

THE COUNCIL
City of New Orleans

JACQUELYN BRECHTEL CLARKSON
Councilmember At Large

Councilmember At Large

SUSAN G. GUIDRY
Councilmember District "A"

STACY HEAD
Councilmember District "B"

KRISTIN GISLESON PALMER
Councilmember District "C"

CYNTHIA HEDGE-MORRELL
Councilmember District "D"

JON D. JOHNSON
Councilmember District "E"

AGENDA

Regular Meeting of the City Council
to be held in City Hall Council Chamber
on Thursday, October 6, 2011 at 10:00 A.M.



PRESIDENT

JACQUELYN BRECHTEL CLARKSON
Councilmember-At-Large

VICE PRESIDENT

Councilmember-At-Large

ROLL CALL
PEGGY LEWIS
CLERK OF COUNCIL

INVOCATION
PASTOR OLIVER P. DUVERNAY
CENTRAL MBC OF THE LOWER 9TH WARD

PRESENTATION OF COLORS

PLEDGE OF ALLEGIANCE TO THE FLAG
KRISTIN GISLESON PALMER
COUNCILMEMBER DISTRICT "C"

NATIONAL ANTHEM

1. ROLL CALL - PEGGY LEWIS, CLERK OF COUNCIL

2. INVOCATION - PASTOR OLIVER P. DUVERNAY
CENTRAL MBC OF THE LOWER 9TH WARD

3. PRESENTATION OF COLORS

4. PLEDGE OF ALLEGIANCE TO THE FLAG - KRISTIN GISLESON PALMER,
COUNCILMEMBER DISTRICT "C"

5. NATIONAL ANTHEM

6. COUNCIL CHAPLAIN - REV. DR. NORWOOD THOMPSON, JR.

PLEASE TURN ALL CELL PHONES AND BEEPERS EITHER OFF OR ON VIBRATE
IN THE COUNCIL CHAMBER DURING COUNCIL PROCEEDINGS.

1. **APPROVAL OF THE MINUTES** - September 1, 2011 and September 22, 2011.

Annotation:
TO BE APPROVED.

SPECIAL ORDERS OF BUSINESS

- 1a. **LEGISLATIVE GROUPING - FIRST ORDER - MOTION - NO. M-11-466 - BY: COUNCILMEMBERS CLARKSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON**

Brief:

Appointing Eric Granderson to fill the vacancy in the Office of Councilmember-At-Large during the interim period reckoning from this date to the filling of the vacancy by special election, which election has been called by virtue of Resolution R-11-407, adopted September 1, 2011.

- 1b. **MOTION - NO. M-11-467 - BY: COUNCILMEMBER CLARKSON**

Brief:

Authorizing the removal of Councilmember-At-Large Arnie Fielkow's name from all legislation on the agenda for October 6, 2011 and all outstanding legislation where Councilmember-At-Large Fielkow's name appears, and the replacement of his name with the name of Interim Councilmember Eric Granderson.

2. **SECOND ORDER - PRESENTATION - BUTCH BROWING, STATE FIRE MARSHALL**

Brief:

Honoring NOFD Chief Darryl Klumpp for his heroic rescue of Fernando Echeagaray, and honoring the firefighters who responded to the Tuscaloosa tornadoes.

Annotation:

(Cn. Clarkson).

TO APPEAR.

3. **THIRD ORDER**

CONSENT AGENDA

1. **COMMUNICATION - FROM COURTNEY R. NICHOLSON, COUNSEL, LEGAL SERVICES - REGULATORY, ENTERGY SERVICES, INC.**

Brief:

Providing three copies of Entergy Arkansas, Inc.'s ("EAI") Responses to Order No. 53 filed at the Arkansas Public Service Commission ("APSC") in Docket No. 10-011-U on September 16, 2011, pursuant to Resolution R-11-303 and also providing EAI's Post Hearing Brief filed with the APSC on September 19, 2011. *(CNO Docket No. UD-11-01)*

Annotation:

MAY BE RECEIVED.

2. **COMMUNICATION - FROM COURTNEY R. NICHOLSON, COUNSEL, LEGAL SERVICES - REGULATORY, ENTERGY SERVICES, INC.**

Brief:

Providing three copies of Entergy Arkansas, Inc.'s ("EAI") errata to page 10 of EAI's Responses to Order No. 53, pursuant to Resolution R-11-236. *(CNO Docket No. UD-11-01)*

Annotation:

MAY BE RECEIVED.

3. **COMMUNICATION - FROM COURTNEY R. NICHOLSON, COUNSEL,
LEGAL SERVICES - REGULATORY, ENTERGY SERVICES, INC.**

Brief:

Submitting an original and three copies of the Motion on Behalf of Entergy New Orleans, Inc. to Terminate Docket No. UD-11-02, in compliance with Resolution R-11-457. **(CNO Docket No. UD-11-02)**

Annotation:

MAY BE RECEIVED.

4. **COMMUNICATION - FROM DEANNA RODRIGUEZ, VICE PRESIDENT,
REGULATORY AFFAIRS, ENTERGY NEW ORLEANS**

Brief:

Submitting documents in reference to the Settlement of the 2011 Electric and Gas Formula Rate Plan Filings of Entergy New Orleans, Inc. ("ENO") Pursuant to Council Resolution R-09-136 and the 2009 Agreement in Principle in **Docket No. UD-08-03.**

Annotation:

MAY BE RECEIVED.

5. **COMMUNICATION - FROM REVEREND JEROME WATSON, SR.**

Brief:

Requesting to address the full Council regarding a FEMA trailer located at **5861 East Louis Prima Dr.**

Annotation:

MAY BE RECEIVED AND REFERRED TO THE DIRECTOR OF SAFETY AND PERMITS.

6. **COMMUNICATION - FROM LISA HUDSON, DIRECTOR OF PERSONNEL,
CITY CIVIL SERVICE DEPARTMENT**

Brief:

Submitting for Council approval an Amendment to the Classified Pay Plan (Hiring Rate for Emergency Management) as adopted by the Civil Service Commission at its meeting of September 19, 2011, in accordance with Article X, Section 10 of the Constitution of Louisiana.

Annotation:

MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.

7. **COMMUNICATION - FROM CYNTHIA SYLVAIN-LEAR, ACTING DIRECTOR
OF SANITATION**

Brief:

Submitting a copy of the monthly (August, 2011) documents from Richard's Disposal, Inc., as required by Ordinance No. 23,378 MCS.

Annotation:

MAY BE RECEIVED.

8. **COMMUNICATION - FROM CYNTHIA SYLVAIN-LEAR, ACTING DIRECTOR
OF SANITATION**

Brief:

Submitting a copy of the monthly (August, 2011) documents from Metro Disposal, Inc., as required by Ordinance No. 23,378 MCS.

Annotation:

MAY BE RECEIVED.

9. **COMMUNICATION - FROM NERON RIVERS**

Brief:

Requesting to appeal the Department of Safety and Permits Ground Transportation Bureau's decision of "**denial**" of his recent application for a taxi driver's permit.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/20/11*).

10. **COMMUNICATION - FROM TIMOTHY S. CRAGIN - ASSISTANT GENERAL COUNSEL, LEGAL SERVICES - REGULATORY, ENTERGY SERVICES, INC.**

Brief:

Submitting an original and three copies of (1) the Entergy New Orleans, Inc. Gas Formula Rate Plan Rate Schedule Revenues by Rate Class for the Twelve Months Ended December 31, 2010; (2) the Entergy New Orleans, Inc. Electric Formula Rate Plan Rate Schedule Revenues by Rate Class for the Twelve Months Ended December 31, 2010; and (3) 2011 Agreement in Principle Exhibit 3, "Accounting Treatment CDBG Funds Re-Allocation," pursuant to Council Resolution R-09-136 and the 2009 Agreement in Principle in **Docket No. UD-08-03**.

Annotation:

MAY BE RECEIVED.

11. **COMMUNICATION - FROM JOHN MADDOX, JR.**

Brief:

Requesting to appeal the Department of Safety and Permits Ground Transportation Bureau's decision of "**denial**" of his recent application for a taxi driver's permit.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/20/11*).

12. **COMMUNICATION - FROM MICHAEL W. TIFFT, LAW OFFICE, ON BEHALF OF ALEX MATA**

Brief:

Requesting to appeal the Department of Safety and Permits Ground Transportation Bureau's decision of "**denial**" of his recent application for pedicab permits.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/20/11*).

13. **COMMUNICATION - FROM CHRISTOPHER SALATICH**

Brief:

Requesting to appeal the Department of Safety and Permits Ground Transportation Bureau's decision of "**denial**" of his recent application for a taxi driver's permit.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/20/11*).

14. **REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION**

Brief:

Recommending "**denial**" of the request for a change in Non-Conforming Use from a bed and breakfast to a professional office for property located at **4505 Canal Street**. (*Design Review No. 135/11*)

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/6/11*).

15. REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION

Brief:

Transmitting Zoning Docket Numbers 90/11 - Cn. Hedge-Morrell, Cn. Deadline 12/16/11; 91/11 - Cn. Gisleson Palmer, 92/11 - Cn. Head, 93/11 - Cn. Guidry, 94/11 - Hedge-Morrell, 95/11 - Cn. Head, Cn. Deadline 12/10/11 and Design Review 137/11 - Cn. Head, Cn. Deadline 11/20/11.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/20/11*).

16. MOTION - NO. M-11-470 - BY: COUNCILMEMBER HEAD

Brief:

Ratifying, confirming and approving the appointment of Lillian LeGardeur (vice Bart Everson), as a member of the Lafitte Greenway Steering Advisory Committee for a term that will expire May 7, 2012.

Annotation:

(*Questionnaire Received. Governmental Affairs Committee recommended approval*).

17. MOTION - NO. M-11-471 - BY: COUNCILMEMBER GUIDRY (BY REQUEST)

Brief:

Ratifying, confirming and approving the Friends of Lafitte Corridor's reappointment of Daniel Samuel, as a member of the Lafitte Greenway Steering Advisory Committee for a term that will expire June 30, 2012.

Annotation:

(*Questionnaire Received. Governmental Affairs Committee recommended approval*).

18. MOTION - NO. M-11-472 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Ratifying, confirming and approving the reappointment of Emelda Paul, as a member of the Lafitte Greenway Steering Advisory Committee for a term that will expire June 30, 2012.

Annotation:

(Questionnaire Received. Governmental Affairs Committee recommended approval).

19. MOTION - NO. M-11-473 - BY: COUNCILMEMBER GUIDRY (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Nicholas S. Musso, AIA (vice Tom R. Bissell, AIA), nominee of the AIA, New Orleans Chapter, as a member of the Vieux Carre Commission for a term that will expire June 30, 2014.

Annotation:

(Questionnaire Received. Governmental Affairs Committee recommended approval).

20. MOTION - NO. M-11-474 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Daniel C. Taylor, AIA (vice S. Stewart Farnet, AIA), nominee of the AIA, New Orleans Chapter, as a member of the Vieux Carre Commission for a term that will expire June 30, 2014.

Annotation:

(Questionnaire Received. Governmental Affairs Committee recommended approval).

MOTION TO ADOPT CONSENT AGENDA AND REFER OTHER MATTERS TO THE PROPER AGENCY.

YEAS:

NAYS:

ABSENT:

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

ALL LAND USE MATTERS ARE SCHEDULED TO COMMENCE AT 11:00 A.M.
OR THEREAFTER

1. HDLC APPEAL - OF MS. LORRAINE FLYNN

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of installation of security bars for property located at **726-28 Lesseps Street**.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 10/1/11).
PAST DEADLINE.

2. HDLC APPEAL - OF ALEX MODINGER, ARCHITECT, AIA, MBA, LEED-AP PRINCIPAL, KIMBERLY FINNEY ARCHITECT, LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of the construction of a side gallery for property located at **836-838 Washington Avenue and 840-842 Washington Avenue**.

Annotation:

(Cn. Head, Cn. Deadline 11/6/11).

3. NCDC APPEAL - OF BESSIE PIERRE

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **1219 Andry Street**.

Annotation:

(Cn. Johnson, Cn. Deadline 10/3/11).
PAST DEADLINE.

4. **NCDC APPEAL - OF ERIC HARRISON, SAIC ON BEHALF OF CNO CODE ENFORCEMENT**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **1405-07 Frenchmen Street**.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 10/3/11).
PAST DEADLINE.

5. **NCDC APPEAL - OF ERIC HARRISON, SAIC ON BEHALF OF CNO CODE ENFORCEMENT**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **2266-68 Marais Street**.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 10/3/11).
PAST DEADLINE.

6. **NCDC APPEAL - OF JASMINE J. HARALSON, INTERGOVERNMENTAL AND COMMUNITY RELATIONS MANAGER, NEW ORLEANS REDEVELOPMENT AUTHORITY**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **1234 Saint Maurice Street**.

Annotation:

(Cn. Johnson, Cn. Deadline 10/17/11).
ON DEADLINE.

7. **NCDC APPEAL - OF JASMINE J. HARALSON, INTERGOVERNMENTAL AND COMMUNITY RELATIONS MANAGER, NEW ORLEANS REDEVELOPMENT AUTHORITY**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **2367 North Villere Street**.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 10/17/11).
ON DEADLINE.

8. **NCDC APPEAL - OF BEN COUNCIL**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **2612-14 Pauger Street**.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 10/31/11).

9. **NCDC APPEAL - OF ROBERT LLOPIS, ENTERPRISE, L.L.C. RESIDENTIAL AND COMMERCIAL CONSTRUCTION**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **2405-07 S. Saratoga Street**.

Annotation:

(Cn. Head, Cn. Deadline 10/31/11).

10. VCC APPEAL - OF LAUREN THOM, FLEURTY GIRL, LLC

Brief:

Requesting to appeal the Vieux Carre' Commission's decision of "denial" of the request for a change of use from vacant to retail (General Merchandise) for property located at **632 St. Peter Street.**

Annotation:

(Cn. Gisleson Palmer).

11. VCC APPEAL - OF EDMOND WOLFF

Brief:

Requesting to appeal the Vieux Carré Commission's decision of "denial" of the construction of an elevator (roof dormer) to the fourth floor of a condo for property located at **510 Wilkinson Row.**

Annotation:

(Cn. Gisleson Palmer).

12a. LEGISLATIVE GROUPING - NON-CONFORMING USE APPEAL - OF JEFFREY R. DOUSSAN

Brief:

Requesting a change of Non-Conforming Use from a Bed & Breakfast to professional offices for property located at **4505 Canal Street.**

Annotation:

(Cn. Guidry).

12b. REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION

Brief:

Recommending "denial" of the request for a change in Non-Conforming Use from a bed and breakfast to a professional office for property located at **4505 Canal Street. (Design Review No. 135/11)**

Annotation:

(Received on today's Consent Agenda).

**13a. LEGISLATIVE GROUPING - VARIANCE WAIVER - OFF-STREET PARKING
- OF WINDSOR SEMEXANT, JR., GENERAL PASTOR, PENTECOSTAL
CHRISTIAN CHURCH**

Brief:

Requesting a variance for a waiver larger than thirty percent (30%) of lot area and off-street parking requirements in Council District "E" for property located at **8033 Chef Menteur Highway**.

Annotation:

(Cn. Johnson, Cn. Deadline 12/2/11).

**13b. REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING
COMMISSION**

Brief:

Recommending "**Approval**" of the request for waivers of off-street parking in a C-1 General Commercial District (off-street parking waivers for churches that exceed thirty (30) percent of the requirements must be approved by the City Council) for property located at **8033 Chef Menteur Highway**, subject to one (1) waiver and seven (7) provisos. (**DR. NO. 120/11**)

Annotation:

(Received at the meeting of 9/22/11).

14. ZONING DOCKET NO. 51/11 - CITY COUNCIL MOTION M-11-276

Brief:

Requesting to amend Article 2, Section 2.2 of the Comprehensive Zoning Ordinance (No. 4264 MCS, as amended) Definitions, to add "56A. Cultural Residency Accommodations - A building or group of buildings located within a local historic district, or local historic landmark, used for the overnight stay with the detached studio/workspace use of creative 'in residence' practitioners"; and an amendment to Article 4, Section 4.6, RD-3 Two-Family Residential District (Under Section 4.6.3 Permitted Uses) to add Cultural Residency Accommodations; and to add to Article 11, Section 11.65, Supplemental Use Standards, the use standards of Cultural Residency Accommodations, in the RD-3 Two-Family Residential Districts. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

(All Councilmembers, Cn. Deadline 10/14/11).
ON DEADLINE.

15. ZONING DOCKET NO. 60/11 - DL SYNERGY, LLC

Brief:

Requesting a Zoning Change from an RS-2 Single-Family Residential District to an RD-3 Two-Family Residential District, on Square 3233, Lot 14, in the Third Municipal District, bounded by Allen, Annette, Stephen Gerard and Lombard Streets (Municipal Address: **4429-31 Allen Street**). The recommendation of the City Planning Commission being **"NO LEGAL MAJORITY"**.

Annotation:

(Cn. Hedge-Morrell, Cn. Deadline 9/24/11).
PAST DEADLINE.

YEAS: Bryan, Carlos-Lawrence, Mitchell, Williams - 4
NAYS: Brown, Sloss, Volz - 3
ABSENT: Amedee, Duckworth - 2

16. **ZONING DOCKET NO. 66/11 - ISIDORE NEWMAN SCHOOL, CITY OF NEW ORLEANS, ROSEMARY MANO FERRO, HAROLD R. FERRO, JR., AND JOAN A. FERRO**

Brief:

Requesting a Rescission of Ordinance No. 23,203 MCS and a new Conditional Use to permit the expansion of an existing private primary and secondary school in an RD-2 Two-Family Residential District and a B-1 Neighborhood Business District on Square 484, Lots 17, 18, 19, 20, 21 and 22; Square 493, Lots A, B, Pt. C, D Pt. C, E, F, G, H, S, Y, Z and 1, 2, 3, 4, 5, 6, 7, 8 or N-S; Square 531-A, Lots O, P, and Pt. Q or N-S; Square 536, Lots 6, 7, R, T, 10; and Square 537, Lot A or X, Y, Z; and a portion of the Duffossat Street right-of-way, in the Sixth Municipal District, bounded by Jefferson Avenue, Loyola, South Liberty, Danneel, Dryades, Soniat, Valmont, and Duffossat Streets (Municipal Addresses: **5120, 5121 and 5105-11 Danneel Street; 1725 Duffossat Street; 1803 and 1903 Jefferson Avenue; 1804-06, 1812-14, 1816-18, 1822, and 1828-30 Soniat Street; 5112 Saratoga Street; 5203, 5315, 5317, and 5323 Loyola Street; and 2006 and 2010 Valmont Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to six (6) waivers and nineteen (19) provisos.

Annotation:

(Cn. Head, Cn. Deadline 10/8/11).
ON DEADLINE.

17. **ZONING DOCKET NO. 74/11 - LOUISIANA CVS PHARMACY, LLC**

Brief:

Requesting a Conditional Use to permit the sale of alcoholic beverages for consumption off-premises in a retail pharmacy in a B-2 Neighborhood Business District, and within an Inner-City Urban Corridor District, on Square 639, Lot CVS, in the Sixth Municipal District, bounded by Napoleon and South Claiborne Avenues, Jena and South Derbigny Streets (Municipal Address: **3000 Napoleon Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and five (5) provisos.

Annotation:

(Cn. Head, Cn. Deadline 10/22/11).

18. ZONING DOCKET NO. 79/11 - POYDRAS HOME

Brief:

Requesting an Amendment to Ordinance No. 18,858 MCS (ZD 39/98, a Conditional Use to permit a monopole), to permit the expansion of an existing home for the aged greater than 25,000 square feet and within 150 square feet of a residential district in an MS Medical Service District, on Square 186, on an undesignated lot, in the Sixth Municipal District, bounded by Jefferson Avenue, Magazine, Leontine and Laurel Streets (Municipal Address: **5354 Magazine Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to four (4) waivers and fifteen (15) provisos.

Annotation:

(Cn. Head, Cn. Deadline 11/5/11).

19. ZONING DOCKET NO. 80/11 - ARABELLA STATION, LLC

Brief:

Requesting an Amendment to Ordinance No. 20253 MCS (ZD 34/01, a Zoning Change from a B-2 Neighborhood Business District and RD-4 Two-Family Residential District to a C-1A General Commercial District and a Conditional Use to permit a retail use greater than 10,000 square feet in floor area and a mini-warehouse), to modify provisos to permit expanded hours for loading and trash pickup, an increase in the number of eighteen wheel trucks permitted to deliver merchandise to the site in a calendar day, expanded hours of operation, the display of merchandise outside the building, and live entertainment on the premises, on Square 26, Lot 1-A in the Sixth Municipal District, bounded by Magazine, Joseph, Constance and Arabella Streets (Municipal Address: **5600 Magazine Street**). The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**", subject to two (2) waivers and twenty-eight (28) provisos.

Annotation:

(Cn. Guidry, Cn. Deadline 11/5/11).

20. ZONING DOCKET NO. 82/11 - MONTGOMERY VENTURES, LTD

Brief:

Requesting an Amendment to Ordinance No. 20,062 MCS (ZD 99/00, a Conditional Use to permit an automobile service center in a B-2 Neighborhood Business District and within the UC Urban Corridor Overlay District) to permit a medical clinic having between 2,500 and 5,000 square feet of floor area, on Square 205, Lot 1, in the Fifth Municipal District, bounded by General DeGaulle Drive, Bender Boulevard, Behrman Place and Memorial Park Drive (Municipal Address: **3801 General DeGaulle Drive**). The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**", subject to ten (10) provisos.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 11/5/11).

21. ZONING DOCKET NO. 83/11 - TUMBLEWEED PROPERTIES, INC

Brief:

Requesting an Amendment to Ordinance No. 23,630 M.C.S. (ZD 14/09, a Conditional Use to permit the expansion of an existing bar and to include restaurant service in an existing structure in a B-2 Neighborhood Business District), to permit the expansion of the restaurant space and a second floor addition for office and storage space, on Square 26, Lot B-C & D, in the Sixth Municipal District, bounded by Magazine, Constance and Webster Streets and Henry Clay Avenue (Municipal Addresses: **6100-6108 Magazine Street**). The recommendation of the City Planning Commission being "**NO LEGAL MAJORITY**".

Annotation:

(Cn. Guidry, Cn. Deadline 11/5/11).

YEAS: Brown, Bryan, Mitchell, Williams - 4
NAYS: Amedee, Carlos-Lawrence, Volz - 3
ABSENT: Duckworth, Sloss - 2

22. ZONING DOCKET NO. 84/11 - CITY COUNCIL MOTION M-11-308

Brief:

Requesting an Amendment to the text of the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, to amend Article 10, Section 10.3A, *Inner-City Urban Corridor District*, to expand the area of applicability to include those lots or development sites fronting on North Claiborne Avenue, between Tennessee Street and the Orleans/St. Bernard Parish Line and those lots or development sites fronting on St. Claude Avenue, between Tennessee Street and the Orleans/St. Bernard Parish Line, and to classify auto repair/auto body shops, collision centers, bars/cocktail lounges and all other uses that sell alcoholic beverages for consumption both on or off-premises as Conditional Uses in the portion of the Inner-City Urban Corridor that applies to the North Claiborne Avenue and St. Claude Avenue corridors as described above. The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**".

Annotation:

(Cn. Johnson, Cn. Deadline 11/4/11).

23. ZONING DOCKET NO. 85/11 - CITY COUNCIL MOTION M-11-316

Brief:

Requesting an Amendment to the text of the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, to amend Article 18, Section 18.51, *Eastern New Orleans Renaissance Corridor Interim Zoning District* (ENORC IZD), to expand the application of Sections 18.51.11 and 18.51.12, in all B-1 and B-2 Neighborhood Business District base districts within the area of applicability as defined in Section 18.51.2 of the ENORC IZD regulations. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

(Cns. Hedge-Morrell and Johnson, Cn. Deadline 11/4/11).

24. ZONING DOCKET NO. 86/11 - CITY COUNCIL MOTION M-11-344

Brief:

Requesting an Amendment to the text of the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, to amend Article 18, Section 18 to establish the *District D Inner-City Urban Corridor District IZD* to expand the area of applicability of Article 10, Section 10.3A *Inner-City Urban Corridor District* to include all property zoned B-2 Neighborhood Business District within the boundaries of City Council District D and to classify all retail uses within those B-2 Districts with a gross floor area equal to or greater than 7,500 square feet as Conditional Uses, in all B-2 Neighborhood Business Districts located in Council District D. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

(Cn. Hedge-Morrell, Cn. Deadline 11/4/11).

25. ZONING DOCKET NO. 87/11 - ORLEANS PARISH SCHOOL BOARD

Brief:

Requesting a Conditional Use to permit the rebuilding of an existing public elementary school facility with an increase in floor area greater than fifty (50) percent in an RS-2 Single-Family Residential District, on an undesignated square, Lot Pt Sec 18 or Pt A or Parcel E, in the Fifth Municipal District, bounded by Berkley Drive, Eton Street, Mac Arthur Boulevard, Hudson Place, Dover Place and Plymouth Place (Municipal Address: **5300 Berkley Drive**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to thirteen (13) provisos.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 11/26/11).

26. ZONING DOCKET NO. 88/11 - KERLEREC LLC

Brief:

Requesting a Conditional Use to permit a four-family dwelling in HMR-3 Historic Marigny/Tremé Residential District, on Square 379, Lot A, in the Third Municipal District, bounded by Henriette Delille, Columbus, North Rampart, and Kerlerec Streets (Municipal Address: **1133 Kerlerec Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and five (5) provisos.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 11/26/11).

27. DESIGN REVIEW NO. 112/11 - VERGES ROME ARCHITECTS LLC ON BEHALF OF FIRST NBC

Brief:

Requesting an appeal of the Inner-City Urban Corridor (I.C.U.C.) District Regulations, **Article 10, Section 10.3A.6.3 Signage** of the Comprehensive Zoning Ordinance, in the Second Municipal District, on Square 535, Lot NS-2, bounded by South Carrollton Avenue and North Pierce, Iberville and Canal Streets (Municipal Address: **4011 Canal Street**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

Annotation:

(Cn. Guidry, Cn. Deadline 11/6/11).

28. DESIGN REVIEW NO. 114/11 - SEWERAGE AND WATER BOARD OF NEW ORLEANS

Brief:

Requesting an appeal of the Eastern New Orleans Renaissance Corridor Interim Zoning District **Article 18, Section 18.51.11 *Special Site Design Conditions*** of the Comprehensive Zoning Ordinance (CZO) to omit a required landscaped area and a request for a waiver of **Article 11, Section 11.42 *Utility, Sewerage Lift or Pumping Stations-Aboveground*** to permit a six (6) foot side yard, on Square 29, Lots 13 and Pt. 14, in the Third Municipal District, bounded by Morrison Road, Burke Road, Adele and Devine Avenues (Municipal Address: **9001 Morrison Road**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) waivers and one (1) proviso.

Annotation:

(Cn. Hedge-Morrell, Cn. Deadline 11/6/11).

29. DESIGN REVIEW NO. 115/11 - SEWERAGE AND WATER BOARD OF NEW ORLEANS

Brief:

Requesting an appeal of the Eastern New Orleans Renaissance Corridor Interim Zoning District **Article 18, Section 18.51.11 *Special Site Design Conditions*** of the Comprehensive Zoning Ordinance (CZO) to omit a required landscaped area and a request for a waiver of **Article 11, Section 11.42 *Utility, Sewerage Lift or Pumping Stations-Aboveground*** to permit a ten (10) foot side yard, on Square Number C, Lots 13 and Pt. 14, in the Third Municipal District, bounded by Shorewood and Avon Park Boulevards and Morrison and Curran Roads (Municipal Address: **14441 Morrison Road**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) waivers and two (2) provisos.

Annotation:

(Cn. Johnson, Cn. Deadline 11/6/11).

30. DESIGN REVIEW NO. 116/11 - SEWERAGE AND WATER BOARD OF NEW ORLEANS

Brief:

Requesting an appeal of the Eastern New Orleans Renaissance Corridor Interim Zoning District **Article 18, Section 18.51.11** *Special Site Design Conditions* of the Comprehensive Zoning Ordinance (CZO) to omit a required landscaped area and a request for a waiver of **Article 11, Section 11.42** *Utility, Sewerage Lift or Pumping Stations-Aboveground* to permit a five (5) foot side yard, on Square Number C, Lots unassigned, in the Third Municipal District, bounded by Morrison Road, Scottwood Drive, Curran Road, and Briarwood Drive (Municipal Address: **13701 Morrison Road**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) waivers and two (2) provisos.

Annotation:

(Cn. Johnson, Cn. Deadline 11/6/11).

31. DESIGN REVIEW NO. 131/11 - KOJIS SIGNS LLC ON BEHALF OF DOLLAR GENERAL

Brief:

Requesting an appeal of the Eastern New Orleans Renaissance Corridor Interim Zoning District **Article 18, Section 18.51.10** *Permitted Signs* of the Comprehensive Zoning Ordinance which restricts the permitted height and size of detached signs, in the Third Municipal District, on Square F 1 N O EAST IND Center, Lots 11 and 12, bounded by Chef Menteur Highway, Michoud Boulevard and the Louisville and Nashville Rail Road (Municipal Address: **13100 Chef Menteur Highway**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

Annotation:

(Cn. Johnson, Cn. Deadline 11/6/11).

32a. LEGISLATIVE GROUPING - SUBDIVISION APPEAL - OF KENNETH J. MITCHELL

Brief:

Requesting to appeal the City Planning Commission's decision of "**denial**" of the resubdivision of Lot H, into Lots H-1 and H-2 to separate two existing residential structures for property located at **1100 and 1102 Crete Street. (Subdivision Docket NO. 81/11)**

Annotation:

(Cn. Gisleson Palmer).

32b. REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION

Brief:

Recommending "**denial**" of the request by Kenneth Mitchell to resubdivide Lot H into Lots H-1 and H-2, on Square 349, in the Second Municipal District, bounded by N. Broad, Crete, Bell and Orchid Streets. (Municipal Addresses: **1100 and 1102 Crete Street**). *(SD #81/11)*

Annotation:

(Received at the meeting of 9/22/11).

33. CAL. NO. 28,237 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 23,810 M.C.S., as amended entitled An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2010, to adjust revenues in various categories.

34. CAL. NO. 28,238 - BY: COUNCILMEMBERS FIELKOW, HEAD,
HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 23,811 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2010" to provide funding to the various departments to cover overages incurred during the year for 2010.

35. CAL. NO. 28,489 - BY: COUNCILMEMBERS FIELKOW, HEAD,
HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate funds from Intergovernmental transfers to the Department of Miscellaneous to adjust the Tax Increment Financing disbursement.

Annotation:

(Fiscal Note received).
(Referred to the Budget Committee).

36. CAL. NO. 28,490 - BY: COUNCILMEMBERS FIELKOW, HEAD,
HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate funds from Intergovernmental transfers to the Department of Miscellaneous to adjust the Tax Increment Financing disbursement.

Annotation:

(Fiscal Note received).
(Referred to the Budget Committee).

37. CAL. NO. 28,570 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate funds from Intergovernmental transfers to the Office of the Mayor, Division of Economic Development for Artworks project.

Annotation:

(Fiscal Note received).
(Referred to the Budget Committee).

38. CAL. NO. 28,571 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate funds from Intergovernmental transfers to the Office of the Mayor, Division of Economic Development for Artworks project.

Annotation:

(Fiscal Note received).
(Referred to the Budget Committee).

39. CAL. NO. 28,591 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and re-ordain Articles II, III, XIII, and XIV of Chapter 162 of the Code of the City of New Orleans to provide for an appeal process; and otherwise to provide with respect thereto.

Annotation:

(Referred to the Grounds Transportation Committee).

40. CAL. NO. 28,592 - BY: COUNCILMEMBERS GISLESON PALMER AND HEAD

Brief:

An Ordinance to amend and re-ordain Article III of Chapter 106 and Article VI of Chapter 146 of the Code of the City of New Orleans to provide exceptions to certain fees relative to special events hosted by nonprofit organizations for the use of New Orleans Recreation and Development Commission ("NORDC") facilities and fees relative to street closure permits.

Annotation:

(Technical amendment needed).

41. CAL. NO. 28,593 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and re-ordain Article VII of Chapter 162 of the Code of the City of New Orleans to amend the fines for failure to comply with the standards for maintenance and appearance of taxicabs.

Annotation:

(Referred to the Grounds Transportation Committee).

42. CAL. NO. 28,609 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,222 M.C.S., as amended, entitled "An Ordinance Providing a Capital Budget for the year 2011", to effect the following changes to the 2011 Capital Budget: to de-appropriate Community Development Block Grant Funds from the Department of Public Works, and to appropriate Community Development Block Grant Funds to the Department of Public Works and New Orleans Recreation Department for project reprogramming; and otherwise to provide with respect thereto.

Annotation:

(Fiscal Note received).

(Referred to the Budget Committee).

43. CAL. NO. 28,636 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to amend and reordain Section 26-4 of the Code of the City of New Orleans relative to the composition of the neighborhood conservation district committee (NCDC), to add additional requirements; and to provide otherwise with respect thereto.

44. CAL. NO. 28,642 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive certain fees and requirements, in conjunction with matters officially sponsored and sanctioned by the Southern American Football League (SAFL) and the Louisiana NAACP branch on August 27, September 11, September 17, October 2 and October 22, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

45. CAL. NO. 28,645 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate State grant funds from Intergovernmental transfers to Chief Administrative Office, Office of Emergency Preparedness for Cities Readiness Grant.

Annotation:

(Fiscal Note received).
(Referred to the Budget Committee).
(Technical amendment needed).

46. CAL. NO. 28,646 - BY: COUNCILMEMBERS HEDGE-MORRELL,
FIELKOW, HEAD AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate State grant funds from Intergovernmental transfers to Chief Administrative Office, Office of Emergency Preparedness for Cities Readiness Grant.

Annotation:

(Fiscal Note received).

(Referred to the Budget Committee).

47. CAL. NO. 28,647 - BY: COUNCILMEMBERS FIELKOW, HEAD,
HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate State grant funds from Intergovernmental transfers to the Office of the Mayor, Office of Community Development for State Homeless Prevention & rapid Re-Housing Program through American Recovery and Reinvestment Act.

Annotation:

(Fiscal Note received).

(Referred to the Budget Committee).

48. CAL. NO. 28,648 - BY: COUNCILMEMBERS FIELKOW, HEAD,
HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate State grant funds from Intergovernmental transfers to the Office of the Mayor, Office of Community Development for State Homeless Prevention & rapid Re-Housing Program through American Recovery and Reinvestment Act.

Annotation:

(Fiscal Note received).

(Referred to the Budget Committee).

49. CAL. NO. 28,649 - BY: COUNCILMEMBERS FIELKOW, HEAD,
HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate State Grant Funds from Intergovernmental transfers to the Office of Mayor, Office of Community Development, Soft Second Mortgage Program.

Annotation:

(Fiscal Note received).

(Referred to the Budget Committee).

50. CAL. NO. 28,650 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate State Grant Funds from Intergovernmental transfers to the Office of Mayor, Office of Community Development, Soft Second Mortgage Program.

Annotation:

(Fiscal Note received).
(Referred to the Budget Committee).

51. CAL. NO. 28,653 - BY: COUNCILMEMBER GUIDRY

Brief:

An Ordinance to temporarily waive certain fees and requirements in conjunction with the Night Out Against Crime event officially sponsored and sanctioned by the Fairgrounds Triangle Neighborhood Association at Stallings Playground on October 11, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

52. CAL. NO. 28,654 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption off-premises at a retail pharmacy in a C-1 General Commercial District and an RO General Office District, within the Inner-City Urban Corridor District, on Square 672, **Los A-1** and **B-1**, in the Sixth Municipal District, bounded by South Claiborne and Napoleon Avenues, Willow and Jena Streets (Municipal Address: **4400-4432 South Claiborne Avenue**); and otherwise to provide with respect thereto. (**Zoning Docket Number 43/11**)

Annotation:

(Technical Amendment needed).

53. CAL. NO. 28,666 - BY: COUNCILMEMBERS GUIDRY, HEAD, FIELKOW AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 2-8 (c) of the Code of the City of New Orleans to replace the requirement that contractors present sworn affidavits signifying compliance with the provisions of said section with a requirement that all contracts contain a sworn statement signifying compliance with the provisions of said section and also allowing an attestation required pursuant to Louisiana Revised Statutes 38:2227 to satisfy the requirements of this section; to amend and reordain Section 2-8 (e) of the Code of the City of New Orleans to exempt entities which are parties to certain types of transactions from the requirement of presenting sworn statements signifying compliance with the provisions of said section; to amend and reordain Section 46-51 of the Code of the City of New Orleans to exempt entities which are parties to certain types of transactions from the requirement of presenting sworn statements signifying compliance with the provisions of said section; and otherwise to provide with respect thereto.

Annotation:

*(Referred to the Governmental Affairs Committee).
(Governmental Affairs Committee made no recommendation).*

54. CAL. NO. 28,670 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive certain fees in conjunction with matters officially sponsored and sanctioned by The Bywater Neighborhood Association during the Mirliton Festival on Saturday, November 5, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

55. CAL. NO. 28,671 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive street closure fees and requirements in conjunction with matters officially sponsored and sanctioned by Central City Partnership, Inc. during the Tuba Fats Tuesday community event on Tuesday, May 10, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

56. CAL. NO. 28,672 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate funds from Intergovernmental Transfers to the Department of Health, for the Primary Care Access and Stabilization Program.

Annotation:

(Fiscal Note received).

57. CAL. NO. 28,673 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate funds to the Department of Health, for the Primary Care Access & Stabilization Program.

Annotation:

(Fiscal Note received).

58. CAL. NO. 28,674 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate State Grant funds from Intergovernmental Transfers to the Department of Health, for the Healthy Homes Program.

Annotation:

(Fiscal Note received).

59. CAL. NO. 28,675 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate State Grant funds to the Department of Health, for the Healthy Homes Program.

Annotation:

(Fiscal Note received).

60. CAL. NO. 28,676 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate Federal Grant funds from Intergovernmental Transfers to the Department of Health, for the Healthcare for the Homeless Program.

Annotation:

(Fiscal Note received).

61. CAL. NO. 28,677 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate Federal Grant funds from Intergovernmental Transfers to the Department of Health, for the Healthcare for the Homeless Program.

Annotation:

(Fiscal Note received).

62. CAL. NO. 28,678 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate Federal Grant funds from Intergovernmental Transfers to the Department of Health, for the Healthcare for the Homeless Program.

Annotation:

(Fiscal Note received).

63. CAL. NO. 28,679 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate Federal Grant funds from Intergovernmental Transfers to the Department of Health, and transfer funds within the Healthcare for the Homeless Program.

Annotation:

(Fiscal Note received).

64. CAL. NO. 28,680 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,223 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2011" to appropriate Federal Grant funds from Intergovernmental Transfers to the Office of the Mayor, Office of Cultural Economy, for the Our Town Program.

Annotation:

(Fiscal Note received).

65. CAL. NO. 28,681 - BY: COUNCILMEMBERS FIELKOW, CLARKSON, HEDGE-MORRELL AND HEAD (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,224 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2011" to appropriate Federal Grant funds to the Office of the Mayor, Office of Cultural Economy, for the Our Town Program.

Annotation:

(Fiscal Note received).

66. CAL. NO. 28,682 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and re-ordain Offenses Affecting the Public Generally, Article VI of Chapter 54 of the Code of the City of New Orleans, to provide penalties for aggressive solicitation; and otherwise to provide with respect thereto.

67. CAL. NO. 28,683 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL, GISLESON PALMER AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,222 M.C.S., as amended, entitled "An Ordinance Providing a Capital Budget for the year 2011", to effect the following changes to the 2011 Capital Budget: to appropriate funds to the New Orleans Recreation Department for Treme Center improvements; and otherwise to provide with respect thereto.

Annotation:

(Fiscal Note received).

68. CAL. NO. 28,684 - BY: COUNCILMEMBERS CLARKSON, FIELKOW, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance to authorize the mayor of the City of New Orleans to enter into a revised Memorandum of Agreement with the Federal Emergency Management Agency and the Louisiana State Historic Preservation Officer, regarding the reconstruction of the Stallings Center and Pool, 4300 Block of Saint Claude Avenue, New Orleans, Louisiana; and otherwise to provide with respect thereto.

69. CAL. NO. 28,685 - BY: COUNCILMEMBER GUIDRY (BY REQUEST)

Brief:

An Ordinance to amend and re-ordain the pay plan for officers and employees in the unclassified service for the Office of Inspector General of the City of New Orleans in accordance with Sections 3-118 and 4-206(1)(g) of the Home Rule Charter of the City of New Orleans to establish new job classifications of Evaluation Officer (U-078), and Program Officer (U-065) for School Construction, and to otherwise provide with respect thereto.

Annotation:

(Governmental Affairs Committee recommended approval).

70. CAL. NO. 28,686 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements within and around the 300 block of Saint Joseph Street between Tchoupitoulas and Commerce Streets, in conjunction with the "Emeril Lagasse Foundation Fundraiser," sponsored and sanctioned by the Emeril Lagasse Foundation, a non-profit organization, to take place on November 11, 2011 from 9:00 a.m. to midnight; and to provide otherwise with respect thereto.

71. CAL. NO. 28,689 - BY: COUNCILMEMBERS CLARKSON, FIELKOW, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement with the State of Louisiana, Division of Administration, Office of Community Development ("DOA/OCD") (a copy of which is attached hereto and shall become a part hereof this ordinance), for a term greater than one year, for the public purpose of providing the City with funds to implement the Neighborhood Stabilization Program 3 in the Lower Ninth Ward in Orleans Parish.

72. CAL. NO. 28,690 - BY: COUNCILMEMBERS FIELKOW, HEAD, HEDGE-MORRELL AND CLARKSON (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 24,222 M.C.S., as amended, entitled "An Ordinance Providing a Capital Budget for the year 2011", to effect the following changes to the 2011 Capital Budget: to de-appropriate Community Development Block Grant Funds from the Department of Public Works, and to appropriate Community Development Block Grant Funds to the Department of Public Works and New Orleans Recreation Department for project reprogramming; and otherwise to provide with respect thereto.

73. CAL. NO. 28,691 - BY: COUNCILMEMBERS CLARKSON, FIELKOW, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an Amendment to the Cooperative Endeavor Agreement, Implementing Grant Under The Community Development Block Grant Disaster Recovery Program Through The Louisiana Local Government Infrastructure Program, between Orleans Parish (the "Parish") and the State of Louisiana, Division of Administration, Office of Community Development (the "OCD") originally signed on October 1, 2010 and being amended to extend the effective dates, beginning September 1st, 2011 and ending September 30th, 2015, for the purpose of implementing the Michoud Front Door Infrastructure Improvements Project; and otherwise to provide with respect thereto.

74. CAL. NO. 28,697 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to amend and reordain Section 134-122 of the Code of the City of New Orleans to permit the placement of signs that are temporary in nature on the public right-of-way; and to provide otherwise with respect thereto.

75. MOTION (LYING OVER) - NO. M-10-207 - BY: COUNCILMEMBERS FIELKOW AND HEAD

Brief:

Requesting that on or before the first day of January, 2011, that Mayor of the City of New Orleans or his designee prepare and present to the Council a standardized policy which establishes criteria for awarding monies from the Urban Development Action Grant (UDAG) fund as either a grant or a loan to applicants to the fund.

Annotation:

(Amendment adopted 9/21/11 meeting).

76. MOTION (LYING OVER) - NO. M-11-379 - BY: COUNCILMEMBER HEDGE-MORRELL (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Todd C. James (vice Joan Degruy Heisser), as a member of the Board of Zoning Adjustments, for a term that will expire June 30, 2016.

Annotation:

(Questionnaire Received. Governmental Affairs Committee recommended approval).

77. RESOLUTION (LYING OVER) - NO. R-11-411 - BY: COUNCILMEMBER GUIDRY

Brief:

Directing the New Orleans Recreation Department to place signage at David Berger - Avenger Field to indicate the site's proper designation within ninety (90) days from the date of adoption of this Resolution.

78. MOTION (LYING OVER) - NO. M-11-426 - BY: COUNCILMEMBER CLARKSON

Brief:

Amending Motion M-10-209 as amended by Motion M-11-120, relative to the following Council Standing Committees:

- a. Utility Committee
- b. Cable and Telecommunications Committee
- c. Housing and Human Needs Committee
- d. Special Development Projects and Economic Development Committee
- e. Transportation Committee
- f. Election Code and Reapportionment Committee

- g. Youth and Recreation Committee
- h. Governmental Affairs Committee
- i. Public Works Committee
- j. Criminal Justice Committee
- k. Airport Committee
- l. Sanitation and Environmental Enforcement Committee

79. MOTION (LYING OVER) - NO. M-11-428 - BY: COUNCILMEMBER CLARKSON

Brief:

Amending Motion M-10-210 relative to the membership of the following Council Special Committee:

Health Care and Social Services Committee

80. MOTION - NO. M-11-465 - BY: COUNCILMEMBER JOHNSON

Brief:

Repealing Motion M-11-405 and approving the report and favorable recommendation of the City Planning Commission on **DESIGN REVIEW NO. 61/11 - STACY NOAH** - Requesting an appeal of the Eastern New Orleans Renaissance Corridor Interim Zoning District **Article 18, Section 18.51.11 Special Site Design Conditions** of the Comprehensive Zoning Ordinance (CZO) to omit a required landscaped buffer, perimeter landscape strip, interior landscaping of a vehicular use area, and required screening, on undesignated square, Lot 5EIF, in the Third Municipal District, bounded by Bundy Road, Lake Forest Boulevard, Tara Lane and Interstate-10 Service Road (Municipal Address: **5740 Bundy Road**), subject to two (2) waivers and nine (9) provisos as stated in the City Planning Commission's report, with the modification of Proviso #5 to delete a portion thereof, and adding one (1) additional proviso to be numbered accordingly.

81. MOTION - NO. M-11-468 - BY: COUNCILMEMBER HEAD

Brief:

Directing the City Planning Commission to conduct a public hearing to consider an amendment to Ordinance No. 4264 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 4, "Residential Districts," Section 4.6 "RD-3 Two-Family Residential District," to add "Bed and Breakfast Inns" to Section 4.6.5 "Conditional Uses."

82. MOTION - NO. M-11-469 - BY: COUNCILMEMBER HEAD

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a Conditional Use for Broad Community Connection's commercial development within a C-1A General Commercial District, occupying more than 10,000 Square feet of floor area, located in the Second Municipal District, on Square 334, Lot 1, generally bounded by North Broad Street, Conti Street, Bienville Avenue, and North Dorgenois Street, **Municipal Address: 300 North Broad Street.**

83. MOTION - NO. M-11-476 - BY: COUNCILMEMBER HEDGE-MORRELL

Brief:

Directing the City Planning Commission to conduct a public hearing to consider an amendment to the text of the Comprehensive Zoning Ordinance No. 4264 M.C.S., as amended, to amend Article 15, Section 15.6.1 "Fences, Walls, and Hedges (In All Districts Except the Vieux Carré Districts)," to add text to Section 15.6.1 create certain exceptions to the limitations of fence, wall or hedge heights when certain conditions exist on neighboring property such as when an abutting property has been elevated as a result of fill or construction.

84. ORDINANCES ON FIRST READING