COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA AUGUST 26, 2003

The Regular Meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman Monty Walford at 3:00 p.m., Tuesday, August 26, 2003, in the Government Chambers in Government Plaza (505 Travis Street).

Councilman Green led the Invocation.

On Roll Call, the following members were Present: Councilmen Lester (3:05), Walford, Carmody, Gibson (3:06), Hogan, Green and Jackson. (3:10). 7. Absent: None.

<u>Approve Minutes.</u> Motion by Councilman Green, seconded by Councilman Carmody to approve the Administrative Conference Summary Minutes of August 11, 2003 and the Council Meeting Minutes of August 12, 2003. Motion approved by the following vote: Ayes: Walford, Carmody, Hogan, and Green. 4. Nays: None. Absent: Councilman Gibson, Lester and Jackson. 3.

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

Councilman Green: I have two. First we have our very good friend and very hard worker, Deborah [Tomasek] who retired some time ago. This particular resolution was adopted June 24th and on June 30th she retired. So we'd like for Ms. Deborah Tomasek to come forward (presented her a plaque.) We would like to present to this to you and we would like to say that, you are a living legend of the City.

Councilman Walford: We miss you, we really do.

Ms. Tomesak: Those of you who know me well, know I hate to be at the podium and don't like to talk. One of the things in this resolution and I know you are not reading it in today was, when Art always talks about me being 'inquisitive', he usually puts 'nosey' in parenthesis and I was really glad that this resolution did not have that in there.

But I want to thank you guys and your predecessors for all the opportunities that you gave me and I appreciate it.

Councilman Green: Also, Deborah before you go, I would just like to thank you. I had an opportunity to work with you when I was elected in 1984 and certainly I'd like to thank you for all of the healthy advise that you gave me during that era and also for the time you helped me during this particular session and certainly you have always been there and may God bless you and may he keep you.

Councilman Lester: Deborah, I have a last minute amendment.

Ms. Tomesak: Oh, no. Thank you. He met me at the door actually said, can you do this amendment for me. It was like five til.

Councilman Carmody: I wanted to publicly thank you for all the assistance you've given me in the question that I'd asked and how quickly you had gotten me the answers. Maybe not the one that I was looking for but the ones that were correct. But over and above that, it was always the attitude that you had and I always enjoyed and certainly miss seeing your smile, that is why I was so excited when I saw you walk in the Chamber.

Councilman Jackson: I wanted to say publicly, what I said to Deborah what I said privately and that was that as many of you know there was a big, big party planned on a day that was coincidentally a day that I had something else happening. So, it was unfortunate I was not able to attend and I told Deborah privately and I want to say it to her publicly, it certainly was no refection of my feelings for you and certainly, I am sure you are not only deserving of that but much more. But let me say that for the short amount of time and the immense of tutelage that you've given to me and I'm sure to my colleagues as well, that we appreciate you

and those things that you've helped us with certainly will, I hope have a long term and a long lasting effect on this City Council; so, thank you.

I know words can never express it but certainly we just want to say, thank you and appreciatively applaud everything that you've done. And, I'm sure that which you will do as well, so, enjoy.

Councilman Gibson: Again, congratulations. I was in New York at a conference when we had a send-off for you. You have made just the short time that I've been on Council when, a lot more easy in terms of dealing with issues. Plus, I just want to commend you because obviously you exemplify the kind of dedication and caring that our employees for the City of Shreveport do for their community. That is something that you and I have talked about in terms of several issues of which I very much appreciated the personal touches and the commitment and the dedication because that came through with me and I think with all of my colleagues. But, it is also good to see that obviously when you leave after the tenure that you've had with the City, that you look like you are not in a stressful position as you were and it is good to see that life is going very well for you and in a less strenuous situation. But don't make yourself a stranger. You've got a lot of friends down here and it will always be good to see you and I do appreciate your assistance in the short time that we got a chance to work together.

Councilman Walford: And I think we can put people's minds to rest, like Mr. Jackson and Mr. Gibson, and assure them that Mr. Lester, myself, Mr. Eddy, Sharon, we took care of the food so nobody was missed; so, thanks for coming, Deborah.

Councilman Green: The Porter family, will you all come forward, please (see Resolution No. 152 of 2003).

Councilman Carmody: As someone who, as I mentioned to you, always enjoyed every experience I ever had with Mr. Porter. He lived such a tremendous example of really what it means to live a life a service for others and I know that ya'll were very blessed to have him but I also feel blessed and I know I speak for all of District C that we were proud as punch to always have him here in representing such a wonderful business and such a wonderful attitude, and he certainly will be missed.

Councilman Green: He was like an icon in the community and whenever I went to the cleaners over off of Youree Drive in the old days, all I know is that it makes you feel like you were rich because they would come and get your clothes from the car and you drive off. And I just loved going over there because it was such a pleasant atmosphere. Again thank you and God bless you.

Councilman Gibson: One thing that I think that Porters is synonymous with of which we have several debates up on this body and within this City. We have a lot of out of state companies that come to our town, obviously our job is to help facilitate and help then get located and thrive. But one thing that I would encourage all of those companies out there to do is to look to Porter's as an example of what giving back to community is all about. There is no other company that I can think of that set the example for other business people in terms of philanthropic commitments and other charitable involvement, that you do. And when we look at the overall picture of Shreveport, Porter's set that standard because they are constantly taking care of their customers and giving something back and it is very nice to know that you all are on the forefront of that.

And again, when we entertain companies to come here instead of taking from this community and then leaving, I hope that they will come here invest and also turn to you for examples, because that is what a community is all about in terms of the public-private sector and its citizens and we can't tell you how much we appreciate that example and I for one in District D, truly appreciate that and also echo what my colleagues, Councilman Green and

Councilman Carmody said earlier; so, thank you very much.

Mayor Hightower: I was fortunate enough to have known Mr. Porter pretty much all my life I guess every since he moved to Shreveport, and not did I know him as a business man, but I also knew him as a Dad to Mark, as a Coach to a lot of us in elementary school, as a Giver-Back, as a Dry Cleaner, as a guy that never got mixed up on one side or the other of any issue. Always was able to be above the fray, above the wars and always came out smelling as good as his dry cleaning did. And for that, I think I learned a lot from the guy.

I happened to attend the same church as the Porters too, and Mr. Porter, all his life—I don't go to church every Sunday, but I can tell you, I never went a Sunday that Mr. Porter wasn't there sitting along side his wife and his family, Mark, sisters and so forth in church and not only sitting there, bu participating, giving back, not only to the community but through coats for kids or all the other things that he did, but in the church as well.

So, Mr. Porter will be sorely missed in this community and not any more so by me I know, than his family but I know Mark is going to particularly miss him because Mrs. Porter is going to be on your tail twice as much now. When it was two of you, she was dividing it between you before. (Mrs. Porter: Already am.) So Porter's will be bigger and better and leaner and meaner as–Mark will lose a little weight next time he comes back him with Mrs. Porter on him. She really was the driving force behind Mr. Porter. She was what kept him going, is what kept the family going and kept the business going, so the Porter's franchise won't suffer from a business standpoint. It may suffer from a compassion standpoint and from the number of people that are driving the bus over there, but again we appreciate all that Mr. Porter contributed (I still can't call him 'John'.) but all that he contributed to this community, both from the business standpoint, and from a community giving-back standpoint. And I trust and one hundred percent positive that you two will continue the tradition and make us all proud for generation to come, so we appreciate you coming down today; wish he could be with us.

Mr. Porter: I would like to thank the Council. Dad loved this city dearly and as Keith said, he could ride the fence and keep the peace and I know often it is stressed him as he watched a lot of turmoil in the city in the fighting and he didn't like that 'cause he loved this city and it meant so much to him and this city has been so good to our family. We can't say enough good things about it and it is such a generous city that we live in as exemplified by the fund raiser that we were involved with yesterday. We raised \$1.4 million for the Children's St. Jude yesterday, the largest fund raiser of any kind, like that. Dad was a big part of that and I know that he and Danny Thomas pulled up a chair and watched every minute of that, yesterday. And they are nudging each other and saying, and I know they shook hands as the fund raiser concluded and said, 'we are going to do better next year'.

The city has been very good to us and as Councilman Gibson said, we have always felt like that it has been a mission of ours' to give back, it is kind of a tithing to the community to give back and that should continue. I look forward to the continuing John Porter's tradition. As Mom said, I walk and talk like him so feel like I am off to a good start and I am excited about the opportunities in force. We will continue. He will be sorely missed. Certainly, these two people will miss him as much as anybody in t his community, on a personal level, but he is always with us in spirit and his spirit will continue with him; so, thank you.

Mrs. Porter: John was a man that was never going to be satisfied until he has his own business. So, when he picked and chose, he kind of decided on the dry cleaning business and he went to a couple of other towns, surrounding towns, one in Lubbock, Texas. And no, he decided on the dry cleaning business but he wanted to do it, right here. We came as a bride and groom, 55 years ago and never ever wanted to leave Shreveport; so that's my story.

Councilman Walford: At this time we have another Distinguished Guest that I would

like to ask to come forward. I'd asked for City Marshal and I got Senior Judge Bill Kelly. Welcome, your Honor.

Judge Bill Kelly: Greetings to the Members of the City Council. I really wanted to come over at your invitation but if there were questions or issues that you wanted to explore, I wanted to give you a few brief minutes of time here that you want to try to answer any questions that you might have.

I might tell you that I did bring an exhibit if you would like to look at it, it is a jail clearing docket. The reason for bringing that is, it does illustrate one of the things that we do with old tickets. If you thumb through there, you can find that there are tickets on the first page, one cleared out was from 1998, some from the '90s, there may have been some from as far back as 1980 (that docket just kind of leaped out at me, that's last Thursday's jail clearing docket.)

It is one mechanism and one reason why we don't always purge old tickets. I could tell you that it would be, I realize how serous it appears to you to have as many old tickets as there are, outstanding. Some courts do purge those tickets. Our court has chosen not to do it and so we do have a backlog showing that it is not dramatically different from what we have explored with, for example Baton Rouge, who also has a very substantial backlog but does purge their tickets when they get to be a certain age and frankly tickets of 10 years old or older are probably very difficult to prove. That is one example of some of the things that we do to try to collect or execute on old traffic citations. Are they any specific questions or issues?

Councilman Carmody: Judge, I appreciate you being here and again, I am not familiar with process of how adjudication works, but this was one days' court docket and if you have a ticket that apparently runs for a number of years, what happens to the person that has received the ticket? I mean, what is the process?

Judge Bill Kelly: When a person doesn't appear, we will issue a warrant for that person's arrest and that warrant will stay outstanding. We can also issue an affidavit to the state of Louisiana, let the state of Louisiana and other states form a compact so that if it is a driver from Texas, for example, that information would be transmitted to Texas so that when that person goes to get their driver's license or attempts to get their vehicle registered or something of that nature, they wouldn't be able to do it until they resolve the ticket here in Louisiana and their driver's license would be suspended. And so, that is a serious consequence for people when they don't appear. In fact, it is the most serious consequence and we deal with it quite a bit through the City Court.

And what a lot of people don't understand is, if a driving under suspension ticket goes on the record of the individual, their license is suspended for one additional year. And our experience is, and we deal with it through the city court system all the time, that many of these people really could get their license reinstated. They could have a valid Louisiana driver's license but they have to pay an old ticket or complete some reinstatement fees or some administrative, and I show, proof insurance. So, we are very careful, really in that one area, to not cause someone's driver's license to be in any more jeopardy than it might be.

Councilman Carmody: But if you say that at some point, and again, I take it that it is not the city of Shreveport, but some jurisdictions have a particular time frame in which the suspense would stay on the record and then at some point it falls off. If you've issued a warrant then for that person, how is the warrant then released?

Judge Bill Kelly: You have to recall it.

Councilman Carmody: You've recalled it.

Judge Bill Kelly: That's right; that's what they do.

Councilman Carmody: Do you have any idea of how many outstanding warrants the

City of Shreveport court system has?

Judge Bill Kelly: At this moment, I wish the Marshal was here. I mean, our tickets are over 20-years. We've got 15- to 20,000, I'll guarantee you. Now, then, those are old warrants. They may or may not be workable, but just as this docket that was printed, people come in and there may be some tickets on that document that are 8, 9, or 10 years old.

You know, there are many reasons for not throwing them out among which is that at some point some of these people may go straight and get their driver's license, may try to get their vehicles registered because they finally got the decent job and now they really need to take care of it and then they've got to come in and take care of these old tickets. In some cases they serve as valid justification to execute an arrest warrant on a suspect in another crime and in the final analysis, we don't really like throwing them out because it gives scofflaw free rein. And so I wished that there were ways that I could tell you that we execute on all those warrants (inaudible) but the reality of it is, you can't chase people across state line on these things with the time and the expense, you have to use and it works slowly but many times, many ways, inexorable, that they will come back in for their driver's license so they will come back in to get their car registered or something and through this affidavit procedure we'll have a better chance or they will get stopped on some other unrelated driving violation and those warrants will be executed.

Councilman Carmody: So that then is the mechanism by which the warrants normally come to the notice of the person it is issued for is that they go in to either renew a license or I guess a registration for their vehicle and at that point, a flag is in the system to say you have an outstanding warrant?

Judge Bill Kelly: We do try to notify them, local. We do try to notify people that there is a ticket outstanding.

Councilman Carmody: Letters are sent to the individual?

Judge Bill Kelly: Yeah, and the Marshal has used his personnel to make personal telephone calls and things of that nature, so we spend time working them. Now, we don't have the volume of tickets that we have had in the past, volume is actually down but when you have literally thousands of traffic citations going through the court system, it was impossible to take and contact 2,000 people a month who might not appear that was 6,000 tickets issued as has been the case in the past that is not the case now.

Councilman Carmody: But there is a mechanism by which you serve notice to other governmental jurisdictions that there is in Shreveport outstanding warrants for individuals.

Judge Bill Kelly: Right.

Councilman Gibson: Judge Kelly I want to thank you for your leadership and your service to the community. You've done an outstanding job. I guess I just want to revisit a comment you made and this is in response to honestly a lot of attention to the situations that are going on with outstanding tickets.

I've got wide range of people in the business community and constituents that are having the impression that don't bother showing up for court. Can I ask you to repeat again, if they don't show up to court what happens.

Judge Bill Kelly: Well for people who do not show up, it really can't be emphasized more. What is going to happen is a warrant will be issued, that is a matter of routine and it does go into a record and it is available to every city police officer. So, a routine traffic stop could lead to your arrest on outstanding traffic warrant.

The other issue is of course we will send in to the state a notification of your non-appearance which could lead to your driver license being suspended. And you will have to, before you can get it reinstated. And I tell people this, this is astonishing to me, but the average

fine on a traffic ticket is \$25, \$35, \$50 dollars plus court costs. Well, court costs add up, I have another exhibit on that to show you. But what people do is then they take their \$35 dollar problem and turn it into a \$135 dollar problem because the reinstatement fee for every ticket that they don't appear in court on, payable to the State, is \$100 dollars. So I have people literally coming into court who owe thousands because they just neglected to attend to that one ticket and some times that last over a period of several years.

Councilman Gibson: So, I guess the reason why I asked the question is, the public needs to be aware that there are consequences for us not following through just as this Councilman at the time when I was private citizen, paid a full amount of \$135.00 for a speeding ticket, paid it two weeks before my court date because I did not want to breech a situation where I'd have to pay court costs and a variety of other things but did pay it in full, up front, way before the court day and I would encourage other citizens to do the same thing.

And also, to take advantage of some provisions that this City provides for other opportunities to provide some relief but it concerns me the atmosphere that I am faced with and maybe I am just in certain circles that maybe no one else has faced other there, but in talking with some of my colleagues, there is obviously a buzz within the community that some people think or that there is a variety of people that thing, why bother. So, there is a major consequence that comes down?

Judge Bill Kelly: There is a consequence and it catches up to all of us eventually, in some capacity. Like I said, even if you came in years after having received several tickets and they were dismissed, in order to get your license validly reinstated, you still owe reinstatement fees so that is \$100 dollars, \$100 dollars on each ticket.

Councilman Green: Would you just kind of elaborate on the plea bargaining as to how that system works.

Judge Bill Kelly: Plea bargaining is an age old system I think, in courts and it is well within the discretion of the City Attorney as to who, what, when, where and how to prosecute any case.

Virtually every court in the nation engages in a certain amount of plea bargaining and it works to streamline the court system. It is true that if a citizen is stopped for speeding, lets say and the officer also observes that the motor inspection sticker has expired, he can write a ticket for speeding and then an expired motor inspection sticker. And then, if he pulls your driver's license out and oops, it is expired, you know you can get a no driver's license and then if he asks for your insurance and registration and you can't find them in glove box, he can write—I mean if he can write one he can write five tickets some times.

So, when those citations come in and a citizen comes to court, the City Attorney may very well evaluate, what happens daily in our system and it may turn out that there was insurance in effect, they just couldn't find it in the glovebox for whatever reason. They do have a car registration and they've got the motor vehicle inspection sticker renewed and it had not been lapsed for any lengthy period of time, he may very well chose to charge him with one charge, speeding charge, a more serious moving violation and dismiss the others or he may dismiss two and let them plead to the expired MVI or something of that nature. So it speeds up a process where you have literally hundreds of people who come to the court system weekly and just allow, if you had to go trial on every one, then many times a person says, 'well I was speeding, but I got my inspection sticker renewed, can you give me some help?' Well, you can chose to go to trial in effect on the expired MVI or you can accept a plea to the more serious charge of speeding and dismiss the expired MVI.

Prosecutors across the state and across this nation do that and it works to streamline the court systems. Yes, it does mean that people do sometimes get excused from offenses, but at

the same time it probably makes us a little more comfortable place to live at the same time.

Councilman Walford: First of all, let me say that I heard that there was a very good system. I am not picking on my colleague, Councilman Lester in his role as an attorney, told me that there was a very good system in place for collecting the fines after people had been to court.

And, I came over and they were nice enough to show me how it worked. And the question that I didn't get answer and what I want to ask you, first of all I appreciate the tour and I appreciate seeing how it worked. They don't get out if they don't pay appears to be the system and that is what Councilman Lester had explained to me that it was very effective for those people who had shown up in court.

When somebody doesn't show up and you issue a warrant, I have been told that, that information can be furnished to the Louisiana Department of Revenue as well and if they owe money, the state will without from their state income tax return. Are we submitting that information to the state to try to collect money that way?

Judge Bill Kelly: To the best of my knowledge, all of that information goes into the state and we do try to collect through those processes just like the affidavit procedure. So, we are not ignoring the mechanisms that are available, it is just that some times those mechanisms are slow or may be a little bit of a ponderence system because every other jurisdiction in the state of Louisiana is doing the same thing.

Councilman Walford: And you know this came from a newspaper article about the numbers and the dollars.

Judge Bill Kelly: If I can Mr. Walford, may I bring you one other exhibit? This doesn't answer exactly all of your questions, but that is an exhibit from the City Marshal's collection and the most important element of that exhibit is that it illustrates how many agencies are actually supported by what we call, court costs, but they are actually courts collections.

And you can see the City of course does get paid out of the fines and fees, but, other agencies from the Crime Lab, Victims of Traumatic Injuries and different kinds of agencies, are also supported through these collections. So when you are asking about the total number of fines and fees that may be out there, I wasn't available when the number of \$11 million dollars came up, but that would be a total collection of everything assuming that every one of those tickets was adjudicated and that would include, I believe, not only the fine which is payable to the City but all of these other costs that are payable to other agencies.

Councilman Walford: So where it says 'City' that small part is actually the General Fund and it goes to all these various others?

Judge Kelly: Yes, sir and those figures represent the month of June of this year.

Councilman Walford: Well, I appreciate the information I got over there and I would encourage my fellow Council members if they are indeed interested to go by and see how your system works for those who have shown up in court. We seem to have a very good system for getting our money.

Councilman Carmody: Judge, I was curious about where the Chairman was going on that question. How can the city contact the Louisiana Department of Revenue and be paid on a matter that has not been adjudicated?

Judge Kelly: Well we can't. It can't be done until it is adjudicated.

Councilman Carmody: I mean if I have an outstanding traffic ticket and I don't show up in court and then you serve a warrant out for me and you send it down to the Louisiana Department of Revenue, they are not going. . . .

Judge Kelly: We only send the affidavit out. We can make a collection for something adjudicated from the Department of Revenue. And I may have misled Mr. Walford or

misunderstood his question.

Councilman Carmody: I think maybe and I misunderstood as well. At what point then would the City be entitled to receive a portion of someone's state income tax rebate. . . ?

Judge Kelly: Only after an adjudication and if they for some reason, did not pay.

Councilman Carmody: So in essence, the person would have had to appeared before a judge. If that meant they didn't make it the first time and a warrant was sworn out for them, they would have had been brought back before judge and the judge would have had to heard the case and then ruled in the favor of the municipality and at that point, then you but a lien against whatever tax refund they are suppose to get.

Judge Kelly: Yes.

Councilman Carmody: Is that right?

Judge Kelly: We have a lot of people who come through who just don't have the money in their pocket at that time. The Marshal, as the executive officer of the court, is responsible for the collecting. We've charged him with that responsibility. We do run people through a procedure It is tightened up much more today than it has ben in the past and the reason is that you know want some reasonable standard by which you would entrust a person to leave owing the City money. Unfortunately, a lot of citizens don't feel that compulsion of citizenship to come in and pay their just fines and fees. There is always another bill somewhere else or something else.

Councilman Walford: We've got a report in front of us about another department, where we have the same problem, unfortunately.

Judge Kelly: Well, it may be that the City is safe with a period of time in which citizens themselves aren't thinking as citizens and about civic responsibility and maybe we should go after scofflaw. We in the court system and any other administrative agency but we have to go after people to be citizens too, cause we are all in the same ball game. I mean, this is our community. It is as good as we make it.

Councilman Walford: Judge, thank you so much for enlightening us on this and I really appreciate it and I find this very interesting on where the money goes, that was something that I wasn't familiar with and it is interesting, but, thank you so much for coming.

Judge Kelly: If there are no other questions, thank you very much.

<u>Convention Center Report and Property Standards Program Report.</u> Councilman Walford: Yesterday we received the Convention Center Report, the Property Standards Report.

Councilman Green: We would like to make an announcement that on Thursday at 3 o'clock (August 28) we will have a Public Safety Committee meeting here in the Chamber. Those of you that have public safety issues whether it is Police Department or whatever your issue is, we ask that you would be here on Thursday t 3 o'clock and the committee will be there along with the Departments that have been invited; again, that is Thursday, the 28th.

Councilman Gibson: I too have an announcement in terms of Infrastructure Council Committee. They will be meeting on Wednesday, September 3 at 2 p.m. Mr. Thompson, I would appreciate it if we could get a Public Notice out for that particular meeting. I would like to see if we could target the Council Conference Room for that, if not, we will make other arrangements for that particular meeting.

Mr. Thompson: Would you rather it be down at this Conference Room if it is available? Councilman Gibson: Yes. And I would also like to take the opportunity in terms of Infrastructure Committee, Mr. Strong and the Public Works Department have come up with some information that we are going to be reviewing along with a consultant's report, that has been hired by the City.

And tied in with infrastructure, and I think it is important to note and I want to thank

the Mayor and the Administration for passing out, yesterday a, what I consider a very professional, well-done video, from all accounts I can read into, that we are going to use to promote quality-of- life to people around the country to move to Shreveport.

But I will suggest to the public, and I think my colleagues and I are on the same page on this particular item, quality-of-life starts with city services: streets, water, sewer, drainage, fire and police. And we can do whatever it takes to try to encourage people around the country to come live here, but is imperative and I think this Infrastructure Committee is going to be looking all aspects. It is imperative that we commit to reinvesting monies into our infrastructure because if we don't have first class infrastructure, we are not going to be able to attract those people to come to live in Shreveport and keep the people that are making Shreveport their home, to stay here.

And so, I would encourage anyone that would be interested in attending that meeting, to participate because I think that will set the stage and I think my colleagues, Councilman Jackson and Councilman Carmody and I, are committed to bringing forth information before this body to make sure that it is incorporated into this upcoming budget because it is apparent to me that there is some trends that go well back, going back to other Administrations where we should be spending just in areas of water and sewer and some other things, in the neighborhood of \$33 million dollars a year and we are averaging about \$18 to \$19 million dollars based on just rough number and for us to continue to overlook that is going to sacrifice quality-of-life.

And so, again it is imperative and I think this committee along with this Council will look at every means to continue to put money into infrastructure in order to help the Administration in economic development and others that are trying to attract individuals and businesses to this community.

Mayor Hightower: We would like to, if it pleases the Council, to show that video that Councilman Gibson was talking about. It will take about 8 minutes. I think it is something that the citizens of this City ought to see. I mean, not only do we want to sell ourselves to those that may look to come to this community for business or family or for whatever reason, but I think this video also does the same thing the 'Bring The Kids Home' video did, and start selling ourselves to ourselves. And it takes more than myself or more than this City Council to go out and promote this City and talk about the good things, it takes all 200,000 of us that live here and I think the more we know about where we live and the more we know about the product, we know about our features, the better salesman we all become in this City and I think this video helps to do that. We would like to show it if it is alright with the Council and encourage anyone out there in t.v. land that views this presentation that would like to have one, to call our office and we would be glad to send them one either on VHS or on computer disk.[Following a motion, second and unanimous vote, the Council viewed the entire video.]

<u>Public Hearing:</u> ANNEXATION Tag No. 02-07: Tract of land located along N Hearne Ave., N. Market St., Grimmett Dr., Cross Bayou, and 12 Mile Bayou ROW, in Section 23 and 26 and a portion of Grimmett Dr. ROW (LA Hwy. No. 3049).

The Chairman declared the Public Hearing open and called for an Overview from the Administration.

Mr. Strong: This is annexation Tag No. 02-07. It concerns adding a total of 395.85 acres into our City limits, the area of town commonly known as Agurs, that is completely surrounded by the existing city limits.

This outside Agurs area is generally located between North Market Street and North Hearne Avenue and north of Twelve Mile and Cross Bayous as shown on the annexation map that you are looking at. This outside Agurs area also property located along the easterly side of

the 1600 block of North Market Street and along the northerly side of the 1600 through 1900 blocks of North Hearne Avenue and along the westerly side of the 1800 block of Grimmett...

All of these areas are easily seen on the map and all of this large irregular-shaped "island" has been completed surrounded by the City limits for many years. Large portions of this area are presently being served by a 6" to 20" water main and 4" to 21" sewer mains and by a 14" and 16" force main.

Approximately 185 people reside in this area in eight houses and 50 apartments. All the houses and apartments received City water and sewer and all the houses receive City garbage pickup.

There are about 91 businesses and about 60 of these receive City water or sewer or both. All the City Departments and offices contacted, had no objections to the Agurs area being included within our City limits.

There were 153 calls for service and alarms that have been responded to by the Shreveport Police Department in 2002 in this area. Many of the property owners not signing a petition for this annexation are already receiving City services such as water and sewer utilities, garbage collection, and Police and Fire Departments responses.

Citizens receiving City services are required by City Code to sign annexation petition when requested. That being said, more than 74% of the registered voters in the area signed petitions to come inside our City limits. Likewise, almost 54% of all property owners signed annexation petitions representing more than 54% of all property value in the area. Almost 67% of the resident owners signed petitions representing more than 68% of all the resident owners' value. The annexation of the Agurs tract will move this "island" and add a large established and growing business, commercial, industrial and residential area to our City limits.

We are also including a $184 \times 5 \times 65'$ portion of Grimmett Drive that was left out of a previous annexation in years gone by. This will clear up and prevent any possible confusion and the problems with this area; that is basically the City's presentation. Are there any questions?

Councilman Lester: I want to go over a couple of things if I could with you. This is going to, if we move forward on this, this is going to bring Agurs into the City and into District A?

Mr. Strong: Yes, sir.

Councilman Lester: Could you speak to us, Council and the citizens out there, about the petition process. I ask that question specifically. I gave you a call a little while ago. I received an e-mail from a business owner in the area that expressed some concern that somehow he was missed in the process and explained to him that this process was a detailed, very detailed process that didn't start over a couple of days and in fact, this is something that has been on going for a period of time, so could you speak to that issue, sir, please.

Mr. Strong: This has gone really over the last 2 years of where we have been working on different areas and we have here a total of 97 petitions that have been accumulated by actually going and visiting with different owners, houses, residents throughout the process.

We also, when people tie on or connected to city water and sewer was also a petition that had to be signed at that time, they would oppose annexation; so, we have a fairly sizeable list of petitions here too that goes long with that. It is not an easy process and being that this is so large and with the number of businesses there, that is why it has taken this long to get through the process.

Councilman Lester: And in fact you had an opportunity on more than one occasion to speak with folks associated with the Agurs Business Association on more than one occasion. In fact you were there at the last meeting, what was it, last Tuesday?

Mr. Strong: At the-two weeks ago.

Councilman Lester: Two weeks ago, that is correct. And you spoke with them in terms of what the annexation were to mean to them in terms of, in fact you also indicated much to your chagrin that it was in one respect one of your Departments was going to take a loss but the benefit was going to be greater to the City. Could you discuss that with us

Mr. Strong: Currently, the water and sewer is based upon its double rate with it being on the outside. When it becomes annexed, then it goes to the normal single rate so the businesses and houses that are out in that area will actually reduce their utility bill, water and sewer, by 50%.

Councilman Lester: And then one of the other issues, that you discussed at that Agurs meeting was the obviously the safety issue in terms of them being inside the City if in fact there was a fire. I believe in one occasion some of the folks over there indicated that because they were not in the City, they had to have the initiative basically to invite the Shreveport Fire Department in and in fact there was a fire and there were volunteer firemen that had to deal with the situation?

Mr. Strong: It is my understanding on that is that a fire did take place on one of the businesses there and that they Shreveport Fire Department was first on the scene. They contacted the Lakeview Fire Department and had to wait for them to come out too, to put out the fire but under the mutual aid agreement they have to do that and then they have to ask them to do it or either they come out and respond. So, I know that took place on at least one occasion, I am not sure of any more.

Councilman Lester: So definitely we are going to, the residents over there and the businesses over there, not only are going to see a reduction maybe in terms of their water and sewerage, but they are going to see an increase–probably a decrease in their insurance rates because now they will come under the ambient and control of the City and our first class fire rating which will in fact to many of those property owners, be a substantial savings for those businesses. Would that be correct?

Mr. Strong: There is some savings, it is not that large and it is basically for the business industry.

Councilman Lester: Those are the two questions that I had. I just want to say, I want to commend the Administration and in particular Mr. Strong for his diligence in this effort. Agurs is one of those areas that has been a tremendous doughnut hole, for lack of a better term, in our City for a long time and over a period of years, there have been a number of people that live there that do business there, that trade there that have expressed a desire to come into the City but understandable there is a process that must go on and you are to be commended, Mr. Strong, as well as Mr. Stratlander and folks in your department because you have seen through this process to make sure that every step is taken, ever 'i' is dotted and every 't' is crossed. I just want to commend you and let the citizens know that this has not been something that happened the last 2-months or this was something that was done in the dark. There has been a process and every one has known about it and the fact that you articulated that, a great percentage of folks, 54% of the property owners and upwards of that in terms of citizens, registered voters are saying that this is something that they want to see happen. And quite obviously, can you kind of give us an idea of the benefit to the City in terms of tax base and things of that nature that bring an area, an industrial area like Agurs that generates hundreds of thousands of dollars or millions of dollars in income, what is that going to help us do in terms of the city coffers?

Mr. Strong: It helps in what Councilman has brought up earlier as far as going towards some of our infrastructure needs and keeping it up. And what this has had, in the past is, there

are so many departments in that area of not knowing what is in and what is out and as you saw that between some of the police calls of making out there and the garbage, of picking up, that is out there, we shouldn't been doing that. Anyway, but it is hard to know what is inside and outside and it is basically been considered as inside, even though they are not paying the taxes that goes toward our infrastructure needs.

Councilman Carmody: Councilman Lester did an excellent job of asking most of the questions that I wanted to ask. But one that I know that had come up in previous annexation requests was that we do have the appropriate Department of Justice clearance in order to go ahead and receive the annexation?

Mr. Strong: You are going to get the legal opinion issue and I don't give those, but it is my understanding is, once the Council passes this, then it is then sent to the Department of Justice; so that is not a legal opinion.

Councilman Carmody: Thank you for that disclaimer.

Councilman Gibson: I heard you to say and I appreciate all of the due diligence that you put into this in working with Councilman Lester to get to this point. Agurs Business Group, what percentage of Agurs Business Group represents the totality of the businesses located in this particular quadrant that we are talking about for annexation?

Mr. Strong: I am not sure.

Councilman Gibson: And 54% of businesses inside the area that we are talking about are in favor of this?

Mr. Strong: Have signed petitions, ves sir.

Councilman Gibson: The only reason why I was asking is, if a business owner was outside or not part of the Agurs Business Group how would they know what was going on in terms of – do you send something specifically to those businesses also?

Mr. Strong: They were contacted.

Councilman Gibson: Okay, that is what I am asking.

Mr. Strong: They have been contacted and as I said, we have got the contact reports and everything on when the different ones were contacted and whether they were either in favor or they were not.

Councilman Gibson: The reason why I am prefacing this is, this is the first time that I think we've had a major annexation with this City Council body, so this is an education process for this Councilman so bear with me if I'm asking some elementary questions for you.

Mr. Strong: No it don't, it is definitely the first time of one this size and the only other one that I know that had houses or businesses in it, is over off of South Lakeshore. The rest of them have been vacant property that has come in through subdivision.

Councilman Hogan: As Mr. Lester had related to a moment ago, is there any (and Malcolm you are here) to address any questions maybe. Do you have an idea about how much benefit we will receive from property tax revenues on this? You may have said that and I didn't hear it, Mike.

Mr. Strong: You should have a fact sheet that is part of your packet that shows the impact. It is very hard to see which shows you the property tax that will be coming in is at: \$111,750.00. You see where the water revenue and sewer revenue have it coming in which is now this is showing it at the single rate, not the double rate with all of the tax and utility to about \$216,000. Now what this does not count is any sales tax that will be brought in from this. This is just from the taxes that are in place today and it does not count any new sales tax that will be coming in.

Councilman Walford: Let me, real quickly answer one of your questions, if I may since I have been very close to the Agurs Business Association of North Shreveport, I'm rather familiar

with it. This has been an issue for a long time, the North Shreveport Plan had the hole shown where the areas needed to be annexed; so, it wasn't a new issue to the Agurs Business Association or most of the businesses out there.

Councilman Gibson: First of all, I wasn't insinuating, I was just asking what the percentages were.

I don't want to make this assumption, but you indicated that we were providing garbage and other services out there for basically, no cost because we couldn't determine what's in the City and what is not.

Mr. Strong: Correct.

Councilman Gibson: Could I ask the question, I guess that raise—when you see things like that just like in an audit, CPAs look for certain things that, trends that, I guess, did it raise something in the Department to go back and look around the City. Do we have any other and I'll use the word I think you used or somebody used, 'doughnut hole'. Do we have any other doughnut holes in Shreveport right now that we are currently providing services, at no cost that you are aware of? I know you are going to say, no, but are we reviewing that?

Mr. Strong: I'll go further than that. I'll even answer you that when this one comes in it pretty well addresses the largest by far. We have some areas that are in that like they have tied onto water and sewerage, that is in there, and we have gone back and tried to make sure that they are not. Am I a hundred percent sure of that, the answer is no but have we attempted to look, the answer is yes.

The Chairman called for persons to speak in favor of the annexation and no one came forward to be heard.

The Chairman called for persons to speak in opposition to the annexation.

Walter Terry Pipes and that we have multiple places out in the Agurs area: We have been there for some 30 odd years. Not so much against, but as the procedure that was taken. I know that there were quite a few business persons like myself that were addressed and we all said that we were not interested.

I don't know where the 52% or 54% of the business owners numbers come from, I've never seen these numbers. I was never contacted. I was called this afternoon to say, 'did you know that there was meeting in City Council about annexing Agurs into the City of Shreveport?' I said, 'I know nothing about it.' We have never been notified, although my phone number and my address is pretty public knowledge.

My concern is do we really know all of the nuts and bolts. I sit here looking pretty well at a stacked deck from listening and looking at ya'll response to the procedures that were just given to us, the activities that were just shown.

When we step into the City of Shreveport, most of us do not receive garbage. I've never received garbage pick up from the city of Shreveport. We do pay double-duty on the water we received. We do not have any sewerage. We do use the Sheriff's Department for security, not the City police. We do have volunteer fire departments coming in if we have a problem. I know one of my neighbors had a problem a while back and they had a volunteer come in and tend to the fire department.

I do know that when we step into the City of Shreveport, we just take the base tax that we are paying on property and add 50% to the figure; that's exactly where we'll be. I have City property and I also have Parish property and I don't know where the tax jumps. The benefits to this are this in savings on insurance are so minuscule until they don't even count, so small amount of business insurance that you'll save by being in the City versus being in the Parish, that has almost no bearing.

My real concern was the way the situation was done in a stair step and we were

interviewed, had folks come to my office and sit down and talk with me and have a visit with me and ask me, repeatedly, why I would not be and I explained my feelings at that time as I am now. And, he had, just didn't understand why I wouldn't want to be in the City, why the property would not be.

And I am stating it, for as I stand here today, the gains are very small compared to the cost. Show us where we can really gain and we'd be for it. I have not seen the gain. Having both properties in the City and out of the City, there is a lot of difference in cost annually and taxes and not in gains. Having said what I said, I rest my case.

Councilman Gibson: You raise a point and again this is the first time that I am aware of that this body has had a significant tract of land that we are dealing with, with annexation. I had some experience down in the Houston marketplace on an annexation, so when I ask this question again it is more from a education viewpoint in what we are looking at on this particular situation in the future.

You said that you didn't not get contacted or today you got contacted and that was the first time that you had any contact?

Mr. Pipes: I had a contact probably 2 years ago, a gentleman came and interviewed. He wanted to know if I would sign a petition to be annexed into the City and I said, no, Sir.

Councilman Gibson: Was that a city employee?

Mr. Pipes: Yes, sir.

Councilman Gibson: How many others, I have to assume you had some conversation with some of your other business colleagues out in the area?

Mr. Pipes: Two or three have contacted me, one out of Arkansas that owned some property–wanted to know what my thoughts on it and then some local businesses have asked and to the man, they have all been against it. But where the 52% or 54 % For comes from, I have never seen. I don't know who these people are. I don't challenge the situation other than I would like to see who we are talking about. If you are telling me, 'yeah, Terry you lost because of 54%. 'Well, who was the 54%? Show me who the folks, who voted for this. If I am on the short end of the stick, well then I'll move with the program but show me who they are and if you—not the day of the election, the afternoon of the election, am I advised where I am supposed to be. It don't think that, that is fair; that is not playing by all the rules. I was never contacted in any other way.

Councilman Gibson: So in your opinion, for us up here, again and I don't know if this is part of our process obviously I am not sure if it was, but as we get this data back in and we should maybe come back share that data in terms of what those percentages and who they are versus For and Against?

Mr. Pipes: Sure just let us know who is with and who is against it and if we are on the short end of the stick, we'll move with everybody else, that is all we can do.

Councilman Gibson: It is the American way. I appreciate.

Councilman Carmody: Mr Pipes and I go way back. Out of courtesy to him, I've got to answer the question: Mr. Strong, do you or any of your personnel have any documentation as to trying to notify, at least this property owner? It is disconcerting to me to hear that today was the first time that he has spoken to anybody. Simply knowing that he has very sizeable piece of property along, help me.

Mr. Pipes: Aero.

Councilman Carmody: Aero, thank you. I kept thinking Airport but I knew it was Airport.

Mr. Strong: Correct I think he is right. He said approximately 2 years ago. It was on June 12, 2002 that the employee did contact him. And also I believe that even at the Agurs

meeting, I believe your son was even at the meeting when we talked about it at that time too.

Councilman Carmody: But is all the contact, Mr. Strong, verbal?

Mr. Strong: We start at the verbal until we get to the point of doing the petitions. As I said, we have the petitions over there on where we have received the signatures for it, so and I believe that Mr. Pipes is not on those petitions.

Councilman Carmody: Well, I am sure he is not because as he said, he clearly stated that he was not in favor of the annexation. I guess that you are basing your numbers on the percentage of those wanted be annexed on, those that signed the petition versus those that did not.

Mr. Strong: That is correct and that is the numbers that I gave you, the 54% and the 70%.

Councilman Lester: The statute requires you to do certain things in terms of doing annexation, is that correct?

Mr. Strong: Correct.

Councilman Lester: It lays out a procedure, point by point, piece by piece in terms of contacting folks, in terms of phone calls, in terms of letters, in terms of petitions and the whole nine yards. Is that correct?

Mr. Strong: Correct.

Councilman Lester: And from what I've heard, you started this process not yesterday, not last week, not last month, not even last year. This is a process that has been going on for 2 years, correct?

Mr. Strong: Correct.

Councilman Lester: And through every single part and part of that process, you've communicated with property owners and the fact as I believe, you had a list of everyone that owns property over in the Agurs area, correct?

Mr. Strong: Correct.

Councilman Lester: And you have made contact with those folks, correct?

Mr. Strong: Not necessarily myself, but some of my staff has, yes.

Councilman Lester: When I say 'you', I am saying the department, the City represented by your department.

Mr. Strong: Correct.

Councilman Lester: And those that had wanted to participate in terms of being for annexation, had an opportunity to voice that in terms of signing a petition. And those that were against it, had an opportunity to as their God-given right, not to sign the petition, is that correct?

Mr. Strong: That is correct.

Councilman Lester: And when you said you gotten figures that 54% of the property owners, that is 54% of the property owners in that area had in fact signed petitions in terms of saying that they are in favor of this annexation?

Mr. Strong: Correct.

Councilman Lester: And then you talked about the number of people that were registered voters in that area. And you also indicated that of the registered voters in that area, you have over 70% of the people that are registered to vote.

Mr. Strong: I believe it was almost 74% in itself, it was 73. (some-odd) percent.

Councilman Lester: Seventy-three percent (73%) that are registered to vote that live in that area that are there all day, every day, come home and sleep there, have said that they want to be inside the City?

Mr. Strong: Correct.

Councilman Lester: And are you comfortable that you have followed the process as

outlined in the statutes?

Mr. Strong: Yes, sir.

Councilman Lester: And are you comfortable certifying to this body and to everyone that is watching that you have followed the process?

Mr. Strong: I feel very comfortable that the process has been followed in total.

Councilman Lester: And the fact, if any one of us or any citizen wants to see those petitions, it would not be a difficult thing for you to produce those?

Mr. Strong: That is correct.

Councilman Green: Mr. Strong, in the statute that you are talking about does it say once you make contact with them and the process is over, that you got to call whoever is not participating back to say anything to them?

Mr. Strong: No, Sir.

Councilman Walford: Mr. Pipes, Mr. Carmody just thinks you and he go way back, you and I have been out in that neighborhood before the beard was gray or the hair was gray, right?

Mr. Pipes: True.

Councilman Walford: Thank you for coming down.

Mr. Strong: We do have a petition here from Mr. Pipes that was signed, is that correct?

Mr. Pipes: Yes, sir.

Mr. Strong: We do have a petition.

Councilman Carmody: Can I make sure that I understand. Is that petition whereby he came on City water that he mandatorily had to sign to ask for. . .?

Mr. Strong: Correct.

Mr. Pipes: One of the pieces, multiple pieces, one of the piece to tie onto city water had that had to be signed.

Steve Yancey (Attorney with Cook Yancey, King and Galloway): Mr. Harlen Lee, we are speaking on behalf of Certainty Corporation which I think the actually, the property owners, GF Roofing, we are speaking in opposition to the annexation.

Unidentified Speaker: I would like to comment that yes, we did notification from the City by letter dated October 25, 2002 which we responded to by letter dated November 6 and those were the last correspondence that we had with the City regarding this issue.

I understand that in previous annexation process, the owners was on the city to prove the need for an annexation and it appears now that it is on the property to prove not the need to come into the City.

To my knowledge, there has been not notifications in the area. Had we not just stumbled upon the fact that this was an item coming up on the City Council, we would have not known about it.

I think the process is flawed and does need to be re-visited to give a better opportunity for property owners more adequately prepare for the process. I represent about 120 employees that work out in the area and my company feels that this annexation is going to put us at a competitive disadvantage to the additional cost that we see with our being annexed into the City and we think that the City Council should take a closer look at the actual cost.

I understand what Mr. Strong is talking about with the water and the other issues. My company is so large that we are self-insured so that the insurance issue is of no affect to us.

We are concerned about some of the other taxes that go with operating a business that are not property taxes, they are the sales taxes, the sales and use taxes and other issues that will come to play once we are in the City. We would firmly oppose this ordinance from proceeding without further study.

Robert S. Cochran: I am very nervous. I feel like I need to come forth. I was there before

Terry and I thought (inaudible). Certainty has stopped Aero Drive, at the railroad tracks. I paid for the materials to go from the railroad to North Hearne with the Caddo Parish Police Jury. The City did not want to talk to me. I own 4 acres of land there, I owe 12 acres now and I developed that part where Caddo Fab is now, that is our operating base.

Now, this will really put us at a disadvantage from sales tax. We furnished material for nine states. We have to pay sales tax, we are going to be 8% out of the (inaudible). And we work a lot of people, we been there a long time and I am very nervous (I don't talk in front of people very often.)

I think the Council really needs to think about what they are doing because they are going to affect a lot of industry that is in Agurs and these houses that are built in there, should never have been built in Agurs. They are residential. Agurs was an industrial community for the City of Shreveport. Why they let them build these houses in there, I have no idea.

Councilman Walford: Could I ask you after the fact here to give us your name and address for the record?

Mr. Cochran: My name is R. S. Cochran. Cochran was named after me because the City and the City of Shreveport got \$14 million dollar worth of revenue and people moving into that area because I paid for the road on Aero Drive. Cochran Street, Lloyd Street, and was Waller Street, they changed it to Cochran Street. And I just think that ya'll really need to consider what you are doing to the industrial area of Shreveport. We are trying to keep industry here and all we are doing is running them out for a few tax dollars, tax dollars are not going to be that great.

And by the way, we begged for sewer. I am on the water thing, I did the same thing Terry did. Where were ya'll in 1961 when we went out there, '62? Where were you? I mean, we were out there in a swamp. Gentleman, it was a swamp. If we hadn't gotten the dirt from Willis-Knighton Hospital to fill it in, it would still be a swamp.

Now, just think about what you are doing. Certainty is a big company and they really support Shreveport, Louisiana. And all the trucks you see coming in here, that is fuel, that is gasoline, that is taxes for the City; so, that is all I have got to say.

Councilman Jackson: Maybe Mr. Cochran, I am sure, knows about this, over the course of those, I guess 42 years, has the City of Shreveport been maintaining those streets?

Mr. Cochran: No, the Parish. The Parish will maintain them immediately and the City has not picked up any trash. The only thing is, I paid a \$400 and something dollar water bill this month for the Caddo Fab Welding Shop to the City. I been on water since 1968. We paid for the water main to cross North Hearne, okay.

Councilman Jackson: Now, a minute ago you said that basically doing this annexation was going to net not enough dollars to be significant, is that correct?

Mr. Cochran: I don't think so. I am not a tax man.

Councilman Jackson: That revenue would come from taxation that the business currently do not pay. Is that the same insignificant amount?

Mr. Cochran: I would think so, yeah.

Councilman Gibson: I'm a little bit fuzzy on this and again, this is not really directed to Mr. Cochran, but I guess the Administration. Obviously when we deal with annexation and I don't know if we have this in our city charter, but it looks like we got like a mixture of annexation here of industrial and residential which again, I think it is healthy but we have two separate situations here.

In the past, and again this is my lack of information, in the past do we have a track record of annexation of industrial areas within the City of Shreveport specifically geared toward industrial versus when we go in to annexation a residential community which obviously the residents are a different animal in terms of comparing to the business side.

Mr. Cochran, you bring a valid point here in the fact that the industry was there first and residential. It may have been a smattering and then all of a sudden we have an influx there and again, we would love, I personally would like to see the residents and everything of that nature but at the same time, filling with some real acute problems with business and industry in this community. And I understand the nature of your business and a couple of others that have been before us in the competitive marketplace out there with global pressures that you are under. And I guess for the Administration, have we specifically in the past gone, do we have a similar situation like this or have we gone after and annexed a specific industry or an area where there is an industrial area?

Mayor Hightower: Councilman Gibson I am sure there and I think we can probably cite some of those. Councilman Carmody just because of his real estate business, may more in tune than I am but one thing that Mr. Cochran alluded to that I don't think is exactly right, although sales taxes would be implemented on a business that comes inside the City. So if Mr. Cochran went out to buy typewriter paper, he is going to pay 8.6% now versus (what is it) 7.25%, something that you pay now. But any materials that are coming in to his shop that are going back out to build a building, in Mr. Cochran's case, would be taxed at the new building (final product location) not in Agurs. If he is sending out 2 x 4s, if he is bringing in 2 x 4s and then sending them out to Ellerbe Road to Southern Trace, he will be taxed at Southern Trace, whether it is in or out not in Agurs.

So, from a sales tax standpoint on brining in inventory and shipping out inventory, that shouldn't impact his business at all although there will be other areas that sales tax impact the business but not in the main thrust of what the business has to do.

Mr. Cochran: What I am saying to you is, not necessarily on taxes but if you go in there and furnish us with sewer, fire protection, and I don't think that the city can afford a sewer system for Agurs, I just don't believe you can. It is just that way. I mean it is big. You are talking about 300 something acres, 300 acres you are talking about furnishing them with City utilities and services. Are you going to get those free? Where are you going to get the money for that?

Mayor Hightower: One thing I learned, nothing is free.

Mr. Cochran: That is true.

Mayor Hightower: I might would offer you a free tank of gas, if I knew you didn't have a car but other than that.

Councilman Gibson: We are not going to go there.

Motion by Councilman Green to close the public hearing seconded by Councilman Lester.

Councilman Walford: Never heard of cutting off a public hearing.

Mr. Thompson: Mr. Chairman, I think that if you have called a public hearing and advertised to the public that you are going to hear the public, I don't know if any law which says you can't do it, but we would caution you against that.

Councilman Green: When are we going to vote?

Councilman Walford: Later. All we are doing is conducting a public hearing right now. Do you want to withdraw that or do you want to stay with. . .

Councilman Green: I'll withdraw.

Councilman Carmody: I'll try to answer Councilman Gibson's question to the best of my recollection. Mr. Gibson if I remember correctly and maybe Mr. Thompson can help me, but it seems like I recall reading the City's history in Caddo 1,000 where under Mr. Gardner's Administration, the City annexed in the Atlas Refinery as well as that area of Hollywood. And in conversations with Mr. Gardner, he'd explained that part of the reason and rational for taking in that area, was that the tax benefits from the industry provided the ability to pave,

bring water and sewer and drainage improvements to the Hollywood area and so I think that is correct.

Councilman Gibson: Thank you Mr. Carmody. I think that there, I figured there was, but again we are dealing with real people, real businesses, real employees, and real residents and again, I appreciate Councilman Lester's leadership on this role.

Robert Cochran (live in Shreveport): I been at Caddo Fab for 15 years now. I am not a land owner, but I do have a business there. My door has never been knocked on by anybody from Shreveport to ask me if I would be interested in annexing. I talked to five or six businesses today, just this morning and everyone of them had been against it. I think that these numbers have been and I've asked Mr. Lester for these people's names and numbers. I just don't see how it could be. If it is landowners only or are you talking about tenants that are renting apartments, do they get a vote or is it the landowners?

Councilman Walford: You are asking me a question that I can't answer. I would defer to Mr. Strong if he would come back up, please.

Mr. Strong: You have the group of the property owners and the registered voters so you are you looking at both as you are taking this in; both are considered. And listening at Mr. Cochran, on June 24, '02 was contacted and spoke with Mrs. Cochran and a card was left. And then on June 28, met with Mr. Cochran at one of his job sites at the First Methodist Church downtown and he said that is currently not interested, no way in the signing a petition.

Mr. Cochran: Well, this is going to hurt my business and I am going to look at other opportunities like Texas and other places too. This property taxes here and everything is going to go way up and it really hurts. I am going to take 20 men with their business and (inaudible) I am competing with people all over the country, from Missouri. I am competing with people way up north and I can't compete with them because of the (inaudible) and what their taxes are and then, so I am going to have to find another opportunity to (inaudible) transportation and I can't compete with my own self.

(Audience member requested to speak a second time. Motion by Councilman Gibson, seconded by Councilman Lester to allow him to address the Council [motion unanimously approved]).

Harlan Lee with Certainty Corporation: We are talking about registered voters or residents in the area. There are only three resident property owners in the area according to the document published by the Assessor of Caddo Parish. There are a total of 239 owners but only three of which are resident property owners. But when the Council looks at how many voters this is actually affecting, it sounds to me like it is only three.

Councilman Jackson: I guess I am kind of confused, I never understood what registered voters had to do with this, at all? You could be a property owner without being registered vote, and...

Mr. Thompson: I believe Mrs. Glass can tell him what the law is.

Mrs. Glass: In the statute there is one requirement for a percentage of registered voters and second requirement for a percentage of resident property owners and a percentage value of resident property owners.

Nanette Poole: We own Poole (inaudible) on Aero Drive and I just want you to know that this is going to severely impact our business. We are not a big business. We hired 10 people. We are the kind of business that Shreveport really wants to keep. We don't have minimum wage employees. We provide benefits. We pay insurance. We pay Caddo parish property taxes are just almost unbearable. Add Shreveport taxes to that on our inventory and it will be unbearable. I don't know how we will be able to survive that in this down turn. We've done everything we could not to cut hours of any of our employees. We cut our own salary. We

have done everything possible. We are being hit with 12% health insurance that we pay for our employees. We are being hit with increases in workman's comp. We are also being hit with increased property, general liability insurance. If you want business to stay here, you need to help us every way you can and this won't help.

Councilman Gibson: Ms. Poole, for what it is worth, I am being hit with workman's comp increases, my liability almost doubled, but I'm in the City. Are you on City water?

Ms. Poole: We have city water. We were forced to sign that to get water. We couldn't get our permit to build the building without City water.

Councilman Lester: As you've heard, there are some people that are not in favor of this annexation. Mr. Strong has provided documentation to show that, there is a majority of the people that live there and the majority of the businesses that are there and that are in favor of this.

Gentlemen, I would just say it has been my experience in dealing with the people in North Shreveport and particularly the folks in the business community, more particularly Agurs Business Association. I can tell you in no uncertain terms if this was a scenario that was going to be to the determent of the Agurs area, to the businesses that are over there, 1. that wouldn't be something that I would support. 2. I can tell you that the Chamber would literally be packed because the Agurs Business Association for those of you that don't know and some of you that do is a very, very, active, very informed and very aggressive organization, very progressive. They weight the pros and cons. They usually got folks over there, many of who, I think our local daily last week put out a list of some of those, the largest businesses in the City of Shreveport and several of those businesses in the top 100 are in Agurs and I can tell you one in particular, he and I don't always see eye-to-eye and that is Mr. Craig Kennedy. And trust you if Mr. Kennedy and Red Ball Oxygen was not in favor of this, you would hear it and we know.

So, there are a number of people that have expressed themselves. They City has done its due diligence and I would just think that this is something that we should move forward on. I don't think that it is going to be something that is going to be to the determent of the business community and I am satisfied that the City has done its due diligence and we are going to do something that is going to be in a net positive for the City; so, I would ask that we move forward on the annexation of the Agurs area.

Councilman Gibson: Mr. Chairman.

Councilman Walford: At this time, we are not debating this. I was going to close the pubic hearing and we'll debate it when we come to a vote on it. Is that alright.

Councilman Gibson: That will be fine.

The Chairman called for any other persons to speak in opposition and no one else came to be heard. The hearing was closed.

(Video was shown. Councilman Walford: That was excellent. Mayor, Arlene, my compliments; that was really good.]

Confirmations and/or Appointments:

Motion by Councilman Gibson to postpone the confirmations for two weeks, seconded by Councilman Carmody: 1. Downtown Development Authority Board: Arlena Acree and 2. Downtown Development Authority Board: Bill Bailey.

Councilman Gibson: I understand under state law that was passed some years ago that when a vacancy occur regarding the Downtown Development Authority, the Mayor must supply three nominees per vacancy to be voted on by the City Council. While this may not have been used in the past, in past Administrations, it is the law. And because of this information I would like for the City Attorney to look into this specific information of which I do have the law and I believe Julie Glass, you have a copy of that law.

Ms. Glass: I don't have it with me but I have one .

Councilman Gibson: But you are aware of that?

Ms. Glass: Yes.

Councilman Gibson: And with that information, I would also ask in the motion in delay that the Downtown Development Authority supply this Council with a copy of its by-laws in terms of requirements for board.

Councilman Carmody: If I could make a formal request of John Hubbard, I believe he is currently the President or Chairman of the DDA, if he could supply us with a list of those persons that have expressed an interest in joining their Board, maybe that would assist the Administration in providing appointees.

Councilman Walford: Mr. Thompson, can you forward Mr. Carmody's request, please.

Councilman Jackson: Did I understand, I didn't see the law that you all are talking about, obviously we've been in violation of it before. Does it just apply to the DDA? Is this our first DDA appointment since we've been on the Council?

Secondly, if in fact that's the case is what I heard you say that the Mayor is responsible for getting three people and then the Council is going to vote on those three people per opening? Well I don't know, is that what Councilman Gibson was saying?

Councilman Gibson: I do have the law, but again, that is why I'm asking for a 2-week delay because I think we need to have legal counsel review this and get a copy to each City Councilman so we are aware of exactly what we are dealing with here.

And also noted in there, in the law, I understand the Mayor and the Executive Director of Downtown Authority, serve as a non-voting, ex-officio member so I mean, we have representation the DDA by the Mayor and also that Executive Director but I think it is prudent that we know exactly what we are dealing with and I am not an attorney, but I do, looking through this, it appears that there is a requirement under statute and again I'd have to defer that to Julie Glass to give us some guidance.

But to take up time today to do that, I think we need to be prepared over the next two weeks to look at these issues and also, look at, I do know that there has been some other interested parties. If you recall two weeks ago when I asked for the delay---Councilman Walford: Mr. Gibson, let me stop you. You really were asking a question from Mr. Jackson's time. (Councilman Gibson: I apologize.) Mr. Jackson, let me come back to you-that was suppose to be a short answer to your question.

Councilman Jackson: Well I just assumed then somehow during this time of postponement, we'll get some definitive answers with regards to because it sounds like he said the Mayor is going to give us three people and it is almost like we vote on three people, where one person could get two votes, another person could get three or was he in fact going to just give us a person to either, thumbs up or thumbs down, regardless of how many he sifts through to give to us or are we in a situation where whenever he makes a presentation, that he does in fact the Mayor possess the authority to present candidates, I guess, if you will call for confirmation to us. If so then that is fine.

But I was confused and concerned that what he is doing is not a confirmation or an appointment, it was an interview. The Mayor would then come up with three candidates and we would then chose which would not necessarily be confirmation, would be appointment by the Council.

Councilman Gibson: The statute reads according to a September 12, 1980. The successors, as a vacancy occurs on the authority due to an expiration of the term after September 12, 1980, the successors are appointed by the Shreveport City Council from a list of three nominees submitted to the City Council, by the Mayor of the City of Shreveport.

Councilman Jackson: That answered my question.

Mr. Antee: And this may clarify for the Council, it was brought to our attention that the practice that has come about over the last many years and the last several Administrations has been what has brought to ya'll today basically, the Mayor makes an appointment, present it to the Council for approval and they approve or dis-approve. And going back and looking at the statute and the city ordinance, it is unclear but it is clear that the way the practice has evolved is not the way the practice is written in the statute and so, that a postponement of this for two weeks is in order. It would also allow us time to get with counsel for the DDA to make sure that prior appointments were in accordance with the law so that we don't have a situation to where whatever may have been done in the past has been done by a board that is not properly seated. And so we would ask and we would agree that a continuance is in order so that we can get with Council for the DDA and try and rectify that and determine whether or not it has to be three names submitted or the practice that has been done.

Councilman Jackson: Well he answered my question, because I was saying what Councilman Gibson was suggesting made it a Council 'appointment' not a 'confirmation' and basically that is what he just read and that answered my question.

Councilman Green: My question would be, is it that we just don't want these two names and we want some names that we want and not the ones that the Mayor has already selected?

So, whatever be the case even if the Mayor brings 40 more names, if in fact we got somebody that we want on there and we really don't want his appointments, I just think his recommendation, I think we ought to just say it. If we don't Arlena to be on there, I just think that when her turn come up for the vote, then vote against her. I don't think that we ought to be circumventing and finding stuff to postpone it because even before we had that law, we still was postponing. In fact before we had that law, we were still wanting to know if there were some other folk who had filed an application.

So, I think it is more than just finding that law because last Council meeting, we didn't have the law. We just didn't like the names that were presented.

Today, now we have found the law, so now we can justify as to our justification, for justifying what we justifi-cated.

Councilman Gibson: Well, said. So basically —I got that from Councilman Jackson.

Councilman Jackson: Said like a true State Representative.

Councilman Green: I just think that we ought to just come forth and if there are some names that we want to put in the pot, I think we ought to go to the Mayor and say, 'Mr. Mayor, I got some friends that I want to put in the pot' and when they come up, then we either vote them up or down.

Councilman Walford: I feel perfectly justifi-cated in calling on, Councilman Lester.

Councilman Lester: I can not match Councilman Green's oratorical skills, and few of us can, but I will say this for the record, not only will I deny the allegations, I will deny the alligator.

No, but seriously, my question is really simple. Could I get someone to give me the statute because I want to look it up, myself. What's the statute?

Councilman Gibson: I am not an attorney.

Mr. Antee: We have that and Mr. LaFitte is coming and in response to Councilman Green, from the Administration's perspective, whatever the reason for brining it up is of no consequence. We want to make sure that when it is done, it is done right and so that is why we agree that a two week postponement is in order to make sure that we do get it before the Council and we get it before the Council in a manner that is legally correct.

Mr. LaFitte: This would be actually legislation that is found in Act 411 of 1980 and I

could get a copy of that for the Councilman, in fact, I'll get each of you a copy.

Councilman Lester: I appreciate that Mr LaFitte and Mr. Antee.

Councilman Gibson: We are up here to, we swore to up the law and everything and this information came to me. It wasn't available a couple of weeks go, but as this question came up in some researching, obviously all we are trying to do is make sure, as Councilman Jackson said, that we are following the statute. And again, I don't think we have done that I am aware of in the last seven or eight months, any appointments to the DDA but whatever our past, our predecessors did, obviously we need to look at that also to make sure that no challenges come but this is removing personalities and nominees and things of that nature. It is just making sure that we dot our 'i's and cross our 't's.

And again I would ask that if I could, if you would indulge me that we postpone both nominees for two weeks, both nominees that are listed on the agenda (seconded by Councilman Carmody).

Councilman Walford: So we have an amended motion by Councilman Gibson, seconded by Councilman Carmody that we postpone action on both nominees and I would assume that, Mayor, would that be the Administration's position?

Mayor Hightower: Correct.

Councilman Walford: I have no problem with the Mayor's nominees, that was not the question at all. It was a question of the proper procedure and if I could back up a minute. Mr. Thompson, am I correct that we postponed these last time because they were introduced last time and couldn't be acted on?

Mr. Thompson: My recollection is that they had not been given to the Council long enough under the Rules, for the Council to act on them at that time.

Councilman Walford: So there was nothing in the postponement against the individuals, is the point I'd like to make.

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

<u>Adding Legislation to the Agenda.</u> Motion by Councilman <u>Green</u>, seconded by Councilman <u>Carmody</u> to add the following to the agenda:

- 1. Resolution No. 153 of 2003: A resolution authorizing the acceptance of a Land and Water Conservation Fund Grant and to otherwise provide with respect thereto.
- 2. Resolution No. 154 of 2003: A resolution authorizing the waiver of all building permit fees for the construction of Fire Station Number 13 and to otherwise provide with respect thereto.
- 3. Resolution No. 155 of 2003: Resolution stating City of Shreveport's endorsement of Tango Transport, Inc. to participate in the benefits of the Louisiana Enterprise Zone Program and to otherwise provide with respect thereto.
- 4. Ordinance No. 130 of 2003 by Councilman Carmody: An ordinance to amend Section 2-1 (a) of the Code of Ordinances of the City of Shreveport which requires certain Officers and Employees to reside in the City of Shreveport and to otherwise provide with respect thereto.

Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody,

Gibson, Hogan, Green and Jackson. 7. Nays: None.

Public Comments.

Stacy Brown (Shreveport Bossier Convention and Tourist Bureau, 629 Spring Street): I am coming on behalf of the Union Industries Trade and Service Show that will be held this Labor Day weekend.

It is a new venture that they have put forward and have put a lot of planning and research into this project. It will be a project that will not only benefit the local community as far as special items that will be given free at the show, special services and introduction to the labor force union industries as well, but also will bring a number of out of town visitors.

Mr. Smalley has done a considerable research to determine how many people will be coming in for the show and he estimates that the total attendance will be about 6,000 with 700 out-of-town overnight visitors. According to the international association of convention and visitors and bureaus and overnight conventioneers who are staying 2 to 3 nights will spend approximately \$242.02. Research conducted by the LSU Center for business research, a day visitor will spend any where from \$20 to \$40 dollars while they are in town; for our estimate we used \$30.00. In estimating the number of overnight visitors, day trippers, our estimated economic impact is \$328,000. The City should receive a tax income of approximately \$28,250 dollars.

The Bureau would like to support the Trade Industries not only in their printed materials which we have already assisted with them with, but also in putting forth \$500.00 towards their building rental.

I would like to ask that as this is providing a significant economic impact and tax income to the City that the City consider waiving the rest of their rental fee.

Councilman Carmody: Ms. Brown, I appreciate the work that has gone into it. I did note in reading through the resolution that there is a requirement at the end of it regarding documentation of the economic impact and I am not real sure, how you go about doing that but I'm assuming that you are going to work with the AFL-CIO in order to make sure that they have proper documentation.

Ms. Brown: Yes.

Councilman Carmody: And what I was going to ask is, if you bring that back for us say within, and I am not sure what is a reasonable time period to get your numbers together, but hopefully we can be assured that the economic impact because I understand that everything is kind of an extrapolation as you said, \$20 / \$40, we'll call it \$30, but if we could at least see what the actual numbers and significance is, then I think that would be beneficial to the Council.

Ms. Brown: Some of those numbers are done by research that has been conducted, this paid research, but some of it we won't have in exact, like an exact amount for a day tripper since we won't be surveying all these people but we can determine more, how many hotel nights were spent as well as how many people actually came in for the event.

Councilman Carmody: And that is what I say. If it says that there are 6,000 persons coming in, I am sure you are documenting the number of people attend.

Ms. Brown: Yes.

Councilman Carmody: And I don't know to what extent you go about polling or surveying them as they come through the door about where did you come from in order to be here, but I would think that would beneficial to us to see the economic impact that this event draws.

Ms. Brown: Certainly.

Councilman Lester: In terms of documenting economic impact, what Councilman Carmody asked you to do is not any different than anything that you've done for any other organization that we do waive those and have those Cooperative Endeavor Agreements with, isn't that correct?

Ms. Brown: Yes.

Councilman Lester: So this is just standard and par for the course, this is not any new requirement just for the Labor folks?

Ms. Brown: No, I don't believe so. We've always provided information.

Councilman Lester: And it is a certain art to that because quite obviously you can't, I mean, it is pretty labor intensive asking each and every person. . . .

Ms. Brown: No and that is what I was just saying, some of this will not be a detailed as some of the previous research has been, for instance, we contracted with LSUS to do research on the Louisiana Tech-Miami game, so that is obviously more research and more labor intensive than what we will be able to do for this event, it wouldn't be cost effective to do that same amount, but we will have follow-up information.

Councilman Gibson: Stacy, just a comment and just for my colleagues, obviously labor is a major component in this country and a major component in this community.

Roosevelt Smalley has done one outstanding job and I appreciate him working with you in developing what is before this body. But historically labor groups around the country in cities where there is representation which most cities do have that representation, use Labor Day as an opportunity to show case the skills and one of the components from my colleagues which I encourage you to attend on Labor Day, if we are successful in approving this is a demonstration, a skills demonstration by the different crafts within the different trades that are out there. This could be utilized as a major economic development tool because again, as the Mayor knows and Arlena Acree knows and the Chamber of Commerce of knows, business looks to come to a community where there is good skills, especially in the trades and skills all the way across the board, but this would be a great opportunity to show case the skill levels that we have within our community and they are prepared to be able to provide a lot of those different demonstrations out there for our public and also something that they can use to market to help economic developers catering to those businesses and industries they are looking to show case of which we just saw, the video, the fine video that the Administration put together.

So again, we may have some hard numbers that Stacy's Convention and Tourism Bureau has put together for us, but there is going to be a lot of intangibles that are going to be brought to the table that at the end of the day are going to affect our sustained economic development well in the future.

Councilman Walford: Ms. Brown, let me commend you and the Tourism Bureau because I think the spirit of cooperation we are seeing now with the City is great in bringing events here and working with those events and working with us and so I thank you for that.

Mr. Antee: If I may, I know it is not related to this issue, but the Convention and Tourist Bureau has really stepped up to the plate. She mentioned briefly about contracting with LSU to look at the economic impact of the Miami-Tech game, but in addition to that, the Convention and Tourist Bureau kicked in \$35,000 to help cover expenses and bring the game here and that's the kind of cooperation and addition to conventions that the Convention and Tourist Bureau can play a big part and we appreciate that. And I just wanted to the Convention and Tourist Bureau to get the recognition that they deserve because that is a pretty major step and it is appreciated.

Ms. Brown: Thank you.

Councilman Lester: I would probably lose my alumni card if I didn't ask. You know, Southern is coming week after next so, I am sure that ya'll are doing something for the Southern University Jacquars and so I just want to make sure that I ask that question so that, my good friends at the Foundation don't kick me out of their Alumni association.

I see my good friend Reginald Johnson back there. He is a Alumnus of Grambling State University so, I'll ask that question. I am pretty sure you are doing some of the same things for Grambling as well?

Ms. Brown: We are giving them some assistance, however, they did not apply for financial assistance.

Peaches Hyatt (Peaches N Creme, Red River District): We are here today, we have about three other businesses here to speak on the situation that is going on down there. I understand that you guys are going to vote today on, if we should close the open container law.

We are having a big, big problem down there, We are. I understand that the Red River District, John Elkington hasn't done what he said he was going to do, he hasn't. We signed the contract. I signed a 69-page lease with him and he hasn't done any of the things that he said he was going to do, I understand. We all put money into this project and it is not turned out anything like I thought it would. I have had to basically close my other business down to run this business, because we can't afford to have anybody come in there right now.

The gangs down there are so bad. They stole me blind over the weekend. We had no security or anything down there. We are fighting to stay open every day. Now, if you guys do this law in effect that you guys are not going to have the people walk around there, that, the area that we are in is set up for the people to be able to come down, sit up under the bridge and they are drinking their daiquiris or whatever, I understand, but you do have a lot of underage kids there. You really do. But I think, I talked to the police today and I talked to different business owners and things and we think that if you guys would just have it where their area is closed off and you are actually checking i.d.s like we tarted out doing in that district, that this could be contained. I mean it is really, really bad. I have two teenage kids and these kids are my kids' age down there in that district and if I tell you they are down there in droves by the thousands.

Okay, and I understand all of this that you are doing that that, I think every city, I mean I'm from California, Sacramento, California. I have lived in LA., Crenshaw Boulevard has had the same problems, Atlanta has had the same problems that we've had, but we ask for this. A growing area that we asked for, that we wanted a nice area for the people who was going to come in and we have nice entertainment. We have that. The City has spent the money. We have spent the money. The City spent \$5 million dollars or whatever to bring this in here, I understand all of that but this is not about us as far as what you guys are trying to do as far as trying to get your money back, I understand that.

If you guys put in this situation with this, law thing, it is going to close our business down, is what I'm saying—that is all I want to say. It is going to close us down. You guys did the \$5 charge, that basically closed everybody out then. We barely, barely made it through that.

We are getting ready to go into our winter months and in that district, right now and I'm telling you this is the God honest truth, I have \$30 and \$40 dollar days right there, right now because we have had some bad publicity from the media and it is killing our business now.

If you guys enforce this law where the people can't walk around there and I'll put it this way, Wet Willy's told us they are going to close it down. If Wet Willies close that area down, that means all of us might as well close our doors tomorrow because we feed off of them. I just think that there is something else that we could do. I wish that you guys would take some time

instead of voting now to give us a chance to look at doing, maybe something else, to maybe come up with another solution. Because I do not think by enforcing this law that you guys are trying to do, is going to help us because we are the Red River District. We are the people. We are not just the building, we are businesses, so if you guys do this and close this down, no other big business, no other business is going to come in that area. We are not going to touch it with a 10-foot pole. I have been in business 20-years. They are not going to do it and that is pretty much all I have say but I just want to say, if you guys please consider and maybe give us some other options that we can look at instead of doing that.

Councilman Green: Are you saying that what is keeping the businesses open is selling liquor, open container liquor is what is keeping the business open?

Ms. Hyatt: No I am not saying that. I am saying is that, it's a draw down there for other businesses. Like, Wet Willy's is there but you also have the Funny Bone which is a comedy shop. They also sell alcohol. You also have the Spaghetti Shop that is open. MacArthur's is getting ready to change over to a sports bar that if you can't have open container down there in just that contained area, you know, people are sitting out when they leave there, there is a band out there on Friday and Saturday nights. They are in that area and that is where most of our business is done. Now, I don't sell alcohol, I am an ice-cream shop but the people when they finish drinking or they are walking around or whatever with their kids, they are coming into the mall area and that is where we make our money. But if you are going to close that down where nobody is going to, Wet Willy's is going to move, and all the other places, those bigger companies are going to leave out of there because they are that type of industry that they need that.

Because I talked to them today, Wet Willy's only an house 98 people in that area in their one building; so, 98 people that is a cap on their business. They are doing \$20-, \$30,000 dollars a weekend down there and if you do that, they are not going to make that type of money anymore. I am just guessing but that is what they are estimating but they are not going to make that kind of money if they can only serve 98 people at a time. When those people walk away then you have got to shuffle in some more people, that is going to put a cap on everybody down there making money.

I know, I understand about John Elkington, like I said we all want him to do what he need to do. But this shouldn't be about him, with us. We are all trying to survive. We done put a lot of money in that area.

Councilman Green: My question is, are you saying that open container sales is what is keeping your business open?

Ms. Hyatt: Well, it is to a point. I can't say that it isn't because you know, I am going to tell you right now, people come down there for daiquiri, they come down there to listen to the bands, and when they are listening to the bands they are walking over there getting a beer or getting a daiquiri or you know, coming down to eat and they are sitting out in that area. When they leave that area, then they are walking around and they are spending money, ice cream, sodas, whatever, icees for the kids. Yeah, to a point, yeah but that is in every area that when you go into a big city, every area has a draw. Like Memphis or Atlanta, all these different places. They all have that type of area, open container. New Orleans do it all day long, they do. All day long. They handle these situations all day long.

Councilman Green: And again, my question is.

Ms. Hyatt: What?

Councilman Green: Are you saying that, open containers is what draws to your business?

Ms. Hyatt: Well open containers yes, is going to help me. Not so much if you take it away, I am saying that the people are not going to come down there as much and I'll just tell you because if they do open container in Bossier, that is going to affect us because they are going to be able to sit out there, listen to the band and drink and do whatever they are going to do and they are not going to come into our area because it is too much of a headache. They are going to have to stay in that one area to drink their drink on those porches out there. If you guys come out in the evening, you will see what I am talking about.

Councilman Jackson: I just wanted to be on the record, I was listening to comments and I wanted to be on the record. Two things: 1. This Council was not empaneled when there was a \$5 dollar price. I agree with you. I thought that was not a smart thing to do then. I understood what the negative backlash was from it, but I think that again, that was before my watch and so I was critical as a citizen. As a Councilman, we've not been faced with doing that. The Administration is not. . . .

Ms. Hyatt: But you are getting ready to do the same thing, again.

Councilman Jackson: We are not asking anybody. I want to be on record based on what you've said.

Ms. Hyatt: Right.

Councilman Jackson: Because based on what has been said, I am suggesting that, I think there is some things that need to happen and some things that have happened in the past that have not been, in my opinion, the wisest thing. However, I think this is one of those scenarios where nobody is talking about. I think it is a cost benefit analysis that the least is what the Administration has presented to me when you look at the cost and I am not just talking about financial. Obviously to a business you talk about financial, from a municipal perspective, we also have things like underage drinking. There are a lot of things that, it makes it difficult to enforce some of the laws that are out there and it seems to me that one of the easier things to do is to be able to lift, place the ban, if you will on, open containers.

Because, I don't know. I am necessarily a fundamentally, a believer that open containers and particularly open containers and alcoholic beverage, necessarily do anything to inculcate the kind of social spirit, in my opinion, that people have to have in order to have a good time. I think that it can happen without that. And I don't know. I am sure Wet Willy's is different because their business is directly germane to the sale of alcohol beverages. Nobody obviously is saying to them not to sell alcohol beverages, but obviously that they can sell only to what the capacity of their business' ability—I mean, it happens in every other part of this City and other parts of this City who could perhaps decry the same thing but they fall under these same laws, and they are able to manage through that.

I am just suggesting to you that, I don't know that there is anything uniquely special about the Red River District that will make it totally dysfunctional if in fact that we proceed with what has been recommended today.

Ms. Hyatt: Well, what I am saying is that if you do what you say you are going to do, that area is the Entertainment District and unfortunately, you guys (the City) has set it up and started out that way with open container. And I go back to New Orleans again, they do it all day long, open container, that area is known for that. And what you guys are going to do is put a cap on what we are actually going to be able to do in this City because when they bring in big event and they see that they got a nice area down there, they can have bands and all of that and those little bar areas, those little restaurant they can't house that many people to sit out there and drink.

Councilman Jackson: Let me say this from what I understand and I think that. . . .

Ms. Hyatt: You are speaking from a pastor's point of view and I think that I what I see. Councilman Jackson: Here's what I am saying to you. Is that I understand what we are doing. And what we are doing is not what, I think you expressed in the extreme that does not include every scenario because nobody ever said that there would not be a time.

If there is in fact these big events that you make mention of, the big events could in fact apply for the lifting of open container for that weekend. And this Council would entertain that, that open container law would be lifted and then in fact they could do that on those big weekends. Every weekend I wish was a big weekend. The truth of the matter is, every weekend ain't a big weekend. Nobody prohibits anybody for applying to this Council to say, this weekend. Now if you come this weekend, and you come the next weekend, all we are saying is that we have to look at it on a case by case basis and we are not going to have carte blanche open container and I believe that's what this resolution, ordinance (excuse me) is all about.

It does not preclude open container law being in effect, being lifted for different scenarios and for different occasions. This is just not a blanket. What we are doing is saying that we are not going to provide a blanket, but we are not going to preclude these businesses from doing those kinds of things and so I don't think that is irrational any way, shape or form.

Ms. Hyatt: I understand exactly what you are saying but you have to be in our shoes and when we don't have a band, on Friday and Saturday night, we do no business. You understand what I am saying? So, you can take the alcohol away, you can take the bands away, you can close that business down/that area down. You are set up for an entertainment district. Unfortunately if you was going to open this place up that way and you decided later that you didn't' want any alcohol down there or only in certain areas, you should have started out that way because you have attracted businesses—listen to me, I let you speak, too. You have attracted businesses, like Wet Willy's and all of these other sports bars and other stuff in that area that survive off of that, the open container law.

Councilman Jackson: I understand.

Ms. Hyatt: Why? But you are getting ready to shut that area down.

Councilman Jackson: I have a stewardship. But I am suggesting that I have a responsibility and my responsibility is based on some thing that I inherit not anything I created.

Ms. Hyatt: I understand that.

Councilman Jackson: I did not create it, but I do have a responsibility now of stewardship responsibility at this point to make a decision based on the information that I received and based on what just, <u>one</u> person's opinion representing our district of what in fact I think it is best for that district so I didn't create it but I do have to watch over it at this point.

And you may be a hundred percent correct about what we started. I can't comment on that. I wasn't here when we started it and I won't go back and do that because I don't want to be a Monday morning quarterback.

Ms. Hyatt: It rolls downhill because the rent down there is so high set up with the Entertainment District so had it not been set up that way, I don't think that everything would have been so high and stuff wouldn't have been happening when it is happening. John Elkington set the ball rolling in motion of what is going on down there right now and the kids down there the reason why it has gotten out of hand is because there is no security at all. We have police down there, maybe 4 or 5 or 6 police down there with thousand of kids. The police said today, there are out manned and outgunned---and that is the God's honest truth.

I had to shut my doors at 1:30 because I was so scared of what was happening with those kids running out of there with all of our stuff. Now had we had security down there, I don't

think right now would be an issue.

Councilman Jackson: I don't disagree with you. I am just telling that we are limited to what we can do.

Ms. Hyatt: We have all invested a lot of money nd if you money was down in that area right now. . . .

Councilman Jackson: I would be down there probably talking where you are, but what I am suggesting to you.

Ms. Hyatt: Well, that is why I am suggesting today. Because I have a lot of money invested.

Councilman Jackson: And if you was seated in this seat and i was down there, you would probably feel the same way I feel.

Ms. Hyatt: Well I don't think so. You know what, nobody never came in that area and never ever said anything to us about how can we help? What's going on or nothing? All you guys have done is read about what is in the newspaper. Except for you. Yes you did, you came today, I take it back. Councilman Lester did come down there and talk to us today and that is why I am really a reason why I am here today is because I did talk to him. He took time out of his busy schedule even though he is not our Councilman, to come down and talk to us today and he did that effectively. But I said, we need a voice. We are the ones that is down there in this. We are paying the money every day. We are having to deal with all these kids and stuff down there, but we don't have a say. You guys are getting ready to put us out of business. If you guys would have told me this a year ago, I wouldn't be standing here right now. I'd be gone. I wouldn't even consider it just like the people that is going to come in here behind me. If I have to close my doors, they are going to consider what they are getting read to go into. You guys are going to have an area down there that is going to be empty space, because whoever comes down there, is coming into a big mess, they really are, if you guys don't take control of this. If taking control of it don't mean to shut this down, put an open container cap on this where people can't come down there and enjoy themselves. I just think that we need to go another route and maybe try some different things before we do this, please.

Councilman Carmody: Two quick questions. One kind of goes back to, I guess, what Councilman Green had asked. Do you sell alcohol at your ice cream shop?

Ms. Hyatt: No I do not and that is what I said, I do not.

Councilman Carmody: And then the other question I have is there not an tenant association of all of you that are there, and granted from what I understand from you today and I've heard other times, although you don't communication with the manager of the district why wouldn't the Association take the bull by the horns and say, we'll go ahead and we'll produce the cups so that we can show the Shreveport Police Department, that only beverages in these cups that the district has are approved for persons walking around?

As the law exist today as I appreciate it, you are going to be ticketed or arrested for walking around with an open container of alcohol unless it is in an approved cup.

Ms. Hyatt: Right.

Councilman Carmody: But ya'll don't have an approved cup.

Ms. Hyatt: Yeah, but it is not. . . .

Councilman Carmody: But that is my question and I guess to everyone else that is going to follow in procession behind you is that it seems to me like the Association then would just say, 'we've got to act for our own benefit to save this District and the amenity of an Entertainment area that provides the rights to people as long as they comply with the way that

the agreement is written.

Ms. Hyatt: We are in, right now, are in the process of trying to do just that. John Elkington has said he was going to provide us with cups. He started out with that in the very beginning he did have those cups. Because if you guys came in and let us do that, at least try that and see if that works, I think that would be a big solution because these kids are coming in and buying cups from us and we know they are going out in the street. I stopped selling it to them because they are going out there and they are going to their cars and doing that, but I think that if we did have those cups, I think that, that would make a big difference.

Councilman Carmody: Let me make sure that I understand though. Yours is not the approved Red River District cup, yours is the ice cream cup?

Ms. Hyatt: It is a regular, it is a Styrofoam cup that everybody sells in that area. I think that we should have that.

Councilman Green: Well, my question was did you sell anything other than ice cream and you just answered, you sold cups , right.

Ms. Hyatt: No, let me tell you. I don't sell just cups. I have a full restaurant. I sell sandwiches, ice cream, snack shop. I have a. . . when they finish eating drinking or whatever they're going to do out there in the late hours, I stay open until 4:30 in the morning sometimes, okay? And I make the bulk of my money only on Friday and Saturday nights and that's going to give you an idea of the reason why I'm down here now. We make the bulk of our money on Friday and Saturday nights and when these people are going to come in and they're going to eat late. And we're the only ones open at that time in the morning. During the week, we make no money. Basically, I'm down there babysitting my store. Okay, so this is important to me.

Councilman Green: So, you don't sell cups?

Ms. Hyatt: I used to. \$.50, \$.75 a cup I was selling until I realized what was going on. That we're trying and I just told, we've just been talking about this now that we need to come up with a *Red River District Cup* only. If they don't have it, the police can stop them, ask them to leave . . .whatever, that's some of the options that I was saying that maybe we need to look at instead of putting a cap on this and putting everybody out of business. This is something I think could be simple and to rectify it real quick and run these kids off.

Councilman Gibson: This is a question for the Administration. I believe when this was put before us, refresh my memory, Mayor, in terms of this was something that Mr. Elkington had talked about or something, or I heard something in terms of that, that he had committed to the Administration that we are in this City, that we are going to move toward in terms of this cup issue and it appears that there has not been a lot of movement in that direction. And I guess could you expand on that just a little bit so I'm a little bit more clear on that situation?

Mayor Hightower: You're exactly right and I think Peaches has hit the money too in that she says that Mr. Elkington hadn't done what he said he would do.

Cups is one issue. Security is another issue. I've been down there a lot on Friday and Saturday night probably more than all the Council combined because I consider the Red River District a baby of ours that we need to work. I unlike everyone on the Council except for Mr. Council was here at inception and did push to put some money down there, did see the vision and the dream that John Elkington had but I've also seen the lack of follow through.

And its become and I think you're hear some comments after Peaches sits down from others that are down there on a regular basis that confirm what she said, on the rough side and we have to take control. There is no question about it. Mr. Elkington has not done it. I personally don't think he ever will do it and before something happens down there, that's to the

detriment not only of the district, but of the entire City, we have to take control of that.

And I understand, Peaches, that you have an investment down there and we do to. It's the City, we've got a \$5million that we want repayment on and if we don't take control, you're out of business anyway.

Ms. Hyatt: Exactly we are and that's true. It's dangerous.

Mayor Hightower: So, this Council is not voting today to do anything to the detriment of your business. This Council today upon the Mayor's recommendation and the Police Chief's recommendation, I hope will move to improve the business climate down there, to encourage people to come down there that will buy your product.

Councilman Gibson: Appreciate that Mr. Mayor, cause again, I'm deeply concerned of the fact that I'm very appreciative in the fact that several of us on this Council, in fact all of us are committed to small business and minority business, especially with the inclusive efforts that have been moving with this City and obviously, it was a very nice situation to see someone like yourself to invest in a dream that obviously the City helped facilitate the venue for you to do so and I guess and Mayor, I don't know if a formal request has been made by this Council to Mr. Elkington to come before this, but I guess my question to you on this is, has that Association asked to meet with Mr. Elkington to talk about it, because again, I. . .

Ms. Hyatt: Can I say something here?

Councilman Gibson: Well, that's why I'm asking the question here.

Ms. Hyatt: Well, what I did was I've put together some grievances, some problems that we wanted to address to him and I also, that meeting didn't go well. He sent somebody instead and it didn't go at all. And then about three or four days ago, I called the office and I got his answering machine like I normally do, and I expressed some concerns to him about the teenage drinking that was going on down there, again, in the district and also how dangerous it really is. And I was really concerned about somebody getting hurt because there is a couple of kids that have gotten really hurt and he won't reply. I called the FLINTCO also. Nobody will return our calls at all. And the Association, we have talked; all of us have talked and we can't, just like you guys can't, can't reach him. He's not reachable.

Councilman Gibson: Well, that's why I'm asking some questions so, again I think and I want to echo with the Mayor just said in the fact that we're not anti-business up here, and we're trying to help move some things off dead center. And Mr. Elkington is obviously committed to some things in the past and I think the Mayor has done everything within the Administration's power to try to do something, but the way I'm looking at this situation is . . .if you've got a safety problem, then that's more detrimental to your business, than anything and that the open container is a two-fold the way I see it. 1) for a better word 'force' an issue to bring Mr. Elkington to the table to meet his needs with.

Ms. Hyatt: That's what I know that you guys, this is what this is about; yeah.

Councilman Gibson: Well, that's the way I interpret this, okay and I no one put words in my mouth ma'am. 2) is to address a safety issue of which everyone of us is up here to make sure that we work with the Administration to protect property and protect lives with anything that we put on the street.

And I don't know what the next step is, but again, when the Administration came to each one of us and talked to us about this situation from my standpoint, it was first and foremost a obligation that we didn't put words into Mr. Elkington's mouth. 2) When it elevates to a safety

issue because of lack of follow through, then we need to intervene not to disrupt your business.

Ms. Hyatt: But that's going to happen.

Councilman Gibson: I understand that and that's the thing that I'm deeply concerned about of how we can jointly between the public and the private sector here, the private sector obviously Mr. Elkington is part of that, but your business is the one who lays it on the line everyday in paying the lease, paying for your products and services, paying for your labor and everything else and hopefully at the end of the day, you've got a profit that you can re-invest and I use the word 'hopefully' there, because obviously that's part of the equation here.

So again, I just needed a couple of questions of which Mayor, I do appreciate you filling in the blanks and Ma'am, I do appreciate your, I guess, intensity because again, its your livelihood that's on the line.

Ms. Hyatt: Right, once you guys do this, it gives me two months to get ready to leave. About two months is what I'm looking at. Because I'm looking at two months more of one way or the other. And we're already going to suffer in the coming months anyway. Every business down there is going to do that because that's just the way it is. I've been in business a long time and in the winter months, its going to hurt, anyway. But I've got two more months of summer is what I was looking at to try to at least make something happen. I've tried everything, the reading program, trying to get different kids, the day care centers, just to have something, another element to bring into my business so I could survive.

Councilman Gibson: One last question for you and I'll turn it back over to the Chair. In your opinion as a tenant and I have to assume a current tenant, making sure that you meet your obligations based on the contract that you just told us about and your opinion right now as a tenant and with the experience you have down there, has Performa and John Elkington fulfilled the expectations and the promises made to you as a tenant down there?

Ms. Hyatt: You know what I'm going to say. No; that's my answer.

Marque Washington: (I represent Hollywood Casino, 451 Clyde Fant Parkway, Riverfront): Thank you Mr. Chair and members for the opportunity to speak to you today. Hollywood Casino is pleased to be in the Shreveport community. We've contributed to the economic stability and the growth by creating over 1800 job opportunities and by paying over \$8.2million taxes to the City of Shreveport, over \$1million in local sales taxes and over \$9.4million in property taxes.

We're proud of our history in developing and creating partnerships and fostering economic development with the local business community and we are more than an interested party in seeing the Entertainment District succeed and to flourish.

However, I stand before you today in support of the amendment to Section 10-190b of the Code of Ordinances relative to alcoholic beverage consumption in the Entertainment District and it is our opinion, Hollywood Casino, that the open container law directly affects our business.

We have always had occurrences relating to the open container law and how they have escalated in the last two summers. We've had to hire additional policemen and increase the workload and the hours of personnel in our security department to monitor the garage, to monitor pedestrian traffic, entrances into the casino, under age minors, rowdy and intoxicated crowds, vehicle traffic, and just to provide general safety for your guests.

Our costs for additional those policemen have totaled over \$22,000. Our cost for overtime in the Security Department have exceeded \$8,700 and these costs are above normal and have exceeded our own expectations.

But because of the open container law, we've seen the number of minors attempting to gain access into the river boat more than triple. In 2001, we logged only eight occurrences. In 2002, we logged 35 occurrences. Of those 35 occurrences, 25 of those happened after the open container law was utilized. Thus far in 2003, we've had 24 occurrences since the beginning of the year and we attributed this increase to minors having easier access to alcoholic beverages and having the courage, in gaining the courage to challenge the security personnel.

The open container law has not been properly controlled and minors are taking advantage of that. Fines for minors who gain entry into our casino begin at \$10,000 for the first offense and then they escalate up with additional occurrences of gained entry into the casino.

We've seen this law affect our ability to do business and could possibly have an adverse affect on our casino license. As a member of this community and especially the Downtown District, we appreciate the foresight of this leadership and the action shown to tackle the tough issues that will make downtown a pre-destination location. We do believe that this is a step in the right direction. Thank you for your time, and I'd be happy to answer any questions at this time.

Beverly Ferris (Keoki's Coffee): Thank you for letting me come. My name is Beverly Ferris, I'm with Keoki's Coffee Shop, down in the Red River District. We very proudly serve only 100% Kona Coffee and Donkey Balls, which were hoping to be able to introduce to the mainland and particularly Shreveport, Louisiana. Because the found of our company was born and raised here and loved Shreveport.

When he was first approached about opening a coffee shop in the Red River District, one promise after another, one bright and shiny cloud after another and of course, very little of that has come true.

My husband and I came here about two months ago to take over the shop. I consider myself an outsider and in some respects, I'm very glad because I can look at what's going on herewith a much more objective eye than a lot of other people.

Yes, I have a large financial investment down there. I have an emotional investment, because I really, really enjoy what I do. I sell coffee, I sell candy, I sell Harvey Walbanger cake, potato chips, roast beef sandwiches, and I talk to some of the nicest people in the world. Tourists who come to Shreveport to gamble at the Hollywood or Harrah'. Locals who come down on a Saturday or Sunday just to get away from the house. I love my job. Except right now, my job can't pay me one damn penny and I owe everybody because it isn't making any money.

I am in a position I think with my newness here of looking a little more objectively than some other people, ore objectively than you because you've got political situations invested, more objectively than some of the other business people because they've been down there longer, they've been fighting harder and their emotional levels are higher.

I firmly believe that the first thing that has to be done is that the City, represented by the Council and the Mayor, along with the working merchants, one or two of them and the developer, whoever you decide that developer continues to be, must sit down together and decide what they want the Red River District to be. If you read articles in the newspaper, sometimes, you will see it described as a shopping center, sometimes you will see it described as an adult entertainment center. What is the Red River District? Sunday through Thursday, its nothing. Its some of the Hollywood employees coming over to my store or Peaches' store to get coffee or pastries or ice cream or lunch on their breaks, if Hollywood will allow them. But from my understanding, there was memo sent out and Hollywood told the employees, they cannot leave

the property and when they get off the elevator and they step into the hallway of our little shopping center, they're off property. So, we cannot market to the Hollywood employees and technically, they're not supposed to come over there and enjoy a little snack with us.

Who else are our customers? The tourists! And where are they coming from and how are they getting here? They're coming from Texas on buses. We can't market to them. Hollywood won't let us market to them. We can't pass out brochures. We can't give them coupons. We can't give them anything from the Red River District. After you've finished gambling, come on over and have a cup of coffee at Bev's. Come on over and have an ice cream with Peaches. Try some spaghetti and meatballs at Meatballs. It's really good or a daiquiri down at Wet Willies.

Councilman Walford: Ms. Ferris, can you wrap it up, your three minutes, you've got about 20 seconds.

Ms. Ferris: Oh yeah, I could talk forever. The point I'm trying to make here. well, I could, I'm probably the best politician that never got elected.

The biggest point I wanted to make is that you've got to decide what do you want the Red River District to be. Is it an adult entertainment area. If it is, then its just exactly as it should be. Business ONLY on Friday and Saturday night, period. With the biggest bulk of it after 11:00 on Saturday and I can show you my own sales numbers.

Councilman Gibson: Just two questions, 1) you're right on point. I don't think this Council is up here to tell you, in terms of what your business should be and I agree with your philosophy and your business plan, because I think that, that's Business 101.

I guess I'm gone ask you the same question, based on the commitments, when you signed a lease agreement down there, the commitments that Performa and John Elkington made and represented to your company and your business, do you feel at this point and time that, that has been filled?

Ms. Ferris: To be honest sir, I really can't answer that, not without proper advice.

Councilman Gibson: Thank you Mr. Chair.

Ms. Ferris: You should ask me another question.

Councilman Gibson: Which question?

Ms. Ferris: The same one you asked Peaches about the open container. Does my business depend on the open container law?

Councilman Gibson: Mr. Chair, I'll ask that question.

Ms. Ferris: Thank you and I apologize for going over. . .

Councilman Gibson: I'd like to hear that response, cause again this is what this is all about.

Ms. Ferris: It really does not depend on the open container law itself. What it does depend on is the fact that the ability to walk around in that beautiful area under the Texas Bridge with a beer or a daiquiri in your hand, brings down people that would not normally come.

Because when there are concerts down there, when there are events down there, the only thing you can do is stand unless you are sitting inside a restaurant or on one of the restaurants patios. Not all of us have patios, but most of us do and they are small and they are included in the square footage of our rent; so, we are paying for those.

The only thing the open container law does is bring down people that would not normally come down, because there's no room, there's no place for 'em other than standing around like a herd of cattle and most folks don't like to do that. However, if you're down there after 11:00 on a Saturday night, you'll see that change dramatically because after 11:00 on a Saturday night,

what you have are the young folks the 20-30 somethings (we all left behind long time ago).

Councilman Gibson: The other question that I want to ask you that you brought up, the casinos down there, you have a business association within the . . .

Ms. Ferris: No sir, we do not have an official merchants association. Its just a bunch of us sit around complaining.

Councilman Gibson: Well, okay if you don't I guess if you've got a group that's meeting, have you approached, I guess. . . .

Ms. Ferris: No, Sir, first of all, we don't meet and. . .

Councilman Gibson: Well, let me. . . Excuse me, Okay, well, let me clarify where I'm going with this.

Ms. Ferris: Oh, okay.

Councilman Gibson: This Administration did a fantastic job in my opinion of orchestrating a move of City Hall downtown and working in conjunction with the Caddo Parish Commission and the Sheriff's Department and everything else, obviously I think it served the taxpayers well, although obviously time proves everything, but on the very forefront, it looks very promising. But one of the things that when I sat down with Mayor Hightower about some of the things, because obviously, there was concerns about all the benefits, but one of the main benefits that I saw was the synenergy that all the influx of employees were coming down in the downtown area, that, that has accomplished in the spin-off business. And, I guess my question is has your group that has informally gotten together from time to time approached the casinos about being good corporate citizens to patronize down in the Red River District? And if not, I would encourage you to do so. Because again, the whole concept of City Hall was to be down here to help revitalize the downtown area and I think our DDA working in conjunction with the Administration and this City has accomplished some of those things in terms of the businesses, I believe the businesses I've talked to downtown on a regular basis has said, they have benefitted immensely from the patronage of even though it may only be for lunchtime but the derivatives have come from City Hall being down here. So, if you haven't had those conversations, I would encourage you to do so.

Ms. Ferris: We have.

Councilman Gibson: Okay.

Ms. Ferris: And so has the Marketing Manager of the Red River District who is here. She has been . . .she's phenomenal in the attempts and things that she's tried to do. She's sat down with Hollywood on more than one occasion.

Like I said my husband and I are newbies here of two-three months and so all of the marketing plans and all of the strategies that we have brought to the table and Stephanie said "oh, we tried that, Hollywood said no." "Oh, we tried that, they said no." "Oh, we tried that, they said no."

And as far as the City Hall coming down, I think that's remarkable and I think that's applaudable. There is a very definitive line drawn though that you have to appreciate for the other corporate businesses and government businesses down there, employees generally have anywhere from half an hour to an hour for lunch, which means they are not going to be able to walk those extra two blocks below Commerce to get down there.

Councilman Gibson: No ma'am, I don't want to get off the subject. I wasn't talking about City Hall coming down there, I was saying there was a parallel between good corporate

citizenship.

Ms. Ferris: Oh, okay I understand.

Councilman Gibson: We being here and the surrounding businesses and around City Hall.

Ms. Ferris: But yes, we have as individual businesses as well as with the Red River District.

Councilman Gibson: And I do appreciate it. Thank you Mr. Chair.

[The Chair recognized the request of Charles Lambodino who had left the meeting.] *Ken Kreft* (157 Archer): To speak specifically against Resolution 122, but in general against the Council's perpetual plea bargaining fees to rent and utilize City buildings.

Last Council again, only Mr. Carmody who had the leave who told me today he vote against it, were he here. Now, it would probably 6-0 for it. We lowered the fees for some of the non-profits and yet we continually, if its true what Ms. Brown says and I believe that it is, these things are good for the City and they bring in tourist and tax dollars. At some point, if we don't change, we're going to have a new convention center and so maybe, 2 or 3 years, and this Council or some future council is going to be waiving the fee so that XYZ Convention comes here and uses the new convention center. Guarantee its going to happen until we. . .you know we're not exactly drowning in revenues with property standards and parking and moving violations and other.

We pass a lot of ordinances and enforce very few whether its open container or child restraint in a car and so, I'm against it. I'm for the people coming here and celebrating Labor Day, but you know we need to do something. I mean we're trying to get extra revenues in Agurs and I hope we don't take the sugar out of the Agurs doughnut. Thank you.

CONSENT AGENDA LEGISLATION:

TO INTRODUCE RESOLUTIONS AND ORDINANCES ON CONSENT:

RESOLUTIONS: None.

ORDINANCES:

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Gibson</u> for Introduction of Ordinance No. 121 of 2003 to lay over until the September 9, 2003 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

1. Ordinance No. 121 of 2003: An ordinance closing and abandoning a portion of the 60 foot-wide Southern Loop Roadway located in the SW/4 of Section 24 (T16N-R14W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto.

TO ADOPT RESOLUTIONS AND ORDINANCES ON CONSENT:

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Gibson</u> for Adoption of the Resolution Nos. 128 through 133 of 2003 on the Consent Agenda. Motion approved by the following vote:

Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None.

Absent: Councilman Carmody. 1.

RESOLUTIONS:

RESOLUTION NO. 128 of 2003

A RESOLUTION AUTHORIZING ARCHIE ROBERSON JR. & MARGARET METCALF ROBERSON, LOCATED AT 6990 WALNUT HILLS DR., TO CONNECT TO THE SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Archie Roberson Jr. & Margaret Metcalf Roberson, be authorized to connect the building located at 6990 Walnut Hills Dr., to the sewer system of the City of Shreveport.

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

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

RESOLUTION NO. 129 OF 2003

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTY LYING OUTSIDE THE CITY LIMITS OF SHREVEPORT IN CONNECTION WITH THE SOUTHERN LOOP EXTENSION, PROJECT NO.: 01 C013, PARCEL NO: P-1, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the Southern Loop Extension, Project No.: 01 C013; and

WHEREAS, the property described in the legal description, and more fully shown on the plat map marked as Exhibit "A" attached hereto, is situated in said development; and

WHEREAS, all attempts to amicably acquire fee title to the property comprising Parcel No: P-1 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of this property is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the

property described in Exhibit "A" attached hereto as Parcel No: P-1, to be acquired in fee title.

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.

RESOLUTION NO. 130 OF 2003

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTIES WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE MISSOURI-ANDREW DRAINAGE, PHASE III, PROJECT NO: 00-D002, FOR THE ACQUISITION OF NECESSARY RIGHT OF WAY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the Missouri-Andrew Drainage, Phase III, Project No: 00-D002; and

WHEREAS, the properties described in the attached legal descriptions, and more fully shown on the attached plats, are situated in said development; and

WHEREAS, all attempts to amicably acquire fee title to the properties comprising Parcel Nos: P-1, P-2, P-4, P-5, P-6, P-7, & P-8 have failed; and

WHEREAS, all attempts to amicably acquire permanent drainage servitudes on property comprising Parcel Nos: D-1, D-2, D-3, D-5, D-7, D-8 & D-10 have failed; and

WHEREAS, all attempts to amicably acquire temporary construction servitudes on property comprising Parcel Nos: C-1, C-2, C-3, C-5, C-7, C-8, C-9, & C-10 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of these properties is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: P-1, P-2, P-4, P-5, P-6, P-7, & P-8 to be acquired in fee title for drainage right-of-way. He shall also hereby be authorized to institute such proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: D-1, D-2, D-3, D-5, D-7, D-8, & D-10 to be acquired as permanent drainage servitudes and Parcel Nos: C-1, C-2, C-3, C-5, C-7, C-8, C-9, & C-10 to be acquired as temporary construction servitudes for the construction of said project.

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.

RESOLUTION NO. 131 OF 2003

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTIES WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE MISSOURI-ANDREW DRAINAGE, PHASE II, PROJECT NO: 00-D002, FOR THE ACQUISITION OF NECESSARY RIGHT OF WAY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the Missouri-Andrew Drainage, Phase II, Project No: 00-D002; and

WHEREAS, the properties described in the attached legal descriptions, and more fully shown on the attached plats, are situated in said development; and

WHEREAS, all attempts to amicably acquire permanent drainage servitudes comprising Parcel Nos: D-2 & D-3 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of these properties is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: D-1 & D-2 to be acquired as permanent drainage servitudes for the construction of said project.

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.

RESOLUTION NO. 132 OF 2003

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTIES WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE EAST 84TH STREET PAVING, PHASE II, PROJECT NO: 00-C001, FOR THE ACQUISITION OF NECESSARY RIGHT OF WAY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the East 84th Street Paving, Phase II, Project No: 00-C001; and

WHEREAS, the properties described in the attached legal descriptions, and more fully shown on the attached plats, are situated in said development; and

WHEREAS, all attempts to amicably acquire fee title to the property comprising Parcel No: P-2 have failed; and

WHEREAS, all attempts to amicably acquire a temporary construction servitude to the property comprising Parcel No: T-1 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport;

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

due, regular and legal session convened, that the expropriation of these properties is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcel of property as Parcel No: P-2 to be acquired in fee title for street right-of-way. He shall also hereby be authorized to institute such proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcel of property as Parcel No: T-1 to be acquired as a temporary construction servitude for the construction of said project.

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.

RESOLUTION NO. 133 OF 2003

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTIES WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE 2600 BLOCK OF LEAF LANE DRAINAGE IMPROVEMENTS, PROJECT NO: 01-D008, FOR THE ACQUISITION OF NECESSARY RIGHT OF WAY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the 2600 Block of Leaf Lane Drainage Improvements, Project No: 01-D008; and

WHEREAS, the properties described in the attached legal descriptions, and more fully shown on the attached plats, are situated in said development; and

WHEREAS, all attempts to amicably acquire permanent drainage servitudes to the properties comprising Parcel Nos: D-1 & D-8 have failed; and

WHEREAS, all attempts to amicably acquire temporary construction servitudes to the properties comprising Parcel Nos: T-1 & T-8 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of these properties is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: D-1 & D-8 to be acquired as permanent drainage servitudes. He shall also hereby be authorized to institute such proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: T-1 & T-8 to be acquired as temporary construction servitudes for the construction of said project.

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.

ORDINANCES: None.

REGULAR AGENDA:

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

Read by title and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Carmody</u> for passage. The Deputy read the following amendment:

Delete the original Fact Sheet and Resolution and substitute with the attached Fact Sheet and Resolution.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> to adopt the amendment. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Motion by Councilman <u>Lester</u>, seconded by Chairman <u>Walford</u> to adopt the resolution as amended. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

RESOLUTION NO. 53 OF 2003

A RESOLUTION AUTHORIZING PURCHASE OF SNAP II PROPERTIES FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the City of Shreveport is authorized to purchase SNAP II properties from the United States Department of Housing and Urban Development ("HUD") for the sum of \$10.00 and other valuable consideration and subject to terms mutually agreed upon by the City of Shreveport and HUD.

BE IT RESOLVED that the Mayor of the City of Shreveport is hereby authorized to execute a Contract of Sale ("Contract") and any or all other documents necessary to complete the purchase of the SNAP II properties from HUD, and the Mayor, or such other officials of the City of Shreveport, are further authorized to do any and all things necessary and incidental to carry out the requirements of the Contract relative to the purchase of the properties.

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 are hereby repealed.

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CITY OF SHREVEPORT AND RAYCOM MEDIA, INC., RELATIVE TO THE FOURTH OF JULY CELEBRATION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport ("City") desires to support cultural, educational and leisure activity programs which serve the public and render a public service; and

WHEREAS, Raycom Media, Inc., (KSLA) desires to promote patriotism and a celebration of Independence Day for the people of the city of Shreveport and the surrounding area; and

WHEREAS, KSLA desires to sponsor a Fourth of July Celebration on the Shreveport Riverfront on July 4, 2004, 2005, 2006, 2007, and 2008 with an option to renew for one (1) additional three (3) year term; and

WHEREAS, the City declares the Fourth of July Celebration to serve such a public purpose; and

WHEREAS, the City and KSLA desire to support and provide services as identified under the terms of this contract to produce the Fourth of July Celebration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City Shreveport in due, legal and regular session convened that Keith Hightower, Mayor, is hereby authorized to execute a contract between the City of Shreveport and KSLA relative to Fourth of July Celebrations in 2004, 2005, 2006, 2007 and 2008, with an option to renew for three (3) additional years, substantially in accordance with the draft thereof which was filed with the original copy of this resolution for public inspection in the Office of the Clerk of Council on August 12, 2003.

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 <u>Lester</u> seconded by Councilman <u>Jackson</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 122 2003

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH THE CENTRAL TRADES AND LABOR COUNCIL OF SHREVEPORT AND VICINITY, AFL-CIO RELATIVE TO HOLDING THE UNION-INDUSTRIES, TRADES & SERVICE SHOW IN SHREVEPORT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Walford

WHEREAS, the Central Trades and Labor Council of Shreveport and Vicinity, AFL-CIO proposes to hold it's Union-Industries, Trades & Service Show ("Show") in Shreveport on Labor Day, Monday, September 1, 2003 from 10:00 a.m. to 6:00 p.m. in consideration of the City providing the use of L. Calhoun Allen Exposition Hall for the Conference at no cost; and

WHEREAS, approximately 6,000 persons will attend the show including 700 out-of-town

overnight visitors staying for two to three nights; and

WHEREAS, according to the Bureau the 6,000 persons in attendance will generate approximately \$28,250 in sales and hotel-motel taxes for the City of Shreveport, and provide an economic impact of approximately \$328,414 for the City; and

WHEREAS, the Shreveport-Bossier Convention and Tourist Bureau is providing in-kind assistance of \$1,500 and has agreed to pay \$500.00 of the fee for the use of Expo Hall for this event; and

WHEREAS, the Show will provide an economic benefit to Shreveport and said activity constitutes a public purpose, and

WHEREAS, it is in the economic interest of the City of Shreveport to contract with Central Trades and Labor Council of Shreveport and Vicinity, AFL-CIO to hold it's Show in Shreveport and, to provide the use of the L. Calhoun Allen Exposition Hall at no cost in consideration of the economic benefit the event will provide the City of Shreveport and the merchants and citizens of the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular, and legal session convened that the Mayor of the City of Shreveport is authorized to execute an agreement with the Central Trades and Labor Council of Shreveport and Vicinity, AFL-CIO, substantially in accordance with the draft agreement filed in the Office of the Clerk of Council on August 12, 2003.

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 <u>Lester</u> seconded by Councilman <u>Gibson</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 123 OF 2003

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SPECIAL LEGAL COUNSEL TO REPRESENT 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 handle matters involving the City of Shreveport Municipal Fire and Police Civil Service Board.

WHEREAS, pursuant to Section 8.03 of the City Charter, the City Attorney recommends that Pamela G. Nathan, with the law firm, Sharp, Henry, Cerniglia, Colvin, Weaver and Hymel, Attorneys at Law, 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 Pamela G. Nathan, with the law firm, Sharp, Henry, Cerniglia, Colvin, Weaver and Hymel, Attorneys at Law, 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 July 22,

2003.

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 <u>Lester</u> seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 124 OF 2003

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SPECIAL LEGAL COUNSEL TO REPRESENT 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 City of Shreveport, its officers and employees in connection with oil, gas, and other minerals litigation and related issues.

WHEREAS, pursuant to Section 8.03 of the City Charter, the City Attorney recommends that John M. Shuey, Jr., Attorney at Law, with the law firm Shuey, Smith and Reynolds, 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 John M. Shuey, Jr., Attorney at Law, with the law firm Shuey, Smith and Reynolds, 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 August 12, 2003.

BE IT FURTHER RESOLVED that expenses from 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 <u>Lester</u> seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 126 OF 2003

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SPECIAL LEGAL COUNSEL TO REPRESENT 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 handle matters involving bankruptcy issues and litigation.

WHEREAS, pursuant to Section 8.03 of the City Charter, the City Attorney recommends that Brent B. Barriere, with the law firm, Phelps Dunbar, L.L.P. of New Orleans, Louisiana, 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 Brent B. Barriere, with the law firm, Phelps Dunbar, L.L.P. of New Orleans, Louisiana, 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 August 12, 2003.

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 <u>Lester</u> seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 127 OF 2003

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF FIFTY NINE THOUSAND EIGHT HUNDRED SEVENTY FOUR DOLLARS AND FIFTY-TWO CENT FROM RED RIVER ENTERTAINMENT, INC., D/B/A HARRAH'S SHREVEPORT CASINO AND HOTEL AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Red River Entertainment, Inc., d/b/a Harrah's Casino and Hotel ("Harrah's) has agreed to donate the sum of \$59,874.52 to the City of Shreveport to pay for costs and expenses related to hard surface paving of the parking lot located at the intersection of Spring and Caddo Street; and

WHEREAS, the additional hard surfaced paving will increase the number of parking spaces available to patrons and visitors of the Riverfront area which in turn provides a benefit to the public; 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 from Harrah's in the amount of \$59, 874.52 to pay costs and expenses related to

hard surface paving of the parking lot located at the intersection of Spring and Caddo Street and to execute any and all documents on behalf of the City of Shreveport relative to receipt of the said funds from same.

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 <u>Green</u> seconded by Councilman <u>Lester</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 134 OF 2003

A RESOLUTION SUSPENDING THE EFFECTS OF SECTION 90-277 (b) AND SECTION 90-332(b) OF CHAPTER 90 OF THE CODE OF ORDINANCES RELATIVE TO THE COLLECTION OF LATE FEES AND COSTS FOR CERTAIN PARKING INFRACTIONS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Walford

WHEREAS, by conservative estimate, the City of Shreveport is owed in excess of \$1.7 million dollars for uncollected parking fines and costs; and

WHEREAS, a portion of this amount includes late fees and costs which were added to fines which were not paid within ten (10) days of the offense or the infraction; and

WHEREAS, the management and operation of enforcing downtown parking zones, the City's parking meter maintenance, replacement and repair, parking citation issuance and enforcement and the collection of funds associated therewith are the responsibility of the Downtown Development Authority ("DDA") pursuant to a contract with the City of Shreveport; and

WHEREAS, DDA has implemented efforts to increase collection of overdue parking fines and costs. These efforts include, but are not limited to a recommendation to suspend the effects of Section 90-277 (b) and Section 90-332(b) of the Code of Ordinances and declare a period of amnesty for the collection of late fees and costs for any parking citation or infraction which is paid during the amnesty period; and

WHEREAS, the amnesty period would be effective from 8:00 a.m. October 6, 2003 through 4:00 p.m. October 10, 2003 and would be available to any person with ten (10) or fewer tickets; and

WHEREAS, suspending the effects of these ordinance should increase revenue to the City of Shreveport which is a public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that Section 90-277 (b) and Section 90-332(b) of the Code of Ordinances is hereby suspended from 8:00 a.m. October 6, 2003 through 4:00 p.m. October 10, 2003 and a period of amnesty is declared in the collection of late fees and costs for any parking citation or infraction which is paid during the amnesty period by any person having ten (10) or fewer tickets.

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

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

Read by title and as read motion by Councilman <u>Walford</u> seconded by Councilman <u>Green</u> for passage.

Councilman Gibson: Question? The time frame that we're suspending?

Chairman Walford: Is . . . I'll have to look. October.

Councilman Gibson: About a 90day is it? Chairman Walford: No, its five days. Councilman Gibson: Excuse me, five days?

Chairman Walford: Five days, first week of October, after that time, hopefully, we'll have had the notice letters out. People can come to the hearing officer and we will begin booting.

Mr. Antee: From 8am October 6 through 4pm October 10th.

Councilman Jackson: Mr. Chairman, I see your name under the legislation. You made the motion if you will. Was there a specific reason why you chose five days?

Chairman Walford: It was one week. I think that's more than generous. Those who are going to pay have every opportunity to do so and avoid the late fees, those that don't will face booting.

Councilman Jackson: Mr. Chairman, I'd like to, I don't know if it is in order at this point, at least consider . I don't know if its in order at this point, but I would like to at least consider amending the motion to add time to it to make it 10 days for the simple fact that if perhaps a person is on vacation, then they have another week in fact if that week is not particularly the week for them, I don't think that and I'm certainly not suggesting that anyone would try to come back from vacation for the six parking tickets that they may have. So, I would just ask that the window of time could be greater for that amnesty if you will?

Councilman Walford: That amendment would have to be in writing. I personally would urge everybody to go with the five days. We put a lot of time and thought into it.

Councilman Jackson: I'm not saying you didn't put in a lot of time and thought into it, I'm just asking if you and I certainly don't want to depreciate what was done and in no way minimize the significance of the time that was placed in it; that's not my point. My point I guess is to a degree if that we could if in fact it could represent 10 days vs 5; that's all.

Councilman Gibson: Well, I understand where Councilman Jackson is going. If we're doing this for a week period of time coming up in, October 6 thru the 10th, obviously us taking action today, that's gets everybody in the loop, that we're giving them plenty of notice that this is coming. And I understand that people have personal things to take care of and business things to take care of, but at the same time, I appreciate what Councilman Walford has done here in the fact that we don't have to do anything technically to give them amnesty for this period of time and it's the burden of proof is on these people who have outstanding tickets. And for us to then make one additional accommodation, I would just suggest to ya, that the accommodation is coming on that week, but we're giving them,

that's why I thought it in my mind, I was. . . 90 days is about what we're looking at here to say get ready, its coming, its coming, its coming.

And I will tell you, if I owed those kinds of tickets and backlog and I was going to be out of time, I'd get Councilman Walford or another friend of mine to go down there and make restitution during that time frame to take advantage of that amnesty. So, I appreciate what the Councilman has done in offering this. In the fact that this body is not obligated to do it, but I think it's a great opportunity for citizens who owe multiple tickets to step forward and make restitution on something that they should have done well before now. Thank you Mr. Chair.

Councilman Walford: And if I may clarify, two points. 1) we're giving them roughly six weeks to come forward and pay. 2) This is only for those with ten tickets or less to come forward. It does not eliminate their obligation to pay the ticket. It takes off the late fee if they come forward voluntarily and pay it otherwise they go in the system and hopefully, we'll boot. So, I would . . .

Resolution passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, and Green. 5. Nays: Councilman Jackson. 1. Absent: Councilman Carmody 1.

RESOLUTION NO. 135 OF 2003

A RESOLUTION ACKNOWLEDGING THAT THE CITY COUNCIL HAS REVIEWED INTERNAL "MUNICIPAL WATER POLLUTION PREVENTION REPORTS" CONCERNING THE LUCAS AND NORTH REGIONAL WASTEWATER PLANTS

WHEREAS, the state permits under which the Lucas and North Regional Wastewater Treatment Plants operate require internal survey forms to be completed annually and submitted to the City Council for review; and

WHEREAS, forms for the past permit year for both plants have been completed by City operating and engineering personnel and are attached hereto;

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

That the City Council acknowledges that it has reviewed the attached survey forms, and that the ongoing capital projects at the Lucas and North Regional plants, in conjunction with ongoing collection system work, are intended to maintain compliance with the conditions of the plants' permits.

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 therof in conflict herewith are hereby repealed.

Read by title and as read motion by Councilman <u>Lester</u> seconded by Councilman <u>Green</u> for passage. The Deputy Clerk read the following amendment:

Amend the Resolution as follows:

The attached reports shall be substituted for the reports originally attached to the resolution.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the amendment. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the resolution as amended. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody 1.

RESOLUTION NO. 136 of 2003

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF CHRISTUS SCHUMPERT MEDICAL CENTER 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, <u>CHRISTUS SCHUMPERT MEDICAL CENTER</u> is located in Census Tract <u>210.00</u> Block Group <u>1</u>, which <u>is not</u> 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 CHRISTUS SCHUMPERT MEDICAL CENTER and their project FACILITY EXPANSIONS AND UPGRADES, Enterprise Zone Application # 2003-0036, 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 <u>Gibson</u>, seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

RESOLUTION NO. 137 of 2003

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF CHRISTUS

SCHUMPERT MEDICAL CENTER 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, <u>CHRISTUS SCHUMPERT MEDICAL CENTER</u> is located in Census Tract <u>239.02</u> Block Group <u>2</u>, which <u>is not</u> 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 CHRISTUS SCHUMPERT MEDICAL CENTER and their project FACILITY EXPANSIONS AND UPGRADES, Enterprise Zone Application # 2003-0038, 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 <u>Gibson</u>, seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

RESOLUTION NO. 138 of 2003

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF SMASH BEVERAGE CORPORATION 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, <u>SMASH BEVERAGE CORPORATION</u> is located in Census Tract <u>237.00</u> Block Group <u>7</u>, which <u>is</u> 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 SMASH BEVERAGE CORPORATION and their project SBC BLENDING LAB , Enterprise Zone Application # 2003-0257, 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 <u>Gibson</u>, seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

RESOLUTION NO. 139 of 2003

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF SMASH BEVERAGE CORPORATION 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, SMASH BEVERAGE CORPORATION is located in Census Tract 237.00

Block Group 7 , 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 SMASH BEVERAGE CORPORATION and their project PBC DISTRIBUTION CENTER SHREVEPORT, Enterprise Zone Application # 2003-0258, 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 <u>Gibson</u>, seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

RESOLUTION NO 140 of 2003

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF OAKLEY SUB ASSEMBLY, INC. 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, <u>OAKLEY SUB ASSEMBLY, INC.</u> is located in Census Tract <u>243.02</u> Block Group 5 , 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 OAKLEY SUB ASSEMBLY, INC. and their project GMT355 , Enterprise Zone Application # 2003-0220, 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 <u>Jackson</u>, seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

RESOLUTION NO. 152 OF 2003

A RESOLUTION TO REMEMBER JOHN T. PORTER FOR HIS DISTINGUISHED BUSINESS CAREER, FOR HIS PHILANTHROPIC AND PUBLIC SERVICE TO THE CITY OF SHREVEPORT AND TO THIS COMMUNITY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

By: Councilman Green

WHEREAS John T. Porter who founded Porters Fine Dry Cleaning in 1965, a dry cleaning business that has expanded to eight stores with 135 employees, died Monday June 30, 2003 at the age of 79: and

WHEREAS John T. Porter served as the President of the International Fabricare Institute, and was nationally recognized as a successful business man; and

WHEREAS John T. Porter began a tradition in 1965 at Porters Fine Dry Cleaners, to instill and nurture the entrepreneurial spirit and a can do attitude in young people in this community, by hiring some 7,000 high school and college students to date. Each student is instructed on how to dress, how to greet and to treat customers and how to enter and track dry cleaning orders; each student is able observe proven methods for operating a successful business, and each student learns that great rewards can be gained by exerting a little more effort and by giving customers a little more attention and service than the competition; and

WHEREAS John T. Porter used successful business practices, his organizational skills, and his time and resources to direct and assist religious, educational and philanthropic organizations to

improve the quality of life for the citizens of this community and this state. Mr. Porters philanthropic actives includes service on the Boards of Directors of the following organizations: Volunteers of America, Louisiana Methodist Foundation, Live Oak Retirement Center, American Red Cross, and Louisiana State Exhibit Museum; and

WHEREAS John T. Porter combined a keen business intellect with a compassionate spirit to help solve a plethora of local problems, including the creation of the Coats for Kids program in 1988, in which more than 75,000 coats have been donated to children in low-income households; working with the Dream Home give-a-way fund-raiser for St. Jude Children's Research Hospital, and the collection of teddy bears, eyeglasses and canned foods for the Shreveport Lions Club; and

WHEREAS John T. Porter combined patriotism and philanthropy as "The Flag Man" who promoted, cleaned and sold the U.S. Flag (and even wore a bow tie that played The Star Spangled Banner), which generated funds for the Boy Scouts of America and no profits for Porters; and

WHEREAS John T. Porter received many awards including the Mr. Shreveport Award, presented by the Optimist Club of Shreveport, the Good Samaritan Award, the NCCJ Award, the Liberty Bell Award and the Jefferson Award..

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport and all its citizens publicly remember **John T. Porter** for making Shreveport and this community a better place to live. We agree with the July 2, 2003 editorial of The Times which described John T. Porter as leader, servant and patriot, and which concluded as follows:

Invariably, Porter's service went beyond typical membership or financial support to real leadership and thoughtful example. He was a successful and nationally recognized businessman whose life was the epitome of servant leadership - setting an example, giving back, making a difference. He will be missed.

BE IT FURTHER RESOLVED that we wish Mrs. Jane Porter, Mark Porter, and the entire Porter family continued success in their personal and business affairs.

BE IT FURTHER RESOLVED that this resolution shall be executed in duplicate originals with one original presented to **Mrs. John T. Porter** and the other filed in perpetuity in the office of the Clerk of Council for the City of Shreveport.

Read by title and as read motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Gibson</u> passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 155 of 2003

RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF TANGO TRANSPORT, INC. 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, <u>TANGO TRANSPORT, INC.</u> is located in Census Tract <u>243.02</u> Block Group <u>1</u>, which <u>is not</u> 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 TANGO TRANSPORT, INC. and their project TANGO CORPORATE OFFICE, Enterprise Zone Application # 2003-0187, 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 <u>Green</u>, seconded by Councilman <u>Jackson</u> passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

INTRODUCTION OF RESOLUTIONS:

- 1. Resolution No. 142 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Brunswick Place, L.L.C., a Louisiana Corporation, through Jon Saye, Owner for water and sewer Facilities for Unit 1, Brunswick Place Subdivision and to otherwise provide with respect thereto.
- 2. Resolution No. 143 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Brunswick Place, L.L.C., a Louisiana Corporation, through Jon Saye, Owner for water and sewer Facilities for Unit No. 2, Brunswick Place Subdivision and to otherwise provide with respect thereto.
- 3. Resolution No. 144 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Brunswick Place, L.L.C., a Louisiana Corporation, through Jon E. Saye, Managing Partner for water and sewer facilities for Unit No. 3, Brunswick Place Subdivision and to otherwise provide with respect thereto.
- 4. Resolution No. 145 of 2003: A resolution Authorizing the Mayor to execute a Donation Agreement Between the City of Shreveport and Brunswick Place, L.L.C., a Louisiana

- Corporation, appearing herein through Jon E. Saye, Manager for water and sewer facilities for Unit No. 4, Brunswick Place Subdivision and to otherwise provide with respect thereto.
- 5. Resolution No. 146 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Brunswick Place, L.L.C., a Louisiana Corporation, Appearing Herein through Jon E. Saye, Manager for water and sewer facilities for Unit No. 5, Brunswick Place Subdivision and otherwise provide with respect thereto.
- 6. Resolution No.147 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Brunswick Place, L.L.C., a Louisiana Corporation, appearing Herein through Jon E. Saye, Manager for water and sewer Facilities for Unit No. 6, Brunswick Place Subdivision and to otherwise provide with respect thereto.
- 7. Resolution No.148 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and W. R. Properties, L.L.C., herein represented by Weyman H. Oden, Jr., President for water and sewer mains serving Willow Ridge at Stone Lakes, Unit No. 4 and otherwise provide with respect thereto.
- 8. Resolution No. 149 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Sealy Ashley Ridge, Llc, Marksco, LLC, Mark P. Sealy, Managing Partner for force lines, gravity mains and lift station serving the commercial development known as Ashley Ridge and to otherwise provide with respect thereto.
- 9. Resolution No. 150 of 2003: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and South Shreveport Development Company, L.L.C., a Louisiana Corporation, appearing herein through Steve Simon, Managing Partner for water and sewer Facilities for Pierremont Place Unit No. 2 and to otherwise provide with respect thereto.
- 10. Resolution No. 151 of 2003: A resolution making application to the State Bond Commission for Consent and Authority to issue, sell and deliver not exceeding \$40,000,000, of Water and Sewer Revenue Refunding Bonds, Series 2003, of the City of Shreveport, State of Louisiana, all in the manner provided for by Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto and providing for other matters in connection therewith.
- 11. Resolution No. 153 of 2003: A resolution authorizing the acceptance of a Land and Water Conservation Fund Grant and to otherwise provide with respect thereto.
- 12. Resolution No. 154 of 2003: A resolution authorizing the waiver of all building permit fees for the construction of Fire Station Number 13 and to otherwise provide with respect thereto.

Councilman Lester: Yeah, I have a question on No. 151. I think we've . . . Mr. Strong asked Mr. Brown to be here. If Mr. Brown could come up?

Councilman Walford: Welcome Mr. Brown.

Mr. Jack Brown: Thank you.

Councilman Lester: Thank you Mr. Brown. On yesterday, I asked Mr. Strong to get some information, some clarity regarding item 151, that is the resolution, the application of the bond commission to have the authority to sell and deliver not exceeding \$40million of Water and Sewer Revenue Bonds?

Mr. Brown: Yes sir.

Councilman Lester: Is this a new issue or what?

Mr. Brown: No, well what's happened is those were bonds which were previously issued by the City. DEQ has decided (Department of Environmental Quality) has decided its in their interest to allow with the low interest rates that we have presently, to allow cities to go out, borrowers who are able to do their own bond on the first number of series of the bonds. These are 22 years bonds, 2 interest only, 20 years principle. Today's market, we're going to be able to refund up to about 8 years.

DEQ will continue the bottom twelve years at 3.95. We'll refund it the first 8 years and the only way can do that is DEQ is the sole purchaser of the bond. They hold the bond, they're waiving the call dates and prepayment penalties which will allow us to give, want to save the the city about \$4- to \$500,000 dollars. Aand then DEQ will get that portion of the money back, they'll loan it to other cities possibly Shreveport and any other city they can and get the, the whole idea of the revolving loan fund is to revolve. . . to keep the money out there but these programs when you have that interest only for that 2 year period, it kinda restricts it and we have the low interest rates and they've never done this before. First time its ever come up and so, I think its win, win for everybody, certainly for the City, it will be and I think DEQ also.

Councilman Lester: Okay and my second question to be consistent, we are having minority council working in that position?

Mr. Brown: Yes sir.

Councilman Lester: Thank you Mr. Chairman.

Read by title and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Gibson</u> for Introduction of the Resolutions to lay over until the September 9, 2003 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

INTRODUCTION OF ORDINANCES:

- 1. Ordinance No. 122 of 2003: An ordinance amending the 2003 General Fund Budget and otherwise providing with respect thereto.
- 2. Ordinance No. 123 of 2003: An ordinance to amend Section 74-54 of the Code of Ordinances relative to landfill disposal fees and to otherwise provide with respect thereto.
- 3. Ordinance No. 124 of 2003 by Councilman Lester: An ordinance to repeal Section 2-1 of the Code of Ordinances of the City of Shreveport which requires certain Officers and Employees to reside in the City of Shreveport and to otherwise provide with respect thereto.
- 4. Ordinance No. 125 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on southeasterly side of

Texas Avenue at its intersection with Elvis Presley Boulevard, Shreveport, Caddo Parish, Louisiana, from B-4, Central Business District to B-4-E, Central Business/Extended Use District, <u>limited to "outside storage of materials" only</u>, and to otherwise provide with respect thereto.

- 5. Ordinance No. 126 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the east side of East Bert Kouns Industrial Loop at its Intersection with Business Park Drive & 1000 feet east of East Bert Kouns Shreveport, Caddo Parish, Louisiana, from B-3, Community Business District, to R-3, Urban, Multiple-family Residence District, and to otherwise provide with respect thereto
- 5. Ordinance No. 127 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located 1500 feet south of the Industrial Loop & 1800 feet west of Pines Road, Shreveport, Caddo Parish, Louisiana, from R-MHS, Residence Mobile Home Subdivision District, to R-MHP, Residence Mobile Home Park District, and to otherwise provide with respect thereto.
- 6. Ordinance No. 128 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located the south side of West 70th Street, 1200 Feet East of Glen Leaf Road, Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, to B-2, Neighborhood District, and to otherwise provide with respect thereto.
- 7. Ordinance No. 129 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located 750 Feet north of Greenwood Road and 800 feet west of Danny R. Wimberly Drive. Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-family Residence District and B-2, Neighborhood Business District, to B-3, Community Business District, with MPC Approval, and to otherwise provide with respect thereto.
- 8. Ordinance No. 130 of 2003 by Councilman Carmody: An ordinance to amend Section 2-1 (a) of the Code of Ordinances of the City of Shreveport which requires certain Officers and Employees to reside in the City of Shreveport and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for Introduction of the Ordinances to lay over until the September 9, 2003 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

ORDINANCES ON SECOND READING AND FINAL PASSAGE:

1. Ordinance No. 97 of 2003: An ordinance declaring 740 Stephenson Street to be surplus property; authorizing the donation of same to Volunteers of America of North Louisiana; and to otherwise provide with respect thereto.

Having passed first reading on <u>July 8, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Green</u> to postpone the ordinance until the September 9, 2003 meeting.

Councilman Jackson: I had just wanted to ask about this 97 and whether or not this 740 it said, 'donation' but someone asked me about a sale or whether or not the property would be for sale or what actually happen? What specifically going on was what the question was that someone asked me, today about No. 97?

Councilman Walford: Can I defer to the Administration?

Mayor Hightower: Yeah and that's the reason I'm asking for the delay. I think it's a piece of property that's certainly worth more than a donation.

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

2. Ordinance No. 109 of 2003: An ordinance authorizing the issuance of not to exceed Six Million Dollars (\$6,000,000) of SEWER Revenue Bonds, Series 2003A, of the City of Shreveport, State of Louisiana; prescribing the form, terms and conditions of said Bonds, providing for the payment thereof in principal and interest; providing for the sale of the Bonds; and providing for other matters in connection therewith.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Walford</u> for adoption.

The Deputy Clerk read the following amendment:

Substitute the ordinance for the attached Ordinance.

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Lester</u> for adoption of the amendment. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Jackson</u> for adoption of the ordinance as amended. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

3. Ordinance No. 110 of 2003: An ordinance declaring certain adjudicated properties to be surplus and to authorize the Mayor of the City of Shreveport to sell the City of Shreveport's tax interest in certain surplus adjudicated properties, and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Lester</u> adopted by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1

4. Ordinance No. 111 of 2003: An ordinance amending the 2003 Capital Improvements Budget and otherwise providing with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption. The Deputy Clerk read the following amendment:

Amendment No. 1:

Amend the ordinance as follows:

AMEND THE ORDINANCE AS FOLLOWS:

In Program A (Buildings and Improvements):

Increase the appropriation for Municipal Auditorium Roof and Air Conditioning Replacement (94-A002) by \$79,300. Funding source is Riverfront Development.

Decrease the appropriation for **Civic Theater Improvements** (**95-A003**) by \$178,300. Funding source is Riverfront Development.

Increase the appropriation for **Building Maintenance** (**95-A005**) by \$99,000. Funding source is Riverfront Development.

In Program D (Drainage Improvements):

Increase the appropriation for **Southern Oaks Pump Station** (**00-D003**) by \$100,000. Funding source is 1996 GOB, Prop. 10 (Drainage).

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the Amendment No. 1. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Amendment No. 2:

AMEND THE ORDINANCE AS FOLLOWS:

In Program H (Airports Improvements):

Increase the appropriation for **Construct West Parallel Taxiway 4/22 (02H003)** by \$5,825,200. Funding sources are Shreveport Airport Authority \$529,600, State Grant \$529,600 and Federal Aviation Administration \$4,766,000.

Increase the appropriation for **Taxiway "C" and "A" North Lights (03H005)** by \$195,600. Funding sources are Shreveport Airport Authority \$17,800, State Grant \$17,800 and Federal Aviation Administration \$160,000.

Adjust totals and subtotals accordingly.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the Amendment No. 2. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Amendment No. 3:

In Program A (Buildings and Improvements):

Increase the appropriation for **Shreveport Convention Center (97A002)** by \$5,450,000. Funding sources are Insurance Proceeds \$4,500,000 and Interest Earnings \$950,000.

Adjust totals and subtotals accordingly.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the Amendment No. 3. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Councilman Gibson: I got a question real quick. All this improvement is coming out of the Riverfront Fund, is that correct?

Mr. Dark: Mr. Chairman, if I might. Amendment 1 simply rearranges an existing appropriations in the existing Riverfront fund.

Councilman Gibson: But it comes out of Riverfront?

Mr. Dark: Yes sir.

Councilman Gibson: That was my question.

Councilman Jackson: Not all of it.

Mr. Dark: Well, all of it in Program A - Buildings and Improvements.

Councilman Gibson: That was my question.

Councilman Hogan: I was reading the paperwork behind this ordinance and it says source of funds Airport Revenues on the first one it is talking about, the wash racks at the Downtown Airport on that particular one, is Airport Revenues.

Mr. Dark: That's the base ordinance that we started from two weeks ago.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the ordinance as amended. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

5. Ordinance No. 113 of 2003: An ordinance to amend and re-enact Chapter 66, Article II, Section 66-64(8)a, of the Code of Ordinances Relative to the Employees Retirement System Management of Funds to allow investment of a maximum of 65% of the funds in Equities and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman

<u>Jackson</u> adopted by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

6. Ordinance No. 114 of 2003: An ordinance to amend Section 10-190(b) of the City of Shreveport Code of Ordinances relative to Alcoholic Beverages and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Jackson</u> for passage. The Deputy Clerk read the following amendment:

Amend the ordinance as follows by Councilman Lester:

Amend Section 10-190 (b) to read as follows:

(b) The provisions of this section shall not apply to persons consuming alcoholic beverages on the public sidewalk or other public area located within the public right of way under the Texas Street bridge between the west right way line of Clyde Fant Parkway and the east right-of-way line of Commence Street, provided that the merchants located immediately adjacent to said area provide manned check points at the west right-of-way line of Clyde Fant Park Way and the east right-of-way line of Commerce Street insure that alcoholic beverages are not brought into or out of said area.

Motion by Councilman Green, seconded by Councilman Lester for adoption of the amendment.

Ms. Lee: What it does, it allows the open containers under the Texas Street Bridge provided the merchants provide manned check points to prevent alcohol from entering or leaving the district.

Councilman Gibson: Mr. Chair, we've had several people here tonight talk about their investment and talk about their perception. Which again, perception is reality that the City is going to take action to impede their business.

I want to make sure that I'm on record in the fact that my vote will reflect the fact that we are in need to using, what the Mayor said earlier, control this situation and dealing with the safety aspects, dealing with the lack of responsiveness by the developer and that this in no way from at least my perspective is something that we're trying to go in there and disrupt their business. I would hope that in the spirit of Performa and John Elkington that he would step forward and work as one of the business owner said earlier, where the tenants, the developer, and the City sit down and get this thing behind us so we can, in good conscious. have a area down on the Riverfront that is first and foremost safe. Second and foremost is profitable not just for the tenants, but Performa and also reinforcing the confidence in the citizens of the of Shreveport that they put faith in the body before us that approved partial financing by the City in this process.

But again, this is kinda of a double edged sword the way I'm looking at it but I think I just want to be on record that the fact that I don't think that any of us are up here trying to impede business in any form or fashion. On the contrary, I think we're trying to facilitate it, but unfortunately, there is some circumstances that are in this process that force the Administration

to bring a proactive stance to take control of a situation that has basically gotten out of control, not because of this Council or this City, but because of the developer.

Councilman Lester: A few things, if I might to start off. You know, this. . .a lot of criticism that we get from people you know that the City isn't a good business place, or the City Council doesn't handle its business or the Administration doesn't handle its businesses is unfair. A lot of times, because other people don't act, we're put in (inaudible) situations and I think this is a perfect example.

One of the things that they drill into us at Law School and it (inaudible) is bad facts make for bad law. And what I'm concerned about is, can we remedy a situation on one hand and make the situation worse? There are a number of competing interest going on here. Quite obviously, the developer has an interest or at least you would think that he would in this project moving forward and being successful. The flip side of that, the developer is able and as I appreciate it, the way this deal was structured to do a lot of playing with other people's money and some of those people are the citizens of Shreveport, particularly with our Community Development Block Grant money.

Then on the other hand you have some of the people that came before us today that operate businesses in that district that on the ground, day-to-day, trying to make it work, because they believe I had a business idea, I had a business plan, this is what I want to do. Then on the on the other hand you have and it's very interesting that they voiced their opinion today, you got the casino. They're saying well you know that we concerned that we got these open containers, which I find interesting, given the fact that the impetus for the creation of the Red River Entertainment District was Hollywood Casino. And as I appreciate it much of the labor, much of the work that went down there was at their behest, bequest and in fact some of their folks paid for it.

You've got a scenario where you've got someone that's leasing a building to a group of operators whether you're talking about the developer or you step above the developer and you're talking about Hollywood, that doesn't really want the people that are leasing the building to succeed. Because if in fact these people have a crowd, then that crowd is having a good time under the bridge. They're under the bridge, they don't go inside. They don't go inside, Hollywood doesn't make any money. Hollywood doesn't make any money, everybody is upset because the Riverfront Development Fund takes a hit. So, I mean, you've got a lot of people with a lot of different stakes in this thing and everyone's. . . it seems to me, they're dancing around a lot of issues.

I don't think and I understand exactly where this Administration is coming from. You've got a developer that has been, as I appreciate it has not lived up to a lot of things that he said he was going to do. And so, as an executive, you've got to make a decision. How can we bring people into doing what needs to be done? Personally, looking at the statute, the statute gives us a remedy. The statute airs without anything that we do today, the statute clearly says the provisions of this section shall not apply to persons consuming alcoholic beverages in designated plastic containers on any public street and then it goes on to describe the area that's the Entertainment District. If we have an open container problem down there, its very simple. All we have to do is enforce this statute that we have. If in fact someone is down there and they don't have a designated cup, then the Police Department, Shreveport Police is well within its right, and I would say they have a responsibility to arrest that person for violation of the open container law period. So, I think first of all, I don't really think we need necessarily a statute. If what we're going to do is control open containers. Because we already have a statute if we

enforce the law we have, we can do that.

But if we decide that we want to expand that and/or limit that, then I think we have to give a certain amount of deference to the people that are here, that have made an investment, that don't have the connections to Memphis, that don't have a \$5,000,000 million dollar guarantee that are, as you have heard, that are working a side job to feed this habit that they have called a business and that shouldn't be the case. I think there are a number of ways that we can get around this.

First of all, I think all we need to do is enforce the statute that we have. If we enforce the statute that we have, then open containers is not an issue. I think that's clear. Second of all, if the issue is safety, as I appreciate it, the people that are renting down there pay what's called a CAM (Common Access Management) or something like that. They're paying money for common area management for security, and for maintenance and maintenance is not going on. So, at some point and I asked Mr. Thompson, and I don't think we can do it and he's right, I asked--you know, the party that should be down here shouldn't be those people. It should be the developer that should be standing right there in front of this microphone explaining to us why he has not done what said he was going to do. But that's not the case and that's not what we're dealing with. I think very simply, we can do something to send a message curtail a problem without killing these people's business. I think it and that's my amendment.

If we vote to do away with open containers in the District, the larger area, the people that are generally affected are the people under the bridge between Commerce and Clyde Fant. Why don't we set up a scenario where we give them the opportunity to have the open containers. If they can pool together the resources to man those barricades as we had before. Controlled access points either from the Clyde Fant side or the Commerce Street side, control the access to make sure people don't come in that are either underage and if they are underage give them the little arm bands or to make sure that, there is no... you know someone coming in with beer bottles or coming in with alcohol or leaving with them. I think that would be easier. I think that would be a lot less restrictive and I think that would give them an opportunity to do what they want to do which is open a business and maintain a business. We don't have an interest and I'll be the first to say I have problems with the way Mr. Elkington has conducted his business because they're holding a laundry list of other things that he said that he was going to do in terms of minority procurement, that he may or may not have done. And, certainly, I have a vested interest in the \$5,000,000 million dollars as all of us do, but particularly those of us that represent the poorer areas, because every dollar that goes to maintenance of a Red River Entertainment Section 108 loan is a dollar that I can't spend on the Cooper Road or in Allendale paving streets because you know we're talking about Community Development Block Grant money and that money is hard to come by.

So, I would just ask my colleagues to either vote this amendment, vote with my amendment and give these operators, the people that actually have businesses, that are trying to make this happen, give them a fair shake and try to help them make this happen or vote against this ordinance and instruct the Police Department to enforce the ordinance we have if the issue is open containers. Because clearly the ordinance that's on the books provides us with an opportunity to say, if you don't have a designated plastic cup, and you got something, whether its in a solo cup or a Styrofoam cup, if its not a designated cup, it's a violative of the law and we can do what we need to do.

So, I would just ask those two things. 1) Either that we go with this amendment and move forward or strike the whole thing and enforce the law that we have.

Councilman Green: I'd simply like to say, if in fact we're talking about the cup, this special cup, it seems as though a special cup would bring about some magic that underage kids wouldn't bother to touch it. If you go to a liquor store, underage kid, and they are caught selling them liquor, then they get fined. If you go to a bar, they get fined. If you go to the boat, underage on the boat I believe is about \$10,000 thousand dollars.

So, therefore, if we're talking about this special cup, say for instance an underage kid is caught with one of these cups, whose going to pay the fine? I don't just think that you ought to just be out there saying well we got a cup, so now that takes care of it. I mean if these are penalized for selling to underage, then I think that everybody ought to be in the same boat. If in fact, you're talking about give us the opportunity to do this cup, and then we're talking about the boats over here who get fined \$10,000 thousand dollars per person coming on the boat underage, are you willing to drink from the same cup that they drink from. If somebody is caught with one of these authorized cups, your business, will you pitch in your part of the \$10,000 thousand dollars?

So, then we talk about on one side well, the boats over here and they're saying this and we're over here, we're saying this, just give us this special cup and everything is over. But on the other hand, if in fact the underage kid is walking around lounging with the cup, are you willing to drink from the same cup that the boats are drinking from? You'll pay the \$10,000 thousand dollars per whop for every kid that is out there drinking underage. I think the answer is no.

So, therefore, I think what we've got to do as a body as a Council is to look out for the welfare of what's going on. As soon as somebody gets hurt down there, we're going to be talking about, well why didn't the police, why didn't the Council? So, I think at this particular time, my argument is not with John Elkington, he's not here talking about a special cup. I don't know where he is, I've only met him once. But I just think at this point and time, its time for us to do something. Now whatever is worked out after this, then to me, we'll do that.

I just cannot believe in my wildest dream that in order to basically sell ice cream, that somebody's got to be drunk to buy it. I just cannot believe that in order to sell whatever you got that somebody got to be tipsy to buy it. I just believe is whatever you got is good, wherever you are, whether its in the Red River District, whether its in Forest Oaks, whether its in Mooretown, Sunset Acres, build a bridge, they'll come. I just think that if in fact my business is over on Hollywood and it kinda make me think that maybe I ought to have a, I got an open container over there right now, but it doesn't help my business.

Councilman Gibson: Maybe you need a Hollywood Cup.

Councilman Green: In fact, when I go back today or get up in the morning, somebody would have been there with an open container, it hasn't helped me at all. So, I don't see where open containers will help just because I'm tipsy, it doesn't mean that I'm going to tip into the store and buy it. If I'm tipsy, then maybe after I buy whatever I've bought, then maybe I didn't want ice cream, maybe I didn't want soda pop, maybe I just got it because I was tipsy. But I just think we as a Council gotta do what we gotta do and then all of the ideas that we've talked about today, then we will get with whoever and go to the drawing board and come up with a solution.

Councilman Jackson: I just wanted to say in a lot of this discussion, much is being perhaps being lost or muddied. But on the amendment, I think that Councilman Lester had, I guess one of the issues is, it seems to me and I'm reluctant to, I think the spirit of it is meaningful, but I'm reluctant to legislate a business owner's activity and here we talked about

merchants who will be responsible for manning check points. Does that mean that they are responsible for the security who would man the check points or they themselves act as security and man the check points? How in fact would they assure that someone was going to listen to them or if you tell them to put a cup down, if they are not the police or they are represented as security? And I would assume that if in fact, it must be security to be affective, but that's another cost added to the business. And I just don't know if the difference is significant enough to ensure there is still a profit after you have to pay for security and all those kinds of things, I just think that we're adding a lot to it.

I'm back to the point that I think that there is no prohibition against exceptions and the times when exceptions are in fact deemed necessary by the people in the district or by people who are having events in the district and I think that's more than fair; that's what's happening in other parts of the City. And again, I think someone has alluded to the safety and the kind of atmosphere we want to create, I believe it can be a good and an engaging entertaining district without it having to be a place where people just walk around drinking alcohol. Nobody is prohibited from drinking alcohol in establishments, and those same people that they want to come out and go to shops who don't have alcohol are still able to do that. And I just think that the atmosphere has to be such that the businesses can maximize opportunities, but at the same time, that families can go down there and can feel safe and secure in being in the Red River District and as a Councilman, I think that's one of our first priorities to make sure that the quality-of-life of our citizens is protected notwithstanding, what the name of the district may be.

Councilman Gibson: There's two other items that disturb me. 1) I think is an opportunity there. The open container, if the cups were derived, obviously those cups are, they're going to patronize the businesses that are down there. Just as I had several calls from some entertainers that are down there that play on a regular basis, either hired directly some of the business down there or whatever. Their fear was if they are playing people won't come there because obviously, they're not going to be able to bring their drinks down there. I say well, wait a minute, if the District or the developer had the cups, then obviously I could go in or somebody could go into whatever one of the businesses are down there, get whatever drink they want, go back outside, watch the entertainment. So, again that's an area that could be resolved through that public/private discussion that obviously the cart and the wheel is Mr. Elkington.

2) The other part that has always disturbed me and I know the Mayor wrestled with this. I think the number I recalled was maybe \$5,000 thousand dollars, I don't know if it was night or day and security costs that we were paying at one time. I don't know about you gentlemen, but when I go around the country and I go to certain entertainment areas where the private sector has put something together, there is a built in cost and I think Councilman Lester, you alluded to, I can't remember the CAM, but first and foremost the developers either in conjunction with those businesses have an obligation to protect their business. If something get's out of hand, obviously, the City is not the primary security system, but the back up security system.

And at least for the history of this Entertainment District, the security in this area has been suspect in the fact that I believe Mr. Elkington, at least as I understand it and as I perceive it, has depended on the City to be his primary security system and has not stepped up either in conjunction with and again if you're paying a fee, that fee needs to be applied in its proper perspective. And again, I have to echo Councilman Lester's statement in the fact that it's a crying shame. And I remember when John Elkington came to town, he definitely had some good ideas, he's definitely produced in some areas where he's got a track record of some

success, some have not been as successful, but that business.

But the fact being is he should be standing up here answering these questions and not our business people. Which again, then leads it, and I don't know if my good friend from *The* Times is over there making notes, but I'm sure after its all said and done, that we may be put into a position to where it looks like the City of Shreveport is beating up on our businesses out there, when in fact, it is not the City of Shreveport that is beating up on you that we have again I'll use that word 'double-edged sword' in the fact that we have an obligation to protect. If you're not being protected by the primary security system that Performa and whoever the partners are in this process, the City is being expected to do that, then is that fair to the taxpayers who are again, my district needs additional police officers and I've had that discussion with several people in the Administration that if you were to ask District D, do we put police officers down in the Entertainment District or do they want them out in the neighborhoods. I can tell you what they're going to tell ya real quick-out in the neighborhoods. But there are several other things here which again are very disconcerning to me regarding this discussion that again and I don't know if we just finally just filed legal action and collectively with the business owners and the City, I don't, I'm not an attorney. I'll have to defer to my colleague, Councilman Lester who may know a little bit more about those kind of things but those two things come to my mind. 1) The security and 2) it's a crying shame that we couldn't have gotten the cups out there. Cause again, cups aren't the issue. It helps service the businesses down there. It also gives the Police Department who should be the fall back security out there to be able to quickly identify whether people are complying with what is going down at the Entertainment District but those are things again that I'm wrestling with. [Councilman Hogan called for Question which was denied by the following vote: Nays: Lester, Walford and Gibson. 3. Ayes: Green, Hogan and Jackson. 3. Absent: Councilman Carmody. 1.1

Councilman Walford: I'd like to ask the Chief if he would come up for just a minute. Chief, could you talk to us about the problems we're having down there and what the enforcement situation is?

Chief Campbell: What we're interested in I think is the same thing the Council is interested in is providing a safe and fun environment and to make that Entertainment District everything that it can be. Unfortunately and I think it's pretty aware, we are the primary security down there and I can just tell ya, I know what was spent last year down there by the Shreveport Police Department. I can tell ya what we're on schedule to spend this year if we continue with the same problem, but last year was in the neighborhood of \$50,000 thousand dollars that we funded security down there. And last year, there was some representation from the Entertainment District as far as the security that has been pretty much non-existent since August of this year.

How it impacts the Police Department is we're having to divert resources down there. Budget's tight and we're having to divert on duty resources down there such as our major crimes unit, we've been doing that since the beginning of August. We're also now in the process of having to hire additional officers to go down there to assist just because primarily the sheer numbers and their basically, other than the underage and things like that, and its causing traffic issues and issues like that. But if we stay on pace, if what we're looking at with the pay raise, not including the on duty that were being diverted down there, we're looking at spending another \$57,000 thousand this year and I don't have it in my budget.

So, it is impacting us and we have issues when you talk about our major crimes unit,

that's the unit we use to suppress identified crime trends, the burglaries, the armed robberies, those types of things and those resources are being tied up on the Riverfront. So, I guess it's a fairness issue to the rest of the City and where our priorities are and we'll do whatever you want us to do.

Councilman Lester: Quick question, Chief, and I appreciate the scenario that you find yourself in, cause after this is all said and done, you've got to figure a way to make this work.

If we move forward with the ordinance, as its presently constituted, if you have cups, you're fined, if you have a designated cup. Our issue is open containers, right? And the ordinance if it passes, the one that we're being talking about today, how are you going to enforce that? Aren't you going to in fact have to have officers at the Entertainment District to make sure that no one is down there with open containers, anyway?

Chief Campbell: That's correct and we normally have resources down there as a part of the downtown unit primarily takes care of that. What has happened at this point is because of the large crowds that we're having, those units are not sufficient to provide the safety that's necessary with the crowds that are gathering down there.

Councilman Lester: Okay, so regardless of whether this statute passes or not, lets say the statute passes and we do away with open containers you're going to have to commit resources to the district to make sure that no one has the open container?

Chief Campbell: We'll have to do that for a short time, but once the word gets out as in most other things, then we start enforcing those things and summoning or arresting those violators, then it will probably take its impact or toll on the crowd and then basically we can get back to doing what the resources that are originally assigned down there.

Councilman Lester: So, if the statute passes and we start enforcing this new statute, and we anticipate, quite obviously you're anticipating a decline in the crowd, then basically what's happening is we're killing off the crowd that's down there?

Chief Campbell: Well not necessarily, when you're looking at that. I'm not so sure from what I've seen down there, how much of the crowd is patronizing the businesses. I think that's really the issue. There's an enormous crowd down there, but primarily they're bringing the alcohol in with them and so, if they are unwilling to pay now, I don't think that it's going to make much difference and that's gonna make 'em start purchasing.

Councilman Lester: Well, let me ask this question?

Councilman Walford: Councilman, you were going to ask one question on my 10 minutes here.

Councilman Lester: Yeah, but Councilman, you got two Preachers and a Lawyer and you know. . .

Councilman Walford: And a list of comments.

Councilman Lester: And you know, and you know, and the Chief is my good friend, he doesn't mind. This will be my last question, honestly.

How difficult would it be for you to implement a I guess for lack of a better term, a checkpoint system at Commerce and Clyde Fant? Would that be a tremendous imposition in terms of resources and would it be, would you think that would help (its a two part question), do you think that would help maybe deal with some of those safety and crowd issues as well?

Chief Campbell: Its possible that it would, but it would impact us because we would have to go down there and man those positions and that's you know, my question is perhaps maybe what other businesses would be doing that for and would we be setting a precedence

there down the road?

Councilman Walford: Chief, that's all I've got, thank you very much. I've got a couple of comments and I think what we're hearing is that 1) we've got a big problem. We know that.

We've got a perception now that the area is unsafe and I think that is a major problem and all this has come about because we've had non-compliance with the ordinance not just by those with the open containers, but those who are responsible for the area, and they've been totally irresponsible and I don't think we can go on as it is and I don't intend to. If things change, if we can come up with a responsible operator and procedure that works, I'd be happy to address it again on down the line. But right now, I think we have to change what we have. Since Councilman Lester used my ten minutes, does anybody else have second debate or are we ready to vote on the amendment?

Councilman Lester: Just a few things. The argument about the people walking around. The critical mass of people not doing anything, I think we're fooling ourselves if we don't think that people walking around in that area is not going to help those businesses. Now, everyone that walks around might not patronize the business, but the people that walk around, a lot of them do. And I would offer as Exhibit A the fact first the casinos came and all they had was a boat. Then they built hotels, and then they built restaurants, so that people once they game, they can walk around. And you have a number of people that just walk around and don't spend any money, but they provide them other outlets so that at some point, they decide to partake in a casino experience.

I don't think we to reduce this to an argument, that says you need to have alcohol as a quality-of-life, I think that's a specious argument. I think the question that we still have to answer is how are going to enforce the new ordinance. If you're going to have to commit people to come down to the Entertainment District to enforce the new ordinance, you're still going to have people to have to deal with the old ordinance anyway. I think the issue is, if you just make or allow the business owners to have a designated cup, you just enforce the ordinance that you have. Personally, I don't know if we could legally require this and I think we would have to get some direction from our legal counsel, but I would like to maybe you know, get us in a scenario where we switch developers. I mean, at some point, I think that might be something Mr. Mayor that we need to look at, see exactly what we need to do.

Because on one hand, we're holding a \$5,000,000 million dollar note that we're paying and we've paid over \$500,000 thousand dollars and some on. If these people can't make money, then they can't pay the man that owes us money. So, we're going to stop them from making money so that the man that's paying us, can't pay us; so, we're throwing good money after bad.

Now, I've heard us on many occasions talk about protecting our investment. I think we need to protect that investment, especially because that horse is run a lot out of the barn and then you know, it seems to me that one of the arguments that I'm hearing is that the place is getting too crowded. Well, I mean, you want to have a crowd. The last time I checked, its just like those people said how was business? Well, I always want more clients, but of course, I would rather more paying clients and I'm pretty sure that though they want a crowd down there, but they want people that's going to patronize them. But if we do some things that would take away from the Red River Entertainment District experience, where you can walk around, 'cause the fact of the matter is that most of the people coming down here aren't people that live in the City of Shreveport, because we already have our hangouts. These are people that come from Texas (9 times out of 10) or from Arkansas that want to partake in the Louisiana experience.

They think that we're in New Orleans anyway, they don't even look at the map. And so, they're thinking I'm coming to Louisiana, I've got this Entertainment District, I've got these bars outside I could have me a cup, I could have a good time and go on back to the casino.

You know at a certain point, I think we should give these businesses an opportunity to thrive and if not, then lets say hey, lets call in the note, call Elkington on the carpet, and move on. But I think this is a reasonable accommodation give what we look at, and I understand what Councilman Jackson's coming from in terms of you know, are we talking about any additional cost to the people that are out there in terms of security and things of that nature. I think that's a legitimate argument and I would only add in defense of where I'm coming from, I don't particularly like the amendment that I have, but I think that's an accommodation to these people that have made a significant investment in this area.

So, I would just ask that if in fact, we're not going to vote to add this amendment that I'm offering, I would ask that we would defeat this amendment and then require our SPD to enforce the law that we have.

Amendment failed by the following vote: Nays: Councilman Walford, Gibson, Hogan, Green and Jackson. 5. Ayes: Councilman Lester. 1. Absent: Councilman Carmody. 1.

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Jackson</u> passed by the following vote: Ayes: Councilman Walford, Hogan, Green and Jackson. 4. Nays: Councilman Lester and Gibson. 2.Absent: Councilman Carmody. 1.

7. Ordinance No. 115 of 2003: An ordinance amending Chapters 26 and 62 of the Code of Ordinances of the City of Shreveport relative to rental of City property and otherwise providing with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Lester</u> adopted by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

8. Ordinance No. 116 of 2003: An ordinance to enlarge the limits and boundaries of the City of Shreveport - a tract of land located along the North Hearne Avenue, North Market Street, Grimmett Drive, Cross Bayou, and Twelve Mile Bayou Rights-of-way in Sections 23 and 26 (T18N-R14W), Caddo Parish, Louisiana, and a Portion of Grimmett Drive Right-of-way (La. Hwy. No. 3049), and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Gibson</u> to postpone the ordinance until the September 9, 2003 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

9. Ordinance No. 117 of 2003: An ordinance amending the 2003 budget for the Community Development Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman Green for adoption. The Deputy Clerk read the following amendment:

Amendment No. 1:

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

Under "2002 and Prior-Year Funds", increase Prior-Year Housing Program Income by \$200,000.

Under "Fiscal Year 2003 Funds", decrease Housing Program Income" by \$200,000.

In Section 2 (Appropriations):

Under Housing and Business Development, decrease Personal Services by \$2,800 and increase Materials and Supplies by \$2,800.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> for adoption of the amendment. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> for adoption of the ordinance as amended. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

10. Ordinance No. 118 of 2003: An ordinance to amend Section 90-273 (c) of Ordinance Number 84 of 2003 relative to traffic and vehicles and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Lester</u> adopted by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

11. Ordinance No. 119 of 2003: An ordinance to amend Ordinance Number 41 of 2003 relative to authorizing a servitude and an encroachment on a portion of the Clyde E. Fant Memorial parkway right-of-way for the Regional Visitors Center and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Jackson</u> to postpone the ordinance until the September 9, 2003 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

12. Ordinance No. 120 of 2003 Councilman Lester: An ordinance authorizing and providing for an encroachment on a portion of the Norma Street and Poland Street rights-of-way, and to otherwise provide with respect thereto.

Having passed first reading on <u>August 12, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Gibson</u> approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan, Green and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

The adopted Ordinances as amended follow:

ORDINANCE 109 of 2003

STATE OF LOUISIANA
CITY OF SHREVEPORT

NO.		

The following Ordinance was introduced by Councilman <u>Walford</u> who moved for its adoption and was seconded by Councilman <u>Green</u>

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) OF WATER AND SEWER REVENUE BONDS, SERIES 2003B, OF THE CITY OF SHREVEPORT, STATE OF LOUISIANA; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF SAID BONDS, PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; PROVIDING FOR THE SALE OF THE BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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"); and

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 Issuer now proposes to issue not to exceed Six Million Dollars (\$6,000,000) of its Water and Sewer Revenue Bonds (the "Bonds"), from time to time and in one or more series, to finance the cost of the Project; and

WHEREAS, 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: and

WHEREAS, this City Council now wishes to fix the details necessary with respect to the authorization and issuance of the Bonds,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, State of Louisiana, acting as the governing authority of the City, that:

SECTION 1. Definitions. The following terms as used in this Bond Ordinance shall have the following respective meanings such definitions to be equally applicable to both the singular and plural sense of any such terms:

"Act" means the applicable provisions of Title 30, Subtitle II, Chapter 4 (the "Louisiana Water Control Law") of the Louisiana Revised Statutes of 1950, as amended.

"Administrative Fee" means the fee due by the Issuer to the Department of one-half of one percent (0.5%) per annum of the outstanding principal amount of the Bonds or such less amount, if any, as the Department may approve from time to time, which shall be payable in installments on each Interest Payment Date.

"Bond" or "Bonds" means the Water and Sewer Revenue Bonds of the Issuer authorized to be issued by this Bond Ordinance, in the total aggregate principal amount of not to exceed Six Million Dollars (\$6,000,000) issued from time to time in one or more series.

"Bond Ordinance" means the ordinance enacte d by the Governing Authority on August 26, 2003 authorizing the issuance of the Bonds.

"Bond Register" means the records kept by the Paying Agent at its principal corporate trust office in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

"Code" means the Internal Revenue Code of 1986, as amended.

"Department" shall mean the Louisiana Department of Environmental Quality, an executive department and agency of the State, and any successor to the duties and functions thereof

"Executive Officers" means, collectively, the Mayor and the Clerk of the Council.

"Governing Authority" means the City Council of the Issuer.

"Government Securities" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to their maturity, may be United States Treasury Obligations such as the State and Local Government Series and may be in book entry form.

"Interest Payment Date" means each June 1 and December 1, commencing December 1, 2003, and the date on which the outstanding principal amount of the Bonds is paid in full.

"Issuer" means the City of Shreveport, State of Louisiana.

"Net Revenues" means the Revenues of the System, after there have been deducted therefrom the reasonable and necessary costs and expenses of operating and maintaining the System.

"Owner" or "Owners" when used with respect to any Bonds means the Person in whose name such Bond is registered in the Bond Register.

"Paying Agent" means the Director of Finance of the Issuer, unless and until a successor Paying Agent shall have become such pursuant to the applicable provisions of this ordinance, and thereafter "Paying Agent" shall mean such successor Paying Agent.

"Person" means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof

"Project" means the cost of the construction, improvement, rehabilitation and expansion of the sewerage system including sewerage treatment and sewerage disposal works in the City, which costs are to be financed on a permanent basis by the sale of the Bonds to the Department.

"Record Date" for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such Interest Payment Date.

"Revenues" means all income and revenues to be derived by the Issuer from the operation of the System, including earnings on investments in the funds and accounts described in Section 12 of this Bond Ordinance, but not including any insurance or condemnation proceeds, or proceeds from the sale or other disposition of any part of the System.

"State" means the State of Louisiana.

"System" means the revenue producing public utility of the Issuer, consisting of the sewer plant and system, as the system now exists and as it may be hereafter improved, extended or supplemented from any source whatsoever while any of the Bonds herein authorized remain outstanding, including specifically all properties of every nature owned, leased or operated by the Issuer and used or useful in the operation of the System, and including real estate, personal and intangible properties, contracts, franchises, leases and chooses in action, whether lying within or without the boundaries of the Issuer.

SECTION 2. Authorization and Designation. For the purpose of providing permanent financing for the cost of the construction, improvement, rehabilitation and expansion of the sewerage system including sewerage treatment and sewerage disposal works to the System and paying the costs of issuance of the Bonds, and in compliance with and under the authority of the Act, there is hereby authorized the incurring of an indebtedness of not to exceed Six Million Dollars (\$6,000,000) for, on behalf of and in the name of the Issuer, and to represent this indebtedness, this Governing Authority does hereby authorize the issuance of Water and Sewer Revenue Bonds of the Issuer. The Bonds shall be in fully registered form, dated the date of delivery thereof, shall be in the denomination and principal amount of not to exceed Six Million Dollars (\$6,000,000) and numbered R-1 upwards. The unpaid principal of the Bonds shall bear interest from the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, at the rate of three and 45/100 percent (3.45%) per

annum, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months and payable on each Interest Payment Date. The principal of the Bonds shall be payable over a period of not to exceed 22 years from the date thereof. The Department, as the initial purchaser of the Bonds, will pay the purchase price of the Bonds to the Issuer in installments as needed by the Issuer to pay Project costs, and interest on the Bonds shall be payable only on the purchase price which shall have been paid to the Issuer and shall accrue with respect to each purchase price installment only from the date of payment of such installment to the Issuer. The Issuer also agrees to pay the Department an administrative fee which shall be at the annual rate of one-half of one percent (0.5%) on the outstanding principal amount of the Bonds and will be payable on each Interest Payment Date.

In the event (i) the Department owns the Bonds or the Department has pledged or assigned the Bonds in connection with its Municipal Facilities Revolving Loan Fund Program and (ii) the Administrative Fee payable by the Issuer to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Bonds shall be increased to the rate of three and 95/100 percent (3.95%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owned because of such illegality or unenforceability.

The principal and interest on the Bonds will be payable by check mailed by the Paying Agent to the Owner (determined as of the Record Date) at the address as shown on the Bond Register, provided that payment of the principal of the Bonds shall be made only upon presentation and surrender of the Bonds to the Paying Agent.

SECTION 3. Prepayment. The Bonds shall be subject to prepayment as provided in the Loan Agreement.

SECTION 4. Transfer and Assignment . The Bonds shall be fully registered as to principal and interest, and no transfer or assignment shall be valid unless made on the Bond Register and similarly noted on the back of the Bonds. Upon such transfer or assignment, the transferor or assignor shall surrender the Bonds for transfer on said registration records and certification of endorsements made on the Bonds.

SECTION 5. Form of Bonds. The Bonds and the certificates and the endorsements to appear on the back thereof shall be substantially in the forms attached hereto as Exhibit A.

SECTION 6 Execution of Bonds. The Bonds shall be signed by the Executive Officers for, on behalf of, in the name of and under the corporate seal of the Issuer, and the Executive Officers are further empowered, authorized and directed to cause the necessary Bonds to be printed or lithographed and to be properly executed.

SECTION 7. Cancellation of Bonds. Upon surrender of the Bonds for payment or prepayment, the Bonds, if surrendered to the Paying Agent shall be promptly canceled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already canceled, shall be promptly cancelled by the Paying Agent.

SECTION 8. Security for the Payment of the Bonds. The Bonds shall constitute a limited and

special obligation of the Issuer, the principal and interest of which is payable from the proceeds to be derived from the Net Revenues, after provision has been made for payment therefrom of the reasonable and necessary costs and expenses of operating and maintaining the System and any payments as required on the Prior Bonds and from other lawfully available sources

SECTION 9. Payment of Bonds. The Issuer covenants that it will deposit or cause to be deposited with the Paying Agent, or pay directly to the Purchaser, from the moneys derived from the issuance of the Bonds and/or from other funds available to the Issuer for such purpose, funds fully sufficient to pay promptly the interest and principal on the Bonds as the same fall due.

SECTION 10. Sale of Bonds. The sale of the Bonds to the Department in accordance with the terms of this Bond Ordinance is hereby approved, ratified and confirmed.

SECTION 11. Regularity of Proceedings. This Governing Authority, having investigated the regularity of the proceedings had in connection with this issue of the Bonds and having determined the same to be regular, the Bonds shall contain the following recital, to-wit:

"It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State."

SECTION 12. Publication, Peremption. A copy of this Bond Ordinance shall be published immediately after its adoption in one issue of the official journal of the Issuer. For a period of thirty (30) days from the date of such publication any person in interest shall have the right to contest the legality of this Bond Ordinance or the Bonds and the provisions securing the Bonds. After the expiration of said thirty (30) days, no one shall have any right of action to contest the validity of the Bonds or the provisions of this Bond Ordinance and the Bonds shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters. A certified copy of this Bond Ordinance shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of Caddo, Louisiana.

SECTION 13. Loan Agreement. The Governing Authority recognizes that the Bonds will be delivered to the Department as evidence of the obligation of the Issuer to repay the loan by the Department to the Issuer in accordance with the provisions of this Bond Ordinance. If required by the Department, prior to the delivery of the Bonds and upon advice of Bond Counsel, the Issuer and the Department will enter into a Loan and Pledge Agreement (the "Loan Agreement") which will be presented by the Department pertaining to the Loan and the Project. If such Loan Agreement is required and is entered into by the Issuer and the Department, as long as the Department owns the Bonds (although such Bonds may be pledged or assigned to another), and only as long as the Department owns the Bonds, then to the extent that any provision of this Bond Ordinance is inconsistent with or contrary to the Loan Agreement, the applicable provision of the Loan Agreement shall control. As shall be provided in the Loan Agreement, the Issuer shall comply with certain provisions of the Loan Agreement, as specified therein, regardless of whether or not the Department is the owner of the Bonds and regardless of any prepayment or defeasance of the Bonds prior to the final stated maturity thereof

With the advice of Bond Counsel and the City Attorney of the Issuer, the Executive Officers are hereby further authorized and directed to execute on behalf of the Issuer the Loan Agreement and are hereby further authorized and directed for and on behalf of and in the name of the Issuer to execute and deliver

any and all additional instruments, documents and certificates which may be required by or provided for in the Loan Agreement or requested by the Department or as may otherwise be required for or necessary, convenient or appropriate to the transactions authorized hereby and the Loan Agreement.

SECTION 14. Severability. In case any one or more of the provisions of this Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality and invalidity shall not affect any other provisions of this Bond Ordinance or of the Bonds, but this Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision hereafter enacted which validates or makes legal any provision of this Bond Ordinance or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bonds.

SECTION 15. Arbitrage. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Internal Revenue Code of 1986 and any amendment thereto (the "Code") in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be an "arbitrage bond" or would result in the inclusion of the interest on the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of the Bond proceeds or (ii) the failure to pay any required rebate or arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be a "private activity bond".

SECTION 16. Issuer's Continuing Disclosure Obligations of 15c2-12(b)(5). The Issuer hereby acknowledges and agrees that even though the borrowing evidenced by the separate emissions of the Bonds are exempt from the continuing disclosure requirements of Rule 15c2-12(b)(5) of the Securities and Exchange Commission (the "Rule") pursuant to section (d)(1) and/or other exemptions to the Rule, in the event the Department should transfer the Bonds and/or the loan and either or both become a source of repayment of "municipal securities" sold through a "primary offering" (as both terms are defined and used in the Rule), it is possible that the Issuer could constitute an "obligated person" (as defined and used in the Rule). Issuer agrees that if it should ever constitute or be reasonably deemed an "obligated person" within the opinion of counsel experienced in federal securities matters to a "participating underwriter" (as defined and used in the Rule) and/or counsel to the Department in connection with any "primary offering" of "municipal securities" secured by the Bonds and/or the loan, Issuer will comply with all requirements of an "obligated person" or assist the Department in complying with all the requirements of an "issuer" or "obligated person" under the Rule including without limitation providing to each nationally recognized municipal securities information repository and the state information depository designated by the State, if any, any annual report which complies with the requirements of the Rule and Issuer shall comply with the requirements of the Rule regarding giving notice of the 11 specified events set forth in Section 5(i)(C)(1) through (11) of the Rule.

Section 17. Employment of Special Counsel to the Issuer. It is found and determined that a real necessity exists for the employment of Special Counsel to the Issuer in connection with issuance

and delivery of the Series 2003B Bonds and, accordingly, Harvetta Colvin, Esquire, Shreveport, Louisiana has been employed as Special Counsel to the Issuer in connection with the issuance and delivery of the Bonds. The fee to be paid to Special Counsel shall be an amount less than the Attorney General's then current hourly fee schedule, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Bonds, said fee to be payable out of the Bond proceeds subject to the Attorney General's written approval of said employment and fee to be paid with Bond proceeds as required by the Act.

SECTION 17. Effective Date. This Bond Ordinance shall become effective immediately.

EXHIBIT A

[FORM OF SEWER REVENUE BOND] UNITED STATES OF AMERICA STATE OF LOUISIANA PARISH OF CADDO WATER AND SEWER REVENUE BOND, SERIES 2003B OF THE CITY OF SHREVEPORT, STATE OF LOUISIANA

BOND	DATED	MATURITY	INTEREST	PRINCIPAL
NUMBER	DATE	DATE	RATE	AMOUNT
R-1	September 4, 2003	1, 20	3.45%	\$6,000,000

The City of Shreveport, State of Louisiana (the "Issuer"), for value received, promises to pay to:

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OF THE STATE OF LOUISIANA P.O. BOX 82231 BATON ROUGE, LOUISIANA 70884-2231

or registered assigns, on the dates and in the amounts as shown on Schedule B hereto, but solely from the revenues hereinafter specified, together with interest thereon from the date hereof or the most recent interest payment date to which interest has been paid or duly provided for, payable on June 1 and December 1 of each year, commencing December 1, 2003 (each an "Interest Payment Date"), at the Interest Rate per annum set forth above until said Principal Amount is paid, plus an Administrative Fee calculated at the annual rate of one-half of one percent (0.5%) of the outstanding Principal Amount until said Principal Amount is paid, unless this Bond shall have been previously called for prepayment and payment shall have been duly made or provided for. In the event that (i) the Bond is owned by the Louisiana Department of Environmental Quality of the State of Louisiana (the "Department") or the Department has pledged or assigned this Bond in connection with its Municipal Facilities Revolving Loan Program and (ii) the Administrative Fee (as defined in the

hereinafter defined Ordinance) payable by the Issuer to the Department is declared illegal or unenforceable by a court or administrative body of competent jurisdiction, the interest rate borne by this Bond shall be increased by one-half of one percent (0.5%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability. Interest on this Bond shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The purchase price of this Bond shall be paid by the purchaser to the Issuer in installments, and interest on this Bond shall accrue only on the installments which shall have been paid to the Issuer and from the respective dates of payment. The amount and payment date of each purchase price installment shall be noted on Schedule A attached hereto.

This Bond represents the entire issue of Bonds designated "Water and Sewer Revenue Bonds, of the City of Shreveport, State of Louisiana," and this Bond is issued by the Issuer pursuant to an ordinance enacted by its governing authority on August 26, 2003 (the "Ordinance"), for the purposes set forth in the Ordinance, under the authority conferred by Title 30, Subtitle II, Chapter 4 (the "Louisiana Water Control Law") of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

This Bond is subject to prepayment at any time at a price equal to the principal amount hereof (the aggregate purchase price installments paid to the Issuer) plus accrued interest to the date of prepayment.

The Issuer shall cause to be kept at the principal office of the Paying Agent (initially the Director of Finance of the Issuer) a register (the "Bond Register") in which registration of the Bond shall be made as provided in the Ordinance. No transfer or assignment shall be valid unless made on the Bond Register and similarly noted on the back of the Bond.

The Bond constitutes a limited and special obligation of the Issuer, the principal and interest of which is payable from the income and revenues derived or to be derived from the operation of the Issuer's revenue producing public utility combined water and sewer system (the "System"), after provision has been made for payment therefrom of the reasonable and necessary expenses of operating and maintaining the System and any payments as required on any outstanding indebtedness of the Issuer payable from a pledge of said income and revenues and any other legally available funds.

IN WITNESS WHEREOF, the City Council of the City of Shreveport, State of Louisiana, acting as the governing authority of the Issuer, has caused this Bond to be signed by the Mayor of the Issuer and the Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Bond to be dated as of the date of delivery hereof, September 4, 2003.

CITY OF SHREVEPORT, STATE OF LOUISIANA

(manual signature) Clerk of Council (manual signature) Mayor

[SEAL]

* * * * * PROVISIONS FOR REGISTRATION

* * * * *

This Bond has been registered as to principal and interest in the name of the registered owner hereof on the books maintained by the paying agent, as follows:

Date of Registration	Name of Registered Owner	Address of Registered Owner	signature of REGISTRAR

SCHEDULE A	ł
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Date Amount of Advance

SCHEDULE B

Amortization Schedule

STATE OF LOUISIANA

PARISH OF CADDO

I, the undersigned Clerk of Council of the City of Shreveport, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by Council on August 26, 2003 authorizing the issuance of not to exceed Six Million Dollars (\$6,000,000) of Water and Sewer Revenue Bonds, of the City of Shreveport, State of Louisiana; prescribing the form, terms and conditions of said Bonds; providing for the payment thereof in principal and interest; providing for the sale of the Bonds; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my	official signature and	the impress of t	he official seal o	of said City at
Shreveport, Louisiana, on this, the	day of	, 2003.		

Clerk of Council [SEAL]

ORDINANCE NO. 110 OF 2003

AN ORDINANCE DECLARING CERTAIN ADJUDICATED PROPERTIES TO BE SURPLUS AND TO AUTHORIZE THE MAYOR OF THE CITY OF SHREVEPORT TO SELL THE CITY OF SHREVEPORT'S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has a tax interest in the herein below described properties which have been adjudicated for the non-payment of City property taxes; and

WHEREAS, the herein below described properties are not needed for public purposes and should be declared surplus properties; and

WHEREAS, the City of Shreveport has received offers to purchase its tax interest in the herein below described properties as indicated below.

NOW, THEREFORE, BE IT ORDAINED 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:

BE IT FURTHER ORDAINED, that the City Council of the City of Shreveport does hereby authorize the sale of its tax interest in the herein below described properties for an amount not less than the offer as indicated below.

Property No. 1: Legal Description - A tract of land located in the Southwest Quarter of Section 19, Township 17 North, Range 14 West, Caddo Parish, Louisiana, more particularly described as follows: From the intersection of the North Right of Way line of 70th Street(original) with the East Right of Way line of Buncombe Road, run North 15E 40' East along Buncombe Road

1343 feet to point of beginning; run thence South 74E 20' East to West Right of Way line of inner loop; run thence along same Northerly and Westerly to the East line of Buncombe Road; thence South 15E 40' West along the same to point of beginning as per plat recorded in Book 2632, Page 469 (475) of the Conveyance Records of Caddo Parish, Louisiana (GEO#171419000003000) Municipal Address - 5655 Buncombe Road AMOUNT OFFERED: \$500.00 APPRAISED VALUE: \$2,500.00 DISTRICT G

Property No. 2: Legal Description - Lot 37, of the Chicora Subdivision; a subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in Book 2892, Page 754 of the Conveyance Records of Caddo Parish, Louisiana

(GEO#171411041003700) Municipal Address - 1628 Woodrow Street AMOUNT OFFERED: \$450.00 APPRAISED VALUE: \$1,800.00 DISTRICT G

Property No. 3: Legal Description - Lot "A" of the re-subdivision of Lots 25 through 36, inclusive of Westwood Park Subdivision, Unit No. 1, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 900, Page 229 of the Conveyance Records of Caddo Parish, Louisiana

(GEO#17141714000100) Municipal Address - 4321 Westwood Park Dr. AMOUNT OFFERED: \$1000.00 APPRAISED VALUE: \$4,500.00 DISTRICT G

Property No. 4: Legal Description - Lot "B" of the re-subdivision of Lots 25 through 36, inclusive of Westwood Park Subdivision, Unit No. 1, a subdivision of the City of Shreveport, CADDO Parish, Louisiana, as per plat recorded in Book 900, Page 229 of the Conveyance Records of CADD Parish, Louisiana

(GEO#171417014000200) Municipal Address - 4325 Westwood Park Dr.

AMOUNT OFFERED: \$1000.00 APPRAISED VALUE: \$4,500.00 DISTRICT G

Property No. 5: Legal Description - Lots 250 and 251, Greenwood Acres Subdivision, Annex Number Two, a subdivision of the City of Shreveport, CADD Parish, Louisiana, as per plat recorded in Book 700, Page 573 of the Conveyance Records of CADD Parish, Louisiana (GEO#171521015025000) Municipal Address - 7580 Idaho Drive

AMOUNT OFFERED: \$2,500.00 APPRAISED VALUE: \$4,500.00 DISTRICT G Property No. 6: Legal Description - Lot 126 of Evangelize Subdivision, a subdivision of the City of Shreveport, CADD Parish, Louisiana, as per plat recorded in Book 250, Page 200 of the Conveyance Records of CADD Parish, Louisiana

(GEO#171417 010012600) Municipal Address - 4241 Marston Avenue AMOUNT OFFERED: \$400.00 APPRAISED VALUE: \$600.00 DISTRICT G

Property No. 7: Legal Description - Lot 323, Coleman College Subdivision, a subdivision in the City of Shreveport, CADD Parish, Louisiana, as per plat recorded in Book 450, Page 297 of the Conveyance Records of CADD Parish, Louisiana(GEO#171421030032300) Municipal Address

AMOUNT OFFERED: \$650.00 APPRAISED VALUE: \$1,800.00 DISTRICT F

Property No. 8: Legal Description - 3.18 Acres M/L located in the SE/4 of SW/4 of NE/4 less South 450 feet thereof of Section 17, Township 18, Range 14, CADD Parish, Louisiana, as per plat recorded in Book 3122, Page 397 of the Conveyance Records of CADD Parish, Louisiana (GEO#181417000004000) Municipal Address - 2461 Audrey Lane

AMOUNT OFFERED: \$400.00 APPRAISED VALUE: \$800.00 DISTRICT A

Property No. 9: Legal Description - Lot 54 Palmyra Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisianan, as per that plat recorded in Book 150 Page 100 of the Conveyance Records of Caddo Parish, Louisiana (GEO#171330032005400) Municipal Address - 907 Daniel Street

AMOUNT OFFERED: \$1,000.00 APPRAISED VALUE: \$4,900.00 DISTRICT C

Property No. 10: Legal Description - Lot 63, Edgehill Annex, Unit No., 3, a subdivision of the City of Shreveport, Caddo Parish, Louisianan, as per that plat recorded in Book 600, Page 479 of the Conveyance Records of Caddo Parish, Louisiana (GEO#171403099006300) Municipal Address - 3512 Catherine Street

AMOUNT OFFERED: \$4,000.00 APPRAISED VALUE: \$6,600.00 DISTRICT C

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport shall be authorized to do any and all things and to sign any and all documents, including Acts of Cash Sale, in a form acceptable to the City Attorney necessary to effectuate the purposes set forth herein.

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 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. 111 OF 2003

AN ORDINANCE AMENDING THE 2003 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

WHEREAS, the City Council finds it necessary to amend the 2003 Capital Improvements Budget to provide additional project funding and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 162 of 2002, the 2003 Capital Improvements Budget, be further amended and re-enacted as follows:

In Program A (Buildings and Improvements):

Increase the appropriation for Municipal Auditorium Roof and Air Conditioning Replacement (94-A002) by \$79,300. Funding source is Riverfront Development.

Decrease the appropriation for **Civic Theater Improvements** (**95-A003**) by \$178,300. Funding source is Riverfront Development.

Increase the appropriation for **Building Maintenance** (**95-A005**) by \$99,000. Funding source is Riverfront Development.

Increase the appropriation for **Shreveport Convention Center (97A002)** by \$5,450,000. Funding sources are Insurance Proceeds \$4,500,000 and Interest Earnings \$950,000.

In Program D (Drainage Improvements):

Increase the appropriation for **Southern Oaks Pump Station** (**00-D003**) by \$100,000. Funding source is 1996 GOB, Prop. 10 (Drainage).

In Program H (Airports Improvements):

Increase the appropriation for **Construct Wash Racks - Downtown Airport (02H005)** by \$10,000. Funding source is Shreveport Airport Authority.

Adjust totals and subtotals accordingly.

Increase the appropriation for **Construct West Parallel Taxiway 4/22 (02H003)** by \$5,825,200. Funding sources are Shreveport Airport Authority \$529,600, State Grant \$529,600 and Federal Aviation Administration \$4,766,000.

Increase the appropriation for **Taxiway "C" and "A" North Lights (03H005)** by \$195,600. Funding sources are Shreveport Airport Authority \$17,800, State Grant \$17,800 and Federal Aviation Administration \$160,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 162 of 2002, as amended, shall remain in full force and effect.

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

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

ORDINANCE NO.113 OF 2003

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 66, ARTICLE II, SECTION 66-64(8)a, OF THE CODE OF ORDINANCES RELATIVE TO THE EMPLOYEES RETIREMENT SYSTEM

MANAGEMENT OF FUNDS TO ALLOW INVESTMENT OF A MAXIMUM OF 65% OF THE FUNDS IN EQUITIES 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 Chapter 66, Article II, Section 66-64(8) a be amended.

BE IT FURTHER ORDAINED that Chapter 66, Article II, Section 64.(8)a be amended as follows:

The board shall be the trustee of the several funds created by this article and shall have the power to invest such funds according to the prudent-man rule. The "prudent-man rule," as used herein, means that the board, in investing, shall exercise the judgment and care under circumstances then prevailing which an institutional investor of ordinary prudence, discretion and intelligence exercises in the management of large investments entrusted to it, not in regard to speculation but in regard to the permanent disposition of funds, considering probable safety of capital as well as probable income. Notwithstanding the prudent-man rule, the board of trustees of the employees' retirement system shall not invest more than 65 percent of the total portfolio in equities.

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 part thereof in conflict herewith are hereby repealed.

ORDINANCE NO. 114 OF 2003

AN ORDINANCE TO AMEND SECTION 10-190(b) OF THE CITY OF SHREVEPORT CODE OF ORDINANCES RELATIVE TO ALCOHOLIC BEVERAGES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Section 10-190(b) of the Code of Ordinances of the City of Shreveport is hereby amended to read as follows:

(b) The provisions of this section shall not apply to persons consuming alcoholic beverages in designated plastic containers on any public street, sidewalk or other public area located within the area 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, known as Festival Plaza, during any special event as permitted and licensed by the Shreveport Police Department pursuant to the provisions of Section 10-54 of the Code of Ordinances of the City of Shreveport.

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. 115 OF 2003

AN ORDINANCE AMENDING CHAPTERS 26 AND 62 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO RENTAL OF CITY PROPERTY AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Ordinance No. 148 of 1997 enacted Chapter 62 of the Code of Ordinances relative to the Department of Public Assembly and Recreation, including Sections 62-89 through 62-92 relative to rental of city property and subsequent ordinances amended said chapter, and all of said ordinances contained provisions that all ordinances in conflict therewith were thereby repealed; and

WHEREAS, Sections 26-121 through 26-125 also cover rental of city property and are in conflict with Sections 62-89 through 62-92; and

WHEREAS, this ordinance will clarify that Sections 26-121 through 26-125 are repealed.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Sections 26-121 through 26-125 of the Code of Ordinances are repealed and the reference in Section 62-92 (a) to Section 26-123 is changed to a reference to Section 62-91.

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. 117 OF 2003

AN ORDINANCE AMENDING THE 2003 BUDGET FOR THE COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO

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

WHEREAS, the City Council finds it necessary to amend the 2003 budget for the Community Development Special Revenue Fund, to modify the amounts appropriated for various programs and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Sections 1 and 2 of Ordinance No. 170 of 2002, the 2003 budget for the Community Development Special Revenue Fund, as amended, are hereby further amended as follows:

In Section 1 (Estimated Receipts):

Under "2002 and Prior-Tear Funds":

Decrease the appropriation for Prior-Year Welfare to Work Grants by \$30,000.

Decrease the appropriation for Prior-Year WIA Grants by \$656,400.

Increase the appropriation for Prior-Year Business Development Program Income by \$200,000.

Increase the appropriation for Prior-Year CDBG Entitlement by \$506,300.

Under "Fiscal Year 2003 Funds":

Decrease the appropriation for CDBG Entitlement by \$4,000.

Increase Housing Program Income by \$200,000.

Decrease HOME Entitlement by \$113,500.

Decrease Federal Emergency Shelter by \$1,000.

Appropriate WIA Grants at \$3,135,800.

Under "2002 and Prior-Year Funds", increase Prior-Year Housing Program Income by \$200,000.

Under "Fiscal Year 2003 Funds", decrease Housing Program Income" by \$200,000.

In Section 2 (Appropriations):

Under "Prior-Year Funds"

Decrease the appropriation for Welfare to Work by \$30,000.

Decrease WIA by \$656,400.

Increase Business Development Program Income by \$200,000.

Appropriate Land and Lots at \$353,200.

Appropriate Community Development Corporations at \$153,100.

In Section 2 (Appropriations):

Under Housing and Business Development, decrease Personal Services by \$2,800 and increase Materials and Supplies by \$2,800.

Under "2003 Revenues":

Administration:

Decrease Administration - Contractual Services by \$1,800.

Decrease Federal ESG by \$1,000.

Decrease Public Service Projects by \$3,200.

Housing and Business Development:

Increase Housing Program by \$1,000.

Decrease CHDO by \$18,100.

Increase Housing Program by\$200,000.

Decrease HOME Program by \$95,400.

Appropriate WIA Grant at \$3,135,800.

Codes Enforcement:

Increase Materials and Supplies by \$40,000.

Decrease Contractual Services by \$ 20,000. Decrease Other Charges by \$ 20,000.

Adjust totals and subtotals accordingly.

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

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

ORDINANCE NO. 118 OF 2003

AN ORDINANCE TO AMEND SECTION 90-273(c) OF ORDINANCE NUMBER 84 OF 2003 RELATIVE TO TRAFFIC AND VEHICLES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT FURTHER ORDAINED that Section 90-273(c) is amended to now read as follows: Sec. 90-273. Impoundment or immobilization of motor vehicles.

- (c) Whenever any motor vehicle has been removed, impounded, or detained in accordance with this section, the police department or a third party contracted by the city shall as soon as practicable, send a certified letter, return receipt requested, to the last known owner of such vehicle, notifying such owner of the following:
- (1) That the vehicle has been impounded.
- (2) The amount or rate of assessed charges for towing, storage or other costs incident to the impoundment, and that the release of the vehicle may be obtained by paying the stated charges and all outstanding parking infraction amounts and by showing proof of ownership of such vehicle.
- (3) That in the alternative he may obtain the release of the vehicle by posting an appearance bond which shall be in an amount not less than the amount of all amounts described in subsection (c)(2).
- (4) The procedure to be followed in obtaining and posting such bond.
- (5) That he has the opportunity for a hearing as provided in section 90-275 of this section if he so requests, concerning the amount and propriety of the fees for impoundment and storage fees under subsections (a) and (b) of this section.
- (6) The procedure to be followed in requesting such a hearing.

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.

AN ORDINANCE AUTHORIZING AND PROVIDING FOR AN ENCROACHMENT ON A PORTION OF THE NORMA STREET AND POLAND STREET RIGHTS-OF-WAY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, Little Union Baptist Church is the owner of record of Lot 15 of the Mayfair Subdivision as per plat filed and recorded in Book 50 Page 579, of the conveyance records of Caddo Parish, Louisiana; and

WHEREAS, a request has been received from Little Union Baptist Church to allow for a proposed chain link fence encroachment onto the Norma Street and Poland Street rights-of-way; and

WHEREAS, this proposed encroachment upon and use of a portion of this right-of-way is not adverse to the public interest of the citizens of the City of Shreveport; and

WHEREAS, such disposition by ordinance is authorized by the provisions of Section 2.03 (e) of the Charter of the City of Shreveport, 1978.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana in due, legal, and regular session convened, that the City of Shreveport is hereby authorized and empowered to grant a certain encroachment with respect to a portion of the Norma Street and Poland Street rights-of-way along the front and side of Lot 15 of the Mayfair Subdivision, unto and in favor of Little Union Baptist Church, and after due notice, publication, and compliance in all respects with the laws applicable thereto, and after the effective date of this ordinance, the Mayor of the City of Shreveport is hereby authorized to execute and deliver, for and on behalf of the City of Shreveport, an instrument or permit of encroachment, substantially in the form of the document filed along with the original copy of this ordinance in the office of the Clerk of Council of the City of Shreveport.

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

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

UNFINISHED BUSINESS:

- 1. *Alcohol Retail Permit: Ms. Deborah Hawkins [Employer: 2901 Milam St. (Take-A-Bag Grocery)] (G/Jackson) (Deferred 45 days from Tuesday, April 29, 2003)
- 2. Resolution No. 88 of 2003: Amending Sections 1.8 and 1.11 of the Rules of Procedure of the City Council (Public Comments). (A/Lester) (*Tabled on June 24*)
- 3. Ordinance No. 40 of 2003: Changing the names of the Shreveport Blanchard Road from the Roy Road to North Hearne Avenue, and of Ford Street from North Hearne Avenue to Pete Harris Drive, and of Caddo Street from Pete Harris Drive to the Clyde Fant Parkway to Hilry Huckaby III Avenue. (A/Lester) *Tabled *As Amended on July 8* *Changing the name of the Shreveport Blanchard Road from the Roy Road to North Hearne to Hilry Huckaby III Avenue.)
- 4. Ordinance No. 80 of 2003: Amending the 2003 Riverfront Development Special

Revenue Fund Budget (disparity study). (G/Jackson) (Tabled on July 8)

5. BAC-39-03, *D. Richard Carroll, Jr.*, 1401 Oden #2: Special Exception Use in a R-3 District - Expanded Home Occupation (home office with one employee). (C/Carmody) (Postponed on July 8 <u>until October 14</u>)

NEW BUSINESS: None.

Councilman Gibson: Chief Campbell could I ask you to come forward? I believe our deadline as reported in the press yesterday for new applicants for the Chief came at 5:00, is that correct?

Chief Campbell: Yesterday, that's correct.

Councilman Gibson: And how many applicants did we have?

Chief Campbell: 14.

Councilman Gibson: And they're all scheduled to take the civil service test, when?

Chief Campbell: On November the 4th.

Councilman Gibson: Okay, thank you Chief. This is for the Administration. Once that civil service test is taken, when will we expect to see a recommendation based on successful completion of the civil service test that a recommendation back to this body?

Mayor Hightower: Councilman Gibson, after the civil service test is taken and we receive the scores, we take a look at resumes, combined with the civil service test, the Chief's examines the scores, then I will decide who I want to interview. At that point, we'll conduct interviews and then we will be ready to name a Chief to be affective after Chief Roberts retirement in March. I don't remember off the top of my head the date in March, but that's roughly our time frame for the Chief to take over in March.

Councilman Gibson: So, in March we will expect a recommendation for our new Chief?

Mayor Hightower: Correct.

Councilman Gibson: And am I to understand that we are actually, we do have an Acting Chief in Jim Roberts till that time or can you give me kind of a clarity on what we're dealing within terms of Jim Roberts, at this point and time.

Mayor Hightower: He's not an Acting Chief. The Interim Chief is the Acting. Chief Roberts is still, on paper at, least serving his time until March when his retirement will take affect.

Councilman Gibson: Okay so, in actuality the City of Shreveport is paying Jim Roberts through March of next year?

Mayor Hightower: That's correct.

Councilman Gibson: Okay.

Mayor Hightower: And that's via retirement, vacation, sick leave, those type of things which will eventually go towards his ultimate retirement benefit and that's the reason for the delay.

Councilman Gibson: The reason why I'm asking, Mayor is there's been quite a bit of confusion. I've had four neighborhood association meetings in the last I'd say month and a half and the questions keep arising and maybe there's just confusion, I don't know, by what the press reported, but there is confusion out there. . .

Councilman Walford: Mr. Gibson, this really is much more appropriate for Councilman's Comments than it is New Business.

Councilman Gibson: It's a New Business item Mr. Chair. I believe.

Councilman Walford: Actually, its been on the table for quite a while.

Councilman Gibson: The Chief, in selecting a Chief?

Councilman Green: Point of Order Mr. Chair. Madam Clerk, how is New Business determined? Do we bring the New Business or is that an agenda item? How do we get to...how is New Business

discovered?

Ms. Lee: Most of the time, the items that are under New Business are those things which have carried over into that particular category.

Councilman Green: Mr. Chairman, my point of order is that, there is nothing that is carried over to be discussed in this discussion at this time. I think this would be more appropriate once we the committee, rise and report more than New Business, because it is not our job to bring New Business, it's a carry over, so at this point and time, this particular discussion is out of order.

Councilman Walford: The Chair agrees.

Councilman Gibson: Well, Mr. Chair, I would say that you just said it. Its been on the docket before, so is it carried forward?

Councilman Walford: No, its not carrying forward. Mr. Gibson, lets take this up as we resolve ourselves to a committee of the whole (unclear).

Councilman Gibson: I think I got my questions answered, thank you Mr. Chair.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.

Councilman Green: Just to reiterate, my Public Safety Committee again will be meeting Thursday at 3:00.

Councilman Walford: Okay, thank you.

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 7:50 p.m.

/s/Monty Walford, Chairman /s/Arthur G. Thompson, Clerk of Council