

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
SEPTEMBER 17, 2019

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 17, 2019, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Thomas Harvey

Roll Call as follows:

Present: Honorable Scott Irwin, President, Honorable Councilors David Montgomery, Jr., Timothy Larkin, Jeffery Darby, Don Williams, Jeff Free and Thomas Harvey

Absent: none

Also Present: Mayor, Lorenz Walker, Assistant City Attorney, Gordon Mosley and Acting City Clerk, Jennifer Emert

By: Mr. Williams

Motion to approve minutes September 3, 2019, Regular Meeting and dispense with the reading.

Seconded by Mr. Larkin

No comment

Motion carries unanimously

By: Mr. Montgomery, Jr.

Motion to add to agenda Item #6 Under New Business – Adopt an Resolution giving preliminary approval to the issuance of not to exceed Fifty Million Dollars (\$50,000,000) aggregate principal amount of Public Improvement Sales Tax Refunding Bonds of the City of Bossier City, State of Louisiana for the purpose of refinancing outstanding debt; providing certain terms of said bonds; making application to the State Bond Commission for approval of said bonds; and providing for other matters in connection therewith.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Agenda as amended.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

Ceremonial Matters/Recognition of Guests-

None

Committee Reports-

Stacie Fernandez, City Finance Director, gave monthly Financial Update for month ending August, noting that manning has stayed the same and sales tax numbers have improved some.

Mark Hudson, City Engineer, gave Monthly Project Report. All projects appear on schedule with the exception of the Highway 80 Project. Contractors are finding lots of issues underground which is causing project delays and change orders.

Unfinished Business -

The following Ordinance offered and adopted:

Ordinance No. 99 Of 2019

AN ORDINANCE AUTHORIZING THE CONSOLIDATION OF ALL CURRENTLY AVAILABLE AND FUTURE REVENUE SOURCES FOR WATER AND SEWER CAPITAL PROJECTS INTO TWO MAIN FUNDS: WATER CAPITAL AND CONTINGENCY (602) AND SEWER CAPITAL AND CONTINGENCY (603)

WHEREAS, the following funds have accumulated retained earnings over the years and have been deemed available for Utility Capital Projects:

1. \$3,300,000 from the Water Operating Fund (600) to the Water Capital and Contingency Fund (602)
 - a. Annual transfers of retained earnings will be worked into future budgets, beginning in 2020.

2. \$1,800,000 from Water Capital Improvement and Assessment Fund (612) to the Water Capital and Contingency Fund (602)
 - a. This is where we collect water impact fees.
 - b. No capital projects have been funded from 612 in a few years.
 - c. Annual transfers of revenue will be worked into future budgets, beginning in 2020.

3. \$1,000,000 from the Sewer Capital Improvements and Assessment Fund (613) to the Sewer Capital and Contingency Fund (603)
 - a. This is where we collect sewer impact fees.
 - b. No capital projects have been funded from 613 since 2007.
 - c. Annual transfers of revenue will be worked into future budgets, beginning in 2020.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that the consolidation of all currently available and future revenue sources for water and sewer capital projects into two main funds: Water Capital and Contingency (602) and Sewer Capital and Contingency (603) is hereby authorized.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and seconded by Mr. Timothy Larkin, and adopted on the 17th, day of September, 2019, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 100 of 2019

AN ORDINANCE DECLARING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AS SURPLUS TO THE NEEDS OF THE CITY OF BOSSIER CITY AND AUTHORIZING THE SAME TO BE ADVERTISED AND SOLD TO THE HIGHEST BIDDER FOR NOT LESS THAN THE APPRAISED VALUE OF ELEVEN THOUSAND FIVE HUNDRED AND NO/100 (\$11,500.00).

WHEREAS, the property attached hereto is a triangular parcel of land remaining from property acquisitions for the Arthur Ray Teague Parkway; and

WHEREAS, the City of Bossier City is required to maintain the parcel; and

WHEREAS, there are individuals interested in acquiring the referenced property; and

WHEREAS, it is in the best interest of the City of Bossier City to declare the property surplus to the needs of the City and have it sold to the highest bidder; and

WHEREAS, the referenced property was appraised by Chris Grisham Appraisals on August 15, 2019 for eleven thousand five hundred dollars and no/100;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that the sale of the property described in Exhibit "A" attached hereto shall be declared surplus to the needs of the City and advertised to be sold to the highest bidder for not less than the appraised value of eleven thousand five hundred dollars and no/100 (\$11,500.00).

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and seconded by Mr. Timothy Larkin, and adopted on the 17th, day of September, 2019, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: Mr. Williams

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 101 Of 2019

AN ORDINANCE APPROPRIATING TWENTY-SIX THOUSAND DOLLARS (\$26,000.00) FROM THE POLICE DEPARTMENT RMS AND CAD FUND TO PURCHASE THREE STALKER RADAR SPEED LIMIT TRAILERS.

WHEREAS, three Stalker Radar Speed Limit mobile units will increase awareness of speeds posted throughout the City of Bossier City;

WHEREAS, funds are available in the Records Management and Computer Aided Dispatch fund to purchase three of these units;

NOW, THEREFORE BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened that \$26,000.00 is hereby appropriated from the RMS and CAD fund to purchase three Stalker Radar Speed Limit Trailers;

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jeffery Darby, and seconded by Mr. Jeff Free, and adopted on the 17th, day of September, 2019, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 102 Of 2019

AN ORDINANCE APPROPRIATING FIVE-HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) FROM THE RIVERBOAT GAMING TRUST FUND TO REMOVE AND REPLACE THE EXISTING MONOPOLE LOCATED IN SOUTH BOSSIER WHICH FACILITATES PUBLIC SAFETY COMMUNICATIONS AND CITY WIDE COMMUNICATION.

WHEREAS, the current monopole is not located in the right location and is thus not properly licensed;

WHEREAS, the current monopole has a cracked slab and is in danger of collapsing;

WHEREAS, this project includes deconstruction of the existing monopole and construction of a taller monopole capable of adding additional capacity for future communication needs of the City of Bossier City;

NOW, THEREFORE BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened that \$550,000.00 is hereby appropriated from the Riverboat Gaming Trust Fund to replace the monopole in South Bossier;

BE IT FURTHER ORDAINED that Mayor Lorenz Walker is hereby authorized to execute a contract with Motorola Solutions/Shreveport Communications to provide a turnkey solution to accomplish this process;

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Timothy Larkin, and adopted on the 17th, day of September, 2019, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

New Business –

Agenda Item Called - Witness opening of sealed bids for Bid#19-20 – Meadowview Concessions/Restroom Project

Boggs & Poole	\$534,000.00
Cochran Construction Company	\$762,000.00
Daren Bailey, Inc.	\$755,000.00
Douglas Construction & Remodeling, Inc.	\$499,981.00
Dumas Construction	\$634,535.00
M & M Builders, Inc.	\$678,000.00
Thompson General Contractors, Inc.	\$695,000.00

By: Mr. Montgomery, Jr.
Motion to approve reading of bids.
Seconded by Mr. Williams
No comment
Vote in favor of motion is unanimous

Hearing to review the recommendation of demolition and removal of a dilapidated structure located at the following legal address: 4613 Voss Drive, Bossier City, LA

Mickey Frazier, Property Standards, spoke about process and that the property has been sold multiple times since it was originally condemned. Mr. Mosley reported that City has followed all legal requirements. Robin Harvill, City appointed attorney, reported that she hasn't been able to contact any of the property owners.

By: Mr. Montgomery, Jr.
Motion to demolish as soon as legally possible.
Seconded by Mr. Williams
No comment
Vote in favor of motion is unanimous

By: Mr. Harvey
Motion to introduce an Ordinance authorizing the sale of property located at the Southwest Corner of Ogilvie Street and Watson Street, Bossier City, Louisiana to Flying Heart Brewing, LLC for the appraised value pursuant to Louisiana R.S. 33:4712.
Seconded by Mr. Williams
No comment
Vote in favor of motion is unanimous

By: Mr. Williams
Motion to introduce an Ordinance appropriating \$850,000 from the 2016 Sales Tax Fund to design and construct bathroom facilities and additional parking for the Field of Dreams.
Seconded by Mr. Montgomery, Jr.
No comment
Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION 71 OF 2019

**A RESOLUTION AUTHORIZING THE HIRING OF AN OFFICE
MANAGER II FOR THE PUBLIC WORKS DEPARTMENT.**

WHEREAS, Ordinance No. 21 of 2018 implemented a requirement assuring that the City department budgets not be exceeded by any hiring of any personnel; and

WHEREAS, the position of Office Manager is vacant due to resignation; and

WHEREAS, the administration and the department assures that all current budgets have been verified and that no authorized salary has been exceeded; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to proceed with hiring procedures for the fulfillment of this position.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr. and seconded by Mr. Don Williams, and adopted on the 17th, day of September, 2019, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 72 of 2019

A resolution giving preliminary approval to the issuance of not to exceed Fifty Million Dollars (\$50,000,000) aggregate principal amount of Public Improvement Sales Tax Refunding Bonds of the City of Bossier City, State of Louisiana, for the purpose of refinancing outstanding debt; providing certain terms of said bonds; making application to the State Bond Commission for approval of said bonds; and providing for other matters in connection therewith.

WHEREAS, pursuant to the provisions of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the Louisiana Local Government Environmental Facilities and Community Development Authority (the "LCDA") has heretofore issued its Revenue Bonds (City of Bossier City Public Improvement Projects), Series 2010B (Taxable Direct Pay Build America Bonds) (the "Series 2010B Bonds"), of which \$47,465,000 is outstanding; and

WHEREAS, the LCDA loaned the proceeds of the Series 2010B Bonds to the City of Bossier City, State of Louisiana (the "City") pursuant to a Loan Agreement

dated as of October 1, 2010 by and between the LCDA and the City (the "Loan Agreement"); and

WHEREAS, in order to provide debt service savings, the City desires to refund all or a portion of its obligations owed pursuant to the Loan Agreement (the "Refunded Obligations"), pursuant to the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), through the issuance of its refunding bonds; and

WHEREAS, pursuant to the Act, and subject to the approval of the State Bond Commission, the City desires to accomplish the refunding through the issuance of not exceeding \$50,000,000 of its Public Improvement Sales Tax Refunding Bonds (the "Refunding Bonds"), payable as to both principal and interest solely from and secured by, equally with the Outstanding Parity Bonds (as hereinafter defined), an irrevocable pledge and dedication of the avails or proceeds of the special one percent (1%) sales and use tax authorized at elections held in the City on September 24, 1963, November 6, 1978, and May 16, 1981, said Tax now being levied and collected by the City pursuant to the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974 (the "Tax"); and

WHEREAS, the City has no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the avails or proceeds of the Tax, except its outstanding Public Improvement Sales Tax Refunding Bonds, Series ST-2010, currently outstanding in the amount of \$8,815,000 and maturing December 1, 2019 to December 1, 2022, inclusive; Public Improvement Sales Tax Refunding Bonds, Series 2015, currently outstanding in the amount of \$2,955,000 and maturing December 1, 2019 to December 1, 2025, inclusive; Public Improvement Sales Tax Refunding Bonds, Series 2016 (Taxable), currently outstanding in the amount of \$9,045,000 and maturing December 1, 2019 to December 1, 2022, inclusive; Public Improvement Sales Tax Revenue Bonds, Series ST-2016, currently outstanding in the amount of \$3,465,000 and maturing December 1, 2019 to December 1, 2035, inclusive ; and Public Improvement Sales Tax Revenue Bonds, Series ST-2017, currently outstanding in the amount of \$15,000,000 and maturing December 1, 2019 to December 1, 2036, inclusive (collectively, the "Outstanding Parity Bonds"); and

WHEREAS, the City desires to make formal application to the State Bond Commission for approval of the Refunding Bonds and further to employ professionals in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bossier City, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Bossier City, State of Louisiana (the "Issuer"), that:

SECTION 1. **Preliminary Approval of Refunding Bonds.** Preliminary approval is given to the issuance, in one or more series, of not exceeding \$50,000,000 aggregate principal amount of Public Improvement Sales Tax Refunding Bonds of the City of Bossier City, State of Louisiana (the "Refunding Bonds"), to be issued for the purpose of refunding the Refunded Obligations described in the preamble hereto, said Refunding Bonds to be secured by and payable as to both principal and interest solely from and secured by, equally with the Outstanding Parity Bonds (as defined in the preamble hereto), an irrevocable pledge and dedication of the avails or proceeds of the special one percent (1%) sales and use tax authorized at elections held in the Issuer on September 24, 1963, November 6, 1978, and May 16, 1981, said Tax now being levied and collected by the Issuer pursuant to the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974 (the "Tax"). The Refunding Bonds shall bear interest at a rate or rates not to exceed five percent (5.00%) per annum, to be determined by subsequent ordinance of this Governing Authority at the time of the sale of the Refunding Bonds, and shall mature no later than December 1, 2040. The Refunding Bonds shall be issued in fully registered form and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. **State Bond Commission.** Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Refunding Bonds and for consent and authority to proceed with the issuance and sale of the Refunding Bonds as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Issuer.

By virtue of applicant/issuer'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 it 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 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.

SECTION 3. **Employment of Bond Counsel.** This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Refunding Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Refunding Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Refunding Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Refunding Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of revenue bonds and based on the amount of said Refunding Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said bonds. If required by and pursuant to instructions from the Finance Director, said Bond Counsel shall cause to be prepared an official statement containing detailed and comprehensive financial and statistical data with respect to the sale of the Refunding Bonds, and the costs of the preparation and printing of said official statement shall be paid from the proceeds of the issue for which it has been prepared. Said official statement may be submitted to one or more of the nationally recognized bond rating service or services, together with a request that an appropriate rating be assigned. Payment for all ratings shall be made by the Finance Director upon presentation of appropriate statements from the particular rating service furnishing the ratings. The Finance Director is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel appended hereto. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written

approval of said employment and of the fees herein designated, and the Finance Director for the Issuer is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated without further approval of this Governing Authority.

SECTION 4. Appointment of Municipal Advisor. The Issuer hereby retains Argent Advisors, Inc. of Ruston, Louisiana, to act as its Municipal Advisor ("MA") pursuant to the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the rules promulgated thereunder by the Securities and Exchange Commission. The Issuer hereby acknowledges that it is represented by the MA and will rely upon the advice of the MA with respect to the Refunding Bonds. The fee to be paid the MA shall be payable solely from the proceeds of the Refunding Bonds when and if issued, and the amount thereof shall be subject to the approval of the State Bond Commission. The Director of Finance is hereby authorized and directed, in her discretion, to execute any contract the MA may require with respect to the engagement.

SECTION 5. Underwriter/Placement Agent. Raymond James & Associates, Inc. of New Orleans, Louisiana, is hereby appointed as underwriter/placement agent in connection with the sale and delivery of the Refunding Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Refunding Bonds and contingent upon the issuance of the Refunding Bonds; provided that no compensation shall be due to said underwriter/placement agent unless the Refunding Bonds are sold and delivered.

The above and foregoing Resolution, read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr. and seconded by Mr. Timothy Larkin, and adopted on the 17th day of September, 2019 by the following vote:

YEAS: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

STATE OF LOUISIANA
PARISH OF BOSSIER

I, the undersigned City Clerk of the City of Bossier, State of Louisiana (the "Issuer"), do hereby certify that the foregoing pages constitute a true and correct copy of a resolution adopted by the Issuer on September 17, 2019, giving preliminary approval to the issuance of not to exceed Fifty Million Dollars (\$50,000,000) aggregate principal amount of Revenue Refunding Bonds of the City of Bossier City, State of Louisiana, for the purpose of refinancing outstanding debt of the Issuer; providing certain terms of said bonds; making application to the State Bond Commission for approval of said bonds; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 17th day of September, 2019.

There being no further business to come before this Council, meeting adjourned at 3:35PM by Mr. Irwin

Respectfully submitted:

**Phyllis McGraw
City Clerk
Publish: September 25, 2019
Bossier Press Tribune**