

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
November 3, 2015

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, November 3, 2015, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Timothy Larkin

Roll Call as follows:

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

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

By: Mr. Irwin

Motion to approve the minutes of the October 20, 2015, Regular Council Meeting and dispense with the reading.

Seconded by Mr. Free

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to amend Agenda to add #11 under New Business - Introduce an Ordinance establishing maximum starting salaries, incentive pay and Holidays for the Bossier City Marshal.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Larkin

Motion to amend Agenda to add #12 under New Business - introduce an Ordinance declaring a 2.919 acre parcel of property located on the South Side of Hazel Jones Road, East of Swan Lake Road surplus to the needs of the City an authorizing same to be advertised and sold to the highest bidder for not less than the appraised value of \$230,000.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to amend Agenda to add #13 under New Business - introduce an Ordinance authorizing the promotion of the Assistant Comptroller to Purchasing Agent and restructuring the Finance Department for an annual savings to the General Fund of \$50,655.00

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to amend Agenda to add #14 under New Business - adopt an Ordinance declaring an emergency exists in the City of Bossier City which affects public health and safety due to rusting in ductile pipe causing damage to filters at the Bossier City Water Treatment Plant and authorizing \$2,445,124 from the 2014 Sewer Bond Issue and authorizing Mayor Lorenz Walker to execute any documents in conjunction therewith.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Darby

Motion to approve Agenda as amended.

Seconded by Mr. Montgomery, Jr.

No Comment
Vote in favor or motion is unanimous

Old Business:

By: Mr. Montgomery, Jr.
Motion to combine all the budgets into one reading.
Seconded by Mr. Irwin
No comment
Vote in favor of motion is unanimous

By: Mr. Darby
Motion to amend 2016 Operating budgets to exempt from the 2.5% cola increase all city employees that were hired in 2015 or that have been hired less than 12 months from the date of this amendment or that received any salary increases in 2015, other than those that were promoted or transferred and any future new hires in 2016 will be set at the 2015 salaries.
Seconded by Mr. Montgomery, Jr.
No Comment
Vote as follows:
Yeas: Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Harvey and Mr. Free
Nays: Mr. Larkin
Abstain: none
Motion carries

By: Mr. Montgomery, Jr.
Motion to amend 2016 Operating budgets to reduce salaries of the Permits and Inspection division by \$67,000 and to remove position of Permit/Inspection Division Chief.
No Comment
Vote as follows:
Yeas: Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Harvey and Mr. Free
Nays: Mr. Larkin
Abstain: none
Motion carries

By: Mr. Montgomery, Jr.
Motion to amend 2016 Operating budgets to reduce the salary of the Utilities Director back to January 1, 2015 salary of \$84,988.80.
No comment
Vote as follows:
Yeas: Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Harvey and Mr. Free
Nays: Mr. Larkin
Abstain: none
Motion carries

By: Mr. Montgomery, Jr.
Motion to introduce the 2016 Operating Budgets as amended.
Questions about having more time for departments to review. Budgets will be considered again November 17, 2015.
Vote as follows:
Yeas: Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Harvey and Mr. Free
Nays: Mr. Larkin
Abstain: none
Motion carries

The following Ordinance offered and adopted:

ORDINANCE NO. 119 OF 2015

AN ORDINANCE TO APPROPRIATE \$600,000 TO COME FROM THE RIVER BOAT CAPITAL IMPROVEMENT FUND TO BE USED TO CONTRACT WITH DESIGN PROFESSIONALS

**FOR THE DESIGN OF VIKING DRIVE IMPROVEMENTS AS IT
RUNS FROM AIRLINE DRIVE TO SWAN LAKE ROAD.**

WHEREAS, Viking Drive Improvements (Airline Dr. to Swan Lake Road) is a D.O.T.D. approved Urban Systems Project with Project No. H012013; and

WHEREAS, Bossier City shall pay 100% of design cost; and

WHEREAS, Civil Design Group Engineers proposes a fair fee of \$445,000 to design 5 lane improvements to Viking Drive (Airline Dr. to Swan Lake Road) with additional \$80,000 required for topographic survey with additional \$75,000 required for geotechnical services and any other contingencies.

NOW, THEREFORE, BE IT ORDAINED that the City Council of Bossier City, in regular session convened, does hereby appropriate \$600,000 to come from the River Boat Capital Improvements Fund to be used to contract with design professionals for the design of Viking Drive Improvements as it runs from Airline Drive to Swan Lake Road.

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. David Montgomery, Jr. and seconded by Mr. Scott Irwin, and adopted on the 3rd, day of November, 2015, 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

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 120 OF 2015

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1
TO THE CURRENT SOLID WASTE CONTRACT**

WHEREAS, Bossier City entered into a solid waste services contract with Republic Services with a start date for service on December 1, 2013; and

WHEREAS, that contract needs to be amended updating certain items contained therein and providing for additional services as required by Bossier City; and

WHEREAS, authorizing the Mayor to execute this amendment will incorporate those necessary updates and provisions into the existing contract.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City in due legal and regular session convened, that the Mayor is authorized to execute the attached Amendment No. 1 to the Solid Waste contract.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and second by Mr. Scott Irwin, and adopted on the 3rd, day of November, 2015, 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

Don Williams, President

Phyllis McGraw, City Clerk

New Business:

Witness opening of sealed bids for North Bossier Lift Station

| | | |
|----|------------------------------|-------------|
| 1. | Compass Construction Inc. | \$1,274,000 |
| 2. | Pulley Construction, Inc. | \$1,574,000 |
| 3. | Yor-Wic Construction Company | \$1,596,124 |

By: Mr. Irwin

Motion to approve reading of the bids.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance to authorize the Mayor to execute a Williams Street Abandonment Plat whereby the William Street Frontage Owners shall become the owners of William Street.

Seconded by Mr. Harvey

No comment

Vote in favor of motion is unanimous

RESOLUTION NO. 106 OF 2015

**A RESOLUTION ADOPTING QUESTIONNAIRE FROM
LEGISLATIVE AUDITOR AND CITY'S ANSWER
THERE TO.**

IT IS RESOLVED, that the Louisiana Compliance Questionnaire from the Legislative Auditor covering period, 1-1-2015 thru 12-31-2015, and City's answer thereto all of which are on file with City Clerk, are hereby adopted. A copy of this questionnaire and answers will be furnished to the City's certified public accountants, McElroy, Quirk and Burch.

The above and foregoing Resolution, was read in full at open and legal session convened, as on motion of Mr. David Montgomery, Jr. and seconded by Mr. Jeff Free and adopted on the 3rd, day of November, 2015, 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

Don Williams, President

Phyllis McGraw, City Clerk

Resolution #107 of 2015

**A RESOLUTION ADOPTING THE CITY OF BOSSIER CITY'S CURRENT
INVESTMENT POLICY IN ACCORDANCE WITH LA. REVISED STATUTE R.S. 33:2955
(D) AND SECTION 16.02 (J) OF THE BOSSIER CITY CHARTER.**

I. Introduction

In accordance with the provision of R.S. 33:2955 (D) and the authority of Section 16.02 (J) of the Charter of the City of Bossier City, the Director of Finance is authorized and required to make rules and regulations and to establish administrative policies and procedures relating to the cash management and

investment policies of the City.

It is anticipated that this policy statement will be reviewed and evaluated on a regular basis, to ensure that the policies and procedures expressed herein are responsive to the prevailing cash management and investment environment. This policy statement must, therefore, be appropriately amended, expanded, or purged on continuing basis.

II. General Policies

In general, the City Of Bossier shall operate under the "Prudent Person" rule, exercising judgment and care, under the circumstances prevailing, which people of ordinary prudence would employ in the management of their own affairs - not in regard to speculation, but as to the permanent disposition of their funds, considering both income and safety of capital.

The assets of the City Of Bossier shall be held in trust by the fiduciary (fiduciaries) designated by the City Of Bossier.

This policy is not intended to remain static. Normally, the City Of Bossier will review this policy at least annually and, if deemed advisable, recommend changes. Recommendations from outside professionals leading to improvements in policies, procedures, and operations are always welcome.

OBJECTIVES

The primary investment objective of the City Of Bossier is to ensure that the Current and future obligations are adequately funded in a cost effective manner. The goals of this investment policy shall be (1) safety of principal, (2) liquidity, and (3) yield.

Preservation of capital and the realization of sufficient total return to ensure the ongoing financial integrity of the funds are essential. Preservation of capital encompasses two goals:

Managing the risk of loss of principal for the fund as a whole.

Managing the erosion of principal value through inflation.

The City Of Bossier shall establish internal controls for any derivatives in use to ensure that the risks inherent in derivatives are adequately managed. For

purposes of this policy, "derivative" means any financial instrument created from or whose value depends on the value of one or more underlying assets or indexes of asset value.

RESPONSIBILITY

The investment of funds shall be managed by the Comptroller, subject to the approval of the Director of Finance, and may be accomplished by the selection of an investment manager (s). The selection must be approved by the City Council in accordance with the criteria established by the Director of Finance. The investment manager (s) must acknowledge in writing his obligations as a fiduciary responsible for the investment of the City Of Bossier assets.

Prospective investment managers shall be registered investment advisors with The Securities and Exchange Commission under the Investment Act of 1940 or bank trust departments regulated by the Office of the Comptroller of the Currency.

GUIDELINES

The assets of the City Of Bossier shall be invested, as provided in R.S.33:2955

(A) (1), as amended, in following:

1. Direct U.S. Treasury obligations, the principal and interest of which are fully guaranteed by the U.S. government.
2. Bonds, debentures, notes or other evidence of indebtedness issued or guaranteed by federal agencies and provided such obligations are backed by the full faith and credit of the U.S., including U.S. Export Import Bank, Farmers Home Administration, Federal Financing Bank, Federal Housing Administration Debentures, General Services Administration, Government National Mortgage Association (guaranteed mortgage-backed bonds and guaranteed pass-through obligations), U.S. Maritime Administration (guaranteed Title XI financing), and U.S. Department of Housing and Urban Development.
3. Bonds, debentures, notes, or other evidence of indebtedness issued or guaranteed by U.S. government instrumentalities, which are federally sponsored, including Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association, Student Loan Marketing Association, and Resolution Funding Corporation.
4. Direct security repurchase agreements of any federal bank entry only securities enumerated in paragraphs (1) through (3) above. "Direct security repurchase agreement" means an agreement under which the political subdivision buys, holds for a specified time, and then sells back those securities and obligations enumerated in paragraphs (1) through (3).
5. Time certificates of deposit of state banks organized under the laws of

Louisiana, or national banks having their principal offices in the state of Louisiana, savings accounts or shares of savings and loan associations and savings banks, or share accounts and share certificates accounts of federally or state chartered credit unions issuing time certificate of deposit, provided that the rate of interest paid for time certificates of deposit shall be not less than fifty basis points below the prevailing market interest rate on direct obligations of the U.S. Treasury with a similar length of maturity. Funds invested in accordance with this paragraph shall not exceed at any time the amount insured by the Federal Deposit Insurance Corporation in any one bank, or in any one savings and loan association, or by the National Credit Union Administration in any one credit union, unless the uninsured portion is collateralized by the pledge of securities in the manner provided in R.S. 39:1221.

6. Mutual or trust fund institutions which are registered with the Securities and Exchange Commission under the Securities Act of 1933 and the Investment Act of 1940, and which have underlying investments consisting solely of and limited to securities of the U.S. government or its agencies. Investment of funds in mutual or trust fund institutions shall be limited to 25% of the monies considered available for investment as provided by R.S. 33:2955(A) (2). The Attorney General has determined that only mutual funds created as A Massachusetts business trust are acceptable investments (Op. Atty. Gen. 88- 546 (A)).
7. Bonds, debentures, notes, or other evidence of indebtedness issued by the State of Louisiana or any of its political subdivisions with the exception of those of the City of Bossier City. The indebtedness shall have a long-term rating of Baa3 or higher by Moody's Investor Service, a long-term rating of BBB- or higher by the Standard and Poor Corporation or a long-term rating of BBB- or higher by Fitch, Inc., or a short-term rating of M1G1 or VM1G1 by Moody's Investors Service, a short-term rating of A-1 or A-1+ by Standard & Poor's, or a short-term rating of F1 or F1+ by Fitch, Inc, and have a final maturity of no more than three years, except that such three year limitation shall not apply to (a) funds held by a trustee, escrow agent, paying agent, or other third party custodian in connection with a bond issue or (b) investment of funds held by either a hospital service district, a governmental 501(c)(3), or a public trust authority.
8. Bonds, debentures, notes, or other indebtedness issued by a state of the United States of America other than Louisiana or any such state's political subdivisions provided that all of the following conditions are met: (i) The indebtedness has a minimum rating of A3 or Higher by Moody's Investors Service or a rating of A- or higher by the Standard and Poor Corporation or a rating of A- or higher by Fitch, Inc., or a short-term rating of M1G1 or VM1G1 by Moody's Investor Service, a short-term rating of A-1 or A-1+ by Standard & Poor's, or a short-term rating of F1 or F1+ by Fitch, Inc. (ii) The indebtedness has a final maturity of no more than three years, except that such three-year limitation shall not apply to funds held by a trustee, escrow agent, paying agent, or other third-party custodian in connection with a bond issue nor to investment of funds held by either a hospital service district, a governmental 501(c)(3) organization, or a public trust authority, (iii) Prior to

purchase of any such indebtedness and at all times during which such indebtedness is owned, the purchasing Louisiana political subdivision retains the services of an investment advisor registered with the United States Security and Exchange Commission.

The City of Bossier City shall also include in the footnotes to the Consolidated Annual Financial Report the disclosures required by Governmental Accounting Standards Board Statements 3 and 40. These footnotes shall address the common deposit and investments risks related to credit risk, concentration of credit risk, interest rate risk and foreign currency risk.

BE IT RESOLVED that the Investment Policy referenced herein is hereby adopted.

The above and foregoing resolution read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., seconded by Mr. Scott Irwin, and adopted on the 3rd, day of November, 2015, 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

Don Williams, President

Phyllis McGraw, City Clerk

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance preserving "the Voting Board" from the Bossier City Council Chamber in perpetuity to be displayed in the Bossier City Council Conference Room

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance authorizing Mayor Lorenz Walker to execute the attached Cooperative Endeavor Agreement between the City of Bossier City, Bossier Parish Police Jury and Caddo-Bossier Parishes Port Commission for the purchase of two environmental bagging systems.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance authorizing and providing for issuance of not to exceed \$_____ of Public Improvement Sales Tax Refunding Bonds, Series 2015A (Tax Exempt), and not to exceed \$_____ of Public Improvement Sales Tax Refunding Bonds, Series 2015B (Taxable), of the City of Bossier City, State of Louisiana; prescribing the form fixing the details and providing for the rights of the owners thereof; providing for payment of the principal of and interest on such bonds; and providing for other matters in connection therewith.

Seconded by Mr. Irwin

No comment
Vote in favor of motion is unanimous

Hearing to review the recommendation of demolition and removal of dilapidated structure located at the following legal address: 223 Yarborough Street, Lot 2, Blk. 5, Hunter.

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

Hearing to review the recommendation of demolition and removal of dilapidated structure located at the following legal address: 2540 Wilder Street: E 1/2 Of Lot 10, Blk. E., Resub of Macks Bayou Plant

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

By: Mr. Montgomery, Jr.
Motion to introduce an Ordinance establishing maximum starting salaries, incentive pay and Holidays for the Bossier City Marshal.

Seconded by Mr. Darby
Mr. Williams explained Ordinance, Mr. Larkin asked about Ordinance
No comment
Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.
Motion to introduce an Ordinance declaring a 2.919 acre parcel of property located on the South Side of Hazel Jones Road, East of Swan Lake road surplus to the needs of the City an authorizing same to be advertised and sold to the highest bidder for not less than the appraised value of \$230,000.

Seconded by Mr. Irwin
No comment
Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.
Motion to introduce an Ordinance authorizing the promotion of the Assistant Comptroller to Purchasing Agent and restructuring the Finance Department for an annual savings to the General Fund of \$50,655.00.

Seconded by Mr. Harvey
No comment
Vote in favor of motion is unanimous

The following Ordinance offered and adopted:

Ordinance No. 121 Of 2015

AN ORDINANCE DECLARING AN EMERGENCY EXISTS IN THE CITY OF BOSSIER CITY WHICH AFFECTS PUBLIC HEALTH AND SAFETY DUE TO RUSTING IN DUCTILE PIPE CAUSING DAMAGE TO FILTERS AT THE BOSSIER CITY WATER TREATMENT PLANT AND AUTHORIZING \$2,445,124.00 FROM THE 2014 SEWER BOND ISSUE AND AUTHORIZING MAYOR LORENZ WALKER TO EXECUTE ANY DOCUMENTS IN CONJUNCTION THEREWITH.

WHEREAS, the ductile iron pipe inside the membrane building is rusting from the inside; and

WHEREAS the ductile iron piping was specified to be non-lined; and

WHEREAS the membrane filter manufacturer PALL has recommended HDPE pipe be used to replace the ductile pipe and this will require approximately a six month period requiring the plant to be shut down which needs to happen during non-peak usage months; and

WHEREAS Manchac will provide engineering services and inspection for the pipe replacement services and pursue the certification of a State certified laboratory; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that an emergency is hereby declared that affects the health, safety and welfare of the citizens of Bossier City; and

BE IT FURTHER ORDAINED that \$2,445,124.00 is hereby appropriated from the 2014 Sewer Bond Issue and authorizing Mayor Lorenz Walker to execute immediately any and all contracts in conjunction therewith; and

BE IT FURTHER ORDAINED that Manchac Engineering shall provide engineering inspection services on the pipe replacement project and complete steps necessary to obtain a State certified lab for a fee of \$263,136.00 which is already included in the appropriation herein.

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. Scott Irwin, and adopted on the 3rd, day of November, 2015, 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

Don Williams, President

Phyllis McGraw, City Clerk

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

Respectfully submitted:

**Phyllis McGraw
City Clerk**

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