

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY  
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING  
SEPTEMBER 21, 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, September 21, 2010 at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Timothy Larkin

Roll Call as Follows:

Present: Honorable David Jones, President; Honorable Councilors, Timothy Larkin, David Montgomery, Jr., Scott Irwin, Jeffery Darby, Don Williams, James Knight

Absent: none

Present: Mayor Lorenz Walker, Truly McDaniel Assistant City Attorney and Helen Thornton City Clerk.

By Mr. Williams

Motion made to approve minutes of the September 7, 2010 minutes and dispense with the reading.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By Mr. Irwin

Motion made to add to agenda Ordinance providing for the issuance and sale of Utilities Revenue Refunding Bonds, Series 2010 of the City of Bossier City

Seconded by Mr. Williams

No Public Comment

Vote in favor of motion is unanimous.

By: Mr. Williams

Motion made to add to agenda Ordinance authorizing and providing for issuance of not to exceed \$24,000,000 of Public Improvement Sales Tax Refunding Bonds, Series 2010 of the City of Bossier City

Seconded by Mr. Irwin

No Public Comment

Vote in favor of motion is unanimous.

By: Mr. Knight

Motion made to approve agenda as amended.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

Ceremonial Matters: Jennifer McKay and Jay Boyd presented a framed photo of the North Bossier Tennis Center to the Mayor and City Council in appreciation for their support of the center.

Reports: Financial Update presented by Joe Buffington, Director of Finance

The following bids read by Steve Westbrook:

A. 20" water main replacement –Industrial Drive @Lateral B-4 Ditch

1. David Lawler Construction	\$125,700.00
2. Wicker Construction Co	\$141,950.00
3. Yor Wic Construction	\$134,700.00

By: Mr. Williams

Motion made to approve reading of bids.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

B. Hickory Ridge outfall structure improvements

1. C W & W Contractors	\$159,250.00
2. Cecil D. Gassiott, LLC	\$134,306.00
3. Crocker Construction	\$149,030.00
4. David Lawler Construction	\$139,787.50
5. Integrity, Inc.	\$168,808.00
6. Specialty Trackhoe	\$141,062.50
7. Yor Wic Construction	\$195,750.00

By: Mr. Williams

Motion made to approve reading of bids.

Seconded by Mr. Irwin

Vote in favor of motion is unanimous

The following Ordinance offered and adopted:

**Ordinance No. 88 Of 2010**

**AN ORDINANCE AUTHORIZING INCURRENCE OF DEBT TO PROVIDE FOR FINANCING (i) THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS, ENLARGEMENTS AND UPGRADES TO THE CITY'S REVENUE PRODUCING SEWER UTILITY SYSTEM, INCLUDING ACQUISITION OF ALL EQUIPMENT RELATED THERETO; (ii) ANY OTHER ADDITIONS, ACQUISITIONS, REPAIRS AND/OR EXPANSIONS NEEDED TO MAINTAIN CITY OWNED WORKS OF PUBLIC IMPROVEMENT AND (iii) THE COSTS OF ISSUANCE OF BONDS, INCLUDING THE COST OF ANY BOND INSURANCE POLICY (COLLECTIVELY, THE "PROJECT"), OF THE CITY; AUTHORIZING BORROWING OF FUNDS FROM LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY ("AUTHORITY"); PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR PAYMENT THEREOF; ENTERING INTO CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH THE SECURITY AND PAYMENT OF SAID DEBT; AUTHORIZING AND APPROVING EXECUTION OF A LOAN AGREEMENT WITH THE AUTHORITY; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, the Louisiana Local Government Environmental Facilities and Community Development Authority (the “Authority”) was created pursuant to the authority of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, (La R.S. 33:4548.1-4548.16) (the “Act”), and other constitutional and statutory authority, in order to finance the acquiring, financing, constructing and equipping of certain facilities, including facilities used for general governmental purposes, environmental, public infrastructure, community and economic development purposes and to otherwise establish programs to aid in the financing of local government, and to provide for issuance of bonds for authorized projects, and to procure any funds necessary therefore by mortgage, pledge or other encumbrance of the trust estate dedicated by it therefore and to provide for issuance and delivery of limited and special obligation revenue bonds of the Authority to evidence any indebtedness so incurred; and

**WHEREAS**, the City of Bossier City, a municipality established pursuant to the Constitution and laws of the State of Louisiana and a member of the Authority (the “City”), in order to finance (i) the acquisition and construction of improvements, enlargements and upgrades to the City’s revenue producing sewer utility system, including acquisition of all equipment related thereto; (ii) any other additions, acquisitions, repairs and/or expansions needed to maintain City owned works of public improvement and (iii) the costs of issuance of the bonds, including the cost of any bond insurance policy insuring the bonds (the “Project”), has made application to the Authority to issue its bonds in an amount not to exceed \$60,000,000 for a term not to exceed forty (40) years at rates of interest not to exceed seven (7%) per cent to provide funds to the City to finance the Project (the “Bonds”), which indebtedness is to be evidenced and secured by a loan agreement to be dated as of October 1, 2010, and executed by the City and the Authority (the “Loan Agreement”); and

**WHEREAS**, it is necessary that the loan agreement, and other matters in connection therewith, be approved by this City Council;

**NOW, THEREFORE, BE IT ORDAINED** by the City of Bossier City Council, acting as the governing authority of the City of Bossier City, State of Louisiana, in a regularly convened session, that:

**SECTION 1.** In compliance with the applicable provisions of the City Charter, the Act, and other constitutional and statutory authority supplemental thereto, there be and there is hereby authorized the incurring of indebtedness and the borrowing from the Authority through the Authority’s of its revenue bonds not exceeding, in the aggregate principal amount, Sixty Million Dollars (\$60,000,000.00) for a term not to exceed forty (40) years at rates of interest not to exceed seven (7%) per cent in multiple series in tax-exempt

and/or taxable form (the "Bonds"), for and on behalf of, and in the name of the City to finance the Project, and to represent said indebtedness this City Council does hereby authorize execution and delivery of a loan agreement dated as of October 1, 2010, by and between the City and the Authority (the "Loan Agreement") representing the City's financial and other obligation to repay the Authority's incurrence of debt represented by the Bonds or such other evidence of the City's financial obligation in favor of the Authority as may be required by the Authority. The Loan Agreement shall be executed, issued and delivered in the name of the City and in accordance with the terms and provisions thereof.

**SECTION 2.** The indebtedness of the City represented by the Loan Agreement and the Bonds shall mature over a period not to exceed forty (40) years from date thereof and bear interest at a rate or rates not exceeding seven percent (7%) per annum, be payable at such times and places, and be subject to prepayment all in accordance with the provisions of the Loan Agreement. The City is hereby obligated for the payment of the amounts and obligations expressed in the Loan Agreement, in principal and interest, as they shall respectively become due and payable, from the Lawfully Available Funds of the City, including a pledge and dedication of the revenues received by the City from, (i) the Shreveport-Bossier City Convention and Tourist Commission by virtue of a Cooperative Endeavor Agreement dated September 21, 2000, being three-fourths of one percent (3/4%), of the three percent tax on the occupancy of hotel rooms, motel rooms, and overnight camping facilities levied in the Parishes of Caddo and Bossier, Louisiana pursuant to R.S. 33:4574.1.1(A)24, (M)(2), and (M)(3); (ii) the State of Louisiana from a tax on occupancy of hotel rooms, motel rooms, and overnight camping facilities levied in the City; and, (iii) other statutory authority supplemental thereto, as more fully defined in the Loan Agreement. The obligation hereof and the provisions, covenants and agreements set forth herein and in the Loan Agreement to be performed by or on behalf of the City shall be for the equal benefit, protection and security of the owners of any and all Bonds regardless of the time or times of issuance or maturity, shall be of equal rank without preference, priority or distinction over any other thereof. The Loan Agreement shall represent special obligations of the City payable from the Lawfully Available Funds of the City as described in this Section 2 and in the Loan Agreement. The Loan Agreement shall not constitute an indebtedness or pledge of the general credit of the City within the meaning of any constitutional or statutory limitation of indebtedness.

**SECTION 3.** This City Council does hereby approve the issuance, execution and delivery of the Loan Agreement with Authority substantially in the form attached hereto as Exhibit A. The Mayor shall be and he is hereby authorized and directed to execute said Loan Agreement for and on behalf of the City and is further authorized to make and approve any changes required therein, but not inconsistent with the intent of this Ordinance.

**SECTION 4.** The City 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 amendments thereto (the “Code”) in order to establish, maintain and preserve the exclusion from “gross income” of interest on the tax-exempt Bonds under the Code. The City 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 City to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be “arbitrage bonds” or would result in the inclusion of the interest on any Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Bond proceeds, or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America, or (iii) use of Bond proceeds in a manner that would cause the Bonds to be “private activity bonds.”

**SECTION 5.** The City Council does hereby approve the form of the Loan Agreement substantially in the form attached to the Loan Agreement; provided the principal amount of the Bonds shall not exceed in the aggregate \$60,000,000.00, shall mature no later than 40 years from date of the Bonds, bear interest at rates not to exceed seven (7%) per cent, and be issued in multiple series in tax-exempt and/or taxable form. The Mayor shall be and he is hereby authorized and directed to execute and deliver the Loan Agreement on behalf of the City with such changes, insertions and omissions consistent with this Ordinance.

**SECTION 6.** The Mayor, President of the Council, Secretary of the Council, Clerk of Council, and such other officials of the City as may be appropriate shall be and they are hereby authorized and directed to take and perform any and all actions required and necessary under the terms of the Loan Agreement, and to take any and all actions on behalf of the City necessary or advisable to effect the transactions described herein including, without limitation, the execution and delivery of any additional agreements, certificates, waivers, consents and amendments or other agreements or instruments deemed appropriate.

**SECTION 7.** Purchase of a financial guaranty policy of municipal bond insurance, surety bond or other form of credit enhancement are hereby authorized provided such purchase(s) are approved in advance by the City’s financial advisor, Government Consultants of Louisiana, Inc.

**SECTION 8.** A copy of this Ordinance shall be published immediately after its adoption in the official journal of the Borrower, except that Exhibit A attached hereto need

not be published, but shall be available for public inspection during regular office hours at the office of the Clerk of Council.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Williams, and seconded by Mr. Jones, and adopted on the 21<sup>st</sup> day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

**FIRST SUPPLEMENTAL BOND ORDINANCE NO. 89 of 2010**

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING ISSUANCE OF NOT EXCEEDING TWENTY-TWO MILLION DOLLARS (\$22,000,000) OF UTILITIES REVENUE BONDS, SERIES 2010, OF THE CITY OF BOSSIER CITY, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON JULY 6, 2010; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

**WHEREAS**, the City of Bossier City, State of Louisiana (the “City”) now owns and operates a wastewater treatment system and water utility (the “System” or “Utility System”) as a revenue producing public utility; and

**WHEREAS**, the City on July 6, 2010, adopted General Bond Ordinance No. 67 which provided for future indebtedness of the City secured by revenues produced and to be produced by the System which General Bond Ordinance No. 67 provided certain terms, provisions, conditions and limitations; and

**WHEREAS**, one of the purposes of adoption of this First Supplemental Bond Ordinance No. \_\_\_ is to amend, supplement and modify certain of the terms of General Bond Ordinance No. 67; and

**WHEREAS**, except to the extent amended, supplemented or modified herein, the provisions of General Bond Ordinance No. 67 shall remain unchanged; AND

**WHEREAS**, the City currently has outstanding Bonds, or other obligations payable from a pledge and dedication of the income and revenues of the System:

**One Million Seven Hundred Fifteen Thousand Dollars (\$1,715,000) of Utilities Revenue Refunding Bonds, Series 1996**, dated February 1, 1996, maturing on October 1 of the years 2009 to 2010, inclusive, bearing interest at the rates of 5.0% and 5.10% per annum (the “1996 Bonds”), being the outstanding bonds of an issue of Seven Million Five Hundred Ninety-Five Thousand Dollars (\$7,595,000), issued pursuant to the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, and by virtue of an ordinance adopted by the City Council on January 30, 1996, payable from a pledge and dedication of the income and revenues of the Sewer Utility System;

**Three Million Seven Hundred Sixty-Five Thousand Dollars (\$3,765,000) of Utilities Revenue Bonds, Series 1997**, dated December 30, 1997, maturing on October 1 of the years 2009 to 2019, inclusive, bearing interest at the rate of 3.95% per annum (the “1997 Bonds”), and being the outstanding bonds of an issue Six Million Five Hundred Thousand Dollars (\$6,500,000), issued pursuant to the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 by virtue of an ordinance adopted by the City Council on November 4, 1997, payable from a pledge and dedication of the income and revenues of the Sewer Utility System;

**Two Million Five Hundred Forty-Seven Thousand Seven Hundred Ninety-Two Dollars (\$2,547,792) of Utilities Revenue Bonds, Series 2001**, dated June 19, 2001, maturing on October 1 of the years 2009 to 2022, inclusive, bearing interest at the rate of 3.95% per annum (the “2001 Bonds”), and being the outstanding bonds of an issue Three Million Five Hundred Thousand Dollars (\$3,500,000), issued pursuant to the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 by virtue of an ordinance adopted by the City Council on May 1, 2001, payable from a pledge and dedication of the income and revenues of the Sewer Utility System;

**Two Million Eight Hundred Fifty-Five Thousand Dollars (\$2,855,000) of Utilities Revenue Refunding Bonds, Series 2002**, dated July 1, 2002, maturing on October 1 of the years 2009 to 2012, inclusive, bearing interest at the rates of 4.00%, 4.50% and 4.125% per annum (the “2002 Refunding Bonds”), and being the outstanding bonds of an issue Four Million One Hundred Sixty-Five Thousand Dollars (\$4,165,000), issued pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950 by virtue of an ordinance adopted by the City Council on June 4, 2002, payable from a pledge and dedication of the income and revenues of the Sewer Utility System; and

Twelve Million Two Hundred Forty-Five Thousand Dollars (\$12,245,000) of Utilities Revenue Bonds, Series 2002, dated July 1, 2002, maturing on October 1 of the years 2013 to 2022, inclusive, bearing interest at the rates of 4.25%, 4.375%, 4.625%, 5.00%, and 5.125% per annum (the “2002 New Money Bonds”), being the outstanding bonds of an issue Twelve Million Two Hundred Forty-Five

Thousand Dollars (\$12,245,000), issued pursuant to the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 by virtue of an ordinance adopted by the City Council on June 4, 2002, payable from a pledge and dedication of the income and revenues of the Sewer Utility System; and

**One Hundred Twenty-Four Million Dollars (\$124,855,000) of Utilities Revenue Bonds, Series 2008**, dated February 4, 2009, maturing on October 1 of the years 2009 to 2028, inclusive, bearing interest at the rates of 3.50% to 5.250% per annum (the “2008 New Money Bonds”), being the outstanding bonds of an issue of One Hundred Twenty-Five Million (\$125,000,000), issued pursuant to the provisions of Chapter 13 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, by virtue of an ordinance adopted by the City Council on December 2, 2008, payable from a pledge and dedication of the income and revenues of the Sewer Utility System;

(collectively, the “Parity Bonds”);

**WHEREAS**, pursuant to Part XIII of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:1011, et seq.), and other constitutional and statutory authority, it is now the desire of this City Council to provide for issuance of revenue Bonds of the City, for the purpose of paying a portion of the cost of constructing and acquiring additions, extensions and improvements to the wastewater portion of the System, and paying the costs of issuance thereof; and

**WHEREAS**, on July 6, 2010, the City Council (the “Governing Authority”) adopted a General Bond Ordinance entitled: “A General Bond Ordinance authorizing the issuance from time to time of Wastewater Revenue Bonds of the City of Bossier City, State of Louisiana; prescribing the form, and certain terms and conditions of said Bonds; providing for payment thereof in principal and interest; and providing for other matters in connection therewith,” (the “General Bond Ordinance”), which authorizes the issuance of Bonds from time to time for the aforesaid purposes; and

**WHEREAS**, it is now the desire of this Governing Authority to amend the General Bond Ordinance to authorize issuance from time to time of Utilities Revenue Bonds of the City and to authorize issuance of not exceeding Twenty-Two Million Dollars (\$22,000,000) of Utilities Revenue Bonds, Series 2010 of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CHARLES, LOUISIANA**, in regular session convened, that:

**SECTION 1. Definitions.** In addition to words and terms elsewhere defined in the General Bond Ordinance, as may be amended, supplemented and modified herein, and this First Supplemental Bond Ordinance, the following words and terms as used in this First Supplemental Bond Ordinance and in the General Bond Ordinance, as amended, shall have the following meanings, unless some other meaning is plainly intended:

“Administrative Fee” means, with respect to the Bonds and any other Bonds purchased by the Department from the Clean Water State Revolving Fund, the annual fee equal to one-half of one percent (0.5%) per annum of the outstanding principal amount of such Bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi-annual installments on each Interest Payment Date.

“Bonds” means the City’s Utilities Revenue Bonds, Series 2010, authorized to be issued by this First Supplemental Ordinance and particularly by Section 2 hereof.

“Clean Water State Revolving Fund” means the Clean Water State Revolving Fund established by the State of Louisiana, pursuant to Chapter 14 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 30:2301, *et seq.*) in the custody of the Department, which is to be used for the purpose of providing financial assistance for the improvement of public wastewater systems in the State.

“Code” means the Internal Revenue Code of 1986, as the same may be amended and supplemented from time to time, including any regulations promulgated thereunder or any administrative or judicial interpretations thereof.

“Department” means the Louisiana Department of Environmental Quality, an executive department and agency of the State, and any successor to the duties and functions thereof with respect to the Clean Water State Revolving Fund.

“First Supplemental Ordinance” means this ordinance authorizing issuance of the Bonds.

“General Bond Ordinance” means the General Bond Ordinance described in the preambles hereof.

“Loan Agreement” means the Loan and Pledge Agreement to be entered into by and between the Department and the City, prior to the delivery of the Bonds, which will contain certain additional agreements relating to the Bonds being purchased by the Department from the Clean Water State Revolving Fund, which Loan Agreement shall be in substantially the form attached hereto as Exhibit B, as it may be supplemented, modified or amended from time to time in accordance with the terms thereof.

“Paying Agent” with respect to the Bonds means the chief financial officer of the City, unless and until a successor Paying Agent shall have assumed such responsibilities pursuant to the General Bond Ordinance.

“Reimbursement Expenditures” means Costs of the Project made prior to the date of delivery of the Bonds, but not more than sixty (60) days prior to October 6, 2009, which was the date of adoption of an “official intent” resolution pursuant to Section 1.150-2 of the United States Treasury Regulations under Section 150 of the Code.

“Reserve Fund Requirement” means, as of any date, the highest Debt Service Requirement on the Parity Bonds, the Bonds and any additional parity bonds in any succeeding Bond Year (ending October 1).

In lieu of the definition in Section 1.01 of the General Bond Ordinance, “System” means the City’s revenue-producing public utility consisting of the combined water and sewer utility systems lying within and without the boundaries of the City; the System shall include specifically all properties of every nature owned by the Issuer and used or useful in the operation of the System, as said plants now exist and as the same may be improved, extended or supplemented from any source while any of the Bonds remain outstanding, including all real estate, personal and intangible properties, contracts, franchises, leases and choses in action, and including specifically all properties now or hereafter operated by the City under lease or agreement with any other individual, partnership or corporation, public or private, as a part of the System, whether lying within or without the boundaries of the City.

**SECTION 2. Authorization of Bonds.** (a) In compliance with and under the authority of the Act, there is hereby authorized the incurring of an indebtedness of not exceeding Twenty-Two Million

Dollars (\$22,000,000) for, on behalf of and in the name of the City, for the purpose of paying a portion of the cost of constructing and acquiring additions, extensions and improvements to the wastewater portion of the System, as further set forth in Exhibit B hereto, and paying costs of issuance thereof, and to represent the indebtedness, this Governing Authority does hereby authorize the issuance of not exceeding Twenty-Two Million Dollars (\$22,000,000) of Utilities Revenue Bonds, Series 2010, of the City. The Bonds shall be dated the Delivery Date thereof, and the exact principal amount of the Bonds, not to exceed Twenty-two Million Dollars (\$22,000,000), as stated above, shall be determined by the Executive Officers at the time of delivery of the Bonds.

(b) The Bonds shall be Fixed Rate Bonds and the Interest Payment Dates shall be April 1, 2011, and semi-annually thereafter on each April 1 and October 1 of each year. The Bonds shall bear interest at the rate of forty-five hundredths percent (0.45%) 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, or such lower rate as may be in effect for loans from the Clean Water State Revolving Fund at the time of delivery. In addition to interest at the rate set forth above, at any time that the Department owns the Bonds the City will pay the Administrative Fee to the Department on each Interest Payment Date. In the event (i) the Department owns any Bonds or the Department has pledged or assigned any Bonds in connection with its Clean Water State Revolving Fund and (ii) the Administrative Fee payable by the City 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 by one-half of one percent (0.50%) 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. The Bonds shall be in substantially the form attached hereto as Exhibit A.

(c) All of the proceeds of the Bonds, other than no more than 2% of such proceeds used to pay issuance costs, plus investment proceeds thereof, will be used for capital expenditures, and the issue price of the Bonds has no premium over the stated principal amount. None of the proceeds of the Bonds will be deposited to the Reserve Fund or to any other reasonably required reserve fund.

(d) The Bonds shall mature in twenty (20) installments of principal, payable annually on each October 1, and each annual installment shall be the applicable percentage shown in the following tables, rounded to the nearest One Thousand Dollars (\$1,000), of the outstanding principal amount of the applicable series of the Bonds on the day before the applicable Principal Payment Date:

Date	Percentage	Date	Percentage
<u>(Oct. 1) of Principal</u>	<u>(Oct. 1)</u>	<u>of Principal</u>	
2012	4.564%	2022	9.580%
2013	4.827%	2023	10.696%
2014	5.120%	2024	12.090%
2015	5.448%	2025	13.884%
2016	5.817%	2026	16.275%
2017	6.235%	2027	19.624%
2018	6.712%	2028	24.647%
2019	7.264%	2029	33.019%
2020	7.907%	2030	49.764%
2021	8.667%	2031	100.000%

(e) The principal and interest on the Bonds shall be payable by check mailed to the registered owner of the Bonds (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent for such purpose, provided that payment of the final

installment of principal on the Bonds shall be made only upon presentation and surrender of the Bonds to the Paying Agent.

(f) The principal installments of the Bonds are subject to prepayment at the option of the City at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the Bonds shall continue to mature in installments calculated using the percentages shown in Section 2(d) above.

(g) The Bonds shall be issued in the form of a single fully registered Bond, initially numbered R-1, and shall be in substantially the form attached hereto as Exhibit A.

(h) The chief financial officer of the City shall be the initial Paying Agent for the Bonds.

(i) The Bonds are hereby awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the Paying Agent, the Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the City of the agreed purchase price. Pursuant to the Act and La. R.S. 39:1426(B), the City has determined to sell the Bonds at a private sale without the necessity of publishing any notice of sale.

(j) No proceeds of the Bonds will be deposited to the Reserve Fund. The fundings of the Reserve Fund shall be as described in Section 3(c) below.

(k) [RESERVED]

(l) The Executive Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of the General Bond Ordinance and this First Supplemental Ordinance, to execute and deliver the Loan Agreement, and to cause the Bonds to be prepared and/or printed, to issue, execute and seal the Bonds and to effect delivery thereof as hereinafter provided. In connection with the issuance and sale of the Bonds, the Executive Officers and the Director of Finance of the City are each authorized, empowered and directed to execute on behalf of the City such additional documents, certificates and instruments as they may deem necessary, upon the advice of Bond counsel, to effect the transactions contemplated by this Ordinance. The signatures of said on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

(m) [RESERVED]

(n) It is recognized that the City will not be required to comply with the continuing disclosure requirements described in the Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because (i) the Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and (ii) the Bonds are being sold to only one financial institution (i.e., no more than thirty-five persons), which has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment in the Bonds and is not purchasing the Bonds for more than one account or with a view to distributing the Bonds.

(o) Application has been made to the State Bond Commission, Baton Rouge, Louisiana, for final approval of the issuance of the Bonds by the City within the parameters set forth in this section. By virtue of the City's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that the City understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands,

agrees and binds itself, its successors and assigns, to full and continuing compliance with the “State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.,” adopted by the State Bond Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

(p) The “Scheduled Completion Date” for the Bonds Project is May 1, 2012.

(q) There will be no Credit Facility with respect to the Bonds.

(r) The Loan Agreement, in substantially the form attached hereto as Exhibit B, is hereby approved, and the Executive Officers are authorized to execute and deliver the aforesaid documents on behalf of the City, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the Bonds.

(s) SO LONG AS ANY OF THE OUTSTANDING PARITY BONDS ARE OUTSTANDING, THE TERMS AND PROVISIONS OF THE GENERAL BOND ORDINANCE AND THIS FIRST SUPPLEMENTAL BOND ORDINANCE SHALL BE SUPPLEMENTAL AND IN ADDITION TO ANY REQUIREMENTS OF THE OUTSTANDING PARITY BOND ORDINANCE, AND TO THE EXTENT THAT THERE IS ANY CONFLICT OR INCONSISTENCY, THE PROVISIONS OF THE OUTSTANDING PARITY BOND ORDINANCE SHALL SUPERSEDE ANY CORRESPONDING PROVISIONS HEREOF.

**SECTION 3. Funds and Accounts.** Section 5.01 of the General Bond Ordinance is amended and restated to read as follows:

(a) In order that the principal of and interest on the Bonds and the outstanding Parity Bonds will be paid in accordance with their terms and in order to identify the monies that are subject to the terms and conditions of the General Bond Ordinance and to the lien of the Owners, and for the other object and purposes set forth in herein, the Issuer will keep a separate account of such funds so that they will be at all times distinguished from other Issuer revenues and monies, and such revenues shall never be available for loan or appropriation to any other account or used for any other purpose other than as provided herein. Such monies shall be maintained in a separate account on books maintained by the City although they may be part of a bank account containing other monies, and for the other objects and purposes hereinafter provided, the City further covenants that all income and revenues of every nature derived from the operation of the combined Utility System shall be deposited daily as the same may be collected in a separate and special bank account established and maintained with the bank or banks that from time to time are the regularly designated fiscal agent bank or banks of the Issuer (the “Fiscal Agent Bank”). That separate account shall be known and designated as the “Utility System Fund,” and said Utility System Fund shall be maintained and administered in the following order of priority and for the following express purposes:

- a. The payment of all reasonable and necessary expenses of administering, operating and maintaining the Utility System;
- b. The maintenance of a separate account entitled “Revenue Bond Sinking Fund” (the “Sinking Fund”) established by the Parity Bond Ordinance, sufficient in amount to pay promptly and fully the principal of and the interest on the Bonds, and the outstanding Parity Bonds, including any additional *pari passu* bonds issued hereafter in the manner provided herein, as they severally become due and payable, by transferring from the Utility System Fund to the Sinking Fund, monthly in advance on or before the 20<sup>th</sup> day of each month of each year, the sums required under the Parity Bond Ordinance, and a sum equal to one-sixth (1/6) of the interest falling due on the Bonds on each successive Interest Payment Date, and one-twelfth (1/12) of the principal falling due on the Bonds on each

successive principal payment date, together with such additional proportionate sum as may be required so that sufficient moneys will be available in the Sinking Fund to pay said principal and interest as the same respectively become due. Unless previously provided for by the Issuer, the Fiscal Agent Bank shall make such credit arrangements with the respective Paying Agents as will assure, to the amount of money in the Sinking Fund, prompt payment of principal and interest on the bonds payable from the Sinking Fund.

- c. The maintenance of a “Revenue Bond Reserve Fund” (the “Reserve Fund”) established by the Parity Bond Ordinance, by depositing Bond proceeds and/or other available funds upon delivery of the Bonds, so that there will be on deposit in the Reserve Fund upon the delivery of the Bonds a sum equal to the Reserve Fund Requirement (the “Debt Service Reserve Fund Obligation”). The money in the Reserve Fund shall be retained solely for the purpose of paying the principal of and interest on bonds payable from the Sinking Fund as to which there would otherwise be default (except such amounts, if any, as may be payable to the United States of America as a rebate of arbitrage pursuant to Section 148(f) of the Code). In the event that additional *pari passu* bonds are issued hereafter in the manner provided by the General Bond Ordinance, there shall be deposited at the time of delivery of such *pari passu* bonds, such amount as will increase the total amount on deposit in said Reserve Fund, to a sum equal to the Reserve Fund Requirement, provided the deposit of such amount from bond proceeds is not prohibited by law or would not cause the Bonds or the *pari passu* bonds to become subject to federal or Louisiana state income tax if owned by any class of taxpayers; otherwise, there shall be transferred monthly from the Utility System fund to the Reserve fund such amounts, in equal payments, as will increase the total amount on deposit in said Reserve Fund within a period of two (2) years or less to a sum equal to the Reserve Fund Requirement.

The Debt Service Reserve Fund Obligation permitted hereunder may be in the form of a surety bond or insurance policy meeting the requirements of Section 5.02 of the General Bond Ordinance.

- d. The maintenance of a separate account entitled “Capital Additions and Contingencies Fund” (the “Contingencies Fund”) established by the Parity Bond Ordinance, to care for additions and improvements necessary to properly operate the Utility System, by transferring from the Utility System Fund to the Contingencies Fund, on or before the 20<sup>th</sup> day of each month of each year, a sum equal to five percent (5%) of the gross revenues of the Utility System for the preceding month. In addition to caring for extensions, additions, improvements, renewals and replacements necessary to properly operate the Utility System, the money in the Contingencies Fund shall be used to pay the principal of and the interest on the Bonds, including any additional *pari passu* bonds issued hereafter in the manner provided by the Bond Ordinance, for the payment of which there is not sufficient money in the Sinking Fund or Reserve Fund, but the money in the Contingencies Fund shall never be used for the making of extensions, additions, improvements, renewals and replacements to the Utility System if such use of said money will leave in the Contingencies Fund for the making of emergency repairs or replacements less than the sum of Fifty Thousand Dollars (\$50,000.00).

As long as the City is in compliance with the mandatory rate covenant provided for in the Parity Bond Ordinance, any money remaining in the Utility System Fund on the 20<sup>th</sup> day of each month and after making the required payments into the Sinking Fund, Reserve Fund and Contingencies Fund for the current month and for prior months during which the required payments may not have been made shall be considered surplus. In the event the City failed to comply with such rate covenant in the prior fiscal year, such monies shall not be considered surplus until a later audit of the City’s financial records shows that the City is again in compliance. Such surplus may be used by the City for such other lawful corporate purposes as the Governing Authority may determine, whether such purposes are or are not related to the Utility System except as such expenditures are limited by the City Charter then in effect.

**SECTION 4. Davis-Bacon Wage Rate Requirement.** The City agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the Project that is funded in whole or in part with the Bonds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the City as determined by the Secretary of the United States Department of Labor (“DOL”) in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The City will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with the Bonds will require that the contractor comply with the aforesaid wage and reporting requirements. This section shall not apply to “force account” work where the City may perform construction work using its own employees rather than any contractor or subcontractor.

**SECTION 5. Federal Tax Covenants.** The City covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from “gross income” of interest on the Bonds under the Code. The City 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 City to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be “arbitrage bonds” 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 Bond proceeds or (ii) the failure to pay any required rebate of 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 “private activity bonds.”

**SECTION 6. Parties Interested Herein.** Nothing in this First Supplemental Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the City, the Paying Agent and the Owners of the Bonds any right, remedy or claim under or by reason of this First Supplemental Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this First Supplemental Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent and the Owners of the Bonds.

**SECTION 7. No Recourse on the Bonds.** No recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this First Supplemental Ordinance against any member of the Governing Authority or officer of the City or any person executing the Bonds.

**SECTION 8. Successors and Assigns.** Whenever in this First Supplemental Ordinance the City is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this First Supplemental Ordinance contained by or on behalf of the City shall bind and enure to the benefit of its successors and assigns whether so expressed or not.

**SECTION 9. Execution.** The Governing Authority does hereby authorize the Executive Officers of the City to execute, on behalf of the City, the Bond and the Loan and Pledge Agreement in form substantially as attached hereto as Exhibits A and B, respectively, as well as such other documents and instruments as may be necessary, in their collective discretion and with the approval of Bond Counsel, City Counsel and Department Counsel, to carry out and give effect to the transaction herein described.

**SECTION 10. Severability.** In case any one or more of the provisions of this First Supplemental Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this First Supplemental Ordinance or of the Bonds, but this First Supplemental 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 enacted after the date of this First Supplemental Ordinance which validates or makes legal any provision of this First Supplemental Ordinance or the Bonds which would not otherwise be valid or legal shall be deemed to apply to this First Supplemental Ordinance and to the Bonds.

**SECTION 11. Publication; Peremption.** This First Supplemental Ordinance shall be published one time in the official journal of the City, or if there is none, in a newspaper having general circulation in the City. It shall not be necessary to publish the exhibits to this First Supplemental Ordinance but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty (30) days after the date of such publication any persons in interest may contest the legality of this First Supplemental Ordinance and any provisions herein made for the security and payment of the Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this First Supplemental Ordinance and the provisions hereof or of the Bonds authorized hereby for any cause whatsoever. If no suit, action, or proceeding is begun contesting the validity of the Bonds authorized pursuant to this First Supplemental Ordinance within the thirty days herein prescribed, the authority to issue the Bonds or to provide for the payment thereof, and the legality thereof, and all of the provisions of this First Supplemental Ordinance and such Bonds shall be conclusively presumed, and no court shall have authority or jurisdiction to inquire into any such matter.

**SECTION 11. Effective Date.** This First Supplemental Bond Ordinance shall become effective ten (10) days from the date of publication in the City's official journal.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Irwin, and seconded by Mr. Williams, and adopted on the 21<sup>st</sup> of September, 2010, by the following vote:

No Public Comment

Ayes: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

Nays: none

Absent: none

Abstain: none

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DAVID JONES

PRESIDENT

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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.

**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 September 21, 2010, and of an 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, Louisiana, on this 21st day of September, 2010.

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Helen Thornton, City Clerk

[S E A L]

The following Ordinance offered and adopted:

**Ordinance No. 90 Of 2010**

**AN ORDINANCE TO DECLARE THE APPROXIMATELY 6.03 ACRE TRACT OF LAND DESCRIBED AS LOTS 29, 30, 31, 48, 49 & 50, ALL IN THE RE-SUBDIVISION OF LOT 22, DILLARD PLACE SUBDIVISION, IN BOSSIER PARISH, LOUISIANA SURPLUS TO THE NEEDS OF THE CITY AND AFTER ADVERTISING SAME THE REFERENCED PROPERTY SHALL BE SOLD TO THE HIGHEST BIDDER FOR NOT LESS THAN \$1,860,000.00 SUBJECT TO THE TERMS AND CONDITIONS LISTED HEREIN.**

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**WHEREAS**, the property described herein lies west of First Baptist Church and between Beckett Street and Texas Avenue in Bossier City, Louisiana; and

**WHEREAS**, the referenced property was appraised by Robert L. Russell, MAI on May 7, 2010 for First Baptist Church of Bossier attached hereto; and

**WHEREAS**, said sale shall be contingent on purchaser bearing all cost of environmental analysis, closing costs, and purchaser entering into a cooperative endeavor agreement with the City to provide for over flow parking at mutually acceptable times;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that the approximately 6.03 acre tract of land described as Lots 29, 30, 31, 48, 49 & 50, all in the re-subdivision of Lot 22, Dillard Place Subdivision, Bossier Parish, Louisiana is hereby declared surplus to

the needs of the City and after advertising same shall be sold for not less than \$1,860,000.00.

**BE IT FURTHER ORDAINED**, that the sale of said property shall be contingent on purchaser bearing all expenses for environmental analysis, closing costs and purchaser entering into a cooperative endeavor agreement with the City to provide for reciprocal over flow parking at mutually acceptable times.

**BE IT FURTHER ORDAINED**, that the City of Bossier City hereby expressly reserves unto itself, and its successors and assigns, in perpetuity, all of the oil, gas and minerals in, on and under the Property, including all rights related thereto; provided, however, City expressly renounces and waives its rights of ingress and egress to search for, drill for, produce, hold or process minerals from, on or over the Property, and City waives any rights to otherwise conduct other operations on the Property. Without limiting the generality of the foregoing, minerals may be extracted by directional drilling from adjacent property or by pooling methods in which drilling takes place on other property.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Knight, and seconded by Mr. Jones, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**David Jones, President**

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**Helen Thornton, City Clerk**

The following Ordinance offered and adopted:

**Ordinance No. 91 Of 2010**

**AN ORDINANCE ADOPTING THE ATTACHED LIST OF 2007 BOND TRANSPORTATION IMPROVEMENT PROJECTS, APPROPRIATING THE FUNDS ALLOCATED FOR PROJECTS LISTED THEREIN AND REIMBURSING CERTAIN PROJECTS FROM THE HOTEL MOTEL TAX FUND.**

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**WHEREAS**, the attached list of 2007 Bond Transportation Improvement Fund projects reflect the current plan for use of funds from the referenced bond issue and this list will be modified on an annual basis to reflect any changes or adjustments approved by the Bossier City Council; and

**WHEREAS**, funds have been accumulated in the Hotel Motel Tax Fund which can be used to reimburse funds for Riverfront Development Projects, i.e. Traffic Street, Fire Station No. 6, and Arthur Ray Teague Parkway which in turn will provide additional funds to apply to other projects or to remain in a contingency fund.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that the attached list of 2007 Bond Transportation projects is hereby adopted and funds allocated for projects listed therein are appropriated for the referenced projects; and.

**BE IT FURTHER ORDAINED**, that funds from the Hotel Motel Tax Fund in the amount of \$7.5 million dollars are hereby appropriated to reimburse the Transportation Improvement Fund for the Traffic Street Project, Fire Station No. 6 and the Arthur Ray Teague Parkway to the extent those funds will cover any portion of the costs of these specific projects.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Williams, and seconded by Mr. Jones, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**David Jones, President**

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**Helen Thornton, City Clerk**

The following Ordinance offered and adopted:

**ORDINANCE NO. 92 OF 2010**

**AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE CITY OF BOSSIER CITY BY ANNEXING A TRACT OF LAND CONTAINING 4.768 ACRES, MORE OR LESS, LOCATED IN SECTION 19 AND 30, TOWNSHIP 17 NORTH, RANGE 12 WEST, BOSSIER PARISH, LOUISIANA.**

**(BARKSDALE BOULEVARD & SLIGO ROAD)**

**AND A TRACT OF LAND LOCATED IN SECTIONS 19 AND 30, TOWNSHIP 17 NORTH, RANGE 12 WEST, BOSSIER PARISH, LOUISIANA.**

**(PAMPUS LANE & SLIGO ROAD)**

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**WHEREAS**, a petition signed by the property owner has been filed with the City Council of the City of Bossier City, requesting that the property described in Exhibit "A" and Exhibit "B", attached and made a part hereof, be included in the City Limits of the City of Bossier City Parish of Bossier, Louisiana, subject to the conditions set forth herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Bossier City, in regular session convened, that the limits and boundaries of the City of Bossier City are hereby enlarged and extended so as to include with the limits and boundaries of the City of Bossier City, the property described in Exhibit "A" and Exhibit "B".

**BE IT FURTHER ORDAINED**, that the final adoption of this Ordinance is contingent upon approval of the annexation by the United States Department of Justice.

**BE IT FURTHER ORDAINED**, that the above referenced annexed area shall be in Council District Number 1 of the City of Bossier City, Louisiana.

**BE IT FURTHER ORDAINED**, that all Ordinances, or parts of Ordinances, in conflict herewith are hereby repealed.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Mr. Irwin, seconded by Mr. Knight, and adopted on this the 21<sup>st</sup> day of September, 2010 by the following vote:

No Public Comment

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

NAYES: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

**The following Ordinance offered and adopted:**

**Ordinance No. 93 Of 2010**

**AN ORDINANCE APPROPRIATING \$85,000.00 DOLLARS FROM THE SALES TAX CAPITAL IMPROVEMENT FUND TO HIRE BEAST ENGINEERING, INC. TO MANAGE THREE FEDERAL FUND PROJECTS, STOCKWELL ROAD, GREENACRES STREET PANEL REPLACEMENT AND THE BENTON ROAD LANDSCAPE PROJECT.**

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**WHEREAS**, to meet federal requirements regarding the expenditure of federal funds, it is necessary to have the referenced projects managed by a professional knowledgeable in that process; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that \$85,000.00 dollars is hereby appropriated from the Sales Tax Improvement Fund to hire Beast Engineering, Inc. to manage the Stockwell Road Project, Greenacres Place Street Replacement Project and the Benton Road Landscape Project.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Knight, and seconded by Mr. Jones, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**David Jones, President**

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**Helen Thornton, City Clerk**

The following Ordinance offered and adopted:

**Ordinance No. 94 Of 2010**

**AN ORDINANCE AUTHORIZING THE CITY OF BOSSIER CITY TO ENTER INTO A LOCAL SERVICES AGREEMENT WITH THE PARISH OF BOSSIER AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS IN FUTURE THEREOF**

**WHEREAS**, the Parish of Bossier and the City of Bossier City mutually benefit from the development of infrastructure which enhances existing businesses and encourages the development of new business entities in both the Parish of Bossier and the City of Bossier City; and

**WHEREAS**, the Parish of Bossier and the City of Bossier City have engaged in joint endeavors regarding the development of parks, industrial parks, research parks, juvenile detention facilities, jail operations, and street, highway or road projects, zoning master plans and a uniform development code of which benefits the citizens of Parish of Bossier and the City of Bossier City; and

**WHEREAS**, a Local Services Agreement between the Parish of Bossier and the City of Bossier City will facilitate intergovernmental functions to provide greater economy and efficiency in the operation of local services; and

**WHEREAS**, the citizens of the City of Bossier City and the Parish of Bossier will benefit from the elimination of traffic congestion caused by improvement in the flow of traffic through Bossier City and Bossier Parish as well as the economic development stimulated by road and street improvements in the following projects: Bellevue Road Improvement Project, Arthur Ray Teague Parkway Extension Project, Sligo Road Widening, Rebouche Road Improvement, Arthur Ray Teague Parkway Extension North and South including the Traffic Street Widening Project, Texas Street Improvement Project (Highway 80), Hamilton Road Improvement Project with overpass over Union Pacific Railroad, Viking Drive Improvement, Airline Drive Underpass at KCS Crossing, Stockwell Road, Shed Road Widening Project, Swan Lake Road Widening Project, Old Minden Road Extension Project, Swan Lake Realignment Project, Wemple Road Improvements, North Bossier Shared Use Trail (S. P. No. 744-08-0005), Green Road, Tall Timbers Lateral Improvements – Phase 3, Statewide Flood Control, (S. P. No. 576-08-0001) (333), Caplis Sligo Road Bridge over Flat River, (S. P. No. 713-08-0110), Parks Road Realignment , Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, State of Louisiana, Palmetto Road Improvement, Poole Road Bridge

Replacement, Wastewater Treatment Facilities Improvements, Wastewater Collection System Contract No. 1, Wastewater Collection System Contract No. 2, Wastewater Collection System Contract No. 3, Shared Use Trail, Tall Timbers Lateral Improvements (Tall Timbers – Phase 3), Palmetto Road Widening Phase 1; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of Bossier City, Louisiana in regular session convened, that the City of Bossier City and the Parish of Bossier are joining together to plan, finance, construct, acquire, and /or improve public projects, servitudes, rights of way, easements, streets, highways and roads within the Parish of Bossier and the City of Bossier City ; to operate and maintain such public projects or improvements necessary or incidental thereto and to avail themselves of the method of acquisition of public projects, servitudes, rights of way, easements, streets, highways and roads within the City of Bossier City and/or the Parish of Bossier specifically allowed by LSA-R.S. 33.1329, all for and on behalf of the residents of the City of Bossier City and the Parish of Bossier; and

**BE IT FURTHER ORDAINED**, that the City of Bossier City and the Parish of Bossier shall have the right individually or jointly to acquire property pursuant to LSA-R. S. 33:1329 in furtherance of the development of the following joint projects: Bellevue Road Improvement Project, Arthur Ray Teague Parkway Extension Project, Sligo Road Widening, Rebouche Road Improvement, Arthur Ray Teague Parkway Extension North and South including the Traffic Street Widening Project, Texas Street Improvement Project (Highway 80), Hamilton Road Improvement Project with overpass over Union Pacific Railroad, Viking Drive Improvement, Airline Drive Underpass at KCS Crossing, Stockwell Road, Shed Road Widening Project, Swan Lake Road Widening Project, Old Minden Road Extension Project, Swan Lake Realignment Project, Wemple Road Improvements, North Bossier Shared Use Trail (S. P. No. 744-08-0005), Green Road, Tall Timbers Lateral Improvements – Phase 3, Statewide Flood Control, (S. P. No. 576-08-0001) (333), Caplis Sligo Road Bridge over Flat River, (S. P. No. 713-08-0110), Parks Road

Realignment , Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, State of Louisiana, Palmetto Road Improvement, Poole Road Bridge Replacement, Wastewater Treatment Facilities Improvements, Wastewater Collection System Contract No. 1, Wastewater Collection System Contract No. 2, Wastewater Collection System Contract No. 3, Shared Use Trail, Tall Timbers Lateral Improvements (Tall Timbers – Phase 3), Palmetto Road Widening Phase 1, being joint projects of both entities; and

**BE IT FURTHER ORDAINED**, that Lorenz Walker, Mayor is authorized to sign the Local Services Agreement containing, the provisions set forth herein between the City of Bossier City and the Parish of Bossier; and

**BE IT FURTHER ORDAINED**, that the City of Bossier City authorizes the City Attorney to take whatever action necessary in furtherance of the joint project set forth herein. 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 and to this end the provisions of this ordinance are hereby declared severable.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Darby, and seconded by Mr. Knight, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**David Jones, President**

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Helen Thornton, City Clerk

The following Ordinance offered and adopted:

**Ordinance No. 95 Of 2010**

**AN ORDINANCE PURSUANT TO LSA-R.S. 33.2481.4 AND 2541.1 CREATING THE POSITION OF DEPUTY CHIEF OF POLICE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO:**

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**WHEREAS**, the legislative in the 2010 legislative session granted the municipal governing authority the ability to create by ordinance the position of Deputy Chief of Police as an classified position in the Police Department; and

**WHEREAS**, in order to be appointed to this position the candidate shall have not less than eight years of full time law enforcement experience and shall at least hold the rank of sergeant in the classified police service at the time of his appointment; and

**WHEREAS**, the Deputy Chief shall be a member of the same department as the chief of police at the time of appointment and shall be selected by the Chief of Police, subject to approval of the appointing authority; and

**WHEREAS**, the Deputy Police Chief may have direct supervision over all positions in the classified service below the rank of assistant police chief; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of Bossier City, Louisiana in regular session convened, that there is hereby established the classified position of Deputy Chief in the Bossier City Police Department; and

**BE IT FURTHER ORDAINED** that the Deputy Chief of Police shall have direct supervision over all positions in the classified service below the rank of assistant Chief of Police; and

**BE IT FURTHER ORDAINED** that the duties of the Deputy Chief of Police shall include:

1. Assists the Police Chief in planning, directing, and supervising the operations of the department.
2. Instructs subordinate officers as to methods, procedures, and policies.
3. Assigns tasks to subordinates and reviews their work.
4. Assists in planning and directing the comprehensive activities of the police department.
5. Assist in identification and development of new programs, systems, procedures, or equipment to improve performance of the agency in compliance with applicable standards.
6. Drafts new directives.
7. Takes personal charge of major cases where unusual or difficult problems of police operation and procedures become apparent.
8. Investigates various complaints, particularly those involving departmental personnel.
9. Cooperates with and aids other law enforcement agencies.
10. Develops and effectuates plans for effective patrol of the city, particularly in areas and periods of high crime incident.
11. Develops and maintains methods and procedures to provide for the receipt of information concerning violations of the law both before and after such violations occur.
12. Provides for the collection, filing, storing, and recording of all types of records and reports used by the police department, including traffic, criminal, personnel, financial and budgetary.
13. Assists in the preparation of the departmental budget and operates within it.
14. Manages the work of subordinate supervisors who are responsible for law enforcement functions of the department, including patrol, traffic control, and accident investigation, criminal investigations, division of special investigations, special operations, operations of the jail, information services, communications and records reporting and keeping.
15. Performs any related duties assigned or set forth by the Police Chief.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jones, and seconded by Mr. Williams, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

The following Ordinance offered and adopted:

**Ordinance No. 96 Of 2010**

**AN ORDINANCE APPROPRIATING \$13,364.60 FROM THE SALES TAX CAPITAL IMPROVEMENT FUND TO PURCHASE A TOTAL STATION AND RELATED EQUIPMENT TO CAPTURE GPS COORDINATES AND OTHER RELEVANT DATA DURING CRIME SCENE INVESTIGATIONS.**

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**WHEREAS**, technology has advanced allowing criminal investigators to capture exact coordinates to more accurately map a crime scene; and

**WHEREAS**, the measure of accuracy provided by this system is the standard in law enforcement investigations; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that \$13,364.60 is hereby appropriated from the Sales Tax Capital Improvement Fund to purchase a total station and related equipment.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Darby, and seconded by Mr. Darby, and adopted on the Mr. Williams the 21st day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

The following Ordinance offered and adopted:

**Ordinance No. 97 Of 2010**

**AN ORDINANCE TO APPROPRIATE \$12,500.00 FROM THE SALES TAX CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A K-9 TO REPLACE "BRONCO" WHO PASSED AWAY.**

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**WHEREAS**, K-9 Bronco recently passed away and the BCPD is in need of a replacement for him; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that \$12,500.00 is hereby appropriated from the Sales Tax Capital Improvement Fund to purchase a replacement K-9 for the Bossier City Police Department.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Williams, and seconded by Mr. Darby, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

The following Ordinance offered and adopted:

**Ordinance No. 98 Of 2010**

**AN ORDINANCE APPROPRIATING \$55,000.00 FROM THE SALES TAX CAPITAL IMPROVEMENT FUND TO REPLACE THE SERVICE WEAPONS FOR THE BOSSIER CITY POLICE DEPARTMENT AND PURCHASE AMMUNITION FOR THE SAME.**

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**WHEREAS**, the Bossier City Police Department adopted the Glock Model 22, .40 caliber pistol in 1993 as the standard carry weapon for the department; and

**WHEREAS**, approximately 170 of these weapons are still in service; and

**WHEREAS**, the “night sights” have faded and the worn out magazines are causing malfunctions with the weapons rendering the guns dysfunctional; and

**WHEREAS**, the existing weapons can be traded in for a value of \$60,585.00 reducing the cost of acquiring new generation 4 glock pistols to \$45,915.00; and

**WHEREAS**, ammunition will need to be purchased at the same time at a cost of \$7,055.00 leaving a \$2,300.00 contingency should prices vary from previous quotes at the time of purchase;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that \$55,000.00 is hereby appropriated from the Sales Tax Capital Improvement Fund to replace the service weapons for the Bossier City Police Department and to purchase ammunition for the same.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Williams, and seconded by Mr. Darby, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

The following Ordinance offered and adopted:

**Ordinance No. 99 Of 2010**

**AN ORDINANCE ESTABLISHING BUILDING RESTRICTIONS ON THE PROPERTY DESCRIBED IN EXHIBIT "A".**

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**WHEREAS**, the property described in Exhibit "A" is in close proximity to City Hall and the City has a vested interest in ensuring that facilities compatible with the City government are developed on the property described herein; and

**WHEREAS**, restrictions on the property described herein will ensure that any development located on the property will be compatible with City Hall;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that all applications for development on this property shall be submitted to the Bossier City Council for design review and must be approved before a permit can be issued. The following shall be considered in reviewing architectural standards:

**Materials:**

Materials shall be appropriate for the use of building and for relationship to other materials including those used on buildings in surrounding areas.

Acceptable

Not Permitted

Brick

Metal Siding

Stone

Painted Concrete Block

Wood

Vinyl Siding

Cementitious Siding

Corrugated Metal Siding

Artificial Slate  
Concrete Systems

Standard Single or Double Tee

Stucco

EFIS

**Color:**

Use muted earth tone tints of color such as reds, browns, tans, grays, and greens. Avoid primary colors or bright accent colors as well as stark contrast colors. Avoid white by using cream colors.

**Building Orientation:**

Orient entrances for convenient access from adjacent building, sidewalks, parking, and bike paths.

Buildings shall be sited so that their main entrances are facing the street on which they are located. Building should respect the orientation of neighboring buildings and neighboring developments. i.e., the main entrance façade should not face another buildings rear or service façade.

If a building has more than one orientation, i.e., it faces a major arterial while other elevations are facing a collector or local streets, it shall have a secondary entrance façade.

**Roofs:**

Use gabled, hipped or other roof forms that relates to residential developments. The use of parapets roofs should be limited.

Rooftop access should be provided internally; the utilization of external ladders should be avoided.

**Roof Top Utilities:**

Screen all rooftop mechanical and communication equipment from public view from adjacent streets and adjoining developments.

Rooftop screen shall be integrated into the architecture of the building in terms of materials and details. Ideally, the screening of the rooftop equipment shall be a part of the roof form.

**Screening Fences:**

Screening fences should be constructed of wood, brick, stone, and decorative wrought iron only in conjunction with masonry fencing. Chain-link, slats, metal panel, barbed wire and razor wire are prohibited.

**Signs:**

On-premise signs shall be monument signs only. No pole signs shall be allowed. Refer to the Unified Development code for height and size limitations.

**Site Lighting**

All lighting should create safe lighting conditions for visibility, accent important elements of landscape and create clear visual nighttime order to the site. Refer to Unified Development Code for lighting requirements.

**Zoning:**

Property cannot be rezoned to a zoning classification that is less restrictive than the current, unless an allowed use requires a more restrictive zoning classification.

**BE IT FURTHER ORDAINED** that the following restrictions shall apply to the property described in Exhibit "A".

### **Temporary Uses:**

No temporary uses shall be allowed on the property described herein.

### **Outdoor Storage:**

Storage of equipment, materials, motor vehicles, boats, trailers, recreational vehicles, portable storage containers, or the like are shall not be kept or stored on any lot or yard within the property described herein.

### **Prohibited Uses**

- (1) There shall be no alcoholic sales of any type, including but not limited to beer, wine, wine coolers, low content liquor and any other type of alcoholic beverage as may be defined by Louisiana, Bossier Parish or Bossier City statutes, laws, ordinances and/or regulations.
- (2) It is prohibited to have any automobile, motorcycle, truck, trailer (all types including "U-Haul"), tractor, mobile home, boat or any other type of vehicle sales, rentals, repairs, salvage, wrecking, and/or storage, including the overnight parking of any "18 wheeler" type of vehicles.
- (3) There shall be no movie Theater, showing "X" rated, "adult" or pornographic films of any type; fireworks sales; pornographic or pornographic type literature sales, "X" rated or "adult" video tape or rentals; outdoor advertising, billboards, portable or temporary signs, except as may be specifically provided elsewhere herein; or gaming operations and any devices related thereto.
- (4) No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall oil, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any Lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any Lot.
- (5) All utilities on subject property must be underground throughout the development with the entry of the utilities located as unobtrusively as possible. All storm drainage must be underground and designed and certified as to capability by a registered Civil Engineer.
- (6) All commercial dumpsters and trash handling equipment shall be located as inconspicuously as possible and shall be shielded on three sides with a barrier constructed of material generally matching other building construction materials. Optionally, a lesser grade or alternate type of material may be used provided a heavy landscape shielding is provided. In no event shall any such equipment be prominently displayed to any major traffic area.
- (7) No parking of large trucks and trailers is permitted, except for normal deliveries. No delivery trucks may be used for storage or for overnight parking.
- (8) No fast food or high turnover restaurants may be located on the referenced property.
- (9) No gas stations, auto repair, body shops, pawn shops, or auto salvage business may be located on the referenced property.
- (10) No theaters, strip centers, or retail shops may be located on the referenced property.

**BE IT FURTHER ORDAINED** that the following permitted uses may be allowed:

- Day Care Facilities
- Private Educational Facilities
- Government Facilities
- Religious Institutions
- Offices

**BE IT FURTHER ORDAINED** the City Council of Bossier City, Louisiana, in regular

session convened, does hereby declare that the subject property shall be held, sold and conveyed

subject to the afore mentioned easements, restrictions, covenants, and conditions, which are for

the purpose of protecting the value and desirability of, and which shall run with, the real property

and be binding on all parties having any right, title or interest in the subject property.

Invalidation of any one of these covenants or restrictions by judgment or court order shall

in no way affect any other provisions which shall remain in full force and effect.

These restrictions shall run with and bind the land indefinitely, and shall, for all purposes be recognized as “Permanent Restrictions” on the subject property.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jones, and seconded by Mr. Knight, and adopted on the 21st, day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**David Jones, President**

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**Helen Thornton, City Clerk**

**EXHIBIT "A"**

AN APPROXIMATELY 6.03 ACRE TRACT OF LAND DESCRIBED AS LOTS 29,  
30, 31, 48, 49 & 50 ALL IN THE RE-SUBDIVISION OF LOT 22, DILLARD PLACE  
SUBDIVISION, IN BOSSIER PARISH, LOUISIANA

Hearing of demolition of property located at 200 Benoist Circle, Bossier City, Louisiana, this item continued from the August 17, 2010 Regular Council Meeting.

Mickey Frazier, Code Enforcement, stated David Adams had purchased the property and had taken out permits September 10, 2010 to renovate 200 Benoist Circle.

By: Mr. Williams

Motion made to remove this item from anymore action from City Council

Seconded by Mr. Knight

No Public Comment

Vote in favor of motion is unanimous.

By: Mr. Williams

Motion made to introduce Ordinance to adopt a Solar (PV) System and Solar Hot Water System Building Code and Regulations.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

The following Resolution offered and adopted:

#### Resolution No. 34 Of 2010

**A RESOLUTION AUTHORIZING THE HIRING OF 1 AUTO MECHANIC III TO REPLACE A POSITION THAT HAS BEEN VACATED.**

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**WHEREAS**, an auto mechanic III position has been vacated and needs to be replaced; and

**WHEREAS**, an auto mechanic III with auto air conditioner experience can be hired to fill this vacancy which will save significantly on automobile air conditioning repairs;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to hire 1 auto mechanic III.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Knight, and seconded by Mr. Jones, and adopted on the 21st, day of September, 2010 by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**David Jones, President**

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**Helen Thornton, City Clerk**

**The following Resolution offered and adopted:**

**RESOLUTION NO. 35 OF 2010**

A RESOLUTION CERTIFYING OFF-SYSTEM BRIDGE PROGRAM COMPLIANCE FOR 2011 FOR THE CITY OF BOSSIER CITY, LOUISIANA

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**WHEREAS**, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected and rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards, and that an inventory of these bridges be maintained by each State; and

**WHEREAS**, responsibility to inspect, rate, and load post these bridges under the authority of Bossier City in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Bossier Parish, and is delegated by Bossier Parish to Bossier City.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing authority of Bossier City (herein referred to as the City), that the City in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD), to qualify for program participation for the period of 1 October, 2010, through 30 September, 2011:

1. The City has performed all interim inspections on all City owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. All bridges owned or maintained by the City have been structurally analyzed and rated by the City as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges, where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above, has been critically reviewed by the City. Load posting information has been updated by the City to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.
3. All City owned or maintained bridges which require load posting or closings are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the City prior to load posting.
4. All bridges owned or maintained by the City are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the City by the LA DOTD are noted.

These stipulations are prerequisites to participation by Bossier Parish and Bossier City in the Off-System Bridge Replacement Programs.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Knight, and seconded by Mr. Jones, and adopted on the 21st day of September, 2010, by the following vote:

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

**Public Hearing was conducted by Bob Brown, Director of Community Development, for Bossier City's 2011 CDBG Action Plan**

**No Public Comment  
Public Hearing closed**

#### RESOLUTION NO. 36 OF 2010

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 conservation 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 U.S. Department of Housing and 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 21\_\_\_\_ day of September\_, 2010 by the following vote is on motion of Mr. Knight and seconded by Mr. Darby.

No Public Comment

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

NAYS: none

ABSENT: none

ABSTAIN: none

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David Jones, President

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Helen Thornton, City Clerk

**By: Mr. Jones**

**Motion made to introduce Ordinance providing for the issuance and sale of Utilities Revenue Refunding Bonds, Series 2010 of the City of Bossier City, State of Louisiana.**

**Seconded by Mr. Montgomery**

**No Public Comment**

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

**By: Mr. Jones**

**Motion made to introduce Ordinance authorizing and providing for issuance of not to exceed \$24,000,000 of Public Improvement Sales Tax Refunding Bonds, Series 2010 of the City of Bossier City, State of Louisiana.**

**Seconded by Mr. Irwin**

**No Public Comment**

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

**There being no further business to come before this meeting, meeting adjourned at 3:46PM by President Jones.**

**Respectfully submitted:**

**Helen Thornton  
City Clerk**

**Publish: October 1, 2010  
Bossier Press Tribune**

