

**PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
SEPTEMBER 16, 2008**

The City Council of the City of Bossier City, State of Louisiana, met in regular session in Council Chambers, 620 Benton Road, Bossier City, Louisiana, Tuesday, September 16, 2008 at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member David Jones

Roll Call as Follows:

Present: Honorable Scott Irwin, President; Honorable Councilors, David Montgomery, Jr., Jeffery Darby, Don Williams, David Jones, Dr. James Rogers

Absent: Councilor Timothy Larkin (3:00 PM)

Present: Mayor Lorenz Walker, James Hall, City Attorney, Phyllis McGraw, Deputy City Clerk, Helen Thornton, City Clerk

By: Mr. Jones

Motion made to approve minutes of September 9, 2008 and dispense with the reading.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

The following changes to the agenda:

1. Continue item no. 1 (old) bids for Centurytel paving continue until the October 7 meeting
2. Hearing of appeal for Lonzo Sheffield, 2745 Foster Street, 'Inoperable Vehicle' has been removed, item deleted from agenda.
3. Ordinance appropriating \$25,000 to be placed in the General Fund Budget to increase the 'Payments to Governmental and other Agencies' to fund the Ark La Tex Mardi Gras Museum.

Dr. Rogers stated he is withdrawing this ordinance because it lacks support.

By: Mr. Williams

Motion made to add to agenda to introduce Ordinance No. 62 of 2008 levying a tax of 21.69 mills on all taxable property within the limits of the City of Bossier City, Louisiana for the year 2008

Seconded by Mr. Jones

No Public Comment

Vote in favor of motion is unanimous

By: Mr. Jones

Motion made to add the following item to the agenda:

4. Approve fee waiver for the following parade permits:
 - Bossier High School Homecoming Parade (Oct 23, 2008)
 - Northwest LA Trailriders Assoc. All Western Parade (Nov 15, 2008)
 - Drug Awareness Program Parade (Oct 24, 2008)
 - Parkway High School Homecoming Parade (Oct 2, 2008)

Seconded by Mr. Williams

No Public Comment

Vote in favor of motion is unanimous.

By: Mr. Williams

Motion made to approve agenda as amended

Seconded by Mr. Darby

Vote in favor of motion is unanimous.

Public Hearing was held on the proposal issuance of one or more series of revenue bonds in the maximum aggregate face amount of \$125,000,000.00 for the purpose of making additions, improvements, extensions, renewals, replacements or repairs to the waterworks plant and system and the sewer utility system.

No. Public Comment

Council Member Timothy Larkin seated at 3:07PM

On Motion of Mr. David Jones, seconded by Mr. Don Williams, the following ordinance was offered:

Ordinance No. 77 of 2008

An ordinance granting approval for the issuance, sale and delivery of not to exceed ONE HUNDRED TWENTY-FIVE MILLION AND NO/100 (\$125,000,000) DOLLARS of Utility Revenue Bonds of the City of Bossier City, State of Louisiana, in one or more series, for the purpose of making additions, improvements, extensions, renewals, replacements or repairs to the waterworks plant and system and the sewer utility system; and providing for other matters in connection therewith.

WHEREAS, the City of Bossier City, State of Louisiana (the "Issuer") now owns and operates a combined waterworks plant and system and sewer utility system as a single revenue producing public utility (the "Utility System"); and

WHEREAS, notice of a public hearing has been given and no objections were heard concerning the issuance of not exceeding \$125,000,000 of revenue bonds for the purpose of making additions, improvements, extensions, renewals, replacements or repairs to the Utility System; and

WHEREAS, pursuant to Chapter 13 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), it is now the desire of this City Council to adopt this Ordinance in order to provide for the issuance of One Hundred Twenty-Five Million Dollars (\$125,000,000) principal amount of its Utilities Revenue Bonds, Series 2008 (the "Bonds"), for the purpose of making additions, improvements, extensions, renewals, replacements or repairs to the Utility System, providing for a reserve and paying the costs of issuance

thereof; and

WHEREAS, the Louisiana State Bond Commission has approved the issuance of the Bonds in accordance with the Act; and

WHEREAS, it is desirable that the City Council adopt an ordinance approving the issuance of the Bonds for the development of the Project; and

WHEREAS, the Issuer desires to make other provisions in connection therewith;

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

SECTION 1. Approval is given for the issuance of not to exceed One Hundred Twenty-Five Million Dollars (\$125,000,000.00) Utility Revenue Bonds, in one or more series, pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of constructing, acquiring, extending and/or improving the Utility System and paying the costs of issuance of the Utility Revenue Bonds. The Utility Revenue Bonds will be payable in principal and interest solely from and secured by the net income and revenues derived by the City from the operation of the Utility System, after paying the reasonable and necessary expenses of operating and maintaining the Utility System. The Utility Revenue Bonds shall mature over a period not exceeding thirty years and shall bear interest at fixed rates not to exceed seven percent (7%) per annum, to be determined by subsequent proceedings of the Issuer at the time of the sale of the Utility Revenue Bonds. The Utility Revenue Bonds shall be in fully registered form, and shall be sold at and have such additional terms and provisions as may be determined by the Issuer.

SECTION 2. The Mayor, President of the City Council, Secretary of the Council, Clerk of Council and such other officials of the City as are desirable are hereby authorized, directed and empowered to take any and all actions and to sign any and all documents, instruments and writings as may be necessary to carry out the purposes of this Ordinance, including but not limited to the Bond Purchase Agreement, and such other documents, instruments and certificates as may be necessary to evidence issuance of the Bonds.

SECTION 3. This Ordinance shall be published in one issue of the official journal of the Issuer as soon as possible. The Bonds herein authorized shall be incontestable in the hands of bona fide purchasers thereof for value and no court shall have authority or jurisdiction to inquire into the legality thereof if the validity of the Bonds and the security therefore is not raised within thirty (30) days from the date of publication of this Ordinance.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

And the Ordinance was declared adopted on this, the 16th day of September, 2008.

Scott Irwin, President

Helen Thornton, Clerk of Council

/s/

STATE OF LOUISIANA

PARISH OF BOSSIER

I, **HELEN THORNTON**, certify that I am the duly qualified Clerk of the City Council of the City of Bossier City, Bossier Parish, Louisiana.

I further certify that the foregoing is a true and correct copy of an excerpt from the minutes of a public meeting of the City Council of the City of Bossier City, held on September 16, 2008, and of a Ordinance adopted at said meeting, as said minutes and Ordinance appear officially of record in my possession.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City of Bossier City, Bossier Parish, Louisiana, on this 16th day of September, 2008.

Helen Thornton, Clerk of Council

[S E A L]

ORDINANCE NO. 78 OF 2008

AN ORDINANCE TO DECLARE CERTAIN MOVABLE EQUIPMENT OWNED BY CITY OF BOSSIER CITY AS SURPLUS TO THE CITY'S NEED AND PROVIDE FOR SALVAGE AND DISPOSAL ACCORDING TO LAW.

WHEREAS, the City has accumulated certain movable equipment which is now surplus to the City's need and it is in the best interest of the City to salvage and dispose of said equipment according to law.

BE IT ORDAINED by the City Council of the City of Bossier City, Louisiana, in regular session convened that the following equipment described is surplus to the City's needs:

<u>DESCRIPTION</u>	<u>REF. NO.</u>	<u>SERIAL NUMBER</u>
<u>DEPT.</u> <u>MILEAGE</u>		
1. 1984 Ford Crown Victoria Warehouse 112,305	1209	2FALP71W6RX149179
2. 1998 Dodge Ram ¾ Ton PU Public Works 114,198	2300	3B7KC26Z8WM286364
3. 2000 Ford Crown Victoria Public Works 99,364	1294	2FAFP71W5YX186395

HOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the

City of Bossier City, Louisiana, in regular session convened that the Purchasing Agent is authorized to dispose of said equipment in accordance to law.

The above and foregoing ORDINANCE was read in full at open and regular session convened, was on motion of Mr. Don Williams, seconded by Dr. James Rogers and adopted on this 16th day of September, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Helen Thornton, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 79 OF 2008

AN ORDINANCE TO REPEAL ORDINANCE NO. 64 OF 2008 AND TO CLAIRFY AND ENACT A FLOOD DAMAGE PREVENTION ORDINANCE AS DESCRIBED IN EXHIBIT "A" IN ORDER FOR THE CITY OF BOSSIER CITY TO REMAIN CONSISTENT WITH THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS.

WHEREAS, the City Council of the City of Bossier City enacted Ordinance No. 64 of 2008 on August 25, 2008 to insure relief in the form of federally subsidized flood insurance in areas of special flooding and/or mudslide hazard as reported in the Flood Insurance Study for the City of Bossier City; and

WHEREAS, after review of the Bossier City Flood Maps by the Federal Emergency Management Agency, (F.E.M.A.) on September 26, 2008, it was recommended that the additional clarification be added to the Flood Damage Prevention Ordinance in order to comply with Title 44, Section 60 of the National Flood Insurance Program Regulations.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Bossier City, Louisiana, in regular session convened, that Ordinance 64 of 2008 is hereby repealed.

BE IT FURTHER ORDAINED that the City Council of the City of Bossier City assures the Federal Insurance Administration that it will enact, as necessary, and maintain in force for those areas having flood and/or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Title 44, Section 60, of the National Flood Insurance Program Regulations as stated in the Flood Damage Prevention Ordinance (See Exhibit "A").

BE IT FURTHER ORDAINED that the Mayor is hereby authorized to sign any and all documents in connection with the furtherance of this ordinance.

The above and forgoing Ordinance, read in full at open and legal session convened, was on motion of Mr. Jeff Darby, seconded by Mr. David Jones, and adopted on this the 16th day of September, 2008 by the follows vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

SCOTT IRWIN, President

HELEN THORNTON, City Clerk

ORDINANCE NO. 80 OF 2008

**AN ORDINANCE AMENDING
ORDINANCE NO 108 OF 2001 OF THE
CODE OF ORDINANCES RELATIVE
TO SPORTRAN FARES, AND
OTHERWISE PROVIDING WITH
RESPECT THERETO**

WHEREAS, the City of Shreveport has recommended that SporTran fares be increased to maintain existing SporTran service: and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bossier City, in due, regular and legal session convened, that Section 118-1 of the Code of Ordinances be amended and reenacted to read as follows:

Section 118-1 Bus Rates – (Attachment A)

- (a) The fee schedule for SporTran is hereby set at the following rates, effective on and after November 1, 2008:

Adult basic fare\$ 1.25

*Senior citizen (age 62+ with SporTran ID or Medicare Card & proof of ID) . . \$.60
*Persons with Disabilities (Must be certified with SporTran ID Card or Medicare Card & proof of ID)	\$.60
*Medicare Cardholder (Must furnish proof of ID)	\$.60
Child (Under 37 inches tall-average height of 3 year old)	FREE
Child (37 inches tall thru age 11)	\$.60
* Student (Age 12 thru 12 th grade with SporTran ID)	\$.60
Transfer Charge	\$.25

SporTran Daily & Monthly Passes

DayPass	\$ 3.00
Adult FlashPass	\$40.00
*Discount FlashPass	\$20.00

(For senior citizens, persons with disabilities, medicare cardholders and students. Must have SporTran ID Card to purchase or to use Discount FlashPass)

Lift Line	\$ 2.50
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(SporTran's paratransit one-way fare)

Event Shuttle	\$ 1.25
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*Senior citizens, persons with disabilities, medicare cardholders and minor students (age 12 through 12th grade) are required to have an ID Card, as described by SporTran. Required ID cards must be presented when boarding and a SporTran ID card must be shown along with a Discount FlashPass. If paying cash fare, senior citizens and medicare cardholders may use their Medicare card to receive the discount fare. Students will not be eligible for discount fare beyond 19 years of age. These special fares are good at all times with a valid ID Card as described above. Otherwise, full fare will be required.

- (b) The fares stipulated in this section shall be exact fares, and the operators of all SporTran equipment shall be exact fares, and the operators of all SporTran equipment shall not carry money for the purpose of making change.

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.

The above and forgoing Ordinance having been read in full in open and legal session convened, was on motion of Dr. James Rogers and seconded by Mr. Don Williams, adopted on the 16th day of September, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers
 NAYS: none
 ABSENT: none

ABSTAIN: none

Scott Irwin, President

Helen Thornton, City Clerk

By: Dr. Rogers

Motion made to introduce Ordinance ratifying, authorizing and approving the engagement of KPMG, LLP, to provide professional services to audit the financial statements of the City of Bossier City; Centurytel Arena fund; Fireman's pension and relief fund, and Policemen's pension and relief fund.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Dr. Rogers

Motion made to introduce Ordinance whereby the City Council of the City of Bossier City authorizes the Mayor to execute a street and utility easement abandonment plat to abandon all of Hanson Street, all of Dennis Street and part of Kilpatrick Drive together with adjacent unused utility easements.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

The following Resolution offered and adopted:

RESOLUTION NO. 16 OF 2008

A RESOLUTION WHEREBY THE CITY COUNCIL OF THE CITY OF BOSSIER CITY AUTHORIZES THE MAYOR TO EXECUTE A BELL SOUTH SERVITUDE TO PROVIDE BELL SOUTH ACCESS TO A 25-FOOT BY 25-FOOT SERVITUDE LOCATED ON AIRLINE DRIVE AT THE SOUTHERN MOST DRIVEWAY INTO GREENACRES MIDDLE SCHOOL.

WHEREAS, BellSouth requires a 25-foot by 25-foot servitude with a 33-foot by 19-foot driveway area to provide access to a BellSouth telephone cabinet; and

WHEREAS, the above described servitude to lie in Section 21, Township 18 North, Range 13 West and being located on the East side of Airline Drive and south of entrance drive into Greenacres Middle School located at 2220 Airline Drive.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bossier City, in regular session convened, that the Mayor is hereby authorized to execute a BellSouth Servitude to provide Bell South access to a 25-foot by 25-foot servitude located on Airline Drive at the Southern most driveway into Greenacres Middle School.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign any and all documents in connection with the furtherance of this Resolution.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Dr. James Rogers, and seconded by Mr. Don Williams, and adopted on the 16th day of September, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Helen Thornton, City Clerk

Public Hearing held for City of Bossier City's 2009 CDBG Action Plan for application for Community Development Block Grant Funds.

Present: Bob Brown, Director Community Development Office

No Public Comment

RESOLUTION NO. 17 OF 2008

A RESOLUTION SUPPORTING THE CITY'S APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FUNDING (ENTITLEMENT STATUS) UNDER AUTHORITY OF TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (42 U.S.C. 3535) (d) and (42 U.S.C. 5301) (et.seq.)

BE IT RESOLVED by the City Council of the City of Bossier City, Louisiana that the City of Bossier City Council hereby supports the City's Five-Year Consolidated Strategy Plan and Action Plan and application to the U.S. Department of Housing and Urban Development for funding (Entitlement Status) under authority of the Consolidation for the following: Comprehensive Housing Affordability Strategy (CHAS): title I of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12702-12711; Community Development Block Grants (CDBG): title I of the Housing and Community Development Act of 1974, 42 U.S.C. 5304-5320; Emergency Shelter Grants (ESG): title VI, subtitle B, of the Stewart B. McKinney Homeless Assistance Act, 42 U.S.C. 11371-11378; HOME Investment Partnerships (HOME): title II of the Cranston-Gonzalez Nation Affordable Housing Act, 42 U.S.C. 12741-12839; Housing Opportunities for Persons With AIDS (HOPWA): the AIDS; Housing Opportunity Act, 42 U.S.C. 12901-12912; Also serving as a basis for determining requirements in this rule are the Fair Housing Act (42 U.S.C. 3601-3619), title VI of the Civil Rights Act of 1964 section 504 of the Rehabilitation Act of 1973, title II of the Americans With Disabilities Act, and Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u).

WHEREAS, the primary objective of the Community Development Entitlement Program is the development of viable urban communities, including decent housing and a

suitable living environment and expanding economic opportunities, principally for persons of low and moderate income, and whereas, consistent with this primary objective, the Federal Assistance realized from this application is for the support of community development activities which are directed toward the following specific objectives:

- (1) The elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;
- (2) The elimination of conditions which are detrimental to health, safety and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;
- (3) The conversion of the city's housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate income;
- (4) The improvement of the quality of community services, principally for persons of low and moderate income, which are essential for sound community development;
- (5) The reduction of the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods of housing opportunities for person of lower income and the revitalization of deteriorating neighborhoods to attract persons of higher income; and
- (6) The restoration and preservation of properties of special value or historic, architecture or aesthetic reasons.

WHEREAS, THE City of Bossier City possesses legal authority to apply for this grant, and all other related Housing Urban Development Programs to execute all proposed projects and whereas, this City is now established as an "Entitlement City";

NOW THEREFORE, BE IT RESOLVED that the City of Bossier City hereby supports Lorenz Walker, Mayor of Bossier City, Louisiana, the chief official of Bossier City, to apply for and sign all document as necessary and appropriate in the City's application of Housing and Urban Development Programs.

This resolution having been submitted to a vote and declared adopted on the 16th day of September, 2008 by the following vote is on motion of Dr. James Rogers and seconded by Mr. Don Williams.

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: Mr. Darby

Scott Irwin, President

Helen Thornton, City Clerk

By: Dr. Rogers

Motion made to approve report of Change Order for the Traffic Signal Standby Generators a decrease of \$75,975.00, total of contract with decrease \$169,425.00

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to approve report of Change Order for concrete repairs to Bragg Street CDBG 2008 for Public Works Department, a decrease of \$454.79, total of contract with decrease \$69,430.21.

Seconded by Dr. Rogers

Vote in favor of motion is unanimous.

By: Dr. Rogers

Motion made to introduce Ordinance amending Ordinance No. 62 of 2008 levying a tax of 21.69 mills on all taxable property within the limits of the City of Bossier City, Louisiana for the year 2008.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to approve fee waiver for the following parade permits:

Bossier High School Homecoming Parade (Oct 23, 2008)

Northwest LA Trailriders Association All Western Parade (Nov 15, 2008)

Drug Awareness Program Parade (Oct 24, 2008)

Parkway High School Homecoming Parade (Oct 2, 2008)

Seconded by Mr. Darby

Vote in favor of motion is unanimous.

There being no further business to come before this meeting, meeting adjourned at 3:25PM by Council President Scott Irwin.

Respectfully submitted:

HELEN THORNTON

CITY CLERK

Publish: September 24, 2008

Bossier Press Tribune