

FACT SHEET**CITY OF SHREVEPORT, LOUISIANA****TITLE**

An ordinance authorizing the Mayor to execute a lease of City-owned property located at 1126 Texas Avenue, Shreveport, Louisiana, 71101, in Caddo Parish, to Man in Black, LLC. for improvements to the subject property including creation of an entrepreneurial space and additional public parking for purposes which benefit the public and to otherwise provide with respect thereto.

DATE

June 29, 2020

ORIGINATING DEPARTMENT

SPAR

COUNCIL DISTRICT

"B"

SPONSOR**PURPOSE**

To authorize a *lease* of City-owned property located at 1126 Texas Avenue, Shreveport, Louisiana, 71101, for improvements to the subject property including creation of an entrepreneurial space and additional downtown public parking.

BACKGROUND INFORMATION

The City acquired this property in 2015 during the development of the police evidence facility. This property became available and it is located in a prime location for future expansion of the property evidence facility or other such SPD facilities. C&C Electric and Lighting, now C&C Lighting & Mercantile has relocated to Texas Avenue next to this city-owned property and since the City has no current or foreseeable plans for the property so discussions were started to lease the property located at 1126 Texas Avenue to Man in Black, LLC for the purpose of improving, maintaining, and utilizing the space for an entrepreneurial space and a public parking lot to supplement parking for C&C Lighting & Mercantile. They will use the lot for customer parking and any unused spaces may be used by the public.

TIMETABLE

Introduction: July 14, 2020
Final Passage August 11, 2020

ATTACHMENT(S)

Lease Agreement
Exhibit "A" *Property Description (MAP)*
Exhibit "B" *Insurance Requirements*

SPECIAL PROCEDURAL REQUIREMENTS

Notice of the *proposed* ordinance shall be advertised three (3) times in fifteen days, one (1) week apart. La R.S. [33:4712](#)

If there is any opposition to the proposed ordinance, the opposition shall be made in writing, filed with the Shreveport Clerk of Council within fifteen (15) days after posting of the above notice *or* its first publication.

- (1) If an opposition is filed, the governing authority shall not adopt the ordinance until a [public] hearing has been held.

If the ordinance is adopted, it shall not become effective until ten (10) days after its passage, during which time any interested citizen may apply to the district court having jurisdiction of the municipality for an order restraining the disposition of the property.

- (2) After the ordinance becomes effective, it cannot be contested for any reason.

FINANCES

N/A

SOURCE OF FUNDS**ALTERNATIVES**

(1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

RECOMMENDATION

It is recommended that the City Council adopt the ordinance.

FACT SHEET PREPARED BY: Shelly Ragle, Director
SPAR

ORDINANCE NO. _____ OF 2020

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE OF CITY-OWNED PROPERTY LOCATED AT 1126 TEXAS AVENUE, SHREVEPORT, LOUISIANA, 71101, IN CADDO PARISH, TO MAN IN BLACK, LLC. FOR IMPROVEMENTS TO THE SUBJECT PROPERTY INCLUDING CREATION OF AN ENTREPRENEURIAL SPACE AND ADDITIONAL PUBLIC PARKING FOR PURPOSES WHICH BENEFIT THE PUBLIC AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER:

WHEREAS, the City of Shreveport (“City” or “Landlord”) is the owner of immovable property located at 1126 Texas Avenue, Shreveport, Louisiana, 71101, in Caddo Parish; and

WHEREAS, the City as “Landlord” desires to lease and rent to Man in Black, LLC. (“Tenant”) a certain portion of land as described in the attached *Lease Agreement* for improvements to the subject property including creation of additional downtown public parking; and

WHEREAS, pursuant to [Shreveport City Charter Section 2.03\(a\)](#) the City may lease property; and

WHEREAS, pursuant to La. R.S. [33:4712.2](#) the city of Shreveport may lease any property or portions thereof, including real property, owned by the city, which in the opinion of its governing authority is to be used for “*purposes which benefit the public*”, in accordance with the procedures set forth in La. R.S. [33:4712](#); and

WHEREAS, pursuant to La. R.S. [33:4712.2\(B\)](#), the term “*purposes which benefit the public*” shall mean operations of public or private enterprise which provide civic, recreational, educational, cultural, or social activities or opportunities to the public, which the city of Shreveport is otherwise authorized and empowered to provide through its own forces, but which in the opinion of its governing authority the city does not currently have the funds, expertise, or facilities to provide to the public directly; and

WHEREAS, creation of an entrepreneurial space and additional public parking will be beneficial to the citizens of the City and will provide “opportunities” which serve a public purpose; and

WHEREAS, Man in Black will use the lot for customer parking and any unused spaces may be used by the public.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana, in due, regular and legal session convened, that:

1. As required by La. R.S. [33:4712\(B\)](#), the location and description of the proposed lease area is described as: City-owned property located at 1126 Texas Avenue, Shreveport, Louisiana, 71101, in Caddo Parish, (hereafter referred to as the “Property”).
2. As required by La. R.S. [33:4712\(B\)](#), it is hereby stated that it has been determined by this City Council that it is in the best interest of the City *to lease the Property*.
3. In accordance with La. R.S. [33:4712.2](#), it is the opinion of the City Council of the City of Shreveport (Shreveport’s governing authority) that the operations and use of the property will be used for “*purposes which benefit the public*”.
4. Pursuant to La. R.S. [33:4712.2\(A\)](#), any lease granted shall not exceed a term of twenty-five (25) years.
5. The *Lease Agreement* proposes an initial primary term of approximately twenty (20) years following the Commencement Date with the ability for renew terms for additional periods of one (1) year each.
6. The lease shall comply with all requirements set forth under federal, state and local laws and regulations.
7. Mayor Adrian Perkins of the City of Shreveport (“City”) is hereby authorized to execute a lease, between the City of Shreveport (“Lessor”) and Man in Black, LLC (“Lessee”), of the Property for improvements to the subject Property including creation of an entrepreneurial space and additional public parking, substantially in accordance with the draft of the *Lease Agreement* attached hereto.
8. The map of the area is attached hereto as **Exhibit “A”**.

9. The City Council declares and confirms that the *Lease Agreement* is for a public purpose as defined in the *Lease Agreement* and constitutes a use of the property for public purposes and a cooperative endeavor between City and Man in Black, LLC as provided under [Article VII § 14\(C\)](#) of the Constitution of the State of Louisiana.
10. The Mayor of the City of Shreveport is hereby authorized to do any and all things and execute any and all documents necessary to carry out the lease of the Property or take any action in furtherance or necessary to complete the terms and intent of this Ordinance.
11. A certified copy of the executed *Lease Agreement* authorized herein and all Exhibits attached thereto, or an extract thereof, shall be filed and recorded in the conveyance records of Caddo Parish, Louisiana.
12. The City Council declares and confirms, in accordance with La. R.S. [33:4712](#), that notice of this ordinance was published at least three (3) times within fifteen (15) days, one week apart prior to adoption of said ordinance and all other procedural requirements have been met.
13. Subject to the requirements of La. R.S. [33:4712\(C\)](#), this ordinance shall not become effective until ten (10) days after its passage, during which time any interested citizen may apply to the district court having jurisdiction of the municipality for an order restraining the disposition of the property.
14. Subject to the conditions expressed in the above paragraph and in accordance with the requirements of La. R.S. [33:4712\(C\)](#), *if* no order restraining the disposition of the property has been issued by the District Court, the **effective date of this Ordinance shall be ten (10) days** after its adoption/passage and cannot be contested for any reason thereafter.

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, Resolutions or parts thereof in conflict herewith are hereby repealed.

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office