

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
April 15, 2014

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, April 15, 2014, at 3:00 PM

Invocation was given by Council Member Scott Irwin

Pledge of Allegiance led by Council Member Thomas Harvey

Roll Call as follows:

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

All Present

Also Present: Mayor Lorenz Walker, Assistant City Attorney Truly McDaniels and City Clerk, Phyllis McGraw

By: Mr. Williams

Motion to approve the minutes of the April 1, 2014, Regular Meeting and dispense with the reading.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve agenda.

Seconded by Mr. Irwin

No Comment

Vote in favor of motion is unanimous

Recognition of Guests:

None

Committee Reports:

Joe Buffington, Finance Director, gave brief overview of the Financial Status of the City through March 31, 2014.

Old Business:

Agenda Item Called:

Adopt an Ordinance to amend Section 114-4 of the Code of Ordinances of Bossier City, Louisiana by amending Sewer Rates.

By: Mr. Montgomery

Motion to continue this item until the May 6, 2014 City Council Meeting.

Seconded by Mr. Larkin

No Comment

Vote in favor of motion is unanimous

New Business:

The following bids were read by Joe Buffington, Finance Director

Boardwalk Lift Station

1. Cecil D. Gassiott \$2,066,000

2. McInnis Brothers Construction \$1,296,700

By: Mr. Williams

Motion to take the bids under advisement

Seconded by: Mr. Free

No Comment

Vote in favor of motion is unanimous

The following Ordinance offered and adopted:

ORDINANCE NO. 35 OF 2014

AN ORDINANCE DECLARING THAT AN EMERGENCY DID EXIST IN THE CITY OF BOSSIER CITY WHICH AFFECTED PROPERTY, PUBLIC HEALTH, AND SAFETY DUE AN EMERGENCY RULING ISSUED BY THE LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS.

WHEREAS, an amoeba known as *Naegleria fowleri*, was discovered in a water system in the State of Louisiana, and

WHEREAS, such discovery prompted an emergency response and ruling by the Louisiana Department of Health and Hospitals requiring all water systems throughout the state to raise their minimum disinfectant level and increase their monitoring by twenty-five (25) percent, and

WHEREAS, the increased monitoring required the installation of and/or relocation of fifty-seven (57) sample stations throughout the City of Bossier City in order to substantially comply with said emergency ruling.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, hereby declares that this situation affected property, health, and safety due to the emergency ruling as issued by the Louisiana Department of Health and Hospitals.

BE IT FURTHER ORDAINED, that funds to comply with said ruling through sample station installation and relocation shall come from the water capital and contingency fund in the amount of (\$171,863.66) One Hundred Seventy-One Thousand, Eight Hundred Sixty-Three and 66/100 Dollars.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Scott Irwin, and seconded by Mr. Don Williams, and adopted on the 15th day of April, 2014, 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

Jeffery D. Darby, Council President

Phyllis McGraw, City Clerk

By: Mr. Williams

Motion to introduce an Ordinance authorizing the sale of a certain tract of land located on Swan Lake Drive consisting of .477 acres to Cross Bayou Properties, LLC for the appraised value pursuant to Louisiana R.S. 33:4712.2

Seconded by Mr. Darby

No Comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce a Supplemental Bond Ordinance authorizing issuance of not exceeding Ten Million Dollars, (\$10,000,000) of Taxable Utilities Revenue Bonds, Series 2014, 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.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

On Motion of Mr. Jeffery Darby, seconded by Mr. Scott Irwin, the following resolution was offered and introduced:

RESOLUTION NO. 21 OF 2014

A RESOLUTION AUTHORIZING THE CITY TO PROCEED WITH DEVELOPMENT OF A PROJECT INVOLVING ISSUANCE OF NOT EXCEEDING \$42,000,000 PRINCIPAL AMOUNT OF UTILITIES REVENUE BONDS, IN ONE OR MORE SERIES, FOR THE PURPOSE OF MAKING ADDITIONS, IMPROVEMENTS, EXTENSIONS, RENEWALS, REPLACEMENTS OR REPAIRS TO THE COMBINED WATERWORKS PLANT AND SEWER UTILITY SYSTEM OF THE CITY; MAKING APPLICATION TO THE LOUISIANA STATE BOND COMMISSION AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Bossier City, Louisiana (the "Issuer") is a duly created and validly existing body corporate, politic and political subdivision of the State of Louisiana, under and pursuant to the provisions of Article VI, § 2 of the

Louisiana Constitution of 1974, as amended, and a Charter adopted by the Issuer July 1, 1977, as amended; and

WHEREAS, the Issuer, owns and operates a combined waterworks plant and system and sewer utility system as a single revenue producing public utility (the “Utility System”);

WHEREAS, after examining available data, the Issuer has determined that there is a substantial need within the Issuer for making additions, improvements, extensions, renewals, replacements and/or repairs to the sewer portion of the Utilities System, and that issuance of its Utilities Revenue Bonds, in one or more series, will assist the Issuer in acquisition, construction and improvement of the sewer portion of the Utilities System; and

WHEREAS, pursuant to the provisions of Chapter 13 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:1421, *et seq.*) (the “Act”), the Issuer is authorized to issue its revenue bonds, in an amount not to exceed \$42,000,000, in one or more series (the “Bonds”), for the purpose of making additions, improvements, extensions, renewals, replacements and/or repairs to the sewer portion of the Utilities System, including such treatment facilities as may be required, with all necessary equipment and installations in connection therewith, the provision of which, to such extent and in such manner as is not or hereafter contemplated, shall be deemed an authorized public function under the provisions of the Act; and

WHEREAS, the Issuer reasonably expects to reimburse its expenditures incurred prior to issuance of the Bonds, if any, for the Project, from proceeds of the Bonds and to have this resolution serve as a declaration of intent under Section 1.150-2 of the United States Treasury Regulations issued pursuant to the Internal Revenue Code of 1986, as amended (“Code”);

WHEREAS, issuance of the Bonds will foster and be in furtherance of the objectives of the public service functions of the Issuer;

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

SECTION 1. The Issuer is hereby authorized to proceed with a plan for development of the Project involving the proposed issuance of revenue bonds of the Issuer in the aggregate principal amount not to exceed \$42,000,000, in one or more series, either as taxable or tax-exempt obligations, at a rate or rates not to exceed 6% per annum, for a term or terms not exceeding thirty (30) years from date of issuance of each individual series. The Bonds shall be issued for the purpose of (i) making additions, improvements, extensions, renewals, replacements and/or

repairs to the sewer portion of the Utilities System, including such treatment facilities as may be required, with all necessary equipment and installations in connection therewith, the provision of which, to such extent and in such manner as is not or hereafter contemplated, shall be deemed an authorized public function under the provisions of the Act, (ii) paying the costs of issuance associated with the Bonds, including the municipal bond insurance premium, and (iii) funding a debt service reserve fund or purchasing a surety bond, if required (the "Project"), said Bonds to be payable from and secured by an irrevocable pledge and dedication of the income, revenues and receipts derived or to be derived from operation of the Utility System, after provision has been made for payment therefrom of the reasonable and necessary expenses of administering, operating and maintaining the Utility System of the Issuer.

SECTION 2. The Issuer shall reimburse its expenditures incurred prior to issuance of the Bonds, if any, for the Project, from proceeds of the Bonds. This resolution serves as a declaration of the Issuer's intent, under Section 1.150-2 of the United States Treasury Regulations issued pursuant to the Internal Revenue Code of 1986, as amended ("Code"), to make such reimbursements. This Resolution evidences official intent of the Issuer toward issuance of its Bonds as contemplated herein in accordance with the laws of this State and the United States Treasury Regulations Section 1.150-2(e). The Bonds are not expected to exceed an aggregate principal amount of \$42,000,000.

SECTION 3. Government Consultants of Louisiana, Inc., Baton Rouge, Louisiana, is hereby appointed as financial advisor in connection with the Bonds.

SECTION 4. There being a real public necessity for retention and employment of legal counsel to provide specialized legal services in connection with issuance of the Bonds by the Issuer, and it appearing that the public interest requires obtaining of such specialized legal services, Joseph A. Delafield, A Professional Corporation, of Lake Charles, Louisiana ("Bond Counsel"), is hereby employed for such purposes. The fee for the work to be performed by Bond Counsel is contingent upon issuance, sale and delivery of the Bonds, and shall be in accordance with the maximum fee schedule of the Attorney General of the State of Louisiana for comprehensive legal and coordinate professional work of bond attorneys and bond counsel in the issuance of revenue bonds.

SECTION 5. The Clerk of the City Council is empowered, authorized and requested to forward to the Louisiana State Bond Commission a certified copy of this resolution which shall constitute a formal application as herein provided.

By virtue of the 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 6. The City Council hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City to do any and all things necessary and incidental to carry out the provisions of this resolution.

SECTION 7. Stephens Inc., Baton Rouge, Louisiana, and Sisung Securities Corporation, New Orleans, Louisiana, are hereby employed as co-managing underwriters in connection with the Bonds, compensation to be subsequently approved by the Issuer and to be paid from proceeds of the Bonds and contingent upon issuance of the Bonds; provided, no compensation shall be due to the underwriters unless the Bonds are issued and delivered and all costs must be reasonable and approved by the Issuer.

SECTION 8. The Issuer shall incur no financial liability for issuance of the Bonds, other than the filing fee with the Louisiana State Bond Commission, until such time as issuance of the Bonds has been approved by the Louisiana State Bond Commission and a bond ordinance has been duly approved and adopted by the Issuer.

SECTION 9. If any provision, item or application of this Resolution or the applications thereof are held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications; and, to this end, the provisions of this Resolution are hereby declared severable.

SECTION 10. This Resolution shall become effective immediately upon its adoption.

SECTION 11. All Resolutions in conflict herewith are hereby repealed.

The resolution having been submitted to a vote the vote thereon was as follows:

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

NAYS: none

ABSENT:none

This resolution was declared adopted on this 15th day of April, 2014.

JEFFERY D. DARBY, President

PHYLLIS McGRAW, Clerk of 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.

JEFFERY D. DARBY, President

PHYLLIS McGRAW, Clerk of Council

STATE OF LOUISIANA

PARISH OF BOSSIER

I, **PHYLLIS McGRAW**, 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 April 15, 2014, and of a resolution adopted at said meeting, as said minutes and resolution appear officially of record in my possession.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City of Bossier City, Louisiana, on this 15th day of April, 2014.

PHYLLIS McGRAW, Clerk of Council

[S E A L]

The following Resolution offered and adopted:

Resolution No. 22 Of 2014

**A RESOLUTION AUTHORIZING THE REPLACEMENT OF TWO CIVIC
CENTER EVENT COORDINATOR POSITIONS**

WHEREAS, It is necessary to replace two Event Coordinators at the Civic Center; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to replace two Event Coordinator positions at the civic center.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Jeffery Darby, and adopted on the 15th, day of April, 2014, 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

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 23 OF 2014

**A RESOLUTION TO HIRE PART-TIME EMPLOYEE TO REPLACE
VACANT POSITION IN PARKS & RECREATION.**

WHEREAS, the City Council of the City of Bossier City authorizes the hiring of part time worker to replace vacant position in Parks and Recreation.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Bossier City, in regular session convened, does hereby authorize the hiring of part time worker to replace vacant position in the Parks and Recreation Department.

The above and foregoing Resolution, read in full at open and legal session convened, was on motion of Mr. Don Williams and seconded by Mr. Jeffery Darby, and adopted on the 15th day of April, 2014, 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

Jeffery D. Darby, Council President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 24 OF 2014

A RESOLUTION AUTHORIZING THE HIRING OF A LABORER I TO FILL A VACANT POSITION IN PUBLIC WORKS

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring freeze requiring Bossier City Council approval for the hiring of any personnel;

WHEREAS, a Laborer I position in the Solid Waste division is vacant and filling this position will allow operations to continue.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to hire a Laborer I.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Scott Irwin, and second by Mr. Don Williams, and adopted on the 15th day of April, 2014, 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

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

By: Mr. Irwin

Motion to approve Report of Closeout Change Order for Golden Meadows #3 Lift Station Rehab Project, an increase of \$4,551.00. Total of Contract with increase \$97,551.00

Seconded by: Mr. Williams
No Comment
Vote in favor of motion is unanimous

By: Mr. Darby
Motion to approve Parade Fee Waiver for Walk with the Cross, April 18, 2014.

Seconded by Mr. Free
No Comment
Vote in favor of motion is unanimous

The following Resolution offered and adopted:

Resolution No.25 Of 2014

A RESOLUTION AUTHORIZING THE RESTRUCTURE OF FIRE DEPARTMENT PERSONNEL AT A COST SAVINGS OF \$67,324.53 DUE TO THE RETIREMENT OF AN ADMINISTRATIVE FIRE CHIEF.

WHEREAS, an administrative fire chief will be retiring May 31, 2014; and

WHEREAS, the duties of that position include budget and purchasing which will be absorbed by other personnel; and

WHEREAS, by restructuring the fire department personnel the position of Chief of Information services will be eliminated; and

WHEREAS, due to additional duties being absorbed the following changes are necessary:

- Increase the deputy chief pay by \$1,000.00 per month
- Promote the Information Services Chief to Administrative Assistant and eliminate the position of Chief of Information Services
- Increase Chief of EMS pay by \$607.00 per month.
- Promote One Assistant Chief of the Fire Line an 8 to 5 position to assist with operational duties.

WHEREAS, the above referenced restructuring will result in a \$67,324.53 savings to the fire department budget;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the fire department is hereby authorized to

- Increase the salary of the deputy chief by \$1,000.00 per month;
- Promote the chief of information services to administrative assistant and eliminate the position of Chief of Information Services;
- Increase the salary of the Chief of EMS by \$607.00 per month;
- Promote one Assistant Chief of The Fire Line an 8 to 5 position to assist with operational duties.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and seconded by Mr. Thomas Harvey, and adopted on the 15th, day of April, 2014 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

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

Hearing of Appeal for the removal of inoperable vehicle located at 2611 Hoyer Street belonging to Roger Reeves.

Mr. Frazier, Property Standards, went over process with Council. Roger Reeves 2611 Hoyer Street, Bossier City, was on hand to request 30 day extension to get automobile taken care of.

By: Mr. Williams

Motion to grant Mr. Hoyer a 30 day extension to get automobile taken care of. Seconded by Mr. Montgomery

Mr. Hoyer had concerns about other automobiles in area. Council stated could only take action on issue at hand

Vote in favor of motion is unanimous

Mr. Darby announces that there would not be a meeting on April 22, 2014.

Mayor Walker announced latest population estimate of 63,536

There being no further business to come before this meeting, meeting adjourned at 3:33 PM by Mr. Darby

Respectfully submitted:

Phyllis McGraw

City Clerk

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