 1948 and all amendments thereto, and that the maximum time limit for this meter zone shall be two (2) hours.

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

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

REGULAR AGENDA LEGISLATION:

RESOLUTIONS ON SECOND READING AND FINAL PASSAGE:

RESOLUTION NO. 148 OF 2002

A RESOLUTION AUTHORIZING THE EXCHANGE OF CERTAIN SURPLUS PUBLIC PROPERTY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS , the City of Shreveport is the owner of certain property, more particularly described as a brown colored Belgian Malamois canine named Andor who was started as a dual purpose narcotics/patrol and tracking dog approximately 4 years of age with a value of \$3750.00; and

WHEREAS, Canine Andor failed to meet the requirements of police canine training; specifically, the canine will not apprehend a passive subject; and

WHEREAS, the City of Shreveport is desirous of exchanging Canine Andor, who is incapable of completing police canine training, which would serve a public purpose; and

WHEREAS, retaining Canine Andor when a competent police canine is readily available does not serve a public purpose or render a public benefit; and

WHEREAS, the exchange of these properties by the City of Shreveport and Hill Country Kennels will ultimately serve a public purpose and render a public benefit of more effective law enforcement and crime prevention; and

WHEREAS, the exchange of this property is authorized by LSA-R.S. 33:4712 et seq. and the City of Shreveport Code of Ordinances Section 26-291 et seq.; and

WHEREAS, there is no other department of city government with a need for the property to be exchanged.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due legal and regular session convened that Canine Andor more fully described on the inventory attached herewith is declared to be surplus property of the City of Shreveport and that no other department of city government has a need for the property.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute an agreement to exchange the above listed property with Hill Country Kennels for the purpose of obtaining a competent police canine pursuant to Ordinance and in accordance with R.S. 33:4712.

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

Read by title and as read motion by Councilman Huckaby, seconded Councilman Spigener passed by the following vote: Ayes: Councilman Huckaby, Stewart, Serio, Spigener, Shyne and Burrell. 6. Nays: None. Out of Chamber. Councilman Carmody. 1.

RESOLUTION NO. 156 OF 2002

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SERVITUDE OF PASSAGE WITH THE CADDO/BOSSIER PORT COMMISSION FOR THE PLACEMENT OF RAILROAD TRACK AND ROADBED ON CITY PROPERTY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the Mayor be and is hereby authorized to execute on behalf of the City of Shreveport a Servitude of Passage with the Caddo/Bossier Port Commission in accordance with the terms and conditions contained in the draft of said agreement which was filed for public inspection with the original draft of the resolution in the Office of Council on November 12, 2002

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

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

Read by title and as read motion by Councilman Serio, seconded Councilman Shyne passed by the following vote: Ayes: Councilman Huckaby, Stewart, Serio, Spigener, Shyne and Burrell. 6. Nays: None. Out of Chamber. Councilman Carmody. 1.

RESOLUTION NO 157 OF 2002

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES

AGREEMENT BETWEEN SHREVEPORT MARKETING, LLC AND THE CITY OF SHREVEPORT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the City of Shreveport has created the Red River District within the downtown area to promote entertainment and attract tourism; and

WHEREAS, there are public areas such as sidewalks and streetscape areas within the District: and

WHEREAS, the City of Shreveport desires to enter into a Professional Services Agreement with Shreveport Marketing LLC whereby Shreveport Marketing will manage and maintain the public areas within the District ; and

WHEREAS, the Professional Services Agreement will serve a public purpose and benefit;

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute a Professional Services Agreement between the City of Shreveport and Shreveport Marketing LLC for management and maintenance of public area within the Red River District effective November 12, 2002, substantially the same as the document filed in the Office of the Clerk of Council on October 22, 2002.

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

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

Read by title and as read motion by Councilman Huckaby, seconded Councilman Stewart passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 158 OF 2002

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SPECIAL LEGAL COUNSEL TO REPRESENT THE SHREVEPORT AIRPORT AUTHORITY OF THE CITY OF SHREVEPORT, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, it is the desire of the City of Shreveport to retain the services of outside legal counsel to represent the interests of the Shreveport Airport Authority of the City of Shreveport relating to the bankruptcy proceedings involving Trans World Airlines.

WHEREAS, pursuant to Section 8.03 of the City Charter, the City Attorney recommends that William Sullivan with the law firm, Elzuson, Austin, Reardon, Tarlov and Mondell, Attorneys at Law, of Wilmington, Delaware, be retained for the purpose of said representation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the mayor be and he is hereby authorized to execute, for and on behalf of the City of Shreveport, a retainer agreement with William Sullivan with the law firm, Elzuson, Austin, Reardon, Tarlov and Mondell, Attorneys at Law, of Wilmington, Delaware, substantially in accordance with the terms and conditions of the draft thereof which was filed for public inspection, together with the original copy of this resolution in the office of the Clerk of Council on October 22, 2002.

BE IT FURTHER RESOLVED that this contract shall be paid out of the general government legal expense fund.

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 Councilman Serio for passage.

Councilman Stewart: Mr. Chairman, who is the person to be employed?

Mr. Antee: Councilman Stewart, that's a law firm that is handling the, overseeing the bankruptcy proceedings of TWA on behalf of a lot of cities such as ourselves and we're paying them up to \$5,000 to oversee our portion of it.

Councilman Stewart: Thank you sir, that is sufficient.

Resolution passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 159 OF 2002

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF FIVE THOUSAND DOLLARS FROM CENTENARY COLLEGE OF LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport desires to support leisure activity programs in the City of Shreveport which serve the public and render a public service; and

WHEREAS, Centenary College of Louisiana desires to support the growth of the sport of Rowing in the City of Shreveport and the surrounding area; and

WHEREAS, Centenary College of Louisiana desires to donate an amount of Five Thousand dollars (5,000.00) to be used to purchase equipment and supplies for a docking facility at Ford Park on Cross Lake; and

WHEREAS, the City of Shreveport has established an Enrichment Fund as a trust fund for donations of funds and/or goods by any persons or groups. The Enrichment Fund ordinance is contained in Section 26-186 et seq., of the Code of Ordinances; and

WHEREAS, the ordinance provides that donations over \$5,000.00 shall be accepted only with the approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that Keith Hightower, Mayor, is hereby authorized to accept a donation in the amount of Five Thousand Dollars (\$5,000.00) from Centenary College of Louisiana and to execute any and all documents on behalf of the City of Shreveport relative to the receipt of the said funds from Centenary College.

BE IT FURTHER RESOLVED that the funds donated by Centenary College of Louisiana shall be used to purchase equipment for a docking facility at Ford Park on Cross Lake.

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

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

Read by title and as read motion by Councilman Stewart, seconded Councilman Spigener passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 165 2002

A RESOLUTION PROVIDING THAT NO RAILROAD SHALL OPERATE REMOTE CONTROLLED LOCOMOTIVES WITHIN THE BOUNDARIES OF SHREVEPORT UNTIL CERTAIN SAFETY CONSIDERATIONS ARE MET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN BURRELL

WHEREAS, the City of Shreveport has a duty to provide for the public safety of its citizens; and

WHEREAS, railroads operate within the geographic boundaries of Shreveport over public and private highway rail crossings; over and around Cross Lake and other public water supplies, and on property accessible to persons of all ages and abilities; and

WHEREAS, railroad equipment is known to present significant danger to persons and property from collision, derailment, and possible release of hazardous materials; and

WHEREAS, a significant bulk of Kansas City Southern (KCS) Railroad's cargo is petrochemical and hazardous materials traveling through and being switched in Shreveport; and

WHEREAS, the United States Government has issued a safety alert against vandalism and terrorists threats to railroads;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport, that no railroad shall operate remote controlled locomotives within the boundaries of Shreveport until all of the following safety considerations are met:

1. Any railroad operating a remote control locomotive must notify the Office of the Mayor before implementing such operations.
2. Remote control locomotives cannot be used to transport hazardous materials, switch cars containing hazardous materials, or switch other cars on or near tracks occupied by hazardous materials.
3. Remote control locomotives cannot be operated over a public or private highway rail crossing without a person occupying the cab of the locomotive who has the required skills to stop the locomotive and its attached equipment.
4. A railroad must provide effective and reliable protection at the point of movement in any location accessible to the general public for any remote control operation.

BE IT FURTHER RESOLVED, that the City of Shreveport requests that in the interest of the safety of the Citizens of Shreveport that the Federal Railroad Administration (FRA) develop comprehensive regulations for the use of remote control locomotives.

BE IT FURTHER RESOLVED, that all remote controlled operations in Shreveport cease and desist until such time as the City of Shreveport, its agent, or assignee can study and have a plan in place for evacuation before such remote control is implemented.

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 Burrell, seconded Councilman Stewart for passage.

Councilman Stewart: Is there a basis for any discussion or has there been any examination of the railroad issue since it is a federal venue as I understand it, not a State or City. Does that in any way impact what we are prepared to do here?

Mayor Hightower: I don't believe it does. Its simply the guys that came before you expressing the concerns and certainly we have some of those concerns as well. I'm sure the railroad has a different viewpoint on that or they wouldn't be venturing into the remote control area.

I think we do have some special interest seeing that the KCS railroad in particular is located right next to our water supply. So I certainly think that your action today will send a message to KCS that we are concerned, we do understand what's going on out there. Now do we know both sides of the story? I wouldn't profess that we do, but I think at least its starts the negotiation and at least gets KCS talking and understanding that our water supply is right there and that we as citizens are concerned and certainly the Council is concerned.

Mr. Thompson: Mr. Chairman, I think we have a real concern as to whether or not the City has the authority to do this under federal law. However, we think this is a non-binding resolution and that's why we did not raise any objection and I think that it lets KCS and the other railroads know that you are concerned about this issue without it really being binding in any way and that's why, we did not ask the City Attorney to give you an opinion on that.

Councilman Shyne: Yeah, I was about to agree with Mr. Thompson and I think he's exactly right and I think he's right. I think you are, right on time, Mr. Thompson.

Councilman Stewart: Mr. Chairman, I appreciate the response from the Mayor and Mr. Thompson. I wanted that on the record before the vote.

Chairman Burrell: I may also add Councilman Stewart, because it is a non-binding resolution, I think it does speak for the Council plus it also gives the opportunity for the new council to come on to further investigate this while they are actually doing a lot of work on it in Baton Rouge. So, hopefully if Baton Rouge hurries up, then they can probably take care of their expense of doing the necessary research and maybe we can capitalize on something from their efforts.

Resolution passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 166 OF 2002

A RESOLUTION PROVIDING FOR CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA, ON TUESDAY, NOVEMBER 5, 2002 RELATIVE TO AUTHORIZING THE LEVY AND COLLECTION OF AN ADDITIONAL ONE-FOURTH PERCENT SALES AND USE TAX AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT RESOLVED by the Council of the City of Shreveport, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "City"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the City of Shreveport, State of Louisiana, (the "City"), on TUESDAY, NOVEMBER 5, 2002, relative to authorizing the levy and collection of an additional one-fourth percent sales and use tax and said Governing Authority does further proceed to examine and canvass the returns and declare the results of the special election.

SECTION 2. Proces Verbal. A Proves Verbal of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerks of Court and Ex-Officio Recorder of Mortgages in and for the Parishes of Caddo and Bossier who shall record the same in the Mortgage Records of said Parishes; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Result. The results of said election shall be promulgated by publication in the manner provided by law.

Read by title and as read motion by Councilman Spigener, seconded Councilman Stewart passed by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 6. Nays: None. Out of Chamber: Councilman Huckaby. 1.

PROCES VERBAL OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA ON TUESDAY, NOVEMBER 5, 2002

BE IT KNOWN AND REMEMBERED that on Tuesday, November 12, 2002 at three (3:00) o'clock p.m., at its regular meeting place, the City Hall, Shreveport, Louisiana, the Council of the City of Shreveport, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "City"), and being the authority ordering the special election held therein on Tuesday, November 5, 2002 and with the following members present:

There being absent:

did, in public session, examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of the said election, there having been submitted at said election the following proposition, to wit:

PROPOSITION

SUMMARY: FOUR-YEAR, 1/4 PERCENT ADDITIONAL SALES TAX TO BE LEVIED WITHIN THE CITY OF SHREVEPORT, TO BE EXPENDED BY THE CITY OF SHREVEPORT FOR SALARIES, BENEFITS, EQUIPMENT AND PERSONNEL FOR THE POLICE AND FIRE DEPARTMENTS.

Shall the City of Shreveport, State of Louisiana (the "City"), under the provisions of La. R.S. 33:2711.15 and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect, and adopt an ordinance providing for such levy and collection, an additional tax of one-fourth of one percent (1/4 %) (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal

property and on sales of services, all as presently or thereafter defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 within the corporate limits of the city of Shreveport for a term not to exceed four years from and after the date such additional tax is first levied, with the avails or proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax) to be dedicated and used solely and exclusively for salaries, benefits, equipment and personnel for the Police and Fire Departments of the City of Shreveport?

There was found by said count and canvass that the votes had been cast at the said special election IN FAVOR OF and AGAINST, respectively, the aforesaid proposition at the respective polling places as set forth in Exhibit A hereto, such exhibit being incorporated herein by reference the same as if it were set forth herein in full.

The polling places specified on said Exhibit A, being the only polling places designated at which to hold the said election, it was therefore shown that the following votes were cast in favor of and against the proposition:

For	39,646
Against	11,696
Majority for	27,950

THEREFORE, the Council of the City of Shreveport, State of Louisiana, acting as the governing authority of the City, did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition hereinabove set forth was duly CARRIED by a majority of the votes cast by the qualified electors voting at the said special election held in the City on November 5, 2002.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this, the 12th day of November, 2002.

<p>_____</p> <p>Arthur Thompson Clerk of Council</p>	<p>_____</p> <p>Roy Burrell Council Chairman</p>
--	--

Council of the City of Shreveport

/s/Pearl Huckaby

/s/John David Stewart

/s/Thomas Carmody

/s/Philip Serio

/s/Patricia Spigener

/s/Joe Shyne

RESOLUTION NO. 167 OF 2002

A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION AND THE

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR APPROVAL OF THE ISSUANCE BY THE CITY OF SHREVEPORT OF NOT TO EXCEED FIVE MILLION DOLLARS (\$5,000,000) AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, IN ONE OR MORE SERIES, FOR THE PURPOSE OF FINANCING THE COST OF THE CONSTRUCTION, IMPROVEMENT AND EXPANSION OF THE SEWERAGE SYSTEM INCLUDING SEWERAGE TREATMENT AND SEWERAGE DISPOSAL WORKS IN THE CITY INCLUDING UPGRADES TO THE STONER STREET LIFT STATION AND ALBERT STREET SEWER PROJECTS; AUTHORIZING THE MAYOR TO EXECUTE CERTAIN APPLICATIONS AND DOCUMENTS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

BY: COUNCILMAN Carmody

WHEREAS, the City of Shreveport, State of Louisiana (the "City") now owns and operates a sewer system, a revenue-producing public utility lying within and without the boundaries of the City (the "System"), and desires to rehabilitate and expand the sanitary sewage collection, treatment, and distribution facilities thereof and to otherwise improve the System including upgrades to the Stoner Street Lift Station and the Albert Street Sewer Projects (the "Project"),

WHEREAS, in accordance with the provisions of Title 30, Subtitle II, Chapter 4 (the "Louisiana Water Control Law") of the Louisiana Revised Statutes of 1950, as amended, the City intends to proceed with the issuance of not exceeding \$5,000,000 aggregate principal amount of Sewer Revenue bonds of the City (the "Bonds"), to be issued in one or more series to finance the Project,

NOW THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City, acting as the governing authority of the City, that:

SECTION 1. Preliminary Approval of Sewer Revenue Bonds. For the purpose of financing the cost of the Project, in accordance with the provisions of Sections 2078 through 2088 of the Louisiana Water Control Law, the City intends to proceed with the issuance of the Bonds. The Bonds shall be sold through a private placement with the Louisiana Department of Environmental Quality's Municipal Facilities Revolving Loan Fund (the "MFRLF") and the details of the Bonds shall be established by subsequent ordinance adopted by this governing authority. The proceeds of the Bonds will be used to finance the Project. The Bonds shall be limited and special obligations of the City as issuer of the Bonds, secured by and payable in principal, interest and redemption premium, if any, from sewer usage fees and other revenues derived or to be derived by the City from the operation of the System (after payment of the reasonable and necessary expenses of operating and maintaining the System) or from other lawfully available sources. 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 shall bear interest at a rate of not to exceed three and ninety-five hundredths percent (3.95%) per annum (which includes the 0.5% administrative fee for the Louisiana Department of Environmental Quality), maturing no later than twenty two (22) years from the date thereof and shall be issued under the authority previously cited in this section.

SECTION 2. State Bond Commission Application. This governing authority hereby authorizes and directs that application be formally made to the State Bond Commission, Baton Rouge, Louisiana for final approval of the issuance of the Bonds by the City within the parameters set forth above.

SECTION 3. MFRLF Application. This governing authority hereby authorizes and directs that application be formally made to the MFRLF on application form CWRF-101 for

approval of the financing contemplated by the Issuance of the Bonds as set forth above.

SECTION 4. Employment of Bond Counsel. This governing authority finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds. Casten & Pearce, A.P.L.C., Shreveport, Louisiana is hereby employed as Bond Counsel to perform comprehensive legal and coordinate professional work as Bond Counsel with respect to the issuance and sale of the Bonds. Said Bond Counsel shall prepare and submit to this governing authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this governing authority as to the issuance and sale thereof and shall furnish its opinion covering the legality of the issuance of the Bonds. The fee of said Bond Counsel shall be fixed at a sum not exceeding eighty (80%) percent of the maximum fee allowed by the Attorney General of the State of Louisiana's fee schedule for comprehensive, legal and coordinate professional work in connection with the issuance of revenue bonds and based on the amount of the Bonds actually issued, sold, delivered and paid for, plus out-of-pocket expenses, said fees to be contingent upon the issuance, sale and delivery of said Bonds. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Finance is hereby empowered and directed to issue vouchers to said Bond Counsel in payment for the work herein provided for upon completion of the work herein specified end under the conditions herein enumerated.

SECTION 5. Financial Advisor. King, Bossier, Nosacka & Holley of Baton Rouge, Louisiana is hereby appointed and employed as financial adviser in connection with the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon issuance of the Bonds and the Bond Counsel is authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

SECTION 6. Authorizations. The Mayor of the City is hereby authorized and directed for and on behalf of and in the name of the City to execute and deliver the State Bond Commission and MFRLP applications, any other documents required by the Louisiana Department of Environmental Quality or any other governmental agencies and any and all additional instruments, documents and certificates which may be required or as may otherwise be necessary, convenient or appropriate to the transactions authorized hereby.

SECTION 7. Publication. This resolution shall be published in *The Shreveport Times*, a daily newspaper published in Shreveport, Caddo Parish, Louisiana, and that, as provided by the Louisiana Water Quality Control Law, for a period of thirty (30) days from the date of such publication, any person in interest may contest the legality of this Resolution and the Bonds to be issued pursuant hereto and the provisions securing the Bonds. After the said thirty days, no person may have any right of action to contest the validity of the Bonds or the provisions of this Resolution, and all of the Bonds shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters.

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 ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read motion by Councilman Carmody, seconded Councilman Spigener passed by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Spigener, Shyne and

Burrell. 6. Nays: None. Out of Chamber: Councilman Huckaby. 1.

RESOLUTION NO. 168 of 2002

A RESOLUTION SUPPLEMENTING RESOLUTION NO. 28 OF 2002 OF THE CITY COUNCIL OF THE CITY OF SHREVEPORT, STATE OF LOUISIANA AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City Council of the City of Shreveport, State of Louisiana passed Resolution No. 28 of 2002 (the "Resolution") relative to leasing certain equipment and vehicles with Suntrust Leasing Corporation (the "Lease"); and

WHEREAS, the City Council desires to supplement said Resolution and add other provisions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport as follows:

Section 1. The Resolution is hereby amended to add Section 6, which reads as follows:

"Terms. The principal amount of the Lease shall not exceed \$7,000,000 will bear interest at a rate not to exceed 6% per annum and mature no later than 15 years from the date thereof.

Section 2. The Resolution is hereby amended to add Section 7, which reads as follows:

"State Bond Commission Application. This governing authority hereby authorizes and directs that application be formally made to the State Bond Commission, Baton Rouge, Louisiana for final approval of the issuance of the Lease by the City within the parameters set forth above."

SECTION 3. The Resolution is hereby amended to add Section 8, which reads as follows:

"Employment of Bond Counsel. This governing authority finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Lease. Casten & Pearce, A Professional Law Corporation, Shreveport, Louisiana is hereby employed as Bond Counsel to perform comprehensive legal and coordinate professional work as Bond Counsel with respect to the issuance and sale of the Lease. Said Bond Counsel shall prepare and submit to this governing authority for adoption of all of the proceedings incidental to the authorization, issuance, sale and delivery of such Lease, shall counsel and advise this governing authority as to the issuance and sale thereof and shall furnish its opinion covering the legality of the issuance of the Lease. The fee of said Bond Counsel shall be fixed at a sum not exceeding eighty (80%) percent of the maximum fee allowed by the Attorney General of the State of Louisiana's fee schedule for comprehensive, legal and coordinate professional work in connection with the issuance of revenue bonds and based on the amount of the Lease actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said Lease. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Administration is hereby empowered and directed to issue vouchers to said Bond Counsel in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated."

The foregoing resolution having been submitted to a vote, the vote resulted as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted on this 12th day of November, 2002.

/s/Clerk of the Council

/s/Chairman

Read by title and as read motion by Councilman Stewart, seconded Councilman Huckaby passed by the following vote:

Councilman Stewart: Madam Clerk, does this include the resolutions that were introduced today?

Ms. Lee: Not at this time, we will do those later on when we do the Regular Agenda legislation.

Councilman Stewart: Thank you very much. Thank you Mr. Chairman.

Motion approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 7. Nays: None.

RESOLUTION NO. 169 of 2002

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF ENDARA ENTERPRISES, LLC TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Louisiana Enterprise Zone Act of 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, Act 624 of 1997, and Act 997 of 1999;

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in parish, and

WHEREAS, ENDARA ENTERPRISES, LLC is located in Census Tract 204.00 Block Group 2 , which is a designated Enterprise Zone, and

WHEREAS, said business will employ a minimum of 35% of its employees from the distressed groups targeted by the Enterprise Zone, and

WHEREAS, the City of Shreveport states this endorsement is in agreement with the Overall Economic Development Plan for the City of Shreveport, and

WHEREAS, the **attached Enterprise Zone map** is marked showing the location of the business being endorsed, and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the City of Shreveport agrees:

1. To participate in the Enterprise Zone Program
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction

NOW THEREFORE BE IT RESOLVED by the City of Shreveport, in due, regular, and legal session convened that **ENDARA ENTERPRISES, LLC** and their project **ENTERPRISE ZONE**, Enterprise Zone Application # **20020452**, is endorsed to participate in the Louisiana Enterprise Zone Program.

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 Councilman Huckaby passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 177 OF 2002

A RESOLUTION ACKNOWLEDGING COMPLETION BY FOUNDATION FOR ARTS, MUSIC & ENTERTAINMENT OF SHREVEPORT-BOSSIER, INC., AND RECEIPT BY, AND ENDORSEMENT OF, THE CITY COUNCIL OF THE CITY OF SHREVEPORT, OF THE COMPREHENSIVE PLAN FOR REDEVELOPMENT OF THE SHREVEPORT HISTORIC MUSIC AND CULTURAL REDEVELOPMENT AREA; AUTHORIZING AND ENCOURAGING THE INITIATION OF FORMAL DISCUSSIONS AMONG THE SHREVEPORT CITY COUNCIL, THE OFFICE OF MAYOR AND FOUNDATION FOR ARTS, MUSIC & ENTERTAINMENT OF SHREVEPORT-BOSSIER, INC. WITH REGARD TO THE IMPLEMENTATION OF THE COMPREHENSIVE REDEVELOPMENT PLAN; AND, OTHERWISE PROVIDING WITH RESPECT THERETO.

BY: COUNCILMAN STEWART

WHEREAS, the City Council of the City of Shreveport by Resolution No. 226 of 1980, created and established the Shreveport Redevelopment Agency pursuant to and in accordance with the provisions of Act 179 of the 1968 Louisiana Legislature; and

WHEREAS, the City Council of the City of Shreveport, by Ordinance No. 338 of 1980, authorized the Shreveport Redevelopment Agency to assume the powers and functions of a

redevelopment agency created pursuant to Louisiana Revised Statutes 33:4625, the Parish Redevelopment Law; and

WHEREAS, the City Council of the City of Shreveport adopted Resolution 246 of 1999 on October 26, 1999 (the "Resolution"), which was approved by the Mayor of the City of Shreveport on October 29, 1999 and effective November 6, 1999, recognizing and declaring the following described property to be a slum and blighted area, thus constituting a redevelopment area as defined by Louisiana Revised Statutes 33:4625, and designating same as the Shreveport Historic Music and Cultural Redevelopment Area:

(a) Common Street between Caddo Street and Interstate 20, (b) Interstate 20 between Murphy and Common Streets, (c) Murphy Street between Interstate 20 and Pete Harris Boulevard, (d) Pete Harris Boulevard between Caddo and Murphy Streets, and (e) Caddo Street between Pete Harris Boulevard and Common Street,

which area contains such historic and significant landmarks as, among others, the Municipal Auditorium, Oakland Cemetery, Ledbetter Heights (formerly known as St. Paul's Bottoms), the "Blue Goose" area, renovated homes on Austin Place, and "The Avenue," which once served as the African-American central business district in Shreveport; and,

WHEREAS, the Resolution designated Foundation for Arts, Music & Entertainment of Shreveport-Bossier, Inc. ("FAME") to formulate a preliminary redevelopment plan to be presented to the Metropolitan Planning Commission and to the City Council of the City of Shreveport for consideration as to whether a comprehensive redevelopment plan should be completed; and

WHEREAS, FAME completed the preliminary redevelopment plan in compliance with the Resolution and submitted same to the Metropolitan Planning Commission, which accepted the preliminary redevelopment plan and made the recommendation that it is in conformity with the general plan for the development of the City of Shreveport (also known as the "Master Plan"); and

WHEREAS, by Resolution 307 of 1999 the City Council of the City of Shreveport then adopted the Shreveport Comprehensive Revitalization Strategies Report (the "Plan"), prepared by J-QUAD and Associates and Stanland and Associates, dated November 1999, as its General Redevelopment Plan for seven (7) Shreveport neighborhoods, one such neighborhood being a portion of Ledbetter Heights, which also is a portion of the Shreveport Historic Music and Cultural Redevelopment Area; and

WHEREAS, by Resolution 2 of 2000 the Shreveport Redevelopment Agency established the Volunteers of America Section 202 Housing Complex Project as a redevelopment project under the Plan and thereafter by Resolution 5 of 2000 the Shreveport Redevelopment Agency expropriated ten (10) lots for such housing project, also within the Shreveport Historic Music and Cultural Redevelopment Area, on Milam Street immediately west of Oakland Cemetery; and,

WHEREAS, the comprehensive redevelopment plan prepared by FAME incorporates the Ledbetter Heights portion of the Plan and expands both upon the Plan and the Volunteers of America National Services' housing project, as regards the total geographic size of the redevelopment area (as it pertains to Ledbetter Heights) and the comprehensive

redevelopment plan detail of planning; and,

WHEREAS, the City Council of the City of Shreveport adopted Resolution 13 of 2001 on January 23, 2001 (the "Second Resolution"), which was approved by the Mayor of the City of Shreveport on January __, 2001 and effective January __, 2001, and recognized that FAME had completed the preliminary redevelopment plan, which preliminary redevelopment plan was submitted to the City Council of the City of Shreveport and was acknowledged as received by the City Council of the City of Shreveport; and,

WHEREAS, the City Council of the City of Shreveport designated FAME to formulate a comprehensive redevelopment plan for the Shreveport Historic Music and Cultural Redevelopment Area, to incorporate in greater detail the redevelopment plan reflected in the aforementioned Resolution 307 of 1999 of the City Council of the City of Shreveport pertaining to Ledbetter Heights and Resolutions 2 and 5 of 2000 of the Shreveport Development Agency pertaining to the housing project of the Volunteers of America National Services, in participation and cooperation with the City Council of the City of Shreveport (serving as Shreveport Redevelopment Agency pursuant to Ordinance No. 338 of 1980), the cost of which comprehensive redevelopment plan in the approximate amount of \$550,000 was borne by FAME primarily from the receipt of grant funds from Kilpatrick Life Insurance Company, The Greater Shreveport Community Foundation, the State of Louisiana and the United States of America; and,

WHEREAS, the completed comprehensive redevelopment plan has been presented to the Metropolitan Planning Commission and now should be presented to the City Council of the City of Shreveport, in accordance with Resolution 13 of 2001 of the Shreveport City Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in due, regular and legal session convened, that FAME has completed the comprehensive redevelopment plan, which comprehensive redevelopment plan overview document is submitted to the City Council of the City of Shreveport and herewith is acknowledged as received by the City Council of the City of Shreveport;

BE IT FURTHER RESOLVED, that the City Council of the City of Shreveport herewith endorses the comprehensive general plan for submission to the Metropolitan Planning Commission for its consideration of the incorporation of the comprehensive general plan as part of the Master Plan of the City of Shreveport;

BE IT FURTHER RESOLVED, that FAME is authorized and encouraged to initiate formal discussions with the Shreveport City Council and the Office of Mayor for the implementation of the comprehensive general plan;

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 hereby are declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict with this Resolution hereby are repealed.

Mr. Thompson: Mr. Chairman, because you did not get a chance to read this, if you're going to consider it today, there are just three things that this will do and I can briefly tell you what they are, if you'd like. Is there a motion and a second?

Read by title and as read motion by Councilman Stewart, seconded by Councilman Spigener.

Mr. Thompson: The first is "Be it resolved" clause says that FAME has completed the Comprehensive Redevelopment Plan and it submits that plan to the City Council and that the City Council receives the plan.

The second "Be it resolved" clause basically says the City Council herewith endorses the Comprehensive General Plan for submission to the Metropolitan Planning Commission for its consideration to be incorporated in the Comprehensive General Plan as a part of the master plan of the City of Shreveport.

And the third thing it does is . . . it says that FAME is authorized and encouraged to initiate formal discussions with the City Council and the Office of the Mayor for the implementation of the Comprehensive General Plan.

Resolution passed by the following vote: Ayes: Councilmen Huckaby, Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 7. Nays: None.

RESOLUTION NO. 178 OF 2002

A RESOLUTION APPROVING THE AMENDMENTS TO THE SITE PLAN AND GIVING FINAL APPROVAL OF OTHER RELATED SITE DEVELOPMENT EXHIBITS AS REQUIRED BY ORDINANCE NO. 74 OF 2001, AND OTHERWISE PROVIDING WITH RESPECT THERETO

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

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

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

WHEREAS, the City Council now wishes to approve a changed site plan and approve the matters as provided in Section III.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the following Site Plan and other related site plan development exhibits presented by the applicant be approved as meeting the requirements of Ordinance No. 74 of 2001: Sheet DD2, LP-1, LP-2, LP-3, ES-1, ES-2, SA-1 and SA-2, all prepared by or on the behalf of Callaway Architects and date stamped on November 12, 2002 by the Metropolitan Planning Commission of Shreveport / Caddo Parish.

BE IT FURTHER RESOLVED that these documents demonstrate compliance with all of the stipulations contained in Ordinance No. 74 of 2001.

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

applications and to this end the provisions of this resolution are hereby declared severable.

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

Read by title and as read motion by Councilman Carmody, seconded by Councilman Spigener passed by the following vote: Ayes: Councilmen Huckaby, Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 7. Nays: None.

RESOLUTION NO. 179 OF 2002

A RESOLUTION PROVIDING FOR CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA, ON TUESDAY, NOVEMBER 5, 2002 RELATIVE TO AUTHORIZING THE LEVY AND COLLECTION OF A 25 YEAR (IN LIEU OF THE EXISTING 5 YEAR AUTHORIZATION 7.99 MILLS PROPERTY TAX IN THE DOWNTOWN DEVELOPMENT DISTRICT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT RESOLVED by the Council of the City of Shreveport, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "City"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the City of Shreveport, State of Louisiana, (the "City"), on TUESDAY, NOVEMBER 5, 2002, relative to authorizing the levy and collection of 7.99 mills property tax in the Downtown Development District for the period of 25 years and said Governing Authority does further proceed to examine and canvass the returns and declare the results of the special election.

SECTION 2. Proces Verbal. A Proves Verbal of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerks of Court and Ex-Officio Recorder of Mortgages in and for the Parishes of Caddo and Bossier who shall record the same in the Mortgage Records of said Parishes; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Result. The results of said election shall be promulgated by publication in the manner provided by law.

PROCES VERBAL OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA ON TUESDAY, NOVEMBER 5, 2002

BE IT KNOWN AND REMEMBERED that on Tuesday, November 12, 2002 at three (3 :00) o'clock p.m., at its regular meeting place, the City Hall, Shreveport, Louisiana, the Council of the City of Shreveport, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "City"), and being the authority ordering the special election held therein on Tuesday, November 5, 2002 and

with the following members present:

There being absent:

did, in public session, examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of the said election, there having been submitted at said election the following proposition, to wit:

PROPOSITION

SUMMARY: 25 YEAR (IN LIEU OF THE EXISTING 5 YEAR AUTHORIZATION), 7.99 MILLS PROPERTY TAX CONTINUATION TO BE LEVIED IN THE DOWNTOWN DEVELOPMENT DISTRICT, TO BE EXPENDED BY THE DOWNTOWN DEVELOPMENT AUTHORITY FOR ADMINISTRATION, OPERATIONAL EXPENSES, ACQUIRING PROPERTY, PROJECT EXPENSES AND/OR THE RETIREMENT OF BONDS OR OTHER EVIDENCES OF INDEBTEDNESS.

Shall the City of Shreveport, State of Louisiana (the "City"), acting through the City Council as the governing authority thereof, be authorized to continue to levy a special tax of Seven and Ninety-Nine Hundredths (7.99) mills on all property subject to taxation situated within the bounds of the Downtown Development District of the City of Shreveport (the "District") as defined by Act 554 of 1978, as amended by Act 411 of 1980 and Act 163 of 1984 (the "Act"), for a period of twenty-five (25) years (in lieu of the existing five (5) year authorization), beginning with the year 2002 and ending with the year 2027, with the proceeds of said tax to be used solely and exclusively for the purposes and benefit of the District, and to be expended by the Downtown Development Authority for administration, operational expenses, acquiring property, project expenses and for the retirement of bonds or other evidences of indebtedness, in accordance with the terms and conditions of the Act as the same now exists or may hereafter be amended?

There was found by said count and canvass that the votes had been cast at the said special election IN FAVOR OF and AGAINST, respectively, the aforesaid proposition at the respective polling places as set forth in Exhibit A hereto, such exhibit being incorporated herein by reference the same as if it were set forth herein in full.

The polling places specified on said Exhibit A, being the only polling places designated at which to hold the said election, it was therefore shown that the following votes were cast in favor of and against the proposition:

For 30.212

Against 18.684

Majority 61.79%

THEREFORE, the Council of the City of Shreveport, State of Louisiana, acting as the governing authority of the City, did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition hereinabove set forth was duly passed by a majority of the votes cast by the qualified electors voting at the said special election held in the City on November 5, 2002.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this, the 12th day of November, 2002.

/s/Arthur Thompson
Clerk of Council

/s/Roy Burrell
Council Chairman

Read by title and as read motion by Councilman Stewart, seconded by Councilman Serio passed by the following vote: Ayes: Councilmen Huckaby, Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 7. Nays: None.

INTRODUCTION OF RESOLUTIONS:

2. Resolution No. 170 of 2002: A resolution authorizing the Mayor to execute a Cooperative Endeavor with the Shreveport Opera Guild relative to the production of the 28th Annual Les Boutiques De Noel and to otherwise provide with respect thereto.

Motion by Councilman Shyne for Introduction of Resolutions 170 through 174.

Councilman Carmody: Excuse me sir, I have a question on 170, I was hoping Mr. Serio could help me here. As I ran through, again, I referenced this earlier in our meeting, I was talking about the waiver of fees. This is a resolution with a cooperative endeavor agreement for the Shreveport Opera Guild relative to their 28th Annual production of the Les Boutiques De Noel. Mr. Serio, I just wanted to make sure, this is not a waiver of the fees of the use of the facility? Correct?

Councilman Serio: This will waive the fees on the use of the facility, it sure will. This is a program that we brought back over from Bossier City that had taken place in the City of Shreveport for many years which typically bring in almost a hundred merchants that operate downtown and collect sales tax either for the City of Shreveport and Caddo Parish or for the City of Bossier and Bossier Parish. And in bringing it back to Shreveport about three years ago or four years ago, we put the program back on the riverfront. We had folks to come in on a regular basis. They spend as many as six hotel nights with about 30% of the merchants coming in from out of town with about 3-5 people for each booth, that comes into the City.

This has been a cooperative endeavor agreement for the past couple of years that we've operated with the Boutique De Noel, to provide the facility to them and as we're bringing this project that does nothing more than give all of its dollars back to the City for the Opera Guild. So all of the dollars that are spent, the Opera makes, goes right back into the development of the Opera for the benefit of the citizens of Shreveport.

Councilman Carmody: Mr. Serio, I love culture.

Councilman Serio: I do too.

Councilman Carmody: And I think opera is always an enjoyable thing, but it was not my understanding that we were actually going to be waiving the fees for this organization and I would be considered a hypocrite if I did not, at this point, recognize that this is the same animal that we dealt previously today regarding waivers of fees for municipal venues. And I would not be in support of doing this for this organization anymore than I would be for the organization that we defeated earlier.

Councilman Serio: That is your opinion sir.

Councilman Spigener: I think that all of you on the Council remember how long and hard we worked to try to get this fee issue under control. And the non-profits have been. . . the structure as Councilman Carmody has already stated, was structured in such a way that the non-profits certainly have an advantage, and I'm for culture and for many of these good organizations, but I think that if we have an ordinance and we make a statement and we've done what we need to do to make it advantageous or profitable for these non-profits to have their events here, I'm like Councilman Carmody, we've worked too long and too hard to get this under control so the City is not financing these organizations as far as the facilities are concerned. I think it's a mistake for us to go back to this but we all have our own opinions.

Councilman Carmody: Very quickly, I think that in reading the attached agreement, what threw me was the wording was different in these two different cooperative endeavor agreements. The one for the Boutiques De Noel states that the City agrees to provide the use of Calhoun Allen Exposition Hall and in the same ordinance for the National Baptist Convention, it states the City agrees to provide the use of the Calhoun Allen Exposition Hall, at no cost.

Now, is it just the missing words here, because later in the body under item E, the agreement states the Guild shall provide the insurance normally required for the use of the Expo Hall and shall pay for all other customary services and charges associated with the use of the facility. I took that to be that they were going to pay the non-profit rate in order to use this venue, am I not correct in reading that?

Chairman Burrell: I don't know who put the resolution together, maybe there is a clarification that need to be made.

Mayor Hightower: Whether its stated or not, it would not come before this body were there not a request to waive the fees. Every other non-profit or any other for-profit entity that wants to use the City building, there are fee structures and those happen without the Council ever being involved in that decision, that's just part of the day-to-day operation of the facility. The reason, these are before you Councilman Carmody are, as what you state, they are to waive the fees.

Councilman Carmody: But can I ask for clarification Mayor? Did you say in the normal course of business that y'all waive fees that don't come to this Council?

Mayor Hightower: No. we do not.

Councilman Carmody: No, we do not. I want to make sure the Administration does

not waive the fees, this Council does not waive the fees and here we're being asked indeed to waive the fee?

Councilman Shyne: The Administration is exactly right, but the point is that this Council does have the authority and the power to waive the fees if we would like to. The ordinance did not take the authority or the power away from us to waive the fees.

From what I can understand, if I can appreciate your King's language is, that you're saying that you're not in favor of it and you are entitled to your opinion. So when it comes time to vote, then you vote against it, like you did before. But we still have the authority and the power to waive the fees if we would like to, that's a power that is not even given to the Mayor. We are the legislative body not the Administration. So, we have the authority to do that and I would not like to bring the Administration in on this and Mr. Mayor, I would hope that you would prefer staying out of it.

Mayor Hightower: Mr. Shyne, that's exactly why its before the Council. Is that we don't make. . .

Mr. Thompson: If I may respond to Mr. Carmody's earlier question.

Councilman Burrell: Okay, what was that earlier question stating?

Mr. Thompson: He asked whether or not the language in this resolution authorizes the waiver of the fee, I think that was the essence of it, the Les Boutiques De Noel. If you look at the "Now therefore be it resolved" clause, it says that the City provides the use of the Expo Hall and then in parenthesis, the rental fee only for the 2002 and I think its clear that the intent here is to waive the fee.

Councilman Carmody: Thank you sir.

Councilman Burrell: Now, let me make a statement in conjunction with this issue. I have a couple of problems. One with the cooperative endeavor agreement. Its my understanding that the cooperative endeavor agreement also lay out what the City will do as part of their input into this project and if they so choose, that their input or their part of becoming a part of this cooperative endeavor agreement is to make a decision to waive something then, as Councilman Shyne said earlier, that rest with this legislative body.

I don't remember when we were working on this issue that we put into the law when we addressed this, that there would be no cases where the Council would not have the opportunity to make that decision. And I don't know anywhere that has been the case. I think since we addressed this issue, previously basically with your insistence. We have over the period of time since then, just have not done that. Almost from the standpoint that there

is a clause that we have no right to ever waive it.

But my understanding here with a cooperative endeavor agreement, what are we giving to this organization for it to produce it's program in which those monies that Councilman Serio is saying is coming back to the City. In the case of the Convention, it is putting more money into our coffers. Doesn't a cooperative endeavor agreement stand for something here in terms of what we're going to put into this project.

Councilman Carmody: I would read that intent to be that, yeah.

Councilman Burrell: Well, given that fact other than just stating that it's a cooperative endeavor agreement, I don't know of anything that we are putting into it and maybe you can clarify that.

Councilman Carmody: Mr. Chairman, could I ask maybe a representative from SPAR to come forward and explain to us exactly what their department would be putting into this.

Councilman Burrell: It would help me out tremendously. Someone from SPAR, Buildings? Ms. Shelly Ragle.

Ms. Ragle: You're asking me what if you do the fee waiver, what we're putting into it or what we do on a daily basis for anybody that rents the facility?

Councilman Burrell: As part of the cooperative endeavor agreement, what do we. . . I think that as part of the cooperative endeavor agreement, what do we give that organization that is putting it on the project?

Ms. Ragle: For any event that is held at EXPO Hall for your rental fee, you pay a non-profit or a for-profit rate, we provide all the utilities, we provide the manpower to put the event on. We set up tables, chairs, clean the restrooms, run the facility for you; that's what we put into the event. Also provide any tables, chairs, staging . . . any of those types of things that you would need to put this event on. We provide all of that whether you pay the fee or you don't.

Mr. Antee: This particular event is no different than many events that the City partners up with non-profit: the Red River Revel, the Rockets over the Red, the Independence Bowl are just some examples of it. This is just another example of one where the City provides certain services. This happens to be the use of Expo Hall. The others are

Independence Stadium, Barnwell Center, the Festival Plaza.

Councilman Burrell: So we do provide for the accommodations there right? Are we saying we waive that?

Mr. Antee: We provide the facility, whether it be Independence Stadium, Festival Plaza or in this case, it would be Expo Hall. In addition to that we provide many services which includes the set up, the clean up, and anything else necessary that's ironed out in the agreement. The cooperative endeavor agreement is an agreement as to what they will provide and to what the City will provide. And its part of the overall benefit to the organization to bring that event which in turn creates, in this case, tax dollars, both in terms of sales tax revenue that if it's done in Bossier Expo Hall, those sales tax dollars that go to Bossier City not to the City of Shreveport or tax dollars from hotel rooms from people coming in that come to it on an annual basis as well as the vendors that come in and stay 6 to 7 days and set up their booths throughout the process. So it's just what it says, a cooperative endeavor agreement. It's not like the many things that we had before where every little organization came in and wanted to use one of our facilities for free. This is an economical development engine to create more tax revenue for the City of Shreveport.

Councilman Burrell: Well, that cooperative endeavor agreement then sort of rest upon the Administration to hash that out I assume.

Mr. Antee: Right, its like most of the contracts with the City, we negotiate and work out the contract. But, if it has anything to do with the budget or finance or use of facilities, it comes upon the Council to approve the actual agreement and the actual contract.

Councilman Burrell: So, if you put into this cooperative endeavor agreement that you want to waive the building cost as part of the overall things that you are actually putting into this project, then its spelled out in there.

Mr. Antee: That's correct. Part of the agreement that was reached with the Opera Guild is use of the facility rent free. If you recall as Councilman Serio said, it went across the river for a couple of years. And we're doing everything we could to get it back, so that we could create those tax dollars and keep it, the Shreveport Opera Guild in Shreveport and that's one of the things that was worked out with 'em was the use of the facility. I think Bossier would be more than willing to let them use the Bossier Convention Center over there so that they can get the benefit of all the tax dollars of all the items that are going to be sold during that 4-5 day period.

Councilman Burrell: Well, that is my concern here that we don't get to the point where we are so rigid that we cannot make a decision on the Council for the betterment of the citizens as a whole. I know this is a (I don't want to say a touchy issue), it's a personal

issue for some because we've dealt with this issue for some time but whenever we're looking at a situation where we could lose business to someone else, I don't think we should be so stubborn or let me put it this way.

Councilman Shyne: No, it sounds right.

Councilman Burrell: No, so inflexible that we cannot come to the Council and be able to, if nothing else, hash these issues out and see where the benefit lies and if it's a way to benefit, then take that benefit.

Mr. Antee: And keep in mind as far as the other event that was planned, that's a prime example of what the Mayor has been trying to work on for 2 ½ to 3 years with the Convention and Tourist Bureau, but got nowhere on.

That's a prime example of where the Bureau ought to come in and say we've got a convention coming to town, because it's a Convention and Tourist Bureau and in order to get that convention, we need to pay the expenses of having a facility, so that they come in and use the pot of money that the Mayor has been trying to get them to agree to and pay the fees and services so that the City (taxpayers of the City of Shreveport) get the benefit of paying for and using the Convention dollars to provide to the Convention free and it shouldn't even come to the Council.

The Convention and Tourist Bureau ought to be out there knocking down the door to pay that fee so that they can come in and claim that 2000 people that are going to come to town or the 1500 and 2000 room nights or whatever it is but that's just another example of where they need to step up to the plate and use their monies to create more money through generating convention.

So the Convention is different than the Les Boutiques De Noel. The City benefits from Boutiques through tax dollars from direct sales tax. Where from the Convention, the city benefits as it does tax dollars from the convention use and that's where the Convention and Tourist Bureau ought to come in and step up and help that convention come to town so it doesn't go to Baton Rouge, Alexandria or Dallas, or Little Rock or where ever else it might go.

Councilman Burrell: But since we have no control over the Convention Center, because of the Convention and Tourist Bureau, since its basically state regulated although we do approve their budget, we have no jurisdiction there, from what I understand, to request them to pay for a building or something of that nature, is that correct?

Mr. Antee: Oh no, the request can be made and that is a valid expenditure that is not subject to breaking any kind of laws. It will stand audit.

Councilman Burrell: No, I'm saying we don't have jurisdiction over the Convention and Tourist Bureau to request that they do such a thing, since we cannot here under our ordinance, waive the building.

Mr. Antee: We can request it, but we can't tell them how to spend their money.

Councilman Shyne: I think when we're talking about the National Baptist

Association, you're talking about an organization with a 2 ½ to maybe 3million members. Councilman Carmody and I'm not making this personal, but you're talking about maybe 10 or 15,000 people that will be coming into the City of Shreveport staying for a week at a time.

You're talking about probably 500 people that will come in before time to make sure that everything is set up. And, I know that we got some pastors in the audience and my dad was a minister and I got a lot of ministers in my family now, but preachers have a tendency to spend a lot of money when they are off from home like that. They are not able to spend a lot of it when they are home, because their wives kinda check to see how much they are spending so they get a chance when they leave and go to these kind of organizations, they have a tendency to spend a lot of money.

You're talking about 10- or 15-, 10,000 that will be staying in Louisiana and East Texas and West Mississippi is a hot bed for good Baptist folks, so you're talking about a lot of others, Councilman Carmody, that will be driving in.

Now, Grambling and Southern had the same situation with the Bayou Classic down in New Orleans, and the City didn't won't to give and they were jacking the prices up. And Houston said, well let them keep on jacking the prices up and we'll take it over here in Houston. You're looking at a roll off of about \$30million because you're looking at 2-300,000 people that move into New Orleans during that time and until the organization say well, we'll go to Houston. Once, they started making the effort to go to Houston, then New Orleans started to say, well, lets come to the table.

I agree, maybe this is something that the Tourist Bureau needs to pay for, but I think it would behoove us to at least put it on the agenda to at least take a look at it. You don't want to tell an organization that's got 2 or 2 ½ million people look, we don't want you, cause we're not going to give. And like I say, I know you're Catholic and I don't know how much money Catholic folks spend, but I do know Baptist people and Methodist people have a tendency to spend a lot of money when they go. . . well, let me say this, I know, Black Baptist, have a tendency to spend a lot of money when they go. And, I think this is an excellent opportunity for us to let them know. . . now every four or five or every six years we'd like to have you all coming back to Shreveport and I don't mean no harm when I say this, but you'd be surprised at how many church members going down to the boat even taking a chance.

So, I think this would be an excellent opportunity, Councilman for us to get a convention to come to town that's going to bring in 10- to 15,000 members. I mean Baton Rouge would probably be jumping over and Dallas and all these other places would love to have it, but we just so happen to have the President here in Shreveport, who says that I'd like to have this in my home town if I can do it, but now, if my hometown doesn't want it, then I'll take it 180 miles to Dallas, so I think we need to probably take a look at this.

Mr. Thompson: If the City would waive the fees for the National Baptist Convention's event, it would be \$5, 250. The Mayor asked me to ask the Convention and Tourist Bureau to pay this amount of money, as Mr. Antee indicated. I did that. And I would like to read to you a part of the e-mail that I received from Ms. Stacy Brown

concerning the request.

She says “In the past when an outstanding group such as the National Baptist Association has requested a fee waiver, the Bureau has presented the Council with economic impact and room night information. The Council will then evaluate the benefits of either waiving or reducing the facility fee. Below is the estimated economic impact information and approximate amount of tax dollars, the City and Bureau can expect in return. The meeting is expected to generate an attendance of 2,000 people with 1,600 total room nights. The economic impact will vary with the amount of people who attend from outside the area, between \$242,000 and \$484,000. The Bureau will receive approximately \$3,504 in hotel/motel tax and the City of Shreveport will generate approximately \$20,841 to \$40,806 in sales tax and hotel/motel tax. Other cities throughout will discount or waive public facility fees when warranted by the outside revenue generated.

As you can see from the numbers above, this is a very worthy group. I would ask the City Council to consider the National Baptist Association’s request.

Councilman Burrell: Well, I wish we had that information before we voted to keep from putting it on the agenda. I guess no one asked you or may not have gotten the e-mail by then.

Mayor Hightower: Mr. Chairman, I would like to make one comment on that email. It continually aggravates me that they’ve got a budget over there of \$3million dollars and by their own admission, they fixing to generate 1600 room nights and they’re willing to do nothing for the facilities, for the City budgets and Bossier City or Shreveport to offset the taxpayer’s cost, when all of their money (\$3million a year) is generated through hotel/motel tax—not from you and me, but from visitors. The same people that are trying to continue to roll in and roll their budgets hopefully upwards in excess of \$3million dollars every single year.

And then, for them to send an email back over here saying the only thing we’re going to provide you guys with in local city government is an email with some stats on it is absolutely absurd. We’re bringing how many Mr. Shyne? Two thousand (2,000) people to town, 1600 room nights? It’s a shame, Councilman Burrell, that this body does not have any legislative authority over the Convention Tourist Bureau. It is a crying shame! Because \$3million dollars a year and 20 some odd people over there, they’re not bringing this event to town, E. Edward Jones is bringing this event to town, because he lives here and he believes in our city and he believes in it and he’s done it before and gonna do it again and wants to be the first convention in the Convention Center and bring 12,000 people to town and we can’t get the Convention and Tourist Bureau to let go of a single dollar other than the penny that it cost to send an email over here to tell us, No! Here’s some stats, you guys fund the effort. I know there is not a lot we can do about that here, but by God, I’m so sick of it, that I can help but use this forum to say something about it.

Councilman Burrell: Mr. Mayor, kinda keep it low, I know we’ve got a bunch of preachers in here, but at the same time, we fought this battle for a period, I guess you heard from me on my Sickle Cell Tournament bringing 4,000 players plus their families in town and I think we get \$3,000 toward the event. We have to address the situation, but its going

to have to be on the State level. We can't do it here.

Councilman Carmody: Mr. Burrell, while Shelly is still here, I did want to make sure I understood. We reduced, this Council reduced the cost for non-profit. Mr. Shyne alluded to other communities where they in essence have raised the cost for non-profits to use their venues. When we went through this process two years ago and working closely with SPAR, we reduced the price for non-profits to utilize all of our venues. My question to you is what is the cost for the Boutiques De Noel to utilize at the non-profit rate, this venue?

Ms. Ragle: If they are using the full Expo Hall, it's a \$1,050 a day, that's the non profit rate.

Councilman Carmody: And what would be the for profit rate?

Ms. Ragle: \$2100 is the for profit rate.

Councilman Carmody: Okay, the other question I have is, is the City going to . . . can't quite make this out. . . are we waiving the concession fees as part of this cooperative endeavor agreement.

Ms. Ragle: As you set your legislation up, if you remember correctly and correct me if I'm wrong, is that you set up all non-profits, the City's portion of the concessions would be waived. The City receives no revenue when it's a non-profit event. The only portion that we collect is the part that goes to our concessionaire or caterer, our portion is automatically waived.

Councilman Carmody: The concessionaire, still charges, but the City waives our portion.

Ms. Ragle: We waive our portion.

Mr. Shyne: I think we have a member of the Tourist Bureau in the audience and Mr. Councilman, if you don't mind, I'd like to call Mr. Craig Lee up to see what seems to be the problem with us getting some money.

Mr. Lee: Not too often do I agree with Mayor Hightower, (that's funny), but I'm the only African-American Board Member on the Shreveport-Bossier Tourism Bureau.

Now, what I will do is approach Stacy tomorrow and the one thing I can say, that \$50,000 a year is allocated to the City of Shreveport and its going to be designated to the promotion of bringing in conventions and conferences to the up and coming Convention Center, but this particular issue was not brought before the Board. I can tell you that right now. Because on all of the issues, whether it be Councilman Burrell's group with Sickle Cell or the Port City Class or the Red River Entertainment District or the Red River Classic, I've been a proponent of that. So, with that in mind, since I'm getting ready to go to the National Coalition of Black Leaders Planners Meeting next week in San Diego, I can bring this before Stacy and have this on the agenda and advise them of the Council's pleasure to go ahead and get this done. Especially at \$5thousand and some odd dollars because this is something we need to definitely pass.

Councilman Shyne: Mr. Lee, thank you very much.

Mayor Hightower: Craig, you're right, I think this may be the first thing we've ever agreed on. But one thing I would ask you to do when you go back to the Board. We have presented it to Stacy. Mr. Thompson presented it at my request and at Councilman Carmody's request to ask Stacy to take it to the Board and obviously we got an easy-to-do email back that cost "0".

And we are grateful for the \$50,000 that you mentioned since jointly Bossier City and Shreveport asked for \$250 each to operate Century Tel and the Shreveport Convention Center and we have reluctantly been told that we will be thrown \$50,000 bones into the budget per year. We're grateful for that. We are. But when you take a look at the Southland Conference Basketball Tournament was awarded, guess how much. . . . \$50,000 to hold a basketball tournament in the Century Tel that drew about as many people from out of town as we have in this room and we're going to get \$50,000 to operate a \$100million Convention Center, 365 days a year, that brings thousands of people into this city. .

Mr. Lee: Oh, I would be an advocate for that.

Mayor Hightower: Its absurd. And if you can deliver that message and if you can accomplish what we're trying to get accomplished here, you're going to be my hero.

Councilman Burrell: So, I assume Mayor, he won't have to leave the City this time, huh? A little inside joke.

Mr. Lee: Well, I'll do that.

Councilman Carmody: I'd like to make a motion.

Councilman Burrell: Okay, Councilman Carmody what is your motion. Before I vote, I'd like to make a comment.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Spigener for Introduction of the Resolution.

Councilman Burrell: Yeah, because you're going tell me why we didn't do the other one.

Councilman Carmody: I think that basically I . . . I'm not comfortable in supporting this and I am going ahead and vote "no" today and its no reflection on the Shreveport Opera Guild, but it is to be consistent with my heart.

Councilman Burrell: Okay, my comment here is too before we vote, is that I hope that the Council that comes next will also reconsider our position on waiving of these fees especially whenever its economically advantageous to us.

Motion for Introduction of the resolution passed by the following vote: Ayes: Councilman Huckaby, Stewart, Shyne and Burrell. 4. Nays: Councilman Carmody and Spigener. 2. Out of Chamber: Councilman Serio. 1.

Councilman Carmody: Madam Clerk, I would like to reflect my vote is a "no", please.

Councilman Spigener: Mr. Chairman, mine also, I just hit the wrong button.

Councilman Burrell: Okay, so, I'm a little confused as to how many we have here.

Mr. Thompson: Would you like for us to clear the board and vote again.

Councilman Burrell: That would be fine, while Councilman Stewart is still here. Councilman Stewart, while you're in here, we need your vote, because that one was deleted.

Mr. Thompson: We'll try again, because "no" votes may not be registering and we'll find out for sure this time.

Councilman Shyne: I want to tell Mr. Thompson, make sure you get a technician in here so you can get those "no" votes ready.

Mr. Thompson: Hold up your hands Mr. Shyne.

Ms. Spigener: Something is wrong with the system.

Councilman Burrell: Okay, either something is happening or we have 4 For and 2 Against.

Ms. Lee: One is out.

Councilman Burrell: Motion failed.

Ms. Lee: It passes.

Councilman Burrell: I'm sorry?

Mr. Thompson: It takes a two-thirds vote of those voting.

Chairman Burrell: Oh, a two-thirds vote of those that are voting, so it passes then I would assume. Want to run a quick calculation on it? Mr. Thompson, would you address it? Is it two-thirds? Well, I guess $4/6$. . . would be $2/3$.

Councilman Carmody: Thank you Mr. Chairman.

3. Resolution No. 171 of 2002: A resolution authorizing the Mayor to execute a Banking Services Agreement with Hibernia National Bank and to otherwise provide with respect thereto.
4. Resolution No. 172 of 2002: A resolution authorizing the Mayor to execute an Amendment to the 1998 Intergovernmental Solid Waste Agreement with Bossier City, and to otherwise provide with respect thereto.
5. Resolution No.173 of 2002: Authorizing the Mayor to approve a loan not to exceed \$2,500,000 for Planning of the Shreveport Convention Center Hotel from the LCDA funded by its capital projects and Equipment Acquisition Program; and authorizing the Mayor and/or Administration Officer to execute a Loan Agreement and Promissory Note evidencing such loan.

6. Resolution No. 174 of 2002: A resolution authorizing the Mayor to sign a Cooperative Endeavor Agreement with the State of Louisiana, the City of Shreveport, and the Shreveport Convention Center Hotel Authority and to otherwise provide with respect thereto.
7. Resolution No. 176 of 2002: A resolution authorizing the Mayor to sign a Cooperative Purchasing Agreement between the City of Shreveport and the Caddo Parish School Board and to otherwise provide with respect thereto.

Motion by Councilman Shyne, seconded by Councilman Carmody for Introduction of the Resolutions 171 through 176 to lay over until the November 26, 2002 meeting.

Councilman Burrell: Okay, on 174, this is another cooperative endeavor agreement. Does that present any problem? Are we including that one also?

Mr. Thompson: We including that and there was a motion to introduce it and a second.

Motion for Introduction of the Resolutions passed by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Spigener, Shyne and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

Councilman Shyne: Make sure you get the board right.

Mr. Thompson: Did somebody vote against it?

Councilman Burrell: I don't think so, 6 For and 0 against,

Ms. Lee: Mr. Stewart is out of the Chambers.

Councilman Burrell: I'm aware of that. No, I was telling Councilman Shyne that it was correct as far as I know.

Mr. Shyne: Tom wants to be consistent.

Councilman Carmody: Very quickly. We only need a half a technician, because my "yes" votes are registering, but my "no" votes don't seem to come up.

INTRODUCTION OF ORDINANCES:

1. Ordinance No. 185 of 2002: An ordinance to amend and enact Chapter 50 of the Code of Ordinances of the City of Shreveport relative to political signs and to otherwise provide with respect thereto.
2. Ordinance No. 186 of 2002: An ordinance amending Chapter 94 of the City of Shreveport Code of Ordinances for the purpose of establishing a fee on the water and sewerage monthly bills for security of personnel and infrastructure, and to otherwise provide with respect thereto.

3. Ordinance No. 187 of 2002: An ordinance to amend Chapter 10 of the Code of Ordinances of the City of Shreveport relative to alcoholic beverages to add Section 87 and to otherwise provide with respect thereto.
4. Ordinance No.188 of 2002: An ordinance amending the 2002 General Fund Budget and otherwise providing with respect thereto.
5. Ordinance No.189 of 2002: An ordinance amending the 2002 Airports Enterprise Fund Budget and otherwise providing with respect thereto.
6. Ordinance No.190 of 2002: An ordinance to amend Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, relative to on-premises and off-premises advertising signs and to otherwise provide with respect thereto.
7. Ordinance No. 191 of 2002: An ordinance closing and abandoning a 15 foot-wide alleyway running between Lawrence and Hope Streets in the R.A. Grays Subdivision Located in the SW 1/4 Section 37 (T18N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.
8. Ordinance No. 192 of 2002: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, to rezone property located on the South side of Oakland Street between Hope and Lawrence Street, Shreveport, Caddo Parish, Louisiana, from R-3 , Urban, Multiple-Family Residence District and R-3-E, Urban, Multiple Family Residence/Extended Use District to B-3, Community Business District with MPC approval and to otherwise provide with respect thereto.
9. Ordinance No. 193 of 2002: An ordinance levying a tax of seven and ninety-nine one hundredths (7 and 99/100ths) mills per dollar on all property subject to ad valorem taxation within the bounds of the Downtown Development District of the City of Shreveport as defined by Act 554 of 1978, as amended, for the purposes as set forth herein, and otherwise providing with respect thereto.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Stewart to Introduce the Ordinances to lay over until the November 26, 2002 meeting. Motion passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Shyne, Spigener, and Burrell.
7. Nays: None.

ORDINANCES ON SECOND READING AND FINAL PASSAGE :

1. Ordinance No. 153 of 2002 by Councilman Carmody: An ordinance repealing and replacing Chapter 72 of the Code of Ordinances of the City of Shreveport; providing for the licensing and regulation of Sexually Oriented Businesses and Employees, and otherwise providing with respect thereto.

Having passed first reading on September 24, 2002 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 Stewart for adoption. The Deputy Clerk read the following amendment.

Amendment A:

Amend the ordinance as follows:

Delete the ordinance as introduced and substitute the attached ordinance with the filename "SOB3u.wpd".

Motion by Councilman Carmody, seconded by Councilman Spigener for adoption of Amendment A.

Councilman Carmody: Quick comment before we run through this exercise. Council members, I'm going to ask each of you to join me today in voting for this SOB ordinance with the changes offered by the office of the City Attorney and the Police Department and I'm specifically asking you to vote for Amendment A, Amendments 1 and 2 and Amendment 3. Amendment 3 is the SOB ordinance as amended by Amendments A, 1 and 2. This ordinance has taken hundreds of man hours to write and has been meticulously crafted so that it is both constitutional and enforceable. I would point out that yesterday we were asked about the constitutionality of it. And I would like to make sure that it is put into the record that Mr. Arceneaux delivered to me the authorities for the particular requirements that we are considering in this ordinance. I do not want to take the Council's time today to read them, but I would ask that Mr. Thompson please introduce this into the record. I'll be happy to pass it dias today so that you can take a look at it.

I've heard those arguments that have said that this ordinance is not fair, because it changes the rules after the investments have been made and I'm going to reject this argument because it is wrong. This ordinance is our best attempt and our best hope to insure that our rules are not changed, that the rules of this community are not changed by sexually oriented businesses. The purpose of this ordinance is to protect the values and rules of this community and that is the existing body of law which has been adopted by the Legislature of the State of Louisiana and the City Council of the City of Shreveport specifically the primary purpose of this ordinance is to prevent prostitution, sexual battery, rape, and other sex crimes, illegal drug use and other acts prohibited by law. As examples: This ordinance removes doors to prevent prostitution and other sex crimes and drug use. This ordinance prevents drunk persons from getting close enough to commit sexual battery and drug users from tipping with drugs. This ordinance requires that the sexual aspects of these businesses close at a reasonable hour because limited hours of operations will help curb illegal activity.

David Sherman, the former Midwest manager for Deja Vu in testimony before the Michigan House Committee on Ethics and Constitutional Law said "the hours of operations will help in curbing many of the illegal activities such as drug dealing, solicitation and illegal dancing due to the fact that the more intoxicated the entertainer is, the more the dancer is likely to do".

This ordinance also protects the health, safety and welfare of this community. It has been carefully crafted to protect individual constitutional rights and to uphold our standards and protective of the communities general health and welfare. Many versions of this amendment have been produced and are the evidence of the care that we have taken to get this ordinance right. Therefore, this ordinance should not be amended any further. And I am going to ask each of you on this body out of compassion, out of community pride, out of common decency, and out of the legacy that we are going to leave as a body, that we do not amend this any further and that you join me in supporting Amendments A, 1 and 2 and the ordinance as amended.

Councilman Ms. Spigener: I know that we have two amendments that we are going to be asked to vote on and one is to change the distance of the customers or whatever you call the people there, I guess customers, from 6 feet to 3 feet. In my opinion, if this issue of a three foot distance is going to jeopardize this business, I would say they are on shaky ground to begin with. I don't see how this is going to affect the amount of business that they are going to have. I think its ridiculous.

And this time frame of limiting the hours, you've heard the arguments there, I think that limiting those time frames for sexual activity or sexually oriented activity however we want to discuss this, that perhaps those limited hours will help the operators of those businesses to be able to control what's going there a little bit more. So, I think that it's irrelevant that we have Amendments 1a and 1b.

Councilman Stewart: I'd like the Administration's ideas on these matters. That is not an effort to place any undue burden on anyone. Ladies and Gentlemen, I personally am not in favor of changing the hours, because of the contractual agreements and commitments that were made, those that have made the investment. (Inaudible) that I will be in attendance at any time would not be a yes or a no. This is an issue in much the same fashion that we (unclear). There are 202,000 people in this City. According to the information I have in front of me, 121,179 people that are registered voters. There are approximately 13 or 14 people that spoke today against this and I certainly support that right. I would encourage you to continue to do regardless of how this vote goes.

Approximately 95 people here before when listened to these issues. The City entered into an agreement with these people making an investment in our City and that commitment has been made in evidence by what's here. It's been placed in an area that fundamentally is an adult area, this is in the entertainment area. While I don't choose to participate in the particular entertainment that we're discussing here, in much the same fashion I said before, you make shake your heads or you may smile or you may cast disdain on these comments, this City is in competition with the city across the way. And understand this is a Council

Meeting whether or not I like the issues, I still operate on the basis of what I understand to be in the best interest of the City as a whole. Whether or not I participate in these issues is not at test here, because I don't.

Is there anybody here that is in favor of gambling? I would think no. Is there anybody here that spoke against this, in favor of drinking alcohol? I would think no. But yet we are here where we have gambling. We are here where we have these issues and we have made a commitment to these individuals that precedes this meeting. I find that a very difficult business position and embrace with the request that we have. Do I think legislation is necessary to control this? Yes. But in the manner that we're going about it, that I'm in a position to support it. I look for guidance, from the business side of this from the Administration.

Mayor Hightower: I love you for bringing me in this.

Councilman Stewart: Well, for the record, we've had several discussions and I certainly value your opinion, but I certainly am not trying to put you on the spot, so feel free to respond as you choose.

Mayor Hightower: I'm fine. First off, let me make it clear that the City never entered into any agreement with anybody. They came into an area that was zoned and actually designated as okay for SOBs so there was no agreement or contract between the City and the Club. I am a believer we need an ordinance and in my discussion yesterday, the Police Chief is here, we talked yesterday about enforcement and I think what we all should be about, an ordinance that is enforceable, an ordinance that can withstand any judicial challenge. I think the City Attorney's staff and Mr. Carmody and others have worked diligently and put in a lot of hours to try to be sure that we're in a decent posture at least to defend ourselves when the lawsuit comes. There are however some concerns the Police Department has, distance being one of them in that they don't know how they're going to say whether it was play 2' 11" or was it 3' 1"; that may pose a problem.

I'm not going to ask the Council to adopt any amendments or not to adopt any amendments, but what I would ask the Council to do. . . pardon the pun, but we're out there naked right now. We don't have an ordinance that regulates anything that goes on inside the four walls of the clubs. We don't restrict who works there, what their past may have been, what their future may hold, what goes on and again, I think we have to be cautious in our discussion here today and some of the comments made from the podium earlier.

This ordinance isn't about Deja Vu. This ordinance is about sexually oriented business here in the City of Shreveport. So whatever happens here today should not be viewed to put Deja Vu out of business. That's an afterthought and maybe an emotional thought, but that's not what the ordinance should be about. The ordinance should give our citizens and the Vice squad something that is reasonable to regulate what goes on inside the four walls so that lives aren't destroyed or somebody is not harmed or whether its' mentally or physically or whatever the case may be. So what I would ask you to do today would be to pass something. I think we need an ordinance. Now you guys have worked a lot of hours, and the staff has worked a lot of hours on putting something together, and again, I'd call the Police Chief forward and I think he can tell you some of the foreseen problems that they

think they have and enforcement. But again with those, if you chose to listen to him and amend, so be it. If you don't, so be it, but, I think we need some sort of ordinance.

Councilman Burrell: Chief, where are you? This particular ordinance has been so fluid and looks like every 2 or 3 days, there is a conference on this issue, something comes out different on paper as to what should be and what should not be in there.

Can you tell me of what's in here, that you are able to live with. The Mayor had mentioned one situation, the distance. You felt that in the end, after really thinking through it that it would be tough to try to determine the distance and use that as a basis to charge someone or give them a citation or what have you; that's one issue I know that you've been involved in. Is there any others in here that we need to consider not having as part of this ordinance?

Chief Roberts: There are a couple. 1. I wholeheartedly agree with the Mayor. We need something. We have invested a lot of time and effort in this particular ordinance and I like the ordinance. It gives us the tools that we need

Councilman Burrell: . . . that I know that you've been involved in. Is there any others in there that we need to consider not having as part of this ordinance?

Chief Roberts: 1. I wholeheartedly agree with the Mayor, we need something. We have invested a lot of time and effort in this particular ordinance. I like the ordinance. It gives us the tools that we need to manage sexually oriented businesses. And as the Mayor said, the Deja Vu is just one type of sexually-oriented business in our city. There is lot of others and there were a lot of amendments that we made as a Police Department not only to cover Deja Vu and related clubs, but all the other sexually oriented businesses that we deal with on Vice issues, every day. And we appreciate being able to offer our input on this ordinance, and Councilman Carmody was so gracious. Just about everything we recommended that we would like to see is in this ordinance.

And as I stated, I like the ordinance. There is a couple of things that I have a little problem with. 1. The hours of operation. Dealing with the clubs that we have in town now, I can't really give you a law enforcement excuse to limit hours due to the clubs that we do have in town and the operations and enforcement actions that we've been involved in with the clubs that we have now. 2. The distance between the dancers. We have lost cases before on issue like this and it comes down to and intangible testimony by an officer saying well, it looked like this dancer was two feet, the people were two feet close together. And we can't say that, we really don't know without actually measuring and it make it extremely difficult for a police officer to say exactly, how close two people are. Just you all sitting on the Council today, you look like you are 3 or 4 feet apart, but I couldn't get on the stand and swear to that. And that is what we have to do at the Police Department and officers when we make arrests or write citations; so, I am concerned about that. I would venture to guess that our Vice officers would not utilize that simply because of not being able to swear to those distances in a court of law. I do have those concerns.

I also had a concern about the additional construction inside of the places of businesses. I had the Vice officers and Captain Shoemaker, the other day, go out and visit each one of the businesses that we have here in the city as well as the other sexually oriented

businesses that we've mentioned in here, to check to see if this is going to be a problem with them. And to our surprise, it is going to a very limited problems dealing with what we are asking for in our ordinance, so that concern has been kind of put to rest.

Finishing up here, this is a living document. I think as time goes on and more we learned about sexually oriented businesses and the problems that come out of it or there might not be any problems, we are going to have to amend this ordinance and the Council is going to have to be open to amendments to this thing because we might have to get tougher on some parts of it and we might have to slack off on other parts of it and Council has always been gracious enough to do that in the past, to look at these things when we bring things to you.

We are also going to have to enforce this vigorously and the Police Department will do that. We will conduct undercover operations that it takes to enforce such ordinance as this and we will hold them accountable for what you all have allowed them to do here in our city, to be in our city to conduct business here and they have to be held accountable and we'll do that and we'll bring them to you as we have other businesses that we've brought before you all, to revoke liquor licenses and things like that. These folks will be no different. And we will do that but we do need some leverage here with this ordinance.

Councilman Burrell: Well let me ask you a question that is kind of simply in my mind as it relates to this. With the sexually oriented businesses that we have existing and I've been involved in it from the legislative end, as you know several years, in trying to help craft that 1,000 foot rule on the first ordinance that we put in place to try to limit the locations. Do we have any kind of historical data on those businesses to say that we need whats in this ordinance, these are the things that actually take place? When I say, historical data, we do have these businesses here and you have been involved in, either ticketing them or should I say enforcing, having some sort of enforcement for these businesses.

Is it that we don't have any criteria for you to use in order to come up with the data that we need in order to make the decision to say support something like this, is that the issue or should we place a lot of restrictions there and then as you find out that they don't violate these restrictions, then we take them off?

Chief Roberts: I am not following where you are going with this.

Councilman Burrell: Not following. Okay, lets try it again. We have sexually oriented businesses already here. I've asked the question before, what do you have in terms of historical data on these businesses that will tell me that there are going to do, that we are restricting them to do here, the restriction that we are placing on them here? Do we have that information. In other words, you have not been before us with these businesses saying that we need to put them out of business or we need to shut them down or we need to jerk certain licenses from them because they have violated certain of our laws. I have not heard that yet, is that correct?

Chief Roberts: We have not, in fact we have never issued an SOB license in this city as of yet.

Councilman Burrell: Have not issued the license.

Chief Roberts: No sir.

Councilman Burrell: Okay, we have any ordinance but we don't have a license is what you are . . . ?

Chief Roberts: Right, we have not issued any. We have never had an application, to my knowledge.

Councilman Burrell: Maybe I'm misunderstanding something. We don't license these businesses. This is the first licensing that we are doing there, excuse my ignorance, this is the first licensing that we are doing for. . .

Chief Roberts: To my knowledge, this will be the first application for an SOB license.

Councilman Burrell: Okay, an application that is being made then, will fall under this ordinance, is what you are saying?

Chief Roberts: Yes, sir.

Councilman Huckaby: What are the other businesses called, they are not SOBs.

Chief Roberts: They are all listed in the definitions in the beginning of it here.

Councilman Burrell: You have got a cabaret and all that stuff here too and this video store.

Chief Roberts: We got: adult arcade, adult bookstores, adult cabaret, adult motel, adult motion picture theater. You've got escort agency, massage center, semi-nude modeling studio and I think that covers.

Councilman Burrell: What do we do to regulate those particular businesses if we have no criteria to go by except for the 1,000 foot rule, we don't? Is that what I am hearing?"

Chief Roberts: That is what we are trying to do with this ordinance.

Councilman Burrell: So right now, we do not have any enforcement mechanism, we just allow them to exist and whatever goes on, goes on, Chief? Maybe I am not quite following it here.

Mayor Hightower: Part of what, Chief is that we do have prostitution laws and that type of things, so what goes on, can't go on. But you are essentially right, and that is why I say, we need to pass something because we have zero that regulates any of those businesses other than, I think prostitution is about the only thing that we do regulate, is that right. Anything up to that point. . .

Chief Roberts: All of the criminal statutes: drugs, solicitation, everything criminal, we handle.

Councilman Burrell: And none of this fall under, I mean, not very much of this fall under criminal and that is the reason why we are adding it now?

Chief Roberts: Well, the criminal part would fall under here on Prohibited Acts under

our ordinance.

Councilman Shyne: I am not an attorney and I would be afraid to be a police officer because it is kind of dangerous out there, but Mr. Thompson am I right or wrong, that there are in the City Codes already that we do have some rules and regulations that would apply to these type of establishments?

Mr. Thompson: I think Mr. Arceneaux would be the best person to answer that.

Councilman Arceneaux: Your current Chapter 72 covers virtually no businesses that you would consider to be a sexually oriented business, Mr. Shyne. It covers escort agency, nude model studios, and sexually encounter studios. It doesn't cover adult arcades, adult motion picture theatres. It doesn't cover adult cabarets, it doesn't cover topless nightclubs, it doesn't cover stores that sell adult materials. And that is why there are no licenses, because nobody that operates a business that you and I think about as a sexually oriented business, actually is required to have a license under the existing regulation.

Councilman Shyne: I remember if I can recall right, and I want to say the Stock Exchange, does that sound familiar. The Stock Exchange was given a ticket or a citation for some inappropriate dancing or touching or something, I believe, I want to say in the beginning of the year.

Councilman Burrell: The boom-boom room. Well, that is what it said in the paper.

Councilman Shyne: I don't want those kind of words to come out of my mouth, but he said the, boom-boom room. Now, maybe I been reading something in the paper that didn't really happen, but I know the owner of the Stock Exchange had to come before us because we were in the process of taking his license because of some violations that went on in his club in relation to nude dancing. And if I am not mistaken, the boom-boom room or the boom-boom club or whatever, they were cited for some violations that were going on in their particular club that related to nude dancing and prostitution and I don't know whether drugs were involved in it. Did the Shreveport Times give us the right information or did they make some of that up and I do know that some times they do and I hope that won't hold it against me. I hope they won't be talking about me in the paper tomorrow, but they do kind of sensationalize it from time to time?

Chief Roberts: But the boom-boom room as you referred to was an operation that was set up ad hoc without any licenses, in fact we really didn't know it was going on until we had soem folks that took us into their confidence and told us what was going on.

Councilman Shyne: That was kind of nice wasn't.

Chief Roberts: It was great. That we made several arrests, but those are the type of operations that they are not going to follow this ordinance anyway. But, some of the liquor establishments like you brought up, the Stock Exchange, that was a different type of case there that went way beyond the bounds of any of the ordinances that we have on the books.

Mayor Hightower: When the question was asked a minute ago about some of the ordinances we have, Councilman Shyne is right. There are some codes for topless establishments. One of them happens to be, you have wear a g-string, you have to wear

pasties, I don't recall what they all are. There are some codes in place but then like Mr. Arceneaux said, there other places that have zero regulation on them and that is what I think we've got to keep in mind here, is that we are looking to put together an ordinance that encompasses all sexually oriented business and this again, shouldn't be targeted at one club, Deja Vu, in particular . That's why I say, I think we need something in place that would help regulate those entities that have no regulation now because in fact, Councilman Shyne is right. Deja Vu will have some regulation inside their four walls: g-strings, pasties, whatever the other host of things are; so, that is what I think you've got to keep in mind when we are truing to craft an ordinance that is enforceable. As the Chief said, there is still some problems I think with what is before you, but we need something, I think, again to cover and regulate those businesses that have not been singled out, like the topless bars.

Councilman Burrell: It appears that we are still in the process of, crafting an ordinance. I thought we were to a point where. . .the things that we had at the last meeting, now we are saying that we want them out or they will be hard to enforce. Do we walk blindly into something when we know that we can't enforce it and then have it, pass it just because we have it in front of us? I dare say not. And I still have not seen where we've reached a point where we've decided that this is what we can live with. Maybe I'm missing something.

Councilman Carmody: Mr. Arceneaux, can you enumerate the host of other things that these type of businesses, presently have to come into compliance with, the Mayor had mentioned a number of things, I guess that we have presently on the books.

Mr. Arceneaux: The distance issue if they serve alcohol, there is a state statute, Title 26:90 (to be specific) that deals with that but it only deals with persons that serve alcohol so if one wants to evade that particular requirements, one merely doesn't serve alcohol. You may notice if you go to certain municipalities who only regulate topless bars through alcohol, that they have juice bars, that's why the juice bars is included in the definition of an adult cabaret in this ordinance because that is one way that people evade that regulation. In any context of any criminal ordinance that is why we have trials, there is always the difficulty of enforcement at the very edges of anything and that will be true for this ordinance and it is true for every ordinance that we have on the books.

If you had looked at the Louisiana Criminal Code many years ago in law school, as I did, you will find that it is now twice as thick as it used to be because of the creativity of criminal defense lawyers to come up with arguments to challenge it. I'm reminded of a statement made by Peter Drucker. Mr. Drucker who is a management expert says that, if you are one hundred percent sure, you are too late.

There will be problems enforcing this ordinance whether you have these provisions or any other provisions. The Police Department has done an outstanding job of reviewing this. Most of the amendments that you have in front of you are the result of their diligence. Captain Shoemake, Officer Collins, Chief Roberts have taken it upon themselves to take giant, I'm certain, giant magnifying glasses to the draftsmanship of this ordinance. And I believe from a legal counsel standpoint, that it is enforceable and it is constitutional. Every, I've provided Mr. Carmody with a memorandum that took each of the requirements and there is a United States Supreme Court or 5th Circuit United States Court of Appeals case

that upholds each and every one of the restrictions that are in this ordinance. I don't know how best you could formulate an opinion about an ordinance, except to say, I have a case directly on point that says is okay, but that is the case with this ordinance.

Councilman Burrell: I guess my question still is, Mr. Arceneaux, going back to what we asked the Chief, he specifically identified a particular situation dealing with distance that he was going to have to deal with. Isn't still a part of this ordinance?

Mr. Arceneaux: Yes, sir it is also a part of the state law, whether it is 3 feet or 6 feet, it is still a measurement issue. I would suggest to you that it is easier to tell if someone is within 6 feet than it is to tell if they are within 3 feet. The real point of those requirements is so that if one is enforcing the no touch rule, an officer knows that if a hand is by a g-string (here), he can't tell whether there is a physical touching, but he knows that it is less than 6 feet when he sees it right next to the g-string. That's the reason, the major reason for those distance requirements. They are an aid in enforcement. If all the Vice squad is doing is going out with 6 foot yard sticks and measuring how far dancers are, then they will be missing the boat on this ordinance and I can tell you that the Vice Officers that I have worked with on developing this ordinance are a whole smarter and better police officers than that.

Councilman Burrell: Well if that be the case, I think they should support it. We should not even be questioning the distance requirements in this, at this point, because it is some of the confusion that we are dealing with.

Councilman Spigener: This may be irrelevant, but we are talking about the distance. We are worried about the enforcement on that. But if it is nothing more than a deterrent, it seems to me that it would be worth it. And as Mr. Arceneaux, said, anybody could be sued over anything and all elements of this, are not going to be enforceable. I think anything that could possible be a deterrent to a club owner that would help them to tow the line a little bit straighter, would be a benefit to the citizens of our City. I don't think that we could have it too restrictive.

Chief Roberts: What we have seen as far as the distances go, my Vice officers tell me that, that is not a problem with the two clubs that we have here. Bear in mind the owners of these clubs are worried about the people that work for them, it has not been a problem.

Councilman Stewart: During our conversation about this before, we had discussions of all aspects of this. Would you please speak, first of all to the hours of operation. I found it very difficult to embrace carving out one part of the entertainment district, which is 22 hours of operation per day, 7 days a week as I understand it and altering it for these people strikes me to be inconsistent and I would not use, I would not know another word to speak or another description. What is the positioning, in your mind, in the eyes of the Police Department, of changing the hours for this operation inside of an entertainment district that is set up to operate 22 hours a day, 7 days a week?

Chief Roberts: It seem to me that we are trying to treat some businesses differently than we do others and whether you agree with what they do or you don't, whether you partake or you don't partake, that is the sticking point with me.

We do have one of these clubs down on the riverfront now. We have not noticed special problems or situations because they operate the same hours as everyone else on the riverfront and today I can't really give you an enforcement reason why this other club that is coming in shouldn't have the same hours.

Councilman Stewart: 2. Your recommendations for distance would bring some clarity here.

Chief Roberts: Well there is several ways you can go. You can put a distance between the edge of the stage and the patrons, 3 foot, 6 foot, whatever you want to do. You can do away with distances and go with actual touching being illegal on the patrons' behalf and also on the employees' behalf. It can go anyway you wish. I think it is my duty to bring that to your attention, the Council's attention, my concerns on that. But it burns me somewhat for an officer to look across the room and try to judge a distance of 3 feet, 6 feet or whatever distance you chose. So, we will have to be extremely careful with that and the officers will, but it does cause me a little concern.

Councilman Stewart: Concern from an enforcement standpoint?

Chief Roberts: Yes, if we cite just simply because of distances between 2 people.

Councilman Shyne: I call for the vote, at this time.

Councilman Serio: Probably go over some notes. You know the last time we had a issue like this, we met in special session for about a month, seven member body. And we had the Police Department and we had the business owners, we had our lawyers, we had the MPC. We went through this with a little bit different attitude. We did it from an attitude from trying to find out how to craft a law that would work for us at that time. Listening to the discussion today, there is still questions about what we are even passing.

I know you can't go after the fact and regulate a business out of business. That is the impression that I get, that we are trying to over-regulate something out of business and I know that unfortunately, you can't do that. I am almost of the impression that this piece of legislation needs to be reviewed by a special committee of the Council and a full body in a special session to listen to the Police, to listen to the business owners not just the Police, but the business owners, the ones that have put money into these things, their lawyers, our lawyers, the MPC as well and come up with because right now we are talking about shutting down operations, hours of operation which we know that in a B-4, we allow extended hours of operation but we are going to cite that one particular business and say nope, you can't have that.

Well, I know for a fact that if you have a good lawyer, you are going to lose your whole law. And that was our whole theme several years ago is, we didn't want to lose the law that we had so we sat down and we came up with a good piece of legislation.

I think we are dealing with emotions more than anything right now. I don't know if we need to kill this whole issue and to go back with a special session and build this law properly with a seven body member, in public hearings, the way we did previously. But I am afraid that we are going to pass a piece of legislation that one good lawyer is going to take it

to court and you are not going to have a (inaudible) law on the riverfront. You are going to have an open season. And then what are you going to do? Are you going to worry about if you have g-string or not then. You are going to worry about other problems. You don't have a law. That I am afraid that what we are getting ready to pass is going to be a piece of legislation that is going to be tested, tried, and we are going to lose, quite frankly. I am afraid that we have boxed ourselves into a time frame that nobody is comfortable with.

Councilman Carmody: I would ask Mr. Arceneaux to come back up. Mr. Serio, I appreciate your comments. Mr. Arceneaux, do you recall us having any closed meetings during the discussion with the Metropolitan Planning Commission, Mr. Thompson, the Police Department and yourself?

Mr. Arceneaux: No, sir.

Councilman Carmody: Mr. Serio, I would have to disagree with you in that I don't know that it requires a special meeting in that we have been dealing with this. Those members who were interested in finding out about this information, I think, had plenty of opportunity to look at the information and then to come back and question. Mr. Shyne obviously did, he's offered some amendment.

And I had called each of you and asked you to please read through this information so that we would be prepared today. I actually postponed this legislation at your request in order to give you more time so that we could consider this matter. I would have to say at this point, it is only prudent of this Council to consider this legislation. Granted, each of you needs to vote your conscious as to what you want to do because regardless or not, you are leaders in this community and I would say that, you are not showing much leadership after having had the opportunity to read this legislation, to offer amendments, and then to sit here today and say, well maybe we should just go ahead and not consider at all and then go ahead and go into a special session. I appreciate the fact that if you feel like you weren't included, I want you to make sure that you understood that there was never the intent of this Council member nor the Police Department nor the Metropolitan Planning Commission nor Mr. Arceneaux, to exclude anyone.

I welcome the input of each one of you. I have heard different arguments for and against this. But for us not to act today, especially after even the Mayor has given us his counsel, as indeed we need as a community, to have regulations on this category of business and I want to point out and clarify this, the limited hours of operation is not to shut down these businesses, they can continue just like any other business in the riverfront to operate. The only thing that they have to do is stop the sexual activity at that time period. They can continue just like any other bar or lounge to serve alcohol on the riverfront. So, we are not in essence considering these different. But you said you had a concern that we were looking at a different category or basically treating a business differently. Guess what? This is a different business. These businesses are different businesses. They have difference, I hate to keep reiterating, negative secondary effects, okay. I am sorry some people consider them to be, boggier bears. These I say are social ills. I don't consider them boggier bears.

Councilman Shyne: I do.

Councilman Carmody: Prostitution. Well, prostitution, drugs. Mr. Shyne, if I had the

ability as a Council member to cure all the ills of this world, believe you me, I'd be offering the legislation and I'd be pushing it as hard as I am today to push this. Unfortunately. . . .

Councilman Shyne: You don't have the ability to do that.

Councilman Carmody: That is correct. In the same way that I can sit here and tell you that it is illegal in this neighborhood to have prostitution, to have drugs, to have drive-by shootings. But do we sit back and say, well, they occur so we don't take any pro-active measures to limit and mitigate the social problems that this community would have out of those activities. That is what this legislation will do, it will help in aiding our law enforcement personnel to regulate and monitor the activities that go on in these type of businesses. And I would, again, insist that this Council consider this.

Again, vote your conscious but my conscious is clear that I consider myself a leader of this community whether some people don't, I don't really care. But I will sit here today and I will ask each of you to support this legislation and consider each amendment on its own merit.

Councilman Shyne: That's the one thing that I agree with Councilman Carmody on, on this particular issue. We did not vote our convictions today. I don't have no problem with it. I mean, I've grown up in a society were I've had to make judgements and I have learned that there are some people that is going to agree with me and some people are going to want to kick me in the tail; that is why I am up here. So if you agree with me, well and good. If you want to kick me in my tail, stand in line. I don't have no problem with that. I've been making decisions all of my life. I grew up on the rough side of the mountain. I grew up looking just like I look right now, so you know how I grew up, growing up in America during the age of segregation. So, I don't have no problems with making a decision.

I don't necessarily consider myself a city father or a leader. I consider myself as a public servant. I'm here to serve the people in the district in which they elected me. I am not bragging, but that is why Joe Shyne get elected time and time and time again because I do an excellent job in serving the people that live in my district. Do all of them like me? No. Especially Roy because you heard about in the paper.

But if I had of had an opportunity to run, you would have seen 70 or 80% of the people (inaudible). So I've learned to make that tough decision and (inaudible), I've been make tough decisions. This will not be the last tough decision that I will make. Now, if you so judge me on this decision then that is your problem, it is not mine because I am going to continue to live and I am going to continue to make some tough decisions. And if I continue to run in District F, I am going to continue to win. And if you think that I am not a servant and you live in my district, then you run against me. I don't have no problem with that.

I've done an excellent job. I don't have anything to hide since I been on the Council. I have been a public servant who have served my people 24-7. Have I voted for ever thing that they thought I should have voted for one hundred percent? No. Will I ever be able to do that? No. Am I perfect? Will I be able to satisfy you all the time? No. See I don't know problem with that.

Councilman Carmody, like I told the Chairman about five minutes ago, I call for the

vote. I don't mind voting my conviction. If I vote the way you think I should, come up and hug me. If I don't, stand in line and kick me in the tail or to talk about me. You can get in the paper and talk about me. You can point your finger at me, you can answer me questions. I don't have no problem with that. I realized that when I knocked on the door and asked you for your vote, that I could not satisfy everybody.

Mr. Chairman, again, I ask for the vote. I have heard Councilman Carmody's discussion. I've heard it so much, until I can recite it in my sleep. But do I agree with it? No. Do I agree that this is an excellent piece of legislation? No. I commend Councilman Arceneaux who I've served with. That did an excellent job for putting in tremendous amount of hours. But that is what we pay him for. He didn't come down here and do this free. We paid him to put in that time. I mean, I don't have no problems with voting against it and he and I are going to still be friends because he understands that. We served on the Council for the 8 years. Some things we agreed on and some things we didn't, but we didn't fall out. I see him now. When I was in the hospital sick, prayed for me. Lord, answered his prayers because I'm doing pretty good. So, I would call for the vote, at this particular time, Mr. Chairman. Lets vote on this. Councilman Carmody, I agree with you. Lets vote our convictions. I did not think that this is the best piece of legislation, at this particular time, period. Agree with me or don't agree with me.

Councilman Stewart: So that there is an abundance of clarity, I would appreciate a brief explanation of each of these pieces of legislation by Mr. Thompson, a summary.

Mr. Thompson: Right now, I believe that there has been a motion and a second on Amendment A. Amendment A is a substitute ordinance. It is a clean up of the original ordinance. It does not significantly change any of the policy decisions.

Amendment 1 is an amendment that was offered by or suggestions made by the City Attorney's office. Mrs. Glass is here. She was the one who made those suggestions. It basically has to do with form and I don't think that there is very much it has to do with policy. Is that correct Mrs. Glass? Mrs. Glass: That is correct.

Amendment No. 2. Basically the amendments that were offered, or the changes that were offered by the Police Department. You've heard from the Chief today about the amount of time that they put into it, so that is what Amendment No. 2 would be from an operational viewpoint, from an enforcement viewpoint they've asked or certain changes.

Then if, Amendment, and if Amendment 1 and if Amendment 2 are adopted by this Council, then our recommendation is that you would vote on the ordinance as amended by Amendment A, 1, and 2. We ask you to do that simply because there is so many amendments in Amendment 1 and Amendment 2, that that would make sure that the ordinance that would be adopted, would be what your intentions are and we would not make a mistake, from a clerical point of view.

Then if there are, if that is adopted and there are additional amendments, then we would just ask you to vote for those amendments and I believe on the paperless agenda, you have Amendment 1a and Amendment 1b, that they would be considered and adopted at that time.

And if either one or both of those amendments are adopted, then the motion would be to adopt the ordinance as amended.

Councilman Burrell: I have a final comment. Councilman Carmody, we've served the last four years and it is not too many time that I have another Council member tell me that I won't take a leadership position. I think in the last eight years even under adverse situations, I've stood alone, so many times by myself dealing with issues that some times even our citizens don't understand until after we get into it and find out that there was something wrong with it.

Councilman Carmody: I've been there, Sir.

Councilman Burrell: So given that fact under what we are dealing with here, I think, I try to develop some consistence in my way of thinking and I try to also be a mediator where I can.

I don't normally allow people to push me into a vote, I don't care to be there. I won't do it, I guess my dad always says, until hell freezes over. You know, I am just stubborn to that extent if I don't believe in what I'm hearing or there is information that I still feel that it is not clear. And that goes back to the point that I was making earlier, each time that we have come, something new every time, always up until this last statement that has bene made here, and put forth. We are still talking about *crafting* an ordinance that we can live with. And if we are still crafting it, then I don't know how we are all comfortable with what's there. It is not that we didn't take an interest in it, I read this. I read it several times. I read the first version which only had, I guess, one section. I read the second version, it had three sections. I read the last version, I think it had, six total, but each time it was something different. There is the Chief up there, the Chief made some—he didn't make any changes, he said that there was some things that he didn't feel that he could enforce. Well lets find what he can enforce and lets put it in here and then tell me the vote on it. I am comfortable with that. That is what I call, leadership. I am gathering all the eggs up then I can make a fair decision, something that I can live with under the circumstances.

No, I don't support this. I fought it back whenever we first had the distance rule in which we finally came up with the 1,000 foot and we thought we were going to be able to live with that, and I think that we've done pretty well with that. Now, we are crafting something else here, that I do feel that it is still very, very fluid. And at this juncture, it still appears to be rather fluid and not at a point where we all are comfortable with it, but it doesn't have anything to do with my leadership. It has nothing to do with me making a decision, but it does from that standpoint, because there is some things that I am still not comfortable with. But I don't want you to think that it is because it is a lack of leadership on this Council, I think we've done a lot of that and we've had some rough situations and these gentlemen who are coming on behind you or coming on behind us, I guess they are just seeing a touch of it now and oh, it gets better than this, I can assure you of that. But I think that when we go into it, we should all have a free conscios that we can actually vote our convictions. So, again I think we are at the point where we need to call for the vote.

Councilman Carmody: I commend the Council members who instituted the spacing rule. That was beneficial to this community. I am again calling on this Council, the present

Council to implement rules that will be beneficial to the community.

Amendment A denied by the following vote: Nays: Councilman Huckaby, Stewart, Serio, and Shyne. 4. Ayes: Councilmen Carmody, Spigener and Burrell. 3.

Councilman Burrell: We are down to Amendment 1, correct?

Councilman Carmody: There is no reason to proceed.

Mr. Thompson: I believe that it will not make any sense to vote on the other amendments, because those amendments are dependent on Amendment A being adopted, so I think that essentially, this is a defeat of the entire ordinance.

Councilman Shyne: Right.

Mr. Thompson: So, we would ask you to, if there are no objections from Mr. Carmody.

Councilman Carmody: Well, I was going to ask, should we then reconsider the vote?

Councilman Shyne: No.

Councilman Carmody: No? Well it appears that we have some confusion.

Councilman Shyne: You don't have any confusion.

Councilman Burrell: Again, Mr. Carmody, you want to state your reasoning.

Councilman Carmody: I'd make a motion that we reconsider this Amendment A.

Mayor Hightower: You have to be on the winning side.

Councilman Carmody: You are right, thank you Mr. Mayor that is correct. It would have to be someone on the prevailing side that would have to make the motion.

Councilman Burrell: Is there someone on the prevailing side (the winning side) that would like to reconsider it?

Councilman Shyne: Mr. Chairman, if someone on the prevailing side would have wanted to reconsider, I think they would have asked you again. So, no one on the prevailing side asked you. I would suggest that we. . . .

Councilman Burrell: For the benefit of Councilman Carmody who made that request, I asked the question: Is there anyone on the prevailing side to do it and it appears that no one here has stepped forward to do that.

Councilman Shyne: Move on.

Mr. Thompson: I believe that unless Mr. Carmody disagrees, the Amendments 1, 2 and 3 should be withdrawn and we ask you to vote on Ordinance 153.

Councilman Shyne: What Mr. Thompson?

Mr. Thompson: We would ask you now to vote on the Ordinance 153.

Councilman Burrell: But you did say that Mr. Carmody would need to withdraw 2 and 3, is that what I heard you say?

Mr. Thompson: Yes, it makes no sense to consider those at this point.

Councilman Carmody: I make that motion.

Mr. Thompson: I don't think it takes a motion. He can just ask us not to.

Councilman Carmody: I withdraw.

Councilman Burrell: Mr. Carmody is withdrawing Amendments 2 and 3, as I understand it.

Mr. Thompson: There are no other amendments right now to be considered so we would ask you to vote on Ordinance 153.

Motion by Councilman Carmody for adoption of Ordinance 153 of 2002, seconded by Councilman Spigener denied by the following vote: Nays: Councilman Huckaby, Stewart, Serio, and Shyne. 4. Ayes: Councilmen Carmody, Spigener and Burrell. 3.

2. Ordinance No. 158 of 2002: An ordinance authorizing the Purchasing Agent to dispose of surplus real property Lot 21, Mooretown Annex Wing No. 1, and otherwise providing with respect thereto.

Having passed first reading on October 8, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Shyne adopted by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Shyne, and Burrell. 5. Nays: None. Out of Chamber: Councilman Huckaby and Spigener. 2.

3. Ordinance No. 159 of 2002: An ordinance amending the donation of four (4) city owned lots in the University Park Subdivision and to otherwise provide with respect thereto.

Councilman Shyne: I would ask us to postpone that. I believe we have two people here from that area and Mrs. Huckaby is not here. I would ask us to postpone that.

Having passed first reading on October 8, 2002 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 Stewart to postpone the ordinance until the November 26, 2002 meeting. Motion passed by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Shyne, and Burrell. 5. Nays: None. Out of Chamber: Councilman Huckaby and Spigener. 2.

Councilman Stewart: Mrs. Huckaby left because she was feeling ill, for the record.

Councilman Carmody: I'm feeling ill, for the record.

Councilman Shyne: You ought to be.

4. Ordinance No. 160 of 2002: An ordinance authorizing the Mayor to execute an agreement with Hill Country Kennels for the exchange of properties and to otherwise provide with respect thereto.

Having passed first reading on October 8, 2002 was read by title and on motion ordered passed to

third reading. Read the third time in full and as read motion by Councilman Serio, seconded by Councilman Carmody adopted by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Shyne, and Burrell. 5. Nays: None. Out of Chamber: Councilman Huckaby and Spigener. 2.

5. Ordinance No.180 of 2002: An ordinance adopting the 2003 Downtown Development District budget, appropriating the funds authorized therein, and to otherwise providing with respect thereto.

Ms. Lee: I presume, it needs to be postponed.

Having passed first reading on October 22, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Shyne to postpone the ordinance until the November 26, 2002 meeting.

Mr. Dark: There is no magical reason from a legal standpoint that you have to postpone this one. If you wish to adopt it, there is—you don't normally hold hearings on the DDA Budget anyway. If you wish to adopt it, you may.

Motion by Councilman Shyne to adopt the ordinance.

Councilman Burrell: Mr. Thompson is that just a substitute motion because we already had a motion, I believe, and a second on the floor?

Mr. Thompson: Well, if the person who made the motion wants to withdraw it.
Councilman Shyne: Mr. Carmody, you can make it whatever you want it.

Councilman Burrell: Mr. Carmody, I think you were the one that made the motion. Do you want to withdraw it?

Councilman Carmody: No, I think I need more time to look at this.

Councilman Burrell: The motion that is still on the floor, the motion is to—
Councilman Carmody: To postpone.

Councilman Burrell: Now that can be your substitute motion.

Councilman Carmody: It certainly can.

Councilman Shyne: Since you've been so gracious. I didn't agree on the National Baptist Association, and I'll pass that on to Dr. Pastor Jones, why didn't it get on the agenda.

Councilman Stewart: Well all three of you are good people, how is that.

Councilman Shyne: And I know he will love you for that.

Councilman Stewart: I voted.

Motion to postpone passed by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Shyne, and Burrell. 5. Nays: None. Out of Chamber: Councilman Huckaby and Spigener. 2.

6. Ordinance No.181 of 2002: An ordinance amending the 2002 Budget for the Environmental

Grants Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on October 22, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Stewart, seconded by Councilman Carmody for passage. The Deputy Clerk read the following amendment:

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Appropriations), appropriate \$400,000 for EPA Clean Air Grant.

Motion by Councilman Stewart, seconded by Councilman Carmody for adoption of the amendment.

Mr. Antee: Is this a motion to postpone?

Councilman Burrell: No.

Amendment adopted by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Shyne, and Burrell. 5. Nays: None. Out of Chamber: Councilman Huckaby and Spigener. 2.

None.

Motion by Councilman Carmody, seconded by Councilman Stewart for adoption of the ordinance as amended. Motion passed by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Shyne, and Burrell. 5. Nays: None. Out of Chamber: Councilman Huckaby and Spigener. 2.

Councilman Shyne: Tom, I think they are waiting to interview you. I think Channel 3 is waiting to interview you.

Councilman Carmody: Mr. Shyne, I was hired to do this job.

7. Ordinance No.182 of 2002: An ordinance amending Chapter 42 and Chapter 78 of the Code of Ordinances of the City of Shreveport relative to parade vendors and otherwise providing with respect thereto.

Having passed first reading on October 22, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Shyne adopted by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Huckaby. 1.

8. Ordinance No.183 of 2002: An ordinance to amend Section 106-1127 of the City of Shreveport Code of Ordinances relative to Zoning and to otherwise provide with respect thereto.

Having passed first reading on October 22, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Serio, seconded by Councilman Shyne adopted by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Huckaby. 1.

The adopted Ordinances as amended follows:

ORDINANCE NO. 158 OF 2002

AN ORDINANCE AUTHORIZING THE PURCHASING AGENT TO DISPOSE OF SURPLUS REAL PROPERTY LOT 21, MOORETOWN ANNEX WING NO. 1, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has acquired certain real property; and

WHEREAS, the property listed herein is no longer needed for public purposes and should, therefore, be declared surplus and excess; and,

WHEREAS, Section 26-292 of the Shreveport Code of Ordinances provides that the sale of surplus property shall be by competitive bids after public notice.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that the Purchasing Agent be and he is hereby authorized to advertise for bids for the following surplus real property owned by the City of Shreveport:

Lot 21, Mooretown Annex Wing No 1, Caddo Parish, Louisiana, bearing Assessor's geographical number 171416-039-0021-00.

Purchasers acknowledge and agree that the City of Shreveport shall retain, in perpetuity, a permanent servitude of drain encompassing the entirety of said lot, for use by the City, at its direction and/or discretion. Purchasers and their heirs, assigns or successor owners are prohibited from constructing or placing buildings, structures or other personal property, movable or immovable, on the above described property. Furthermore, purchasers and their heirs, assigns, or successor owners shall make no alteration of existing ground cover or topography without the express written consent of the Shreveport City Engineer's Office. Additionally, purchasers and their heirs, assigns, or successor owners shall defend, indemnify and hold harmless the City of Shreveport from any losses or damages or any action or proceeding of any nature. The minimum bid amount is \$1,573.00.

BE IT FURTHER ORDAINED that the City reserves the right to reject any and all bids and waive any informalities.

BE IT FURTHER ORDAINED that the above described property is offered on an "as is, where is" basis without warranty of title or recourse whatsoever.

BE IT FURTHER ORDAINED that the Mayor is hereby authorized to execute any and all documents necessary to carry out the sale of the above described surplus property.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this

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

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

ORDINANCE NO. 160 OF 2002

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HILL COUNTRY KENNELS FOR THE EXCHANGE OF PROPERTIES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS , the City of Shreveport is the owner of certain property, more particularly described as a brown colored Belgian Malamois canine named Andor, approximately 4 years of age with a value of \$3750.00, who was started as a dual purpose narcotics/patrol and tracking dog; and

WHEREAS, Canine Andor failed to meet the requirements of police canine training; specifically, the canine will not apprehend a passive subject; and

WHEREAS, the City of Shreveport is desirous of exchanging Canine Andor, who is incapable of completing police canine training, which would serve a public purpose; and

WHEREAS, retaining Canine Andor when a competent police canine is readily available does not serve a public purpose or render a public benefit; and

WHEREAS, the exchange of these properties by the City of Shreveport and Hill Country Kennels will ultimately serve a public purpose and render a public benefit of more effective law enforcement and crime prevention; and

WHEREAS, the exchange of this property is authorized by LSA-R.S. 33:4712 et seq. and the City of Shreveport Code of Ordinances Section 26-291 et seq.; and

WHEREAS, there is no other department of city government with a need for the property to be exchanged.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in

due legal and regular session convened that Canine Andor, more fully described on the inventory attached herewith, is declared to be surplus property of the City of Shreveport and that no other department of city government has a need for the property.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute an agreement to exchange the above listed property with Hill Country Kennels for the purpose of obtaining a competent police canine pursuant to Ordinance and in accordance with R.S. 33:4712.

WHEREAS, there is no other department of city government with a need for the property to be exchanged, and they are found to be surplus.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport in due legal and regular session convened that the Mayor is hereby authorized to execute an agreement calling for an exchange of the described property between the City of Shreveport and Hill Country Kennels as to the property more specifically identified below:

- A. A brown colored male Belgian Malamois Police Canine, approximately 4 years of age, named Andor

TOTAL value of \$3,750.00

In exchange, Hill Country Kennels will convey the following:

- A. A brown colored Male Belgian Malamois Police Canine, approximately 3 years of age, named Sjores

TOTAL value of \$7,500.00

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

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

ORDINANCE NO. 181 OF 2002

AN ORDINANCE AMENDING THE 2002 BUDGET FOR THE ENVIRONMENTAL GRANTS SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Article 7 of the Charter of the City of Shreveport provides for the amendment of any previously-adopted budget; and

WHEREAS, the City Council finds it necessary to amend the 2002 budget for the Environmental Grants Special Revenue Fund, to appropriate additional grant revenues.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Section 1 of Ordinance No. 163 of 2001, the 2002 budget for the Environmental Grants Special Revenue Fund, be amended to read as follows:

1. Appropriations: The following funds are hereby appropriated for the grants in the column titled "2002 Budget." For those grants listed herein, total spending for all years shall not exceed the amount appropriated herein, unless such amount is increased by subsequent action of the City Council. For active grants which are not listed herein, but which have been previously appropriated in a budget ordinance for the Environmental Grants Special Revenue Fund, the prior appropriation shall remain in effect. The Director of Finance is authorized to expend same in accordance with law, to the extent that funds are available.

Grant:	2002 CHANGE	2002 BUDGET
Brownfields Assessment Grant	0	\$ 32,700
Brownfields Supplemental Assessment Grant	150,000	\$ 300,000
Grant		
Brownfields Greenspace Grant	0	\$ 50,000
Brownfields Revolving Loan Fund	0	\$ 1,000,000
Brownfields Job Training Grant	0	\$ 200,000
Brownfields Economic Development Initiative	0	\$ 1,000,000

Brownfields Economic Development		
Initiative (2001)	429,100	\$ 429,100
Brownfields Economic Development		
Initiative (2002)	300,000	\$ 300,000
EPA Clean Air Grant.		\$400,000
GRAND TOTAL - 2002 CHANGE		\$ 879,100
GRAND TOTAL - 2002 BUDGET		\$ 3,311,800

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. 182 OF 2002

AN ORDINANCE AMENDING CHAPTER 42 AND CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO PARADE VENDORS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Division 4 of Article IX of Chapter 42 of the Code of Ordinances is hereby enacted to read as follows:

Article IX. Peddlers, Solicitors, Itinerant Vendors and Sidewalk Vendors

* * *

Division 4. Parade Vendors

Sec. 42-316. Definitions.

- (a) *Fixed location vendor* means a parade vendor which has either a location on private property with the permission of the property owner, or an assigned or approved location on public property.
- b. *Parade* means an event for which the city has issued a parade permit in accordance with Section 78-111.

- c. *Parade day* means the day on which a parade takes place for which the city has issued a parade permit
- d. *Parade vendor* means any person, firm or corporation, including its agents and employees, which engages in the selling or offering for sale any goods or merchandise within 200 yards of a parade route.
- e. *Public property* means property owned by, dedicated to, or otherwise under control of the City of Shreveport. It shall not include property owned by any other public entity, and any such property shall be treated as private property for the purposes of this Division.
- f. *Roaming vendor* means a parade vendor which does not have an assigned location and moves along a parade route except when actually engaged in making a sale.

Sec. 42-317. Required; exceptions.

- (a) It shall be unlawful for any parade vendor to sell, offer for sale, exhibit for sale or exhibit for the purpose of taking orders for the sale thereof, any goods or merchandise within 200 yards of a parade route without first obtaining a license to do so.

Sec. 42-318. Application generally.

Application for a parade vendor's license shall be made to the director of finance at least five days prior to the date of the parade at which the applicant intends to operate. Such application shall state the full name and address of the parade vendor, the location of his principal office and place of business, the names and addresses of its officers if it is a corporation, and the partnership name and the names and addresses of all partners if it is a partnership.

Sec. 42-319. Statements and instruments to accompany application.

Before any license required of a parade vendor by this article shall be issued, the

application therefor must be accompanied by:

- (1) A statement showing the kind and character of the goods or merchandise to be sold, offered for sale or exhibited.
- (2) A statement of the approximate area in which the applicant wishes to operate.
- (3) A certified copy of the charter if the parade vendor is a corporation incorporated under the laws of the state.
- (4) A certified copy of its permit to do business in the state if the parade vendor is a corporation incorporated under the laws of some state other than Louisiana.
- (5) A certificate showing the parade vendor is registered with the Caddo-Shreveport Sales and Use Tax Commission.
- (6) A copy of the parade vendor's occupational license or a certificate of exemption if exempt.
- (7) A certificate of insurance evidencing coverage for the parade vendor's operations on parade day and naming the city as an additional insured, in a form and amount approved by the risk manager.
- (8) A hold harmless agreement executed by the applicant in favor of the city, in a form approved by the city attorney.
- (9) Written permission of the property owner if the applicant intends to operate on private property.

Sec. 42-320. Separate license for each location.

A separate license shall be required for each roaming vendor or vendor's agent or employee engaged in selling on a roaming basis along the parade route.

Sec. 42-320. Assignment of locations.

The Director of Public Assembly and Recreation shall establish rules and regulations for the assignment of locations for parade vendors on public property. Each application for a fixed location on public property shall be referred to the Director of Public Assembly and Recreation or his designee for the assignment of a location prior to issuance of the license by the Director of Finance.

Sec. 42-320.1. Fees; duration.

(a) For each parade vendor's license issued hereunder, the applicant shall pay a fee of \$100.

(b) The license shall be effective only on parade day for the specific parade for which the vendor has applied, except that in the event two or more parades having the same route take place within a thirty day period, the permit shall be effective for all parade days within that period.

Sec. 42-320.2. Issuance; display.

The director of finance shall issue a parade vendor's license only after such vendor shall have fully complied with all of the provisions of this chapter, including the payment of the fee provided for in section 42-320.1. The parade vendor shall display the license in a conspicuous place along with the goods or merchandise. Failure to display the license shall constitute a violation of this Chapter, and shall be grounds for the vendor's being removed from the premises of the parade.

Sec. 42-320.3. Regulations.

(a) The parade vendor's license shall be effective only along the official route of the parade as approved by the city.

(b) Roaming vendors shall comply with Section 42-278 regarding not stopping on any alley, street, sidewalk or other public place of the city, except when actually engaged in making a sale. In order to comply with said section, roaming vendors shall transport the goods or merchandise only by means of devices moved by human power, not including a bicycle or a ridden animal. Section 42-278 shall not apply to a fixed location vendor at the location assigned on his parade vendor license. All parade vendors shall also comply with Section 78-113 regarding obstructing parades.

(c) Parade vendors shall not sell any item designated as a prohibited throw in Section 78-115.

(d) Parade vendors shall comply with all applicable city ordinances and all directives issued by the Police Department, Fire Department and Public Assembly and Recreation officials.

(e) Enforcement of this article shall be by officers of the Police Department, with or without assistance of a representative of the Finance Department and/or the Caddo-Shreveport Sales and Use Tax Commission.

BE IT FURTHER ORDAINED THAT Section 78-113.1 is hereby enacted to read as follows:

Sec. 78-113.1. Parade Vendors.

It shall be unlawful for any parade vendor to sell, offer for sale, exhibit for sale or exhibit for the purpose of taking orders for the sale thereof, any goods or merchandise at a parade without first obtaining a parade vendor license in accordance with Division 4 of Article IX of Chapter 42.

BE IT FURTHER ORDAINED that this ordinance shall become effective on December 1, 2002.

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

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

ORDINANCE NO. 183 OF 2002

AN ORDINANCE TO AMEND SECTION 106-1127 OF THE CITY OF SHREVEPORT CODE OF ORDINANCES RELATIVE TO ZONING AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Section 106-1127 of the Code of Ordinances of the City of Shreveport is hereby amended and now reads as follows:

Section 106-1127. Alcoholic Beverage Uses

In legally permitted areas within any zoning district, any use engaged in the sale and/or dispensing of alcoholic beverages of high or low alcoholic content, other than a manufacturer or wholesale dealer and those uses exempted under paragraphs (5) and (6) below, is a special exception use requiring the approval of the zoning board of appeals and subject to such terms and conditions as the board may specify to assure compatibility with existing or planned development and to protect adjacent or nearby property and uses.

(6) In legally permitted areas the following uses are exempt from the provisions of Section 106-130 (6) of this chapter if in full compliance with all provisions of this chapter and the criteria specified:

- a. Any use, serving or selling beverages of high or low alcoholic content for on-premise consumption, located within that portion of the B-4 Central Business District which is bounded by the south bank of Cross Bayou on the north, the north side of Lake Street on the south, the west bank of the Red River on the east, and the east right of way line of Spring Street, not to include any sidewalk or pedestrian thoroughfare parallel and adjacent to Spring Street, on the west; and further includes, Block 48 of the City of Shreveport, known as Festival Plaza.

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

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

UNFINISHED BUSINESS:

1. Discussion and/or Action Relative to the Public Safety Committee. (F/Shyne) (*Tabled on Oct. 23*)

Councilman Shyne: I think it would be appropriate if I wait until the last meeting, to take that off of the table.

Councilman Burrell: That will be fine.

2. Alcohol Retail Permit: Mr. Alton Ross (2911 Milam Street - New Nat Café)(G/Burrell) (*Tabled on July 23, 2002*)

3. Alcohol Retail Permit: Ms. Deborah Hawkins (Employer: 2901 Milam St. - Take-A-Bag Grocery) (G/Burrell) (Special Meeting Postponed October 10)
4. 2003 Budget Appropriation Ordinances (Introduced and Tabled on Oct. 8):
 - 161 Adopting the 2003 General Fund budget.
 - 162 Adopting the 2003 Capital Improvements budget.
 - 163 Adopting the 2003 budget for the Water and Sewerage Enterprise Fund.
 - 164 Adopting the 2003 budget for the Airports Enterprise Fund.
 - 165 Adopting the 2003 budget for the Retained Risk Internal Service Fund budget.
 - 166 Adopting the 2003 budget for the Golf Enterprise Fund.
 - 167 Adopting the 2003 Metropolitan Planning Commission's Special Revenue fund.
 - 168 Adopting the 2003 budget funding contractual services provided to SporTran by the Metro Management Associates, Inc.
 - 169 Adopting the 2003 Debt Service fund budget.
 - 170 Adopting the 2003 budget for the Community Development Special Revenue fund
 - 171 Adopting the 2003 budget for the Riverfront Development Special Revenue fund.
 - 172 Adopting the 2003 budget for the Police Grants Special Revenue fund.
 - 173 Adopting the 2003 budget for the Fleet Services Internal Service fund.
 - 174 Adopting the 2003 budget for S'port Redevelopment Agency Special Revenue Fund.
 - 175 Adopting the 2003 budget for Downtown Parking Enterprise Fund.
 - 176 Adopting the 2003 budget for the Environmental Grants Special Revenue Fund.
 - 177 Adopting the 2003 budget for the Downtown Entertainment Economic Development District Special Revenue Fund.

NEW BUSINESS:

1. ABO Card appeals (Decided on November 11, 2002):
 - a) Kristin Lambert (Residence: C/Carmody - Employer: Copeland's - D/Serio)
 - b) Glenell Adams (Residence: N/A - Employer: Thrifty Liquor/N. Market - A/Huckaby)

2. Taxi Driver License:

a) Kevin Moore (Residence: G/Burrell - Employer: Golden Stripe Cab)

Mr. Thompson, We did contact both of the people, Mr. Chairman at your request. I don't know whether or not either one of them is here.

Councilman Burrell: Is there a Mr. Kevin Moore here or James Williamson? (No response)

Officer Salley: Mr. Moore applied October 10. He state on his form that he had not been convicted of a felony within the last 10 years. Mr. Moore is—that is where I got confused, Mr. Moore is the one who is currently serving 3 years supervised probation with special conditions. It began in 2001, it ends August 27, 2003; that violation of Section 102-62, the qualifications required. We recommend you deny.

Councilman Stewart: Would you simplify, why.

Officer Salley: He is currently serving his sentence at this time for felony.

Motion by Councilman Stewart, to deny the appeal, seconded by Councilman Serio. Motion approved by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Huckaby. 1.

b) James Williamson (Residence: A/Huckaby - Employer: Action Taxi)

Mr. Thompson: On Mr. Williamson, we called his home number and the lady who answered the phone and said it was his mother said that he was out of town and would not be expected back until late today.

Councilman Burrell: Would the Council like to address this issue at this point or want to postpone it until the next meeting?

Councilman Serio: Lets postpone it until we have the gentleman here.

Councilman Burrell: Would that necessarily be a motion to postpone

Mr. Thompson: Again I caution the Council that we are going to have a very tight docket on the 26th at 9:00 o'clock.

Councilman Burrell: Well, we made the attempt to contact the individual and I think that that was what had been asked on yesterday, but we can address the issue, if you would like.

Councilman Burrell: Mr. Serio are adamant about postponing it?

Councilman Serio: That's fine we can move forward. I will change my motion.

Councilman Burrell: I guess we need to hear something from the Police to have that on record, at least, the Police Department.

Officer Salley: Mr. Williamson applied for a permit with the City. He didn't answer whether he had been convicted on the last 5 years on the form. He applied September 27th. Mr. Williamson is currently on supervised probation. He is serving his sentence now for, distribution of marijuana. His probation will end in—excuse me, I got the wrong one. He just finished his probation. It says in

the ordinance, that within the last 5 years. His probation ended May 24th of this year.

Councilman Stewart: What is the recommendation of the Police Department?

Officer Salley: To deny.

Motion by Councilman Stewart, to deny the appeal, seconded by Councilman Serio. Motion approved by the following vote: Ayes: Councilman Stewart, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Huckaby. 1.

3. BAC-82-02, ALTON JAMES ROSS, 2911 Milam Street, Special Exception and variance in the hours of operation in a B-1-E District, tavern (low alcoholic content lounge) operating until 2 a.m. (G/Burrell) (Postponed Oct. 22)

Chairman Burrell: Again, we'll deal with that on the 26th.

Councilman Carmody: Can I ask you if we're going to be prepared to move on that on the 26th?

Councilman Burrell: If not, I'll pass it on to the next one, I don't have a problem with that.

Councilman Carmody: Well, we're hoping that we can clear this agenda before we go into another Council.

Councilman Burrell: Gotta give you something to work on.

Councilman Carmody: Well, we've got a few items that ya'll left us to work on.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.

CLERK'S REPORT: None.

THE COMMITTEE RISES AND REPORTS (reconvenes Regular Council Meeting).

ADJOURNMENT. There being no further business to come before the Council, the meeting adjourned at approximately 7:30 p.m.

/s/ Roy Burrell, Chairman

/s/ Arthur G. Thompson, Clerk of Council