

MINUTES OF THE MEETING OF THE  
CADDO PARISH COMMISSION  
HELD ON THE 8<sup>TH</sup> DAY OF JULY, 2010

The Caddo Parish Commission met in legal and regular session on the above date at 3:30 p.m. in the Government Chamber with Mr. John Escude, President, presiding, and the following members in attendance, constituting a quorum: Commissioners Baker, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson and Thibodeaux (8). ABSENT: Commissioners Cox and Smith (2).

The invocation and pledge were given by members of Shreveport Green's ShreveCorps youth group.

It was **moved by Mr. Linn**, seconded by Mr. Pierson, *that the Minutes of the Regular Meeting held on June 3, 2010, and June 17, 2010, be adopted.* Motion carried.

At this time the President asked Mrs. Donna Curtis, executive director of Shreveport Green to come forward.

Mrs. Green thanked the Commission for its support of the ShreveCorps program, and for allowing the young people here represented to have a summer of productive employment, doing such things as picking up trash, cutting grass, maintaining lawns and helping elderly citizens. Three of the students then came forward and reported on the nature and scope of the various summer projects undertaken by ShreveCorps.

President Escude thanked Mrs. Curtis and ShreveCorps for their presentation.

**COMMUNIQUES AND REPORTS**

- Commissioner Lynch reported that the Northwest Louisiana Airline Task Force, which includes members from the surrounding region, including Caddo Parish. There is a vested interest in sustaining the success of the local airport, she said, as airports are catalysts for economic development.

She said that as an economic development engine the success of airport operations, as well as the ability to attract low-cost carriers, is driven by passenger traffic. Unfortunately too many local air travelers feel a desire or necessity to drive to other cities to board planes in order to benefit from lower ticket costs. Also, higher fares adversely affect the bottom line of companies which rely heavily on air travel to conduct their business, and local companies are at a competitive disadvantage.

At Shreveport Regional Airport, Ms. Lynch continued, the highest percent of passenger travel is business travel, as opposed to leisure travel. Consequently, the airlines serving the local airport realize their profits from higher fares, not higher volume. Passenger load numbers are currently not high enough to support lower fares.

The Airport has gone from a high of 45 flights per day down to a current 25 per day, she said. This is attributed partly to the overall economic downturn, and partly to reduced discretionary travel by families. However, the largest part of the reduction is attributed to "leakage"—people driving to other area airports to board their flights.

The Task Force also looked at ways to reduce operational costs at Shreveport Regional, she said, but the committee was advised that Airport operations comprise only five to seven percent of a ticket cost. Even if the Airport drastically reduced its operational costs the price of a ticket would not be significantly lowered.

Efforts are being made to attract one or more lower-cost carriers such AirTran and Frontier, Ms. Lynch continued. It appears that a public/private partnership is going to be necessary to

make the deal happen. The Task Force's consultant has stressed that the business community is largely the driver for attracting low-cost carriers. While public bodies can provide financial incentives, these are usually short-term gains and usually do not affect the long-term profitability of the airline, she said.

The Task Force intends to have a comprehensive report and recommendations by December 10, Ms. Lynch said. On the agenda of this meeting, she said, is a request to provide \$5,000 to the Task Force for consultant fees. Other area governmental bodies are participating in the cost as well.

- Ms. Lynch then reported on her attendance at the National Association of Counties' Large Urban County Caucus annual retreat. The Caucus consists of representatives of the nation's 100 largest counties; Caddo is not one of those, but Orleans and Jefferson Parish provide no members so she made a case for Caddo to be the representative for the State as its fourth-largest parish.

With Barksdale Air Force Base in Bossier Parish, Caddo Parish is home to more than 20,000 veterans and active service members, she said. As such, veteran and military affairs have figured prominently in public policy initiatives of the Commission. The Caucus is considering counties to establish "veterans' court", which are similar to "drug court" and "mental health court", which have been successful across the nation. These special-focus courts are better positioned to deal with the specific emotionally-based issues that so often underlay the problems faced by veterans who find themselves in the criminal justice system, she said.

There are currently no such courts in Louisiana, Ms. Lynch said, so Caddo Parish has an opportunity to serve as the catalyst for evaluating and analyzing the need for such a program, perhaps in partnership with Bossier and other surrounding parishes. This would require enabling legislation from the State to provide this option to the district courts, so she would like a consensus of support from the Commission to continue further discussion of the matter with NAC0 representatives during the group's summer conference the following week. NAC0 has indicated that it has resources and technical assistance that can be provided at no cost. If the Commission concurs, she said, she would also like to set up meetings with members of the area Legislative delegation.

Mrs. Baker said that the Office of Veterans Affairs has a very strong local office of social services for war veterans, providing soldiers various forms of help when they return from war zones. One of the issues the VA office focuses on is trying to help these veterans from running afoul of the law, as they can lose VA benefits by being involved in criminal actions. She said she believes a way should be found to get these veterans more involved in the program that is already available to them. Law enforcement officials also need to be more educated on how to deal with the psychological problems veterans might have, she said.

Ms. Lynch said that she would ask that the Administrator discuss this matter further with National Association of Counties officials and obtain additional information. President Escude asked Ms. Lynch to report to the Commission again following the NAC0 conference and make suggestions on how to proceed. He said he believes that all Commissioners share a desire to support and help veterans in any way possible.

- Mr. Thibodeaux then reported that earlier in the day the Economic Development and Non-Governmental Organizations Committee had met to discuss a funding request from the Red River Revel. The organization asked for \$25,000 as an emergency grant because five days of the festival's eight-day run in October 2009 were rained out. The Committee voted 5-1 in favor of funding that request subject to their provision of a profit-and-loss statement to the Commission.

- President Escude then reported that during the past two weeks the Parish had been offered the donation of two pieces of real property, including buildings, in the Parish. He said that Commissioners will be contacted by the Administration in regard to touring these properties in consideration of acceptance. There are various ways in which the Parish could possibly utilize these

properties, he said. He said that following the tour the matter will be addressed by the Space Utilization Committee.

### **VISITORS**

At this time the President invited members of the public who wished to address the Commission to come forward.

Mr. Larry Russo, 8912 Creswell, Shreveport, came forward and identified himself as an attorney representing Kinsey Interests, speaking on behalf of the Kinsey Interest's ownership of two-thirds of a partnership that owns a warehouse in the Bickham-Dickson Industrial Park. He said that this is the park that is being proposed for re-zoning at this Commission meeting.

Kinsey Properties bought that land to be the anchor owner in an industrial park, and it spent more than \$2 million building a high-quality facility for a tenant involved in assembly at General Motors. The property is well-maintained, and the tenant's operation is quiet and unobtrusive, he said. It provides a good example of how industrial areas can compatibly co-exist with residential neighborhoods. When Kinsey bought the property, he said, it insisted on additional I-1 restrictions to prevent non-compatible uses such as rock-crushers or meat packing from coming into the neighborhood.

The assumption was made that similar businesses and neighbors were going to be in the park, Mr. Russo said, but now there is a cloud hanging over the property as to what will happen to it. Kinsey is not pleased to hear that there is a move afoot to totally revise and reverse the circumstances there. No one has approached Kinsey Interests to inform or to seek opinion about any new proposed uses of the property.

Mr. Russo said that his request of the Commission is to slow down and take some time to review and evaluate this situation. There are major Fortune 500 companies looking for high-end industrial property in this community because of the Haynesville Shale. This area is unique, he said: there are very few places in the world currently where large companies are wanting to build new facilities.

The Parish asked Kinsey Interests to build this facility, he said, so the Commission is acting as the company's developer. Kinsey has been a good neighbor, and it does not want the property re-zoned to be a conflicting use with what is already there, and which might damage the value of Kinsey's investment.

Answering a question from Ms. Lynch, Mr. Russo said that Kinsey acquired the property some seven years earlier. It has been used as a wheel-assembly unit for General Motors. He pointed out that speculation is high that this plant might still be used even after General Motors is gone.

Answering another question from Ms. Lynch, Mr. Russo said that at the time of the purchase the Parish Commission had reviewed and approved the set of industrial-use restrictions at the same time it authorized the sale of the property. In fact, he said, Kinsey had conditioned its willingness to purchase the property upon the willingness of the Parish to place restrictions on the use of the rest of the park.

Mr. Charles Grubb, Parish Attorney, stated that he would provide Commissioners copies of those restrictive covenants.

Answering a question from Mr. Dominick, Mr. Russo said that there are 38 acres in the park.

Mr. Dominick asked Mr. Russo if his company had any plans for expansion. Mr. Russo said that there has been much discussion about expansion, but now any such intentions have been put on hold awaiting the Commission's plans. He pointed out that if the Commission should

decide to sell the remaining property in the park to attractive clients, the present circumstances are very favorable for opportunity because of the Haynesville Shale.

Mr. Russo then stated that in his opinion it is very problematic for political bodies to place themselves in the business of real estate development. When public bodies buy land and compete with private sector owners, those properties are taken off the tax rolls and devalue property owned by private citizens.

Also, he said, political bodies are not as effective at handling real estate development as are real estate developers. Additionally, he said, when private deals go bad it is not the problem of the taxpayers. He said he would ask the Commission, when it takes on property, to determine as quickly as possible how to get it back into commerce. Citing the proposed donation of property mentioned earlier, he said that if the Commission can readily utilize the property for office space or other public use it should do so.

However, he said, if the notion is that the Commission can assume these properties and become real estate developers, it is the worst possible business that political subdivisions can get themselves into. He challenged the Commission to cite one instance in which a political subdivision had ever made a really intelligent decision in the development business. In virtually all cases, he said, political bodies acquire properties and then do not know what to do with them. As a result, industrial parks are built behind uncrossable railroad tracks, or new buildings are built that sit empty.

The governmental bodies should stay out of the business and instead offer assistance to the private real estate developers and property owners. They are the Commission's allies; they should not be made competitors or enemies, he said.

Mr. Epperson agreed; he said that Mr. Russo's points were brought up years ago—they were just not palatable at that time for whatever reason. Mr. Russo's statements were true, and that is why the current situation exists at the Shirley Francis location, he said.

President Escude thanked Mr. Russo for his presentation.

### ***PUBLIC HEARING ON ZONING ORDINANCES***

- ZONING CASE P-6-10 in regard to Ordinance No. 4998, 2522-2524 East 70<sup>th</sup> Street, property located on the northeasterly side of East 70<sup>th</sup> Street 2,400 feet east Bert Kouns Industrial Loop, WARDELL PROPERTIES, LLC, APPLICANT.

Request to rezone property located on the northeasterly side of East 70<sup>th</sup> Street 2,400 feet east of Bert Kouns Industrial Loop **from** B-1-E, Buffer Business/Extended Use District B-1-E, Buffer Business/Extended Use District specifically limited **to** "the primary use of a pediatric therapy clinic and other child related uses, and the retail sales of energy efficient products" only (all other child related services shall be either supplemental or accessory to the primary use).

The President asked if there was anyone present to speak in support of or in opposition to the above zoning case, and Mr. Phillip Wardell, 9514 Bonnydune Dr., Shreveport, came forward and stated that he is the applicant and the owner of the property in question. He said that the property was originally zoned in 2008 for a pediatric clinic, but there was at the time 2,100 square feet left unused and with no purpose specified. He said he now wants to use this space for retail sales of energy efficient products such as appliances, lighting and window film, and he wants this use added to his zoning.

There being no further speakers, the President declared the public hearing on zoning cases to be concluded.

### ***PUBLIC HEARING ON ORDINANCES***

- Ordinance No. 4999 of 2010, amending the Budget of Estimated Revenues and Expenditures for the Economic Development Fund in the amount of \$5,000 for the Northwest Louisiana Air Service Task Force study for the year 2010

Ordinance No. 5000 of 2010 declaring certain adjudicated properties to be surplus and to authorize the Parish Administrator or a designee to sell the Parish of Caddo's tax interest therein

The President asked if there was anyone present to speak in support of or in opposition to either of these ordinances, and there was no one.

### ORDINANCE NO. 4998 OF 2010

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND CHAPTER 51 OF THE CODE OF ORDINANCES OF THE PARISH OF CADDO, AS AMENDED, THE CADDO PARISH ZONING ORDINANCE, BY AMENDING THE ZONING OF PROPERTY LOCATED ON THE NORTH SIDE OF EAST 70<sup>th</sup> STREET, 2,400 FEET EAST OF EAST BERT KOUNS INDUSTRIAL LOOP, CADDO PARISH, LOUISIANA, FROM B-1-E, BUFFER BUSINESS/EXTENDED USE DISTRICT, TO B-1-E, BUFFER BUSINESS/EXTENDED USE DISTRICT **SPECIFICALLY LIMITED TO "THE PRIMARY USE OF A PEDIATRIC THERAPY CLINIC AND OTHER CHILD RELATED USES, AND THE RETAIL SALES OF ENERGY EFFICIENT PRODUCTS" ONLY** (ALL OTHER CHILD RELATED SERVICES SHALL BE EITHER SUPPLEMENTAL OR ACCESSORY TO THE PRIMARY USE) AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 51 of the Code of Ordinances of the Parish of Caddo is hereby amended and re-enacted to read as follows, to wit:

The official Zoning Map of the Shreveport Metropolitan Planning Area of Caddo Parish, Louisiana, be amended by rezoning property located on the north side of East 70<sup>th</sup> Street, 2,400 feet east of East Bert Kouns Industrial Loop, Caddo Parish, Louisiana, more particularly described below, be and the same is hereby amended **from B-1-E, Buffer Business/Extended Use District to B-1-E, Buffer Business/Extended Use District specifically limited to "the primary use of a pediatric therapy clinic and other child related uses, and the retail sales of energy efficient products" only (all other child related services shall be either supplemental or accessory to the primary use)**:

A tract of land located in Sect. 21, T17N, R13W, Shreveport, Caddo Parish, LA, more particularly described as: from a 2 inch iron pipe being the most SE corner of Lot 117, Dixie Gardens Subdivision, said corner being the POB of the tract herein described; run thence S67°0'W along the rear line of Lots 117-120 731.53 feet; run thence S0°44'26"W 566.20 feet to the point of intersection with the west R/W line of East 70<sup>th</sup> Street; run thence N38°41'45"E along said R/W line 68.89 feet; run thence N53°7'57"E 156.54 feet; run thence N38°22'36"E 699.60 feet; run thence N43°34'36"E 166.73 feet; run thence N46°25'24"W 50.58 feet to the POB. LESS & EXCEPT: a tract of land located in Sect. 21, T17N, R13W, Shreveport, Caddo Parish, LA, more particularly described as: From a 2 inch iron pipe being the most SE corner of Lot 117, Dixie Gardens Subdivision, thence run S67°30'51"W along the rear line of Lots 117-120 731.67 feet to the POB of the tract herein described; thence run S50°59'40"E 382.98 feet to the west R/W line of E. 70<sup>th</sup>

Street; thence run S39°0'20"W along west R/W 225.5 - 0 feet; thence run S53°56'13"W along said W'ly R/W line 155.24 feet; thence run S39°0'20"W along west R/W line 68.89 feet; thence run N1°20'38"E 561.35 feet to the POB. LESS & EXCEPT the following property to-wit: the west 1 foot of the above described tract more particularly described as: From a 2 inch iron pipe being the most SE corner of Lot 117, Dixie Gardens Subdivision, thence run S67°30'51"W along the rear line of Lots 117-120 731.67 feet to the POB of the tract herein described; thence run S1°20'38"W 561.35 feet to the west R/W line of E. 70<sup>th</sup> Street; thence run N39°0'20"E along the west R/W line 1.64 feet; thence run N1°20'38"E 560.49 feet; thence run N50°59'40"W 1.26 feet to the POB, containing 0.0129 acres or 560.316 sq. ft. together with rights granted in that certain Servitude of Passage recorded 6-21-00.

BE IT FURTHER ORDAINED that the rezoning of the property described herein is subject to compliance with the following stipulations:

- 1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**
- 2. Screening fence between commercial and residential properties shall be waived until such time as necessary (i.e., daycare use) because the levee provides a buffer.**

BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is 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 ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that this ordinance shall become effective ten (10) days after publication in the official journal.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

It was **moved by Mr. Pierson**, seconded by Mr. Thibodeaux, *that Ordinance No. 4998 of 2010, in regard to Zoning Case P-6-10, Wardell Properties, LLC, applicant, rezoning property located on the northeasterly side of East 70<sup>th</sup> Street and 2,400 feet east of Bert Kouns Industrial Loop, from B-1-E, Buffer Business/Extended Use District B-1-E, Buffer Business/Extended Use District specifically limited to "the primary use of a pediatric therapy clinic and other child related uses, and the retail sales of energy efficient products" only (all other child related services shall be either supplemental or accessory to the primary use), be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson and Thibodeaux (10). NAYS: None. ABSTAINING: None. ABSENT: Commissioners Cox and Smith (2).

#### **ORDINANCE NO. 4999 OF 2010**

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE ECONOMIC DEVELOPMENT FUND FOR THE YEAR 2010 TO PROVIDE AN APPROPRIATION OF \$5,000 FOR NORTHWEST LOUISIANA AIR SERVICE TASK FORCE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Caddo Parish Commission in its regular meeting on June 3, 2010, authorized the preparation of an ordinance for introduction to contribute \$5,000 to the Northwest Louisiana Air Service Task Force to retain Seabury Airport Planning, as a consult, for studies at the Shreveport Municipal Airport; and

WHEREAS, the Northwest Louisiana Air Service Task Force consists of 22 members representing organizations in northwest Louisiana; and

WHEREAS, the mission of the Northwest Louisiana is to attract a low cost air carrier to Shreveport and address the problem of high air fares to and from Shreveport; and

WHEREAS, the Northwest Louisiana Air Service Task Force has decided to hire Mr. Damon Hylton of Seabury Airport Planning to prepare two reports outlining an overview of Shreveport air service and a "leakage" study which will determine how many passengers elect to drive to other airports instead of flying from Shreveport; and

WHEREAS, the total cost of these reports will be \$35,000; and

WHEREAS, it is necessary to amend the 2010 Budget to provide an appropriation in the amount \$5,000 for the Northwest Louisiana Air Service Task Force to contribute to the studies; and

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that the Budget of Estimated Revenues and Expenditures for the Economic Development Fund for the year 2010 is hereby amended as follows:

<u>Line Item</u>	<u>Budget Increase (Decrease)</u>
Northwest Louisiana Air Service Task Force	\$ 5,000
Fund Balance	\$ (5,000)

BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is 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 ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

It was **moved by Ms. Lynch**, seconded by Mr. Linn, *that Ordinance No. 4999 of 2010, amending the Economic Development Fund Budget in the amount of \$5,000 for the Northwest Louisiana Air Service Task Force study for the year 2010, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson and Thibodeaux (10). NAYS: None. ABSTAINING: None. ABSENT: Commissioners Cox and Smith (2).

#### **ORDINANCE NO. 5000 OF 2010**

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE DECLARING CERTAIN ADJUDICATED PROPERTIES TO BE SURPLUS AND TO AUTHORIZE THE PARISH ADMINISTRATOR, OR A DESIGNEE, TO SELL THE PARISH OF CADDO'S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO



Property 8: Lot 11 Blk 2, Mayfair Sub., a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 181435-079-0011)  
**PURCHASE PRICE: \$1,033.50 APPRAISED VALUE: \$3,100.00**

Property 9: The W. 44 Ft Of N. 132 Ft Of S. 152 Ft Of W/2 Of Lot 28, E. S. Watson Lands, a subdivision located within the City of Shreveport, Caddo Parish, LA as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171411-001-0057)  
**PURCHASE PRICE: \$1,000.00 APPRAISED VALUE: \$500.00**

Property 10: The E. 44 ft of W. 88 ft of N. 132 ft of S. 152 ft of W/2 of Lot 28, E.S. Watson Lands, a subdivision located within the City of Shreveport, Caddo Parish, LA , as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171411-001-0058)  
**PURCHASE PRICE: \$4,000.00 APPRAISED VALUE: \$3,000.00**

Property 11: The E. 44 Ft Of W. 132 Ft Of N. 132 Ft Of S. 152 Ft Of W/2 Of Lot 28, E. S. Watson Lands, a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171411-001-0059)  
**PURCHASE PRICE: \$4,000.00 APPRAISED VALUE: \$3,000.00**

Property 12: The E. 44 Ft. of W. 176 Ft. of N. 132 Ft. of S. 152 Ft. Of W/2 of Lot 28, Less the N. 35 Ft., Thereof, E. S. Watson Lands, a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171411-001-0117)  
**PURCHASE PRICE: \$4,000.00 APPRAISED VALUE: \$3,000.00**

Property 13: The N. 35 Ft. of the E. 44 Ft. of W. 176 Ft. of N. 132 ft. of S. 152 Ft. of the W/2 Of Lot 28, E. S. Watson Lands, Caddo Parish, LA, a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171411-001-0118)  
**PURCHASE PRICE: \$2,000.00 APPRAISED VALUE: \$1,500.00**

Property 14: The N. 89 Ft. of S. 152 Ft. of E. 124 Ft. of W/2 Of Lot 28, Less the S. 29 Ft, thereof, E. S. Watson Lands, Caddo Parish, LA, a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171411-001-0120)  
**PURCHASE PRICE: \$2,500.00 APPRAISED VALUE: \$3,000.00**

Property 15: Lot 2, BLK C, Resub of part of Blks B & E, Sun-Set Acres, a subdivision located within the City of Shreveport, Caddo Parish, LA as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171422-021-0002)  
**PURCHASE PRICE: \$3,000.00 APPRAISED VALUE: \$3,000.00**

Property No. 16: Lot 48, N. Cedar Grove Addn, a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171424-053-0048)  
**PURCHASE PRICE: \$1,000.00 APPRAISED VALUE: \$3,000.00**

Property 17: Lot 25, West 104.65 Ft of Lot 5, & South 5 Ft of West 104.65 Ft of Lot 4, Fort Sumpter Addn, a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171330-008-0025)  
**PURCHASE PRICE: \$500.00 APPRAISED VALUE: \$750.00**

It was **moved by Mr. Pierson**, seconded by Mr. Dominick, *that Ordinance No. 5000 of 2010, declaring certain adjudicated properties to be surplus and authorizing the Parish Administrator to sell the Parish's tax interest therein, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson and Thibodeaux (10). NAYS: None. ABSTAINING: None. ABSENT: Commissioners Cox and Smith (2).

### **ORDINANCES: (For introduction, by title)**

- Ordinance No. 5001 of 2010, amending the Budget of Estimated Revenues and Expenditures for the Oil and Gas Fund for the year 2010 to provide an appropriation of \$200,000 for Accion Texas, Inc., D/B/A Accion Louisiana, Inc., for a small business loan program, authorizing the Caddo Parish Administrator to execute a cooperative endeavor agreement with the aforesaid company pertaining thereto
- Ordinance No. 5002 of 2010, to rescind the sale of certain adjudicated property.

### **RESOLUTIONS**

It was **moved by Mr. Epperson**, seconded by Mrs. McCulloch, that Resolution No. 36 of 2010, to authorize the Parish Administrator to submit an application to the Metropolitan Planning Commission to have the property in Caddo Industrial Park on Shirley Francis Road, owned by Caddo Parish, re-zoned from I-1, Light Industry to R-A, Residence Agriculture.

Ms. Lynch asked if the effect of this resolution will be to ask Metropolitan Planning Commission to down-zone the property. President Escude replied that it would, but since the property is in the City of Shreveport it would then be the Shreveport City Council's decision to give final approval of the zoning, or to approve any future rezonings of the property. In effect, the Commission is placing its industrial park in the control of the City Council, he said.

Mr. Linn said it appears that by this proposed action the Commission would be taking an industrial park that it now controls, assigning it to the MPC for rezoning, and then ultimately assigning control to the City. President Escude said that the City would be the ultimate deciding factor in whether the property is rezoned. Any appeals would also be handled by the City.

Mr. Pierson said he is trying to determine why it is necessary to rezone this property at this time, as no concrete proposal for its used has been outlined. He said that he sees no reason the Commission cannot decide at a later date how to deal with this property.

Answering a question from Mr. Thibodeaux, Attorney Grubb stated that he does not believe that rezoning the property is inconsistent with any ordinances that established the industrial park. He would say, however, that it is possible that the Commission would violate the restrictive covenants of the ordinance if the property is rezoned and the Commission then authorizes some different use for the property that is not consistent with the covenants. The covenant contemplates industrial use, he said, but he believes those covenants would accommodate a recreational park.

Mr. Thibodeaux asked if the purpose of the original ordinance was to develop the property into an industrial park. Mr. Grubb said that it was.

Mr. Thibodeaux said that if the property is rezoned, that action removes its capability to be an industrial park.

Answering another question from Mr. Thibodeaux, Mr. Grubb said that if the Commission chooses to place a use on the property that is inconsistent with the restrictive covenants applicable to the property and placed there by ordinance, the Commission would have to amend the restrictive covenants also by ordinance. Rezoning the property is not by itself a violation of the original ordinance, even though it removes the ability to apply an industrial use to the property.

However, he said, he is not sure that the Commission can unilaterally amend the restrictive covenants to allow for an alternate use without involving the other property owners who are signatory to the covenants..

Mr. Thibodeaux said that it sounds as though the Commission could end up owning a property it could do nothing with.

Mr. Dominick said that this property was obviously set up as an industrial park. The Parish also has land in two other industrial parks in the northern portion of the Parish, and the Commission is consistently talking about creating a friendly business environment that will attract new business and industry to the Parish. By changing an industrial park to a residential park, the Parish will be losing all of its capability to attract new industry to the central part of the Parish, he said. That would leave only the two northern parks, and there are logistical reasons why businesses might not wish to locate so far north of the City. By approving this measure, the Commission would be sending a message that it does not want new business, he said.

Mr. Jenkins said that the Commission would continue to be the owner of the property; if the City rezones it, the Parish could come back later and have it rezoned again if it chose to do so. He said he does not believe the Commission would be locking itself into a situation that could never be changed again.

Mr. Escude said that while future change is possible, it is far easier to market the product to desirable businesses and industries if the correct zoning is in place at the beginning of the process. Down-zoning this property now will only create barriers and delays later, he said.

Also, he said, commitments have already been made to Mr. Russo's company, and the park has in the past been marketed as a light industry park. Changing the rules now could possibly devalue Mr. Russo's property and/or inhibit the potential for that property value to increase, thereby doing him economic harm.

Mr. Escude said that his main concern is that Caddo Parish is not gaining jobs—it is in fact losing jobs. Hopefully all concerned are working to find a solution to the General Motors loss, but the primary focus is on maintaining the overall employment level. He pointed out that during the moratorium on the Shirley Francis property, three companies called inquiring about its availability. The park could possibly be full of tenants by now had the Commission not turned down a proposed truck terminal and then imposed the moratorium. By depriving the Parish of such economic opportunity, he said, more citizens are being hurt than helped.

He said that there is absolutely no urgency in making a decision of this magnitude about that property, and the Commission should take all the time it needs—particularly when no information has been provided about the supposed use that requires R-A zoning. If there is a use that will benefit the Parish, full information should be provided about it, he said.

Answering a question from Ms. Lynch, Mr. Roy Jambor, MPC, said that Residence-Agriculture is a residual category for undeveloped land. He pointed out that developing land as residential subdivision is not within the permitted uses of an industrial zoning. He pointed out that the restrictive covenants on the property are another matter, and that MPC is not involved with such covenants. Covenants are enforced in district court by means of lawsuits, he said.

Mr. Thibodeaux said that the crux of the matter is that if the property is rezoned to residence-agriculture, there will no longer be anyone interested in the property for industrial purposes. He said he recognizes that whenever practical and prudent the Commission historically has acceded to the wishes of a particular Commissioner when an issue concerns that Commissioner's district. However, he said, this is one of those issues that is larger than the desires of one Commissioner, or even the constituents of one district. This is an industrial park that belongs to the entire Parish and affects every citizen of the Parish, he said.

Answering a question from Mr. Linn, Mr. Jambor stated that down-zoning a property is considerably less difficult than increasing the zoning. He said that a property owner who asks for a down-zoning is essentially stating that the property rights associated with the higher zoning are unimportant and therefore are being surrendered. If the Commission really wants to surrender these rights by down-zoning, the City will probably allow the Commission to do so even though it might not be a wise move.

Mr. Pierson said that in the past the Commission has always had a particular land-use proposed when it has been asked to rezone a property. In this instance no land use has been named. If he had been presented a use strong enough to warrant a rezoning, he would be more prone to support it, he said.

At this time *Mr. Epperson's motion failed*, as shown by the following roll call vote: AYES: Commissioners Epperson, Jenkins, Lynch and McCulloch (4). NAYS: Commissioners Baker, Dominick, Escude, Linn, Pierson and Thibodeaux (6). ABSTAINING: None. ABSENT: Commissioners Cox and Smith (2).

There being no further business to come before the Commission, the meeting was adjourned at 4:55 p.m.

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John Escude  
President

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Jerry C. Spears  
Commission Clerk