

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
February 4, 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, February 4, 2014, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Don Williams

Roll Call as follows:

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

Also Present: Mayor Lorenz Walker, City Attorney Jimmy Hall and City Clerk, Phyllis McGraw

By: Mr. Williams

Motion to approve the minutes of the January 21, 2014, Regular Meeting and dispense with the reading.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to add #20 under New Business - Introduce and Ordinance transferring 2 Million Dollars from the Water Fund Retained Earnings to the Water Capital and Contingency Fund and appropriating \$6,145,000 Dollars to construct the Inland Raw Water Pump Station. (First Reading) (Hall)

Seconded by Mr. Larkin

No Comment

Vote in favor or motion is unanimous

By: Williams

Motion to add item #21 under New Business - Introduce an Ordinance appropriating \$300,000 from the Water Capital and Contingency Fund to construct the Industrial Drive Extension Water Loop. (First Reading) (Hall)

Seconded by Mr. Irwin

No Comment

Vote in favor or motion is unanimous

By: Mr. Williams

Motion to approve agenda as amended.

Seconded by Mr. Free

No Comment

Vote in favor of motion is unanimous

Committee Reports:

Gary Neathery, Public Works Director, update the Council on the progress of the new Solid Waste pickup service.

Old Business:

ORDINANCE NO. 12 OF 2014

AN ORDINANCE TO RE-INSTATE A NON-CONFORMING COMMERCIAL
RECREATION/ARCADE CENTER LOCATED AT 8070 EAST TEXAS STREET,
BOSSIER CITY, LA 71111

WHEREAS, a non-conforming Commercial Recreation/Arcade Center located at 8070 East Texas Street , Bossier City, LA 71111 has not been in operation for a period longer than six(6) months and has subsequently lost its legally non-conforming status, and

WHEREAS, the Commercial Recreation/Arcade Center had been in operation at this location previously, and

WHEREAS, the current owner, desires to lease the above property as a Commercial Recreation/Arcade Center again,

WHEREAS, the owner of the referenced property has been through a long process with the MPC and this has delayed the opening of his business.

NOW THEREFORE, BE IT ORDAINED, that by authority of this Council the legal non-conforming status of the above described property, as a Commercial Recreation/Arcade is reinstated for a period of 5(Five) years, subject to City Council review and potential renewal at the end of the 5(Five) year time period.

BE IT FUTHER ORDAINED that upon an affirmative vote of the majority of the Bossier City Council and meeting all the requirements of the building codes for a certificate of occupancy the owner shall be entitled to an accelerated certificate of occupancy irrespective of the normal time delays required to pass said ordinance.

Motion was made by Mr. Don Williams and seconded by Mr. Scott Irwin

to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 4th day of February, 2014.

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

NAYS: none

ABSTAIN: none

ABSENT: none

JEFFERY D. DARBY, PRESIDENT

PHYLLIS McGRAW, CITY CLERK

The following Ordinance offered and adopted:

Ordinance No. 13 Of 2014

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 FURTHERANCE THEREOF.

WHEREAS, the City of Bossier City and the Parish of Bossier mutually benefit from the development of infrastructure which enhances existing businesses

and encourages the development of new business entities in both the City of Bossier City and the Parish of Bossier; and

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

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

WHEREAS, the citizens of the Parish of Bossier and the City of Bossier will benefit by the development created by improving traffic across the parish including the City by improving streets and roads including the 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, Industrial Drive Water Line Extension Project, the Northeast Waste Water Treatment Plant to the CIC 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, Eastwood Drainage Project - State Project No. 576-08-0005 (Statewide Flood Control Construction Program), East West Corridor Project - State Project No. 700-08-0130, North South Corridor Project - State Project No. 702-08-0129, Wafer Road - State Project No. 700-08-0132, I-69 State Project No. 736-99-1032, North Shared Use Trail - Phase 2 and 3, Sligo Road Extension South to La 527 and Bellevue Road Drainage and Roadway Improvement Projects, Public Infrastructure Improvements for Margaritaville Casino/River Colony Road Improvement Project, New Barksdale Air Force Base Entrance at Bodcau Station Road (Bossier Parish Project No. 2013-399), Kingston Road Improvements (La 3 to Airline Drive), Off System Bridge Project - Koran Doyline Road/Clarke Bayou, Project No. H.009945, being joint projects of both entities; and

NOW THEREFORE, the City of Bossier City and the Parish of Bossier agree as follows:

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 with the Parish of Bossier and/or the City of Bossier; to operate and maintain such public projects or improvements necessary or incidental thereto and to avail themselves of the method of acquisition or public projects, servitudes, rights of way, easements, streets, highways and roads with the Parish of Bossier and/or the City of Bossier City, specifically allowed in La. R. S. 33:1329, all for and on behalf of the residents of the City of Bossier City and Parish of Bossier.

That the City of Bossier City and/or the Parish of Bossier shall have the right individually or jointly to acquire property pursuant to La. R. S. 33:1329 in furtherance of the 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, Eastwood Drainage Project - State Project No. 576-08-0005 (Statewide Flood Control Construction Program), East West Corridor Project - State Project No. 700-08-0130, North South Corridor Project - State Project No. 702-08-0129, Wafer Road - State Project No. 700-08-0132, I-69 State Project No. 736-99-1032, North Shared Use Trail - Phase 2 and 3, Sligo Road Extension South to La 527 and Bellevue Road Drainage and Roadway Improvement Projects, Public Infrastructure Improvements for Margaritaville Casino/River Colony Road Improvement Project, New Barksdale Air Force Base Entrance at Bodcau Station Road (Bossier Parish Project No. 2013-399), Kingston Road Improvements (La 3 to Airline Drive), Off System Bridge Project - Koran Doyline Road/Clarke Bayou, Project No. H.009945, being joint projects of both entities.

That the City of Bossier City and Parish of Bossier, in entering into this agreement, authorize their respective attorneys to take whatever action necessary in furtherance of the joint projects set forth herein.

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

BE IT FURTHER ORDAINED, THAT, that Mayor Lorenz Walker is authorized to sign the Local Services Agreement containing the provision set forth herein between the CITY OF BOSSIER and the PARISH OF BOSSIER.

BE IT FURTHER ORDAINED, that the City of Bossier City authorized the City Attorney to take whatever action necessary in furtherance of the joint project set forth herein.

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. Jeffery Darby, and adopted on the 4th, day of February, 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 Ordinance offered and adopted:

ORDINANCE NO. 14 OF 2014

AN ORDINANCE TO APPROPRIATE \$33,990.00 TO COME FROM THE SALES TAX CAPITAL IMPROVEMENT FUND TO BE USED TO COST SHARE WITH THE BOSSIER PARISH POLICE JURY TO STUDY THE “NO RISE” EFFECTS OF RAISING THE RED CHUTE BAYOU LEVEE.

WHEREAS, Ordinance No. 88 of 2012 appropriated \$28,750 from sales tax capital improvement funds to split the cost with the Bossier Parish Police Jury to study the effects of raising the Red Chute Bayou Levee; and

WHEREAS, the study is complete with a final invoice of \$67,980 with Bossier City and Police Jury’s share each being \$33,990; and

WHEREAS, no funds have been spent to date;

NOW, THEREFORE, BE IT ORDAINED that the City Council of Bossier City, in regular session convened, does hereby appropriate \$33,990 to come from the Sales Tax Capital Improvement Fund to be used to cost share with the Bossier Parish Police Jury to study the “no rise” effects of raising the Red Chute Bayou Levee.

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

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 4th day of February, 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

Ordinance No. 15 of 2014

AN ORDINANCE DECLARING K-9 OFFICER DERK RETIRED FROM SERVICE TO THE BOSSIER CITY POLICE DEPARTMENT AND DONATING HIM TO HIS PARTNER AND HANDLER, SERGEANT C. A. ESTESS OF THE BOSSIER CITY POLICE DEPARTMENT

WHEREAS, K9 Officer Derk is a 10-year old brindle Belgian Malinois with a date of birth of February 2, 2004. K9 Rex will be retired from service to the Bossier City Police Department and Sergeant C. A. Estess will accept full responsibility for him; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that K9 Officer Derk is hereby declared retired and same is authorized to be donated to Sergeant C. A. Estess of 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. Jeff Free, and seconded by Mr. Tommy Harvey, and adopted on the 4th, day of February, 2014, by the following vote:

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

NAYES: none

ABSENT: none

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

NEW BUSINESS:

The following ordinance offered and adopted:

ORDINANCE NO. 16 OF 2014

AN ORDINANCE AMENDING ORDINANCE NO. 126 OF 2003, BY CHANGING THE ZONING CLASSIFICATION OF A 1.581 ACRE TRACT OF LAND LOCATED IN SECTION 23, TOWNSHIP 18 NORTH, RANGE 13 WEST, AND BEING A PORTION OF LOTS 1-5 AND 7-11 OF MEADOWVIEW PARK SUBDIVISION UNIT 1, BOSSIER CITY, LA., FROM R-LD (RESIDENTIAL LOW DENSITY) TO B-3 (GENERAL BUSINESS DISTRICT) FOR FUTURE COMMERCIAL DEVELOPMENT. (City of Bossier City)

SECTION 1. BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that Ordinance No. 126 of 2003 of the City Council of the City of Bossier City, Louisiana, is hereby amended to provide that the zoning classification is hereby changed from R-LD, Residential-Low Density, to B-3,

General Business District, for the following:

A certain tract of land containing 1.581 acres, more or less, located in Section 23, Township 18 North, Range 13 West, and being a portion of Lots 1-5 and 7-11 of Meadowview Park Subdivision, Unit No. 1 as recorded in Conveyance Book 275, Page 223 of the Records of Bossier Parish, Louisiana and being more particularly described as follows:

BEGINNING at a found 3/4" iron road at the southeast corner of Lot 1 of said Meadowview Park Subdivision and thence proceed South 70°06' 17" West along the south line of said Lot 1 a distance of 110.75 feet to a set 1/2" iron pipe on the east right-of-way of Swan Lake Road as shown on Bossier City Project No. 38-07, Swan Lake Road Improvements; thence proceed along said east right-of-way the following two courses and distances: along a curve to the right, said curve have a radius of 620.00 feet (chord bearing North 26°02' 08" East a distance of 219.25 feet), an arc distance of 220.41 feet to a set 1/2" iron pipe and North 36°13' 11" East a distance of 444.31 feet to a set 1/2" iron pipe on the northeast lot line of Lot 11 of said Meadowview Park Subdivision; thence leaving the east right-of-way of Swan Lake Road proceed along the east boundary line of said Meadowview Park Subdivision the following three courses and distances: South 41°22' 05" East a distance of 64.01 feet to a set 1/2" iron pipe, South 23°10' 05" East a distance of 85.60 feet to a set 1/2" iron pipe and South 40°12' 52" West a distance of 512.07 feet to the POINT OF BEGINNING, all as further shown on a ground survey by Coyle Engineering Co., Inc. dated October 15, 2013, and being subject to any and all servitudes, easements and/or rights-of-way of record or of use.

Motion was made by Mr. Don Williams and seconded by Mr. Jeff Free

to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 4th day of February, 2014.

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

NAYS: none

ABSTAIN: none

ABSENT: none

JEFFERY D. DARBY, PRESIDENT

PHYLLIS MCGRAW, CITY CLERK

C-62-13

By: Mr. Irwin

Motion to approve Report of Change Order for Swan Lake Road Ball Park Parking Lot Expansion a decrease of \$5,830.00. Total Cost of contract with decrease \$157,755.00.

Seconded by: Mr. Larkin

No Comment

Vote in favor of motion is unanimous.

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

RESOLUTION NO. 5 OF 2014

A RESOLUTION AUTHORIZING THE CITY TO PROCEED WITH (i) ISSUANCE OF NOT EXCEEDING \$52,000,000 PRINCIPAL AMOUNT OF UTILITIES REVENUE BONDS, 2014 SERIES; AND (ii) DEVELOPMENT OF A PROJECT FOR ACQUISITION AND ESTABLISHMENT OF ADDITIONS TO AND IMPROVEMENTS OF THE PUBLIC UTILITY SYSTEMS FOR AND WITHIN THE CITY; APPROVING THE “NOTICE OF INTENTION” AND AUTHORIZING PUBLICATION OF A PUBLIC NOTICE IN CONNECTION WITH THE PROJECT; AND AUTHORIZING APPLICATION TO THE LOUISIANA STATE BOND COMMISSION 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 will assist the Issuer in acquisition, construction and improvement of the sewer portion of the Utilities System; and

WHEREAS, pursuant to the provisions of Part XIII of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the “Act”), the Issuer is authorized to issue its bonds, in an amount not to exceed \$52,000,000, in multiple series, with the initial series to be designated Utilities Revenue Bonds, 2014 Series (the “Bonds”), of the Issuer, to construct, acquire, extend or improve any work of public improvement, including but not limited to its Utility System, including such treatment facilities as may be required, with all necessary equipment and installations in connection therewith (the “Project”), 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, it is the intention of the Issuer to borrow from the Louisiana Department of Environmental Quality’s Revolving Loan Fund a substantial portion of the borrowing authorized herein;

WHEREAS, issuance of the Issuer’s 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 and undertaking development of the Project involving the proposed issuance by the Issuer of the Bonds, in an aggregate principal amount not to exceed \$52,000,000, in various 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 to (i) construct, acquire, extend or improve any work of public improvement, including but not limited to sewer portion of its Utilities System, including such treatment facilities as may be required, with all necessary equipment and installations in connection therewith (the “Project”), 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 (ii) pay the costs of issuance associated with the Bonds.

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 \$52,000,000.

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 for approval of the contents of the Notice of Intention attached hereto as Exhibit A.

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 Issuer does hereby approve and authorize publication of the “Notice of Intention” attached hereto as Exhibit “A,” subject to the approval of the State Bond Commission.

SECTION 7. The Mayor and the Clerk of the City Council of the Issuer are hereby authorized and empowered to take any and all further action and to sign any and all documents and instruments in writing as may be necessary to carry out the purposes of this resolution and to file, on behalf of the Issuer, with any governmental board or entity having jurisdiction over the Project, including but not limited to the Louisiana Department of Environmental Quality, such applications or requests for approval thereof as may be required by law, including the application to the State Bond Commission for preliminary approval and authorization to proceed with development of the Project and the financing of the Bonds.

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 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 4th day of February, 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 February 4, 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 4th day of February, 2014.

PHYLLIS McGRAW, Clerk of Council

Exhibit "A"

CITY OF BOSSIER CITY, LOUISIANA

NOTICE OF INTENTION TO ISSUE BONDS

CITY OF BOSSIER CITY, LOUISIANA

NOTICE OF INTENTION TO ISSUE BONDS

The City Council of the City of Bossier City, Louisiana (the "Issuer"), is a duly created and validly existing body corporate and 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. The Issuer has the authority to issue its revenue bonds in order to construct, acquire, extend or improve any work of public improvement, in accordance with the provisions of Part XIII of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (hereinafter referred to as the "Act"). The Issuer does hereby give notice of its intention to issue not to exceed FIFTY-TWO MILLION AND NO/100 (\$52,000,000) DOLLARS of its Utilities Revenue Bonds, 2014 Series (the "Bonds"), in various 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 authorized under the Act and authorized pursuant to the provisions of a bond ordinance (the "Bond Ordinance") for the purpose of providing funds for the Issuer to construct, acquire, extend or improve any work of public improvement, including but not limited to the sewer portion of its combined waterworks plant and system and sewer utility system, which is a single revenue producing public utility (the "Utility System"), including such treatment facilities as may be required, with all necessary equipment and installations in connection therewith (the "Project"), 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 pay the costs of issuance associated with the Bonds.

The Bonds, if issued, shall be limited and special revenue obligations of the Issuer and not the State of Louisiana. The Bonds be issued either as taxable or tax-exempt obligations, in various series, shall bear such date or dates, mature at such time or times, bear interest at such rate or rates and carry such exchangeability privileges as shall be provided for in the Bond Ordinance. The Bonds shall be payable from and secured by an irrevocable pledge and dedication of the income, revenues and receipt derived or to be derived from the operation of the Utility System, and 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, or received by it from any other sources as a result of the Bonds, including but not by way of limitation, other monies which, by law or contract, may be made available to the Issuer under the terms of the Bond Resolution.

The Bonds shall not constitute a debt, liability, loan of the credit or a pledge of the faith and credit of the State of Louisiana (the "State"), or of any political or governmental unit thereof, other than the Issuer. The Bonds shall not constitute an obligation, either special or general, of the State within the meaning of any Constitutional or statutory provision whatsoever. Neither the State, nor any political subdivision thereof, other than the Issuer, shall in any manner be liable for payment of principal and the interest on the Bonds, or for performance of any agreement or pledge of any kind which may be undertaken by the Issuer and no breach by the Issuer of any agreements shall create any obligation upon the State or any political subdivision thereof.

The Issuer shall meet in open and public session on **March 18, 2014, at 3:00 o'clock p.m.** in the City Hall at 620 Benton Road, Bossier City, Louisiana, for the purpose of hearing any objections to the proposed issuance of the Bonds. If a petition is presented to the Issuer at this open and public meeting duly signed by not less than 5% of the electors of the Issuer voting at the last special or general election objecting to the issuance of the Bonds, then said Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the Issuer who vote in a special election held for the purpose of approving the issuance of the Bonds in the manner provided by Part XIII of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended. Any such petition must be accompanied by a Certificate of the Parish Registrar of Voters certifying that the signers of the petition are qualified electors of the Issuer and the number of signers amounts to not less than 5% of the electors of the Issuer in number, voting at the last special or general election.

This is not an offer to sell nor the solicitation of an offer to buy the Bonds. This is the Notice of Intention to Issue Bonds by the Issuer as mandated by the provisions of La. R.S. 39:1022(A).

ATTEST:

CITY OF BOSSIER CITY, LOUISIANA

/s/ Phyllis McGraw

BY: /s/ Jeffery Darby

PHYLLIS McGRAW

JEFFERY DARBY, President

Clerk of Council

Dated: February 4, 2014

Mr. Montgomery stepped out at 3:31 P.M.

By: Mr. Williams

Motion to approve the reappointment of Jim Williams to the E-911 Board.
Reappointment effective March 28, 2014 through March 28, 2018.

Seconded by: Mr. Free

No Comment

Vote as follows:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery

Abstain: none

Motion Carried

Mr. Montgomery rejoined meeting at 3:34 P.M.

By: Mr. Williams

Motion to approve the reappointment of Jeff Delaune to the E-911 Board.
Reappointment effective March 28, 2014 through March 28, 2018.

Seconded by Mr. Irwin

Mr. Harvey concerned about what this board responsibilities were and about the attendance record of this member

Vote as follows:

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

Nays: Mr. Harvey

Absent: none

Abstain: none

Motion carried

By: Mr. Williams

Motion to approve the reappointment of William Schwartz as the Governing Authority Board Member of the Bossier City Municipal Fire and Police Civil Service Board. Appointment effective March 7, 2014 and expires March 6, 2017.

Seconded by Mr. Free

No Comment

Vote in favor of motion is unanimous.

By: Mr. Free

Motion to approve the reappointment of John Whittington as the Governing Authority Board Member of the Bossier City Municipal Fire and Police Civil Service Board. Appointment effective March 7, 2014 and expires March 6, 2017.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous.

By: Mr. Williams

Motion to approve Parade Fee Waiver for Apollo Elementary "Rocket Run 5K", March 22, 2014.

Seconded by Mr. Irwin

No Comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve Parade Fee Waiver for Color for K.I.D.S. (Kids in Delicate Situations), March 1, 2014.

Seconded by Mr. Free

No Comment
Vote in favor of motion is unanimous

By: Mr. Free
Motion to approve Parade Fee Waiver for "Cross the Finish Line for Caroline"
5K, March 1, 2014.
Seconded by Mr. Darby
No Comment
Vote in favor of motion is unanimous

By: Mr. Free
Motion to approve Parade Fee Waiver for Love God, Love Each Other 5K
Run/Walk, February 22, 2014.
Seconded by Mr. Williams
No Comment
Vote in favor of motion is unanimous

By: Mr. Free
Motion to approve Parade Fee Waiver for Bellaire Elementary Mardi Gras
Parade, February 28, 2014
Seconded by Mr. Williams
No Comment
Vote in favor of motion is unanimous

By: Mr. Free
Motion to approve Parade Fee Waiver for Bossier Chamber 5K/10K Run,
March 8, 2014.
Seconded by Mr. Williams
No Comment
Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION NO. 6 OF 2014

A RESOLUTION TO HIRE OR PROMOTE A FOREMAN I AND TO HIRE A LABORER I TO FILL VACANT POSITIONS 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 Foreman I position in Streets and Drainage division and a Laborer I position in Street Sweeping & Grass Cutting division are vacant and filling these positions 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 or promote a Foreman I and 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. Don Williams, and second by Mr. Jeffery Darby, and adopted on the 4th day of February, 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. 7 OF 2014

A RESOLUTION AUTHORIZING THE PROMOTION OF ONE LABORER I TO A LABORER II IN THE SOLID WASTE DIVISION

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

WHEREAS, a Laborer II crew leader is needed in the Solid Waste division and promoting an existing Laborer I 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 promote on Laborer I to a Laborer II.

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 4th day of February, 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. Free

Motion to introduce an Ordinance declaring Police Vehicle Number 01067, a 2005 Ford Crown Victoria, and Police Vehicle Number 01073, a 2005 Ford Crown Victoria, surplus to the needs of the City and donating same to the Ringgold Police Department.

Seconded by Mr. Harvey

No Comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

Resolution No. 8 Of 2014

A RESOLUTION AUTHORIZING THE INCREMENTAL PAY INCREASE OF \$2,500.00 FOR THE DIRECTOR OF PUBLIC UTILITIES PURSUANT TO RESOLUTION NO. 12 OF 2012.

WHEREAS, Resolution No. 12 of 2012 contemplated pay increases of \$2,500.00 per year for 3 years for the Director of Utilities Director position based on performance and council approval of the same; and

WHEREAS, Jeffery Anderson has done an outstanding job as the Director of Public Utilities and is recommended for approval of the \$2,500.00 raise which has been included in the 2014 budget;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the \$2,500.00 pay raise contemplated for 2014 for the Director of Public Utilities is hereby approved.

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. Jeff Free, and adopted on the 4th, day of February, 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

Agenda Item Called: Kroger Presentation

Gary Huddleston, Director of Consumer Affairs for Kroger, 1331 East Airport Freeway, Irving TX and Ken Delrey, SDI Realty. Houston, TX gave Council an overview of the new Kroger Development and uses of adjacent property. If all goes as planned, opening scheduled for first part of 2015.

By Mr. Free

Motion to introduce an Ordinance appropriating 7 million dollars from the Riverboat Gaming Capital Projects Fund to build certain public infrastructure in conjunction with the Kroger Supermarket Development and authorizing Mayor Lorenz Walker to execute the attached agreement.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance transferring 2 Million Dollars from the Water Fund Retained Earning to the Water Capital and Contingency Fund and appropriating \$6,145,000 Dollars to construct the Inland Raw Water Pump Station.

Seconded by Mr. Irwin

No Comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance appropriating \$300,000 from the Water Capital and Contingency Fund to construct the Industrial Drive Extension Water Loop.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

There being no further business to come before this meeting, meeting adjourned at 4:13 PM by Mr. Darby

Respectfully submitted:

**Phyllis McGraw
City Clerk**

**Publish: February 14, 2014
Bossier Press Tribune**