

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
June 17, 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, June 17, 2014, at 3:00 PM

Invocation was given by Council Member Scott Irwin

Pledge of Allegiance led by Council Member Don Williams

Roll Call as follows:

Present: Honorable Councilor Jeffery Darby, President, Honorable Councilors, David Montgomery, Jr., Timothy Larkin, Scott Irwin, Don Williams, Jeff Free and Thomas 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 June 3, 2014, Regular Meeting and dispense with the reading.

Seconded by Mr. Free

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to amend the agenda to include item #14 under New Business - Introduce an Ordinance amending Sec. 6.6 of the Bossier City Code of Ordinances entitled Sale Prohibited at Places Where Gasoline or Motor Fuel is Sold.

Seconded by Mr. Larkin

No comment

Vote in favor of 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

Recognition of Guests:

Council recognized and welcomed Senator Barrow Peacock

Committee Reports:

Joe Buffington, Finance Director, gave Council monthly financial update figures

Ginger Adam Corley, City Lobbyist, updated Council on bills passed and failed during the recent Legislative Session. She also publicly thanked Senator Peacock for his hard work on behalf of the citizens of Bossier City.

Unfinished Business:

Ordinance No. 51 Of 2014

AN ORDINANCE AUTHORIZING THE SALE OF A CERTAIN TRACT OF LAND LOCATED AT LOT 3, BLOCK 11, AIRPORT ANNEX ON MCDADE STREET TO INTEGRITY INSURANCE SERVICES, LLC. FOR THE APPRAISED VALUE PURSUANT TO LOUISIANA R. S. 33:4712.2

WHEREAS, the City of Bossier City owns property located on McDade Street Road in Bossier City, Louisiana, and the legal description is as follows:

PROPERTY DESCRIPTION:

A certain tract of land on McDade Street in Bossier City, Bossier Parish, Louisiana and being more particularly described as follows:

Lot 3, Block 11, Airport Annex, Bossier City, Bossier Parish, Louisiana

WHEREAS, the referenced property has been appraised by Corey D. Harvill and the market value of the subject property as of May 21, 2014 is Nine Thousand Dollars and no cents (\$9,000.00); and

WHEREAS, Integrity Insurance Services, LLC proposes to use the property to provide an additional parking area to their existing and future business capabilities for their adjacent location, thereby creating additional employment opportunities; and

WHEREAS, Integrity Insurance Services, LLC shall be responsible for all closing, appraisal and recording fees required to complete the transfer of property; and

NOW THEREFORE BE IT ORDAINED by the City Council of Bossier City, Louisiana in regular session convened, that the City of Bossier City, after due notice intends to transfer said property pursuant to the provisions of La. R. S. 33:4717.2 in consideration of the economic benefit created as a result of the said transfer; and

BE IT FURTHER ORDAINED, that this ordinance will be on file in the office of the Bossier City Council Clerk for public inspection and it constitutes the entirety of the contract between the City of Bossier City and Integrity Insurance Services, LLC ; and

BE IT FURTHER ORDAINED, that any and all objections to said transaction shall be filed in the office of the Bossier City Council Clerk prior to the adoption of the ordinance and/or by appearing at the Bossier City Council meeting at which this ordinance will be considered for adoption;

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. Scott Irwin and adopted on 17th day of June, 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. 52 OF 2014

AN ORDINANCE TO APPROPRIATE \$350,000.00 FROM THE SEWER CAPITAL AND CONTINGENCY FUND TO PROVIDE FOR THE REHABILITATION CONSTRUCTION SERVICES FOR CENTRAL PARK LIFT STATION.

WHEREAS, the Central Park Sewer Lift Station has degraded in condition and functionality

due to years of sewer gas corrosion requiring rehabilitation to ensure continued operation, and

WHEREAS, the design of such rehabilitation has been completed and will be competitively bid according to public bid laws with the furtherance of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that \$350,000.00 is appropriated from the Sewer Capital and Contingency fund to provide for the construction services to rehabilitate the Central Park Sewer Lift Station.

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 June, 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

New Business:

By: Mr. Montgomery

Motion to postpone until July 1, 2014, the introduction of an Ordinance to amend Ordinance 126 of 2003 to amend the Unified Development Code to reflect changes relative to Article 12, Architectural Design Standards, as recommended by the Bossier City Comprehensive Plan Update adopted March 19, 2013.

Seconded by: Mr. Free

No further comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance appropriating one million dollars from the Water Capital and Contingency Fund to provide for professional and construction services associated with a water valve program.

Seconded by: Mr. Williams

No further comment

Vote in favor of motion is unanimous

On Motion of Mr. Don Williams, seconded by Mr. Jeff Free, the following resolution was offered:

RESOLUTION NO. 41 OF 2014

A RESOLUTION AUTHORIZING THE CITY OF BOSSIER CITY, LOUISIANA TO PROCEED WITH DEVELOPMENT OF A PROJECT FOR ADVANCE REFUNDING OF CERTAIN OUTSTANDING UTILITIES REVENUE BONDS, SERIES 2008, OF THE CITY; AUTHORIZING ISSUANCE BY THE CITY OF NOT EXCEEDING \$135,000,000 OF UTILITIES REVENUE REFUNDING BONDS, 2014 SERIES; MAKING APPLICATION TO THE STATE BOND COMMISSION AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Bossier City, Louisiana (the “Issuer”), after examining available data, has determined that there is substantial need within the Issuer for advance refunding certain outstanding Utilities Revenue Bonds, Series 2008, by the Issuer, in accordance with the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended; and

WHEREAS, issuance of utilities revenue refunding bonds of the Issuer will assist in alleviating such need, and deliver to the Issuer positive net present value debt service savings, to the Issuer’s benefit;

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

SECTION 1. The City of Bossier City, Bossier Parish, Louisiana is hereby authorized to proceed with advance refunding the Issuer’s outstanding Utilities Revenue Bonds, Series 2008, dated December 17, 2008, on original issue, involving the proposed issuance by the City of Bossier City of not exceeding \$135,000,000 Utilities Revenue Refunding Bonds, 2014 Series (the “Bonds”), to mature on or before October 1, 2038, at a rate or rates not exceeding 6% per annum.

SECTION 2. Application is hereby formally made to the Louisiana State Bond Commission, pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, for consent, approval and authority to issue, sell and deliver the bonds herein authorized, to be secured by and payable from income and revenues derived from the operation of the combined waterworks plant and system and utility system of the Issuer budgeted, allocated, available, dedicated, set aside or otherwise to be utilized to fund or make debt service payments on the Bonds.

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 3. The City Clerk 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.

SECTION 4. There being a real public necessity for the 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 the 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 employment of Stephens Inc., Baton Rouge, Louisiana, and Sisung Securities Corporation, New Orleans, Louisiana, as Underwriters in connection with the Bonds is hereby approved. The compensation of the Underwriters shall be payable from the proceeds of the Bonds and shall be subject to the approval of the Issuer and the Louisiana State Bond Commission.

SECTION 6. Government Consultants of Louisiana, Inc., Baton Rouge, Louisiana, is hereby appointed as Financial Advisor to the Issuer in connection with issuance, sale and delivery of the Bonds.

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. Jeff Free, and adopted on the 17th day of June, 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

This resolution was declared adopted on this 17th day of June, 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 City Clerk for the City of Bossier City, Louisiana.

I further certify that the foregoing is a true and correct copy of an excerpt from the minutes of a public meeting of the City of Bossier City, Louisiana, held on June 17, 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, the 17th day of June, 2014.

PHYLLIS McGRAW

Clerk of the Council

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

RESOLUTION NO. 42 OF 2014

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF BOSSIER CITY (THE "CITY") TO PROCEED WITH A FINANCING IN AN AMOUNT NOT TO EXCEED NINETY-FOUR MILLION AND NO/100 DOLLARS (\$94,000,000) FOR THE PURPOSE OF ADVANCE REFUNDING CERTAIN OUTSTANDING LOUISIANA

**LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES
AND COMMUNITY DEVELOPMENT AUTHORITY
REVENUE BONDS (CITY OF BOSSIER CITY PUBLIC
IMPROVEMENT PROJECTS), SERIES 2007; AND
OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City of Bossier City, Louisiana (the “City”), after examining available data, has determined that there is substantial need for advance refunding certain outstanding Louisiana Local Government Environmental Facilities and Community Development Authority Revenue Bonds (City of Bossier City Public Improvement Projects), Series 2007, in accordance with the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended; and

WHEREAS, issuance by the Louisiana Local Government Environmental Facilities and Community Development Authority (the “Authority”) of its revenue refunding bonds on behalf of the City will assist in alleviating such need, and deliver to the City positive net present value debt service savings, to the City’s benefit;

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

SECTION 1. The City is authorized to proceed with a financing through the Authority of an advance refunding of the Authority’s outstanding Revenue Bonds (City of Bossier City Public Improvement Projects), Series 2007, dated November 13, 2007, on original issue, involving the proposed issuance by the Authority of not exceeding Ninety-Four Million and No/100 Dollars (\$94,000,000) Revenue Refunding Bonds (City of Bossier City, Louisiana Project), 2014 Series (the “Bonds”), to mature on or before November 1, 2037, at a rate or rates not exceeding 6.0% per annum, to be secured by and payable from Lawfully Available Funds of the City, including funds, income, revenue, fees, receipts or charges of any nature from any source whatsoever on deposit with or accruing from time to time to the City, provided that no such funds, income, revenue, fees, receipts or charges shall be so included which have been or are in the future legally dedicated and required for other purposes by the electorate, by the terms of specific grants, by the terms of particular obligations issued or to be issued (to the extent pledged or budgeted to pay debt service on such other obligations) or by operation of law.

SECTION 2. The City hereby finds and determines that a real necessity exists for employment of special bond counsel in connection with the issuance of the Bonds, and accordingly Joseph A. Delafield, A Professional Corporation (“Bond Counsel”) of Lake Charles, Louisiana, is hereby employed (such employment to be by the Authority) to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Bonds. Said Bond Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to, and shall counsel and advise the Mayor and City Council on the issuance and sale of, the Bonds by the Authority. The fee of Bond Counsel is contingent upon issuance, sale and delivery of the Bonds, and shall be in accordance with the Attorney General’s

then current Bond Counsel Fee Schedule and other guidelines, as negotiated, for comprehensive legal and coordinate professional work in the issuance of revenue bonds applied to the actual aggregate principal amount issued, sold, delivered and paid for at the time such Bonds are delivered, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with issuance of the Bonds, said fee to be subject to the Attorney General's written approval of said employment and fee to be paid with Bond proceeds.

SECTION 3. 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 4. The employment of Stephens Inc., Baton Rouge, Louisiana, and Sisung Securities Corporation, New Orleans, Louisiana, as Underwriters in connection with the Bonds is hereby approved. The compensation of the Underwriters shall be payable from the proceeds of the Bonds and shall be subject to the approval of the Issuer and the Louisiana State Bond Commission.

SECTION 5. Government Consultants of Louisiana, Inc., Baton Rouge, Louisiana, is hereby appointed as Financial Advisor to the Issuer in connection with issuance, sale and delivery of the Bonds.

SECTION 6. 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 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.

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 17th day of June, 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

This resolution was declared adopted on this 17th day of June, 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 City Clerk for the City of Bossier City, Louisiana.

I further certify that the foregoing is a true and correct copy of an excerpt from the minutes of a public meeting of the City of Bossier City, Louisiana, held on June 17, 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, the 17th day of June, 2014.

PHYLLIS McGRAW

Clerk of the Council

The following Resolution offered and adopted:

RESOLUTION NO. 43 OF 2014

A RESOLUTION TO HIRE OR PROMOTE ONE UTILITY WORKER TO REPLACE VACANT POSITION IN PUBLIC UTILITIES.

WHEREAS, the City Council of the City of Bossier City authorizes the hiring or promotion of one Utility Worker to replace vacant position in Public Utilities.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Bossier City, in regular session convened, does hereby authorize the hiring or promotion of one Utility Worker to replace vacant position in Public Utilities.

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. Timothy Larkin, and adopted on the 17th day of June, 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. 44 OF 2014

A RESOLUTION AUTHORIZING THE HIRING OF REPLACEMENTS FOR ONE POLICE OFFICER AND A JAILER ONE TO REPLACE TWO RESIGNATIONS FROM THE DEPARTMENT

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

WHEREAS, vacancies now exist in the Police Department, 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 one Police Officer and a Jailer One to replace two resignations from the Department.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and second by Mr. Thomas Harvey, and adopted on the 17th day of June, 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. 45 OF 2014

A RESOLUTION AUTHORIZING THE FILLING OF 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, one Laborer I position in the Street Sweeping & Grass Cutting 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 fill one Laborer I position.

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. Jeff Free, and adopted on the 17th day of June, 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 Reappoint Percy Hubbard, John Michael Moore, G. Carlton Golden, Jr. and Charles Boone to the Bossier Public Trust Financial Authority for a term of four years. (June 30, 2014 - June 30, 2018)

Seconded by: Mr. Williams

No further comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve Report of Change Order for Jacquelyn, YJean, Bobbie Street Drainage improvements an increase of \$7,974.00. Total of contract with Change Order \$197,934.00.

Seconded by: Mr. Darby

No further comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve Report of Change Order for Airline Drive/Shed Road Water Main Relocation an increase of \$63,945.00. Total contract with Change Order \$148,786.00.

Seconded by: Mr. Harvey

No further comment

Vote in favor of motion is unanimous

Agenda Item called:

Elect City Council Vice President for one year term beginning July 1, 2014 - June 30, 2015.

Mr. Montgomery nominated Mr. Williams. No further nominations. Mr. Williams elected Vice President by acclamation.

Agenda Item called:

Elect City Council President for one year term beginning July 1, 2014 - June 30, 2015.

Mr. Darby nominated Mr. Larkin. No further nominations. Mr. Larkin elected President by acclamation.

By: Mr. Free

Motion to introduce an Ordinance to enlarge the limits and boundaries of the City of Bossier City by annexing approximately 208 acres more or less located in Section 15, Township 18 North, Range 13W, Bossier Parish Louisiana.

Seconded by: Mr. Harvey

No further comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance amending Sec. 6.6 of the Bossier City Code of Ordinances entitled Sale Prohibited at Places Where Gasoline or Motor Fuel is Sold.

Seconded by: Mr. Larkin

No further comment

Vote in favor of motion is unanimous

There being no further business to come before this meeting, meeting adjourned at 3:36 PM by Mr. Darby.

Respectfully submitted:

**Phyllis McGraw
City Clerk**

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