

**PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY  
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING  
JANUARY 19, 2010**

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, January 19, 2010 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 Don Williams, President; Honorable Councilors, Timothy Larkin, Scott Irwin, Jeffery Darby, David Jones, James Knight

Absent: David Montgomery

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

By: Mr. Jones

Motion made to approve minutes of the January 5, 2010 meeting and dispense with the reading.

Seconded by Mr. Irwin

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to approve agenda

Seconded by Mr. Darby

Vote in favor of motion is unanimous.

ORDINANCE NO. 8 OF 2010

**AN ORDINANCE, GRANTING UNTO SOUTHWESTERN ELECTRIC  
POWER COMPANY, THE RIGHT, PRIVILEGE AND FRANCHISE TO**

**ACQUIRE, CONSTRUCT, ERECT, MAINTAIN, REPAIR, RECONSTRUCT, REMOVE AND OPERATE A SYSTEM OF ELECTRIC POWER LINES, WIRES, TRANSFORMERS, COMMUNICATION CABLES AND OTHER RELATED AND NECESSARY OR DESIRABLE APPURTENANCES IN, UNDER, OVER, ACROSS, THROUGH AND ALONG ANY AND ALL OF THE PRESENT AND FUTURE STREETS, AVENUES, ALLEYS, THOROUGHFARES, ROADS, HIGHWAYS, SIDEWALKS, BRIDGES AND PUBLIC GROUNDS AND PUBLIC PLACES OF THE CITY OF BOSSIER CITY, LOUISIANA, FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRIC POWER TO THE CITY AND ITS INHABITANTS AND ANY OTHER PERSON OR PERSONS, FIRMS AND CORPORATIONS FOR A TERM OF TWENTY-FIVE YEARS; REGULATING THE USE OF STREETS BY THE COMPANY AND REPAIR AND RESTORATION OF THE STREETS DISTURBED BY CONSTRUCTION; PROVIDING FOR COMPENSATION TO BE PAID TO THE CITY; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; PROVIDING THE COMPANY'S OBLIGATIONS TO FURNISH EFFICIENT SERVICE; PROVIDING FOR INDEMNITY BY THE COMPANY TO THE CITY; PROVIDING FOR CONDITIONAL FORFEITURE IN EVENT OF DEFAULT BY THE COMPANY; MAKING MISCELLANEOUS PROVISIONS RELATIVE TO THIS GRANT OF FRANCHISE; PROVIDING FOR ACCEPTANCE BY COMPANY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

---

**SOUTHWESTERN ELECTRIC POWER COMPANY  
FRANCHISE AGREEMENT**

BE IT ORDAINED by the City Council of the City of Bossier City, Louisiana, in due, regular and legal session convened:

**ARTICLE I**

That, as used in this Ordinance, the following terms shall be defined, to-wit:

- (a) The word "City" as used in this Ordinance shall mean the incorporated City of Bossier City, Bossier Parish, Louisiana.
- (b) The word "Grantee" as used in this Ordinance shall mean Southwestern Electric Power Company, a corporation, its successors and assigns.

- (c) The word “City Council” as used in this Ordinance shall mean the present City Council of the City of Bossier City, Louisiana and its successors elected as provided by the City Charter of the City of Bossier City, Louisiana.
- (d) The word “Public Right(s) of Way” as used in this Ordinance shall mean the streets, roads, alleys, avenues, sidewalks, bridges, public grounds and public places of the City of Bossier City, Louisiana.

## ARTICLE II

Subject to the terms, conditions and stipulations set forth in this Ordinance, a franchise is hereby granted wherein Grantee shall have the right to sell, distribute and transmit electric energy in, through and beyond the City of Bossier City, Bossier Parish, Louisiana (within the limits thereof, as same may now or hereafter lawfully exist), including the right to erect, maintain, operate, repair, remove and replace poles, wires, conduits, transformers, communication facilities and cables and other related equipment and necessary or desirable appurtenances and to license or lease space on or within Grantee’s poles, conduits and appurtenant facilities for the attachment of third party facilities required or authorized under applicable law in, over, under and through any Public Rights of Way.

## ARTICLE III

This Ordinance and rights granted herein shall take effect and continue in full force and effect for a period of twenty-five (25) years, commencing \_\_\_\_\_, 2010. Grantee shall file its written acceptance of the terms and conditions hereof within ten (10) days after the final passage of this Ordinance or the same shall become of no force and effect.

## ARTICLE IV

In consideration for the rights and privileges herein granted, Grantee shall pay to the City an annual amount of money equal to five percent (5%) of the gross receipts of Grantee derived

by it from the distribution and sale of all electricity and electric current to residential, commercial and industrial customers within the corporate limits of the City, during the term of this franchise, to be paid quarterly by or before the first day of February, the first day of May, the first day of August and the first day of November of each year for the three-month periods ending respectively on December 31, March 31, June 30 and September 30, next preceding. The compensation set forth in this paragraph shall be paid in lieu of any license, charge, fee, street or alley rental or other character of charge for the use and occupation of the Public Rights of Way.

The City shall notify Grantee in writing of newly annexed and de-annexed areas. The notice shall include the ordinance number authorizing the action and an appropriate map identifying the areas affected by such annexation or de-annexation. Grantee shall have no responsibility for commencing payments to the City for revenue collected in newly annexed areas until it shall have received the City's notification. Upon the City's notification and starting the 91<sup>st</sup> day after receipt of such notice, Grantee will commence payments to the City for revenue collected in each newly annexed area and will make any appropriate adjustments in payments made for revenues collected in such de-annexed areas after de-annexation. Payments for revenues collected in newly annexed areas and adjustments for over payments in de-annexed areas shall be made effective back to the date of the authorizing ordinance.

#### ARTICLE V

During the period of the franchise herein granted, the Grantee shall furnish to the City a report generated by Grantee along with the payments as herein set out showing the gross receipts of Grantee derived by it from the distribution and sale of electricity to residential, commercial

and industrial customers within the corporate limits of the City for the three-month period ending respectively on December 31, March 31, June 30 and September 30, next preceding.

#### ARTICLE VI

Upon request of the City, Grantee shall make available at Grantee's offices any and all records, accounts and books for inspection relative to the gross receipts of Grantee within the corporate limits of the City of Bossier City, Louisiana, subject to privacy laws and the rules, regulations and jurisdiction of the Louisiana Public Service Commission. Grantee agrees to maintain all records supporting and relative to such payments for a period of not less than three (3) years following payment.

#### ARTICLE VII

All poles, wires, conduits and other equipment and appurtenances shall be erected and placed in accord with appropriate industry standards and specifications and in such places and in such manner as not to unreasonably interfere with public travel and other public uses of Public Rights of Way.

The City Council shall have the right to require the placing of electric lines of Grantee underground at no cost to the City or Grantee, whenever operationally practicable and when public safety and necessity in the use and occupation of such Public Rights of Way so require, and subject to the regulatory authority of the Louisiana Public Service Commission.

#### ARTICLE VIII

The City hereby grants to Grantee permission to cut, trim, treat and dispose of trees and other vegetation upon and overhanging Public Rights of Way in the vicinity of Grantee's electric facilities where such trees and other vegetation, in Grantee's reasonable opinion, constitute a

hazard to Grantee's personnel or facilities or the provision of continuous electric service. Grantee will, upon request of the City, advise the City of the status of vegetation management plans and programs.

#### ARTICLE IX

Unless otherwise provided for herein, all notices or other communications required or permitted hereunder shall be made in writing and may be delivered by: (i) hand delivery; (ii) United States overnight registered or certified mail; (iii) overnight carrier service; or (iv) facsimile to the addresses set forth below. Notice by facsimile or hand delivery shall be effective at the close of business on the day actually received, if received during business hours on a business day and, otherwise, shall be effective at the close of business on the next business day. Notice by overnight United States mail or courier shall be effective on the next business day after it was sent. Notice by United States registered or certified mail (other than overnight mail) shall be effective upon delivery or refusal to accept delivery. A party may change its address or any contact information upon written notice to the other party pursuant to the terms hereof.

If to City : Office of the Mayor  
620 Benton Road  
P.O. Box 5337  
Bossier City, LA 71111

If to Grantee : Manager, External Affairs  
Southwestern Electric Power Company  
428 Travis Street  
Shreveport, LA 71101

With Copy to : Senior Counsel

American Electric Power Service Corporation  
1201 Elm Street, Suite 800 (75270)  
P.O. Box 660164  
Dallas, TX 75266

ARTICLE X

The City and Grantee are entering into this franchise solely for their own benefit and nothing herein shall be considered to confer any rights, privilege or benefit on any person or entity other than the City and Grantee. No action may be commenced or presented against any party by any third party claiming as a third party beneficiary of this franchise agreement. The franchise agreement shall not release or discharge any obligation or liability of any third party to either party.

ARTICLE XI

The City agrees to maintain the confidentiality of any information provided by the Grantee on a confidential basis or marked as confidential, as required by the Federal Critical Infrastructure Information Act and subject to the rules, regulations and jurisdiction of the Louisiana Public Service Commission. The City shall not be liable to Grantee for the release of any information the City is required by law to release.

ARTICLE XII

All the construction and other work, including reconstruction, maintenance, repair or removal of Grantee's system shall be subject to and in conformity with the ordinances, rules, laws and regulations now in force or that may hereafter be approved or adopted by the City,

provided that such ordinances, rules, laws and regulations shall not be in conflict or inconsistent with the express terms and conditions of this franchise and shall not conflict with the laws of the State of Louisiana or the laws of the United States of America.

### ARTICLE XIII

For those street lights within Public Rights of Way, which the Grantees has the obligation under the applicable tariff to maintain, Grantee agrees to reasonably respond to requests for maintenance in accordance with the orders, tariffs and rules of the Louisiana Public Service Commission and subject to emergency conditions, including inclement weather, outages or equipment failures which may require that the service of other customers be restored prior to street lights.

### ARTICLE XIV

Grantee, in laying, constructing, adjusting and repairing its electric lines, shall not unreasonably interfere with any water lines, sewer lines, conduits, or other pipe lines or supply lines, or with any public or private drain in any street or alley, except with the consent and under the direction of the Mayor or his duly authorized agent(s). This provision shall not apply when emergency conditions exist, with those conditions to include natural disasters, equipment failures or outages and similar circumstances.

Whenever the City shall conclude to make any street or other improvements in which the electric lines of Grantee exist, Grantee shall, in advance of such improvement and at Grantee's own expense, be required to relocate such electric lines to an alternate location provided by the City. The Grantee shall be given reasonable notice of the intention of the City to pave or make such improvements and reasonable time under the circumstances to relocate its facilities

#### ARTICLE XV

Grantee shall indemnify, save and hold harmless the City from any and all claims, demands or causes of action for injuries and damages to persons and property, occasioned by or arising out of the construction, renewing, maintenance, operation, removal, adjustment or repair of said Grantee's electrical system, or by virtue of Grantee conducting such business in Public Rights of Way. This duty to hold harmless and indemnify shall run in favor of the City, its officials, officers, agents and employees. It shall include the duty to investigate any claim, to defend any lawsuit including actions for injunctive relief and to reimburse the City, its officials, officers, agents and employees under the terms of this Article on indemnification for any sums of money that it or they are or might become legally obligated to pay to others. This indemnity does not extend to claims arising from the gross negligence or intentional conduct of the City, its officials, officers, agents and employees.

#### ARTICLE XVI

Grantee, in the construction, reconstruction or adjustment of its system, shall not take up or excavate any pavement or street, alley or other public place at any time without first securing permission and approval from the City; and providing further that, in every case where possible, Grantee shall, in the construction, reconstruction or adjustment of its system, bore beneath paved streets, curbs and sidewalks instead of cutting them; and where any such cutting or excavation of streets, alleys or public ways shall be necessary, Grantee shall, at Grantee's own expense, repair and replace same according to standards and specifications of the City; and provided that, when practicable, lines shall be placed in alleys instead of streets and that, should Grantee fail or refuse, as required above, to properly restore and replace such pavements, sidewalks and

excavations within a reasonable time after the completion of such work, then the same may be replaced and restored by the City at the expense of said Grantee, and including reasonable attorney's fees and court costs that the City may incur in securing a judgment for breach thereof.

The Grantee shall, on request of any person holding a moving permit issued by the City, subject to applicable regulatory requirements and system operating conditions, temporarily move its wires or fixtures to permit the moving of buildings with the expense of such temporary removal to be paid, in advance, by the person requesting same, and the Grantee shall be given reasonable advanced written notice to arrange for such temporary relocation.

#### ARTICLE XVII

Nothing herein contained shall ever be held or considered as conferring upon Grantee, or its successors and assigns, any exclusive rights or privileges of any nature whatsoever.

#### ARTICLE XVIII

Grantee shall not at any time sell or assign its rights and privileges under this Ordinance to any other person, firm or corporation or surrender management control without the prior approval of the City, which approval shall not be unreasonably withheld, conditioned or delayed. Approval shall be deemed granted in the event Grantee provides written notice and the City fails to respond and provide written notice as provided in Article IX above. Further, the Grantee may, without consent of the City, assign, sell and transfer the franchise to its parent, affiliates, or subsidiaries of its parent. Grantee (or its assign) may, also without City's consent, assign, pledge, mortgage or transfer the rights and privileges under this franchise to any lender of Grantee (or such assign).

## ARTICLE XIX

The City may at any time declare a conditional forfeiture of this grant for a continuing violation by Grantee of any of the substantial terms hereof. In such event, the City shall give written notice, specifying all grounds on which forfeiture is claimed, by registered mail, addressed and delivered to Grantee, to the attention of its president. The Grantee shall have sixty (60) days after receipt of such notice within which to discontinue said alleged violation, or to file suit in a court of competent jurisdiction for adjudication or declaration of the rights of the parties with respect to the forfeiture of the franchise. No forfeitures shall be effective until and unless, (1) the Grantee shall have continued such violation or violations for more than sixty (60) days after receipt of such written notice from the City without filing suit; or (2) Grantee shall have continued such violation or violations for more than sixty (60) days (or such longer period as the court in its discretion shall allow) after the entry or affirmation in a court of last resort of a final judgment finding and establishing the existence of such violation or violations, and that such violation or violations are sufficiently substantial to warrant forfeiture, and decreeing forfeiture as a consequence thereof. The Grantee shall not in any event be deemed to be in default of performance of any provisions of this grant, nor shall any forfeiture be invoked for violation or violations for failure to perform any provision hereunder when due to shortages of materials, supplies and equipment beyond the control of the Grantee, or to fires, strikes, riots, storms, floods, wars or other casualties, or to governmental regulations, limitations or restrictions as to the use or availability of materials, supplies or equipment or as to the use of the service, or to unforeseen or unusual demands for service, or for any other cause not reasonably or practicably within the control of the Grantee.

## ARTICLE XX

Grantee shall provide, upon reasonable notice, on a project-by-project basis, such available maps, plats and/or drawings as the City may request which depict the location of all electric power lines, poles and other facilities used for the generation and distribution of electricity within the Public Rights of Way. As to any such maps, plats and drawings so provided, Grantee does not warrant the accuracy thereof and to the extent the locations of the facilities are shown, such facilities are shown in their approximate locations. Any such information with respect to the location of Grantee's facilities shall be used by the City solely for management of the Public Rights of Way. The City shall take all prudent steps required by applicable law to prevent disclosure, reproduction or dissemination of such maps, plats, drawings and/or any other information specifically marked as confidential to any unauthorized third party, without the prior express written consent of Grantee.

## ARTICLE XXI

Grantee shall not in its service facilities, rules, regulations or in any other respect, make or grant preference or advantages to any user or potential user of its system, nor subject any person to any prejudice or disadvantage, subject to the applicable regulations of the Louisiana Public Service Commission.

BE IT FURTHER ORDAINED that all ordinances, resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed as of \_\_\_\_\_ 2010.

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 the Mayor of the City of Bossier City be and he is hereby authorized to execute on behalf of the City of Bossier City this franchise agreement ordinance.

The above and foregoing Ordinance was read in full at open and legal session convened and was on motion of Mr. Jones, seconded by Mr. Knight, and adopted this 19 day of January, 2010.

AYES: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

ABSENT: Mr. Montgomery

ABSTAIN: none

\_\_\_\_\_  
Don Williams, PRESIDENT

\_\_\_\_\_  
Helen Thornton, CITY CLERK

THUS DONE AND SIGNED, before me, Notary Public and the undersigned competent witnesses on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in Bossier City, Bossier Parish, Louisiana.

WITNESSES:

CITY OF BOSSIER CITY

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
MAYOR LORENZ JAMES WALKER

\_\_\_\_\_  
NOTARY PUBLIC

THUS DONE AND SIGNED, before me, Notary Public and the undersigned competent witnesses on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in Shreveport, Caddo Parish, Louisiana.

WITNESSES:

ACCEPTED ON BEHALF OF  
SOUTHWESTERN ELECTRIC  
POWER COMPANY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
PAUL CHODAK, PRESIDENT

\_\_\_\_\_  
NOTARY PUBLIC

ORDINANCE NO. 9 OF 2010

AN ORDINANCE TO DECLARE CERTAIN WATER TREATMENT EQUIPMENT INSTALLED IN THE BOSSIER CITY WATER TREATMENT PLANT AS SURPLUS TO THE CITY'S NEED AND PROVIDE FOR SALVAGE AND DISPOSAL ACCORDING TO LAW.

**WHEREAS**, the City water plant expansion project underway will make the items listed below surplus to the City's need 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:

DESCRIPTION	QUANTITY	MODEL	DEPT.
1. Praxair Ozone Generator	1	MZ-1 40 XNT	Utilities
2 .High Concentration Ozone Analyzer	1	H-1XD	Utilities
3. Dielectrics (installed in existing ozone generator)	144	NT-79 4	Utilities
4 Skid Mounted Power Supply	1	N/A	Utilities

**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. Darby, seconded by Mr. Jones and adopted on this 19<sup>th</sup> day of January, 2010, by the following vote:

AYES: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

ABSENT: Mr. Montgomery

ABSTAIN: none

---

Don W. Williams, President

---

Helen Thornton, City Clerk

**New Business:**

**By: Mr. Irwin**

**Motion made to introduce Ordinance to appropriate \$48,250.00 to come from the General Fund to be used to contract with AMEC Earth Environmental Inc. to provide a Bossier City Hazard Mitigation Plan update.**

**Seconded by Mr. Jones**

**Vote in favor of motion is unanimous.**

**By: Mr. Irwin**

**Motion made to introduce Ordinance to appropriate \$1.4 million to come from the Riverboat Gaming Capital Fund to be used to construct new public infrastructure to support tow proposed alternative fueling stations to be constructed by the City of Bossier City.**

**Seconded by Mr. Jones**

**Vote in favor of motion is unanimous.**

**By: Mr. Darby**

**Motion made to introduce Ordinance authorizing Mayor Walker to execute the attached contract for governmental relations with the City of Bossier City for 2010 with Ginger E. Adam.**

**Seconded by Mr. Jones**

**Vote in favor of motion is unanimous.**

Bossier City, Louisiana  
January 19, 2010

The City Council of the City of Bossier City, Louisiana met in regular public session at 3:00 o'clock p.m. on Tuesday, January 19, 2010, at the regular meeting place of said City Council in the Council Chambers located at 620 Benton Road, Bossier City, Louisiana,

pursuant to the provisions of written notice given to each and every member thereof and duly posted in the manner required by law.

Don Williams, Council President, called the meeting to order and on roll call, the following members were present:

ABSENT: Mr. Montgomery

Lorenz “Lo” Walker, Mayor, and Helen Thornton, Clerk of the Council, also attended. The meeting was called to order and the roll called with the above results.

Thereupon, on motion made by Mr. Jones and seconded by Mr. Irwin, the following resolution was adopted, the vote thereon being as follows:

YEAS: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

RESOLUTION NO 1 OF 2010

A RESOLUTION AUTHORIZING PUBLICATION OF NOTICE  
DESCRIBING THE GEOGRAPHIC LIMITS OF THE CITY OF  
BOSSIER CITY, LOUISIANA

BE IT RESOLVED by the City Council, acting as the governing authority of the City of Bossier City, Louisiana, as follows:

SECTION 1. Any and all ordinances of designating boundaries and territorial limits, including ordinances of annexation, of the City of Bossier City, Louisiana, be and the same are hereby ratified, approved and confirmed.

SECTION 2. That the President and Clerk of the Council are empowered, authorized and requested to cause to be published a public notice describing the geographic limits of the City of Bossier City, Louisiana, said publication to be made in the *Bossier Press Tribune* in the same edition as the Notice to Voters is published, pertaining to the special tax election authorized for the City of Bossier City, Louisiana, by resolution adopted this date.

Adopted and approved this 19<sup>th</sup> day of January, 2010.

/s/ Don Williams  
DON WILLIAMS, President

ATTEST:

/s/ Helen Thornton  
HELEN THORNTON  
Clerk of the Council

(Other business not pertinent to the present excerpt may be found of record in the official minute book.)

Upon motion duly made and unanimously carried, the meeting was adjourned.

/s/ Don Williams  
DON WILLIAMS, President

ATTEST:

/s/ Helen Thornton  
HELEN THORNTON  
Clerk of the Council

**STATE OF LOUISIANA**

**PARISH OF BOSSIER**

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

I further certify that the foregoing is a true and correct copy of an excerpt from the minutes of a regular meeting of the City Council, held on January 19, 2010, and of a resolution adopted at said meeting, as said minutes and resolution 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, Louisiana, on this 19<sup>th</sup> day of January, 2010.

---

**HELEN THORNTON**  
Clerk of the Council

[S E A L]

**PUBLIC NOTICE**  
**GEOGRAPHIC BOUNDARIES OF**  
**THE CITY OF BOSSIER CITY, LOUISIANA**

[insert legal description]  
(on file with City Attorney's Office)

/s/ Don Williams  
DON WILLIAMS, President  
City Council of Bossier City, Louisiana

ATTEST:

/s/ Helen Thornton  
HELEN THORNTON  
Clerk of the Council

Bossier City, Louisiana  
January 19, 2010

The City Council of the City of Bossier City, Louisiana met in regular public session at 3:00 o'clock p.m. on Tuesday, January 19, 2010, at the regular meeting place of said City Council in the Council Chambers located at 620 Benton Road, Bossier City, Louisiana, pursuant to the provisions of written notice given to each and every member thereof and duly posted in the manner required by law.

Don Williams, Council President, called the meeting to order and on roll call, the following members were present:

ABSENT:Mr. Montgomery

Lorenz “Lo” Walker, Mayor, and Helen Thornton, Clerk of the Council, also attended. The meeting was called to order and the roll called with the above results.

Thereupon, on motion made by Mr. Jones and seconded by Mr. Darby, the following resolution was adopted, the vote thereon being as follows:

YEAS: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

**RESOLUTION NO 2 of 2010**

**A RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF BOSSIER CITY, LOUISIANA, ON MAY 1, 2010, RENEWING THE LEVY AND COLLECTION OF A SPECIAL TAX OF 6 MILLS FOR MAINTENANCE AND OPERATION OF THE FIRE AND POLICE DEPARTMENTS OF THE CITY; AND MAKING APPLICATION TO THE STATE BOND COMMISSION AND UNITED STATES ATTORNEY GENERAL IN CONNECTION THEREWITH.**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bossier City, Louisiana:

**SECTION 1.** Subject to the approval of the Louisiana State Bond Commission, and under the authority conferred by Article 6, Sections 27(B), 30 and 32 of the Louisiana Constitution of 1974, by Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, a special election be and is hereby called and ordered to be held in the City of Bossier City, Louisiana, on **Saturday, the 1<sup>st</sup> day of May, 2010**, between the hours of six (6:00) o'clock a.m. and eight (8:00) o'clock p.m., in compliance with the provisions of Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and that at said special election there be submitted to all qualified electors of the City of Bossier City, Louisiana, entitled and qualified to vote at said election under the Constitution and laws of the United States and the State of Louisiana, the following proposition:

**FIRE AND POLICE MILLAGE RENEWAL PROPOSITION**

**SUMMARY: AUTHORITY FOR THE CITY OF BOSSIER CITY TO RENEW A LEVY OF 10-YEAR 6-MILLS PROPERTY TAX WITH COLLECTIONS FROM THE LEVY OF THE TAX ESTIMATED TO BE \$3,060,000 FOR ONE ENTIRE YEAR, FOR THE PURPOSE OF OPERATING AND MAINTAINING, INCLUDING SALARY ADJUSTMENTS, THE FIRE AND POLICE DEPARTMENTS OF SAID CITY.**

Shall the City of Bossier City, State of Louisiana (the "City"), under the provisions of Article VI, Sections 27(B), 30 and 32 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority supplemental thereto, renew the levy and collect a special tax of six (6) mills on all property subject to taxation in said City, for a period of ten (10) years, beginning with the year 2011 and ending with the year 2020, with collections from the levy of the Tax estimated to be \$3,060,000 for one entire year, for the purpose of operating and maintaining, including salary adjustments, the Fire and police Departments of said City?

**SECTION 2.** The polling places set forth in the Notice of Special Election in Exhibit A hereto, be and the same are hereby designated as the polling places at which to hold such election, subject to any changes which may be required by law.

**SECTION 3.** Officers designated or such substitutes as may be selected, designated and sworn in compliance with Sections 1286 through 1289 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, shall hold the said election substantially in accordance with the general election laws of the State of Louisiana, except that the election is called and shall be conducted, canvassed, and promulgated, and notice thereof given in accordance with the procedures set forth in Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended. The election officers shall make due returns of the election at a regular meeting of the City Council of the City of Bossier City, Louisiana, to be held at its regular meeting place, the Council Chambers, 620 Benton Road, Bossier City, Louisiana, on **Tuesday, the 18<sup>th</sup> day of May, 2010, at 3:00 o'clock p.m.**, at which time the City Council will, then and there, in open and public session, examine and canvass the returns and declare the result of said special election. The compensation of election officials be and the same is hereby fixed at the sum as specified in Sections 424 and 425 of Title 18 of the Louisiana Revised Statutes of 1950, as amended. Assessed valuations shall not be voted in this election, and all qualified electors of the City of Bossier City, Louisiana are entitled to vote. Voting machines shall be used in this election and voters shall not be required to sign a ballot or vote assessed valuation of property. The permanent registration law of the State of Louisiana being in force in the City of Bossier City, Louisiana, said election shall be conducted in accordance with applicable provisions thereof.

**SECTION 4.** The Clerk of the City Council of Bossier City, Louisiana is hereby empowered authorized and directed to publish entirely separate and apart from any publication which may be made of this resolution once a week for four consecutive weeks with the first publication not less than forty-five days nor more than ninety days before the date of the election in the *Bossier Press Tribune*, a newspaper published daily in Bossier City, Louisiana, and having general circulation in the City of Bossier City, Louisiana, a Notice of Election, in form substantially attached as Exhibit A.

**SECTION 5.** The Clerk of the City Council of Bossier City, Louisiana be and she is hereby empowered, authorized and directed to arrange for the furnishing to the election officers, in ample time for the holding the election the necessary equipment, forms and other election paraphernalia essential to the proper holding of said election.

**SECTION 6.** Application is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, in compliance with the requirements of Chapter 2, Title 47 of the Louisiana Revised Statutes of 1950, as amended, and in compliance with Article 6, Sections 27(B), 30 and 32 of the Constitution of 1974 of the State of Louisiana, and other Constitutional and statutory authority supplemental thereto, for consent, approval and authority to hold the aforesaid election in the City of Bossier City, Louisiana, and in the event such election carries, for its consent and authority to levy and collect the tax therein provided. The Clerk of the Council is empowered, authorized and requested to forward to the State Bond Commission a certified copy of this resolution which shall constitute a formal application to said Commission as herein provided.

**SECTION 7.** A certified copy of this resolution, together with other showings required by Section 5 of the Voting Rights Act of 1965 and Regulations pertaining thereto (28 C.F.R. Part 51) shall be submitted to the United States Attorney General, for approval in compliance with the said Voting Rights Act, should such a submission be required.

**SECTION 8.** Certified copies of this Resolution shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for Bossier Parish, Louisiana, and the Registrar of Voters, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as authorized and required by law.

**SECTION 9.** There being a real public necessity for the retention and employment of legal counsel to provide specialized legal services in connection with the election by the City, and it appearing that the public interest requires obtaining of such specialized legal

services, Joseph A. Delafield, A Professional Corporation, Lake Charles, Louisiana (“Special Counsel”), is hereby employed for such purposes. The fee for the work to be performed by Special Counsel shall be in accordance with the Maximum Hourly Fee Schedule of the Attorney General of the State of Louisiana for attorneys having experience of ten years or more in the practice of law.

**SECTION 10.** All resolutions, ordinances, or orders in conflict herewith, be, to the extent of such conflict, and they are hereby repealed.

Adopted and approved on this 19<sup>th</sup> day of January, 2010.

/s/ Don Williams  
DON WILLIAMS, President

ATTEST:

/s/ Helen Thornton  
HELEN THORNTON  
Clerk of the Council

(Other business not pertinent to the present excerpt may be found of record in the official minute book.)

Upon motion duly made and unanimously carried, the meeting was adjourned.

/s/ Don Williams  
DON WILLIAMS, President

ATTEST:

/s/ Helen Thornton  
HELEN THORNTON  
Clerk of the Council

**STATE OF LOUISIANA**

**PARISH OF BOSSIER**

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

I further certify that the foregoing is a true and correct copy of an excerpt from the minutes of a regular meeting of the City Council, held on January 19, 2010, and of a resolution adopted at said meeting, as said minutes and resolution 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, Louisiana, on this 19<sup>th</sup> day of January, 2010.

---

**HELEN THORNTON**, Clerk of Council

[S E A L]

Exhibit A

**NOTICE TO VOTERS  
OF SPECIAL TAX ELECTION**

To the qualified electors of the City of Bossier City, Louisiana:

YOU ARE HEREBY NOTIFIED that on the 19<sup>th</sup> day of January, 2010, the City Council of the City of Bossier City, Louisiana, ordered that a special election be held in the City of Bossier City, Louisiana, on Saturday, the 1<sup>st</sup> day of May, 2010, for the purpose of submitting to all qualified electors of the City of Bossier City, Louisiana, the following proposition:

**FIRE AND POLICE MILLAGE RENEWAL PROPOSITION**

**SUMMARY: AUTHORITY FOR THE CITY OF BOSSIER CITY TO RENEW A LEVY OF 10-YEAR 6-MILLS PROPERTY TAX WITH COLLECTIONS FROM THE LEVY OF THE TAX ESTIMATED TO BE \$3,060,000 FOR ONE ENTIRE YEAR, FOR THE PURPOSE OF OPERATING AND MAINTAINING, INCLUDING SALARY ADJUSTMENTS, THE FIRE AND POLICE DEPARTMENTS OF SAID CITY.**

Shall the City of Bossier City, State of Louisiana (the "City"), under the provisions of Article VI, Sections 27(B), 30 and 32 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority supplemental thereto, renew a levy and collect a special tax of six (6) mills on all property subject to taxation in said City, for a period of ten (10) years, beginning with the year 2011 and ending with the year 2020, with collections from the levy of the Tax estimated to be \$3,060,000 for one entire year, for the purpose of operating and maintaining, including salary adjustments, the Fire and police Departments of said City?

Said election will be held at all polling places which are situated within the boundaries of the City of Bossier City, Louisiana.

All registered voters in each of the following precincts shall be eligible to vote on the proposition:

<b>POLLING PLACES</b>		
<b>Ward</b>	<b>Precinct</b>	<b>Location</b>
01	01	Bellaire Elementary School, 1310 Bellaire Blvd., Bossier City
01	02	Aulds Library, 3950 Wayne Avenue, Bossier City
01	03	Old Parkway High School, 4301 Panther Drive, Bossier City

01	04	Shady Grove Community center, 3949 Wayne Ave., Bossier City
01	05	Sun City Elementary School, 4230 Van Deeman St., Bossier City
02	02	Apollo Elementary School, 2400 Viking Dr., Bossier City
02	03	Cope Middle School, 4814 Shed Rd., Bossier City
02	04-1	Airline Baptist Church, 4007 Airline Dr., Bossier City
02	04-2	Airline Baptist Church, 4007 Airline Dr., Bossier City
02	05	Bossier Arts Council, 630 Barksdale Blvd., Bossier City
02	07	Airline High School, 2801 Airline Dr., Bossier City
02	08	Butler Educational Complex, 541 Detroit St., Bossier City
02	10	Central Baptist Church, 2225 Airline Dr., Bossier City
02	11	Bossier City Municipal Complex, 620 Benton Rd., Bossier City
02	11A	Bossier City Municipal Complex, 620 Benton Rd., Bossier City
02	12A	Rusheon Middle School, 2401 Old Minden Rd., Bossier City
02	12B	Rusheon Middle School, 2401 Old Minden Rd., Bossier City
02	12C	Rusheon Middle School, 2401 Old Minden Rd., Bossier City
02	13	Central Park Elementary School, 900 Central Park Blvd., Bossier City
02	14	Waller Elementary School, 1130 Patricia Dr., Bossier City
02	15	Waller Elementary School, 1130 Patricia Dr., Bossier City
02	16	Kerr Elementary School, 1700 Airline Dr., Bossier City
02	16A	Kerr Elementary School, 1700 Airline Dr., Bossier City
02	17A	Meadowview Elementary School, 4312 Shed Rd., Bossier City
02	17B	Meadowview Elementary School, 4312 Shed Rd., Bossier City
02	19	Green Acres Middle School, 2220 Airline Dr., Bossier City
02	20	Kerr Elementary School, 1700 Airline Dr., Bossier City
04	08D	Waller Elementary School, 1130 Patricia Dr., Bossier City

**ONLY THOSE REGISTERED VOTERS IN EACH OF THE FOLLOWING PRECINCTS WHO RESIDE WITHIN THE BOUNDARIES OF THE CITY OF BOSSIER CITY, LOUISIANA, SHALL BE ELIGIBLE TO VOTE ON THE PROPOSITION:**

<b>POLLING PLACES</b>		
<b>Ward</b>	<b>Precinct</b>	<b>Location</b>
01	03A (part)	Old Parkway High School, 4301 Panther Dr., Bossier City
01	04A (part)	Shady Grove Community Center, 3949 Wayne Ave., Bossier City
02	06 (part)	Bossier Elementary School, 322 Colquitt Ave., Bossier City
02	09 (part)	Plantation Park School, 2410 Plantation Dr., Bossier City
02	21A (part)	Bossier City First Church of God, 4601 Airline Dr., Bossier City
02	21B (part)	Asbury United Methodist Church, 3200 Airline Dr., Bossier City
02	21C-1 (part)	Stockwell Elementary School, 5800 Shed Rd., Bossier City
02	21C-2 (part)	Stockwell Elementary School, 5800 Shed Rd., Bossier City
02	21D-1 (part)	Stockwell Elementary School, 5800 Shed Rd., Bossier City
02	21D-2 (part)	Stockwell Elementary School, 5800 Shed Rd., Bossier City
04	08A (part)	Curtis Elementary School, 5600 Barksdale Blvd., Bossier City
04	08B-1 (part)	Heritage Baptist Church, 5580 Barksdale Blvd., Bossier City
04	08B-2 (part)	Heritage Baptist Church, 5580 Barksdale Blvd., Bossier City
04	08C (part)	Fellowship United Methodist Church, 4750 Barksdale Blvd., Bossier City
04	10-1 (part)	Curtis Elementary School, 5600 Barksdale Blvd., Bossier City
04	10-2 (part)	Curtis Elementary School, 5600 Barksdale Blvd., Bossier City
04	11C (part)	Central Assembly of God, 700 Highway 80, Haughton

The polls will be open at six (6:00) o'clock a.m. and shall remain open until not later than eight (8:00) o'clock p.m. The special election will be held substantially in accordance with the general election laws of the State of Louisiana, except that the election is called and shall be conducted, canvassed, and promulgated, and notice thereof given in accordance with the procedures set forth in Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended. The officials appointed to hold the election or such substitutes therefor as may be selected, designated and sworn in compliance with Sections 1286 through 1289 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, will make due returns thereof to the City Council for the City of Bossier City, Louisiana. Voting machines will be used in the conduct of the election. All qualified electors of the City of Bossier City, Louisiana, will be entitled to vote. No voter shall be required to sign a ballot or vote assessed valuation of property.

Notice is hereby given that on Tuesday, the **18<sup>th</sup> day of May, 2010, at 3:00 o'clock p.m.**, the City Council of the City of Bossier City, Louisiana will meet in open and public session at the Council Chambers, 620 Benton Road, Bossier City, Louisiana, and will, then and there, in open and public session, examine and canvass the returns and declare the results of said election.

THUS DONE AND SIGNED in Bossier City, Louisiana, by authority of a Resolution adopted by the City Council of the City of Bossier City, Louisiana, on the 19<sup>th</sup> day of January, 2010.

/s/ Don Williams

DON WILLIAMS, President

ATTEST:

/s/ Helen Thornton  
HELEN THORNTON  
Clerk of the Council

**There being no further business to come before this meeting, meeting adjourned at 3:22 PM by Councilman Williams.**

**Respectfully submitted:**

---

**Helen Thornton, City Clerk**

**Publish: January 29, 2010**

**Bossier Press Tribune**