

THE COUNCIL
City of New Orleans

JACQUELYN BRECHTEL CLARKSON
Councilmember At Large

ERIC GRANDERSON
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, November 3, 2011 at 10:00 A.M.

PRESIDENT

JACQUELYN BRECHTEL CLARKSON
Councilmember-At-Large



VICE PRESIDENT

ERIC GRANDERSON
Councilmember-At-Large

ROLL CALL

PEGGY LEWIS
CLERK OF COUNCIL

INVOCATION

REV. DR. NORWOOD THOMPSON, JR., PASTOR
JESUS NEVER FAILS MISSIONARY BAPTIST CHURCH

PRESENTATION OF COLORS

PLEDGE OF ALLEGIANCE TO THE FLAG

JON D. JOHNSON
COUNCILMEMBER DISTRICT "E"

NATIONAL ANTHEM

REV. DR. NORWOOD THOMPSON, JR.

CITY COUNCIL CHAPLAIN

1. ROLL CALL - PEGGY LEWIS, CLERK OF COUNCIL

2. INVOCATION - REV. DR. NORWOOD THOMPSON, JR., PASTOR
JESUS NEVER FAILS MISSIONARY BAPTIST CHURCH

3. PRESENTATION OF COLORS

4. PLEDGE OF ALLEGIANCE TO THE FLAG - JON D. JOHNSON,
COUNCILMEMBER DISTRICT "E"

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** - October 6, 2011, October 17, 2011
(Special Meeting) and October 20, 2011.

Annotation:
TO BE APPROVED.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER - PRESENTATION - BIVIAN "SONNY" LEE, III,
FOUNDER/PRESIDENT, SON OF A SAINT SPORTS FOUNDATION**

Brief:
Discussing the kick-off of a two-week collection drive in
City Hall of used parts and athletic equipment.

Annotation:
(Cn. Guidry).
TO APPEAR.

2. **SECOND ORDER - PRESENTATION - LEE STAFFORD, O.C. HALEY
MERCHANT'S ASSOCIATION, GARY WILLIAMS, HOPE CREDIT UNION,
MICHELLE KIMBALL, ADVOCACY COORDINATOR, PRESERVATION
RESOURCE CENTER OF NEW ORLEANS AND ADRIAN DARBY, OWNER,
ADRIAN'S BAKERY**

Brief:
Giving a presentation on Central City Revitalization
efforts.

Annotation:
(Cn. Head).
TO APPEAR.

3. **THIRD ORDER - PRESENTATION - JOHN WHITE, SUPERINTENDENT RECOVERY SCHOOL DISTRICT**

Brief:

Giving a presentation called "What Will it Take".

Annotation:

(Cn. Clarkson).

TO APPEAR.

CONSENT AGENDA

1. **COMMUNICATION - FROM COREY ALLEN**

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of the retention of slate roof shingles, the installation of three-tab roof shingles and the proposal to remove chimneys for property located at **331 Eliza Street.**

Annotation:

MAY BE RECEIVED. *(Suggested Hearing Date Set For 11/17/11).*

2. **COMMUNICATION - FROM WESLEY R. EUSTIS, P.E., LINFIELD, HUNTER & JUNIUS, INC.**

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of the demolition of properties located at **2600, 2612, 2634 St. Claude Avenue and 1030 Port Street.**

Annotation:

MAY BE RECEIVED. *(Suggested Hearing Date Set For 11/17/11).*

3. **COMMUNICATION - FROM DELORES ROGERS LAUGAND**

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of the retention of a vinyl window at the front elevation for property located at **3140 N. Robertson Street**.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

4. **COMMUNICATION - FROM WINSTON H. REID, DIRECTOR, OFFICE OF HOUSING CODE ENFORCEMENT, SDER PROGRAM**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **2124 Baronne Street**.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

5. **COMMUNICATION - FROM BRYAN LAGARDE, CEO, PROJECTNOLA, ON BEHALF OF TIM BLAKE, OWNER THREE LEGGED DOG**

Brief:

Requesting to appeal the Architectural Committee of the Vieux Carré Commission's decision of "**denial**" of the installation of a exterior video surveillance camera for property located at **400 Burgundy Street**.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

6. COMMUNICATION - FROM TRACY BACOTE

Brief:

Requesting to appeal the Department of Safety and Permits Taxicab and For Hire Vehicle Bureau's decision of "denial" of an application for a taxi driver's permit.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

7. COMMUNICATION - FROM KAMOND MITCHELL

Brief:

Requesting to appeal the Department of Safety and Permits Taxicab and For Hire Vehicle Bureau's decision of "denial" of the renewal of his CPNC.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

8. COMMUNICATION - FROM DAVID RIVET

Brief:

Requesting to appeal the Department of Safety and Permits Taxicab and For Hire Vehicle Bureau's decision of "denial" of an application for a taxi driver's permit.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

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

Brief:

Submitting an original and three copies of Entergy New Orleans, Inc.'s Objections to the Council Advisors' Second Set of Data Requests for: Ex Parte: Application of Entergy New Orleans, Inc. for Authorization to Enter into a Contract for the Purchase of Capacity and Energy from Unit 6 at Ninemile Point Station, for Cost Recovery and Request for Timely Relief. *(CNO Docket No. UD-11-03)*

Annotation:

MAY BE RECEIVED.

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

Brief:

Submitting an original and three copies of Entergy New Orleans, Inc.'s Objections to the Council Advisors' Third Set of Data Requests for: Ex Parte: Application of Entergy New Orleans, Inc. for Authorization to Enter into a Contract for the Purchase of Capacity and Energy from Unit 6 at Ninemile Point Station, for Cost Recovery and Request for Timely Relief. *(CNO Docket No. UD-11-03)*

Annotation:

MAY BE RECEIVED.

11. **COMMUNICATION - FROM WALTER J. WILKERSON, WILKERSON & HENRY, LLC, ATTORNEYS & COUNSELLORS AT LAW**

Brief:

Submitting the Council Advisors' Report relative to the 1st Quarterly Technical Conference on Entergy New Orleans, Inc. and Entergy Louisiana, LLC's Integrated Resource Planning, pursuant to Council Resolution R-11-301. *(Council Docket No. UD-08-02)*

Annotation:

MAY BE RECEIVED.

12. COMMUNICATION - FROM POLLY S. ROSEMOND, COORDINATOR,
REGULATORY AFFAIRS - ENTERGY NEW ORLEANS, INC.

Brief:

Submitting the documents that were filed with the U.S. Department of Energy for the Advanced Metering Infrastructure Pilot. (Docket No. UD-10-01)

Annotation:

MAY BE RECEIVED.

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

Brief:

Providing three copies of Entergy Arkansas, Inc.'s ("EAI") RTO Implementation Status Report for the Quarter Ending September 30, 2011, pursuant to Resolution R-11-236. (CNO Docket No. UD-11-01)

Annotation:

MAY BE RECEIVED.

14. COMMUNICATION - FROM CYNTHIA M. SYLVAIN-LEAR, ACTING
DIRECTOR, DEPARTMENT OF SANITATION

Brief:

Submitting a copy of the monthly (August 2011) documents from SDT Waste & Debris Services, LLC, as required by Ordinance No. 23,378.

Annotation:

MAY BE RECEIVED.

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

Brief:

Transmitting Zoning Docket Numbers 101/11 - Cn. Gisleson Palmer, Cn. Deadline 12/16/11; 102/11 - Cn. Gisleson Palmer, Cn. Deadline 12/30/11; 104/11 - Cn. Gisleson Palmer, 105/11 - Cn. Hedge-Morrell, 106/11 - Cn. Head, Cn. Deadline 1/7/12 and For Informational Purposes Only: Property Disposition 5/11 - Cn. Johnson, Cn. Deadline None and the 2012 Downtown Development District Budget and Work Plan, Cn. None, Cn. Deadline None.

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 11/17/11*).

16. **CAL. NO. 28,707 - BY: COUNCILMEMBER GISLESON PALMER**

Brief:

An Ordinance to provide for the establishment of a conditional use to permit increases in height and floor area ratio and a non-accessory parking garage in a CBD-3 Central Business District, on Square 95, Lots A, B, 2, 8 or G, H, 11, 12, 13, 14, 16, 17 and alley in the Second Municipal District, bounded by Canal, North Rampart, Iberville and Burgundy Streets (Municipal Address: **1031 Canal Street**); and otherwise to provide with respect thereto. (**Zoning Docket Number 73/11**)

17. **CAL. NO. 28,708 - BY: COUNCILMEMBER GISLESON PALMER**

Brief:

An Ordinance to provide for the establishment of a conditional use to permit a neighborhood center in a C-1A General Commercial District and an RD-3 Two-Family Residential District, on Square 350, on an undesignated lot in the Third Municipal District, bounded by Saint Claude and Poland Avenues, Lesseps and North Rampart Streets (Municipal Address: **4300 Saint Claude Avenue**); and otherwise to provide with respect thereto. (**Zoning Docket Number 63/11**)

18. CAL. NO. 28,709 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to effect a zoning change from an HMC-2 Historic Marigny/Treme Commercial District to an HMLI Historic Marigny/Treme Light Industrial District and a Conditional Use to allow commercial activity permitted in a C-1 General Commercial District, on Square 370, Lots 101, B and C, in the Third Municipal District, bounded by Saint Claude and Saint Roch Avenues, Spain and North Rampart Streets (Municipal Address: **2372 Saint Claude Avenue**); and otherwise to provide with respect thereto. (**Zoning Docket Number 81/11**)

19. CAL. NO. 28,710 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to effect a zoning change from an RD-3 Two-Family Residential District to an RM-3 Multiple-Family Residential District, on Square 77, Lot 1 Pt. 2 or A, in the Fifth Municipal District, bounded by Eliza and Alix Streets, Pacific and Atlantic Avenues (Municipal Address: **401-03 Atlantic Avenue**); and otherwise to provide with respect thereto. (**Zoning Docket Number 59/11**)

20. CAL. NO. 28,711 - 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 store in a CBD-7 Central Business District, on Square 236, Lot 1 or 32 and 2 or 33, in the First Municipal District, bounded by Carondelet Street, Howard Avenue, Baronne and Saint Joseph Streets (Municipal Address: **901 Carondelet Street or 801 Howard Avenue**); and otherwise to provide with respect thereto. (**Zoning Docket Number 57/11**)

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 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).
ON DEADLINE.*

2. **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*).
PAST DEADLINE.

3. **NCDC APPEAL - OF JEFFREY B. GOLDRING**

Brief:

Requesting to appeal the Neighborhood Conservation District Committee's decision of "**denial**" of the demolition of property located at **5428 St. Charles Avenue**.

Annotation:

(*Cn. Guidry, Cn. Deadline 11/19/11*).

4. **VCC APPEAL - OF JOEY MURRAY, MURRAY ARCHITECTS**

Brief:

Requesting to appeal the Vieux Carré Commission's Architectural Committee's decision of "**denial**" to replace two (2) hung windows with doors on the 2nd floor gallery for property located at **341 Chartres Street (600-04 Conti Street)**.

Annotation:

(*Cn. Gisleson Palmer*).

**5a. 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).

**5b. 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).

6. 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**".

YEAS: Brown, Bryan, Mitchell, Williams - 4

NAYS: Amedee, Carlos-Lawrence, Volz - 3

ABSENT: Duckworth, Sloss - 2

Annotation:

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

7. ZONING DOCKET NO. 92/11 - FAUBOURG SAINT CHARLES, LLC

Brief:

Requesting a Conditional Use to permit a parking lot in a CBD-7 Central Business District, on Square 181, Lots 3 and 4, in the First Municipal District, bounded by St. Charles Avenue, Julia, Camp and St. Joseph Streets (Municipal Address: **829 Camp Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to fourteen (14) provisos.

Annotation:

(Cn. Head, Cn. Deadline 12/10/11).

8. ZONING DOCKET NO. 93/11 - AUDUBON BEHAVIORIAL HEALTH, LLC

Brief:

Requesting a Zoning Change from an RD-2 Two-Family Residential District to a B-1 Neighborhood Business District, on Square 99, Lot 4, in the Seventh Municipal District, bounded by Cherokee, Burthe, Hillary and Maple Streets (Municipal Address: **7513 Maple Street**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

(Cn. Guidry, Cn. Deadline 12/10/11).

9. ZONING DOCKET NO. 96/11 - CITY COUNCIL MOTION M-11-403

Brief:

Requesting an Amendment to the text of the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, to amend Article 9, Section 9.5.3 Permitted Uses (Historic Marigny/Treme Commercial District) to include health clubs, yoga or dance studios, community centers, police substations, and banks (except drive-in) and to amend Article 9, Section 9.5.5 Conditional Uses (Historic Marigny/Treme Commercial District) to include theaters with alcoholic beverages and amusement places with alcoholic beverages for properties located along the lake-side of North Rampart Street between Saint Philip Street and Esplanade Avenue; along and near the river-side of McShane Place/Saint Claude Avenue between Esplanade Avenue and Elysian Fields Avenue; properties along both sides of Saint Claude Avenue between Elysian Fields Avenue and Press Street; along Elysian Fields Avenue between North Peters Street and Saint Claude Avenue; properties along the river-side of North Claiborne Avenue between Basin Street and Ursuline Street; and properties at and near the intersection of Esplanade Avenue and North Claiborne Avenue. The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 12/30/11).

10. ZONING DOCKET NO. 97/11 - CITY COUNCIL MOTION M-11-413

Brief:

Requesting a Conditional Use to permit an amusement place with alcoholic beverages in an HMC-2 Historic Marigny/Treme Commercial District, on Square 370, Lots 101, B and C, in the Third Municipal District, bounded by Saint Claude and Saint Roch Avenues, Spain and North Rampart Streets (Municipal Address: **2372 Saint Claude Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and thirty-two (32) provisos.

Annotation:

(Cn. Gisleson Palmer, Cn. Deadline 12/30/11).

11. ZONING DOCKET NO. 98/11 - 1009 POYDRAS LLC

Brief:

Requesting a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a cocktail lounge and an amusement place in a CBD-1 Central Business District, on Square 270, Lots 6 thru 12 or Pt. SW, in the First Municipal District, bounded by Poydras, South Rampart, Perdido and O'Keefe Streets (Municipal addresses: **1009 POYDRAS STREET and 442 SOUTH RAMPART STREET**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to twenty-two (22) provisos.

Annotation:

(Cn. Head, Cn. Deadline 12/24/11).

12. ZONING DOCKET NO. 99/11 - NEIGHBORHOOD HOUSING SERVICES OF NEW ORLEANS

Brief:

Requesting a Rescission of Ordinance No. 17,545 MCS (ZD 28/96, a Conditional Use to permit a medical clinic) and a new Conditional Use to permit a cocktail lounge with live entertainment in a B-1A Neighborhood Business District and within the Freret Street AC Arts and Cultural Overlay District, and a Conditional Use to permit a parking lot in an RD-2 Two-Family Residential District, on Square 583, Lots 17 thru 22, 13 and 14, in the Sixth Municipal District, bounded by Freret, Cadiz, LaSalle and Jena Streets (Municipal addresses: **4528 Freret Street and 4527 LaSalle Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to eighteen (18) provisos.

Annotation:

(Cn. Head, Cn. Deadline 12/24/11).

13. ZONING DOCKET NO. 100/11 - HAMPTON RENTAL PROPERTIES, LLC

Brief:

Requesting a Zoning Change from an RD-3 Two-Family Residential District to an RM-2A Multi-Family Residential District, on Square 323, Lot G or 4, in the Second Municipal District, bounded by North Dorgenois, Saint Ann, North Rocheblave, and Dumaine Streets (Municipal address: **2516 Dumaine Street**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

(Cn. Guidry, Cn. Deadline 12/24/11).

14. 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).
ON DEADLINE.

15. 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).
ON DEADLINE.

16. DESIGN REVIEW NO. 123/11 - BOB PENCE ON BEHALF OF WAFFLE HOUSE

Brief:

Requesting an Appeal of the Inner-City Urban Corridor (I.C.U.C.) District Regulations, Article 10, Section 10.3A of the Comprehensive Zoning Ordinance in the Third Municipal District, on Square 1795, Lots E, G, and F, bounded by Elysian Fields Avenue and Abundance, Agriculture, and Frenchmen Streets (Municipal address: **2940 Elysian Fields Avenue**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

(Cn. Hedge-Morrell, Cn. Deadline 12/4/11).

17. 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).
ON DEADLINE.

18. DESIGN REVIEW NO. 137/11 - URBAN TRENDZ, LLC

Brief:

Requesting an appeal of the Inner-City Urban Corridor (I.C.U.C.) District Regulations, **Article 10, Section 10.3A.6(2a)** of the Comprehensive Zoning Ordinance to permit a front yard setback of approximately forty-eight (48) feet and parking in the front yard, in the Fourth Municipal District, on Square 401, Lots 1 thru 4, 23 and 24, bounded by South Claiborne Avenue, First, Second and Willow Streets (Municipal Addresses: **2400 S. Claiborne Avenue** and **2928 First Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to two (2) waivers and seven (7) provisos.

Annotation:

(Cn. Head, Cn. Deadline 11/20/11).

19. CAL. NO. 28,237 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, 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.

20. CAL. NO. 28,238 - BY: COUNCILMEMBERS CLARKSON, HEAD, HEDGE-MORRELL AND JOHNSON (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.

21. CAL. NO. 28,489 - BY: COUNCILMEMBERS CLARKSON, HEAD, HEDGE-MORRELL AND JOHNSON (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).

22. CAL. NO. 28,490 - BY: COUNCILMEMBERS CLARKSON, HEAD, HEDGE-MORRELL AND JOHNSON (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).

23. CAL. NO. 28,570 - BY: COUNCILMEMBERS CLARKSON, HEAD, HEDGE-MORRELL AND JOHNSON (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).

24. CAL. NO. 28,571 - BY: COUNCILMEMBERS CLARKSON, HEAD, HEDGE-MORRELL AND JOHNSON (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).

25. 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).

26. CAL. NO. 28,699 - BY: COUNCILMEMBER GUIDRY (BY REQUEST)

Brief:

An Ordinance authorizing the Mayor of the City of New Orleans ("City") to enter into two Cooperative Endeavor Agreements by and between the City of New Orleans, Office of Inspector General, and the State of Louisiana, through the Louisiana Recovery School District ("RSD") and through the Governor's Office of Homeland Security and Emergency Preparedness ("GOHSEP"), both of which are to provide oversight to the RSD for the purpose of prevention and detection of fraud in RSD construction projects within Orleans Parish; and otherwise to provide with respect thereto.

Annotation:

Technical Amendment Needed.

(Governmental Affairs Committee recommended approval).

27. CAL. NO. 28,712 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance to authorize the City of New Orleans and the State of Louisiana, Division of Administration, Office of Community Development (OCD) to enter into a Cooperative Endeavor Agreement (CEA) with the City of New Orleans Planning Commission (CPC) to develop a plan to promote investment and redevelopment in resilient locations by: (i) forging a two-way learning channel between Main Street organizations, businesses, and city planners to inform a strategy targeting future public and private investment; and (ii) developing a model that can be extended to additional corridors in the future.

28. CAL. NO. 28,713 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and re-ordain Section 162-1 and Section 162-200 of the Code of the City of New Orleans and otherwise to provide with respect thereto.

29. CAL. NO. 28,717 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, GISLESON PALMER, GUIDRY, HEAD, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance providing a Capital Budget for the year 2012 in accordance with the provisions of Section 3-117 and 4-206 (1) (f) of the City Charter.

Annotation:

(Fiscal Note received).

30. CAL. NO. 28,718 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2012 in accordance with Sections 3-116, 4-206(1)(f) and 6-102 of the City Charter.

Annotation:

(Technical Amendment Needed).

31. CAL. NO. 28,719 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2012 in accordance with Section 3-115, 4-206(1)(f) and 6-102(3) of the City Charter.

32. CAL. NO. 28,722 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON (BY REQUEST)

Brief:

An Ordinance to adopt the Downtown Development District's 2012 Plan to provide additional capital and special services, facilities and/or improvements for the Downtown Development District of the City of New Orleans for the year 2012 and to provide otherwise with respect thereto.

33. CAL. NO. 28,723 - BY: COUNCILMEMBERS CLARKSON, HEAD, HEDGE-MORRELL, JOHNSON, GRANDERSON, GUIDRY AND GISLESON PALMER

Brief:

An Ordinance to adopt the New Orleans Tourism Marketing Corporation's Tourism Promotion Program for 2012, so as to provide special services in the area of Marketing New Orleans Tourism for the Year 2012; and to provide otherwise with respect thereto.

34. CAL. NO. 28,724 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive certain fees and requirements and permit street closure within and around the 300 block of Decatur Street, in conjunction with the New Orleans Fire Department presents the Calendar Release, on Friday, October 7th, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

35. CAL. NO. 28,725 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive certain fees and requirements and permit street closure within and around the 3100, 3200 and 3300 blocks of Grand Route Saint John Streets and the 1300 block of Mystery Street, in conjunction with the Faubourg St. John Neighborhood Association's Bounty on the Bayou, on Monday, October 31, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

Annotation:

(Technical Amendment Needed).

36. CAL. NO. 28,726 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive certain fees and requirements and permit street closure within and around the 1000 block of North Prieur, in conjunction with the St. Peter Claver Church presents the Jazz Extravaganza, on Saturday, October 8th, 2011; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

37. CAL. NO. 28,728 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to amend Sections 114-259 and 114-270 of the Code of the City of New Orleans to apportion actuarially required contributions between the city and each employing agency and each member of the retirement system; and otherwise provide with respect thereto.

38. CAL. NO. 28,729 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to amend Sections 114-56 and 114-204 of the Code of the City of New Orleans to increase the number of months used to determine the average monthly compensation of each member for purposes of the calculation of retirement benefits thereunder; and otherwise provide with respect thereto.

39. CAL. NO. 28,730 - COUNCILMEMBERS GISLESON PALMER, CLARKSON, HEAD, HEDGE-MORRELL AND JOHNSON (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 transfer funds between New Orleans Recreation Department projects; and otherwise to provide with respect thereto.

40. CAL. NO. 28,731 - BY: COUNCILMEMBERS GISLESON PALMER AND HEAD (BY REQUEST)

Brief:

An Ordinance to provide for the designation of public property within specified areas of the City of New Orleans as temporary a "Clean Zone" during the time period beginning at six o'clock (6:00) A.M. on Thursday, November 24, 2011, and ending at six o'clock (6:00) P.M. on Sunday, November 27, 2011, relative to the use of these areas in conjunction with the 2011 State Farm Bayou Classic and related activities and events; to provide for the temporary suspension of certain permits in the Clean Zone area, to provide for the temporary prohibition of the transaction of certain business and/or commercial activity in the Clean Zone area; to provide for the establishment of public participation areas; to provide for the establishment of fines and penalties for violations of this ordinance; to establish the Clean Zone as the area bounded by North Claiborne and Elysian Fields Avenues, the Mississippi River (West Bank Levee of Orleans Parish), and Earhart Boulevard, excluding the Louisiana Superdome property, the New Orleans Arena property and the Ernest N. Morial Convention Center property; and otherwise to provide with respect thereto.

41. CAL. NO. 28,734 - BY: COUNCILMEMBERS HEDGE-MORRELL AND GRANDERSON

Brief:

An Ordinance to amend and reordain Chapter 34 of the Code of the City of New Orleans by amending Section 34-4 and relative to the 2012 Mardi Gras parade season; and otherwise to provide with respect thereto.

42. CAL. NO. 28,735 - BY: COUNCILMEMBER GUIDRY

Brief:

An Ordinance to temporarily waive certain fees in conjunction with the Mount Triumph Baptist Church Community Health Fair, being held in the 1700 block of Fern Street, between Hickory Street and Green Street, on Saturday October 15, 2011, from 10:00am until 2:00pm; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

43. CAL. NO. 28,736 - BY: COUNCILMEMBER HEAD

Brief:

An Ordinance to delete in its entirety Section 46-51 of the Code of the City of New Orleans to remove the requirement that all contracts contain a sworn statement and requirement that the person or entity responsible for performing the contract or providing the service has not employed or retained any company or person, other than a bona fide employee working solely for him, to solicit or secure the subject contract and that he has not paid or agrees to pay any person, other than a bona fide employee working for him, any fee, commission, percentage, gift or any other consideration contingent upon or resulting from the subject contract; and otherwise to provide with respect thereto.

44. CAL. NO. 28,737 - BY: COUNCILMEMBERS GISLESON PALMER AND GRANDERSON

Brief:

An Ordinance to amend and re-ordain Section 162-1 and Section 162-200 of the Code of the City of New Orleans to provide for Assessable taxicab service; and otherwise to provide with respect thereto.

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

Brief:

Requesting that on or before the first day of January, 2011, the 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 9/1/11).

46. 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).

47. MOTION (LYING OVER) - 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."

48. RESOLUTION - NO. R-11-515 - BY: COUNCILMEMBERS CLARKSON, GRANDERSON, GUIDRY, HEAD, GISLESON PALMER, HEDGE-MORRELL AND JOHNSON

Brief:

Approving the following City Council/Harrah's Community Support Grants Program grants from the grant funds, subject to the Organization's eligibility:

At-Large A (Clarkson):

Louisiana Creole Research Association, Inc.	\$1,000
Young Aspirations/Young Artists, Inc.	\$1,000
Boys Town Louisiana, Inc.	\$1,000
Louisiana Cultural Economy Foundation	\$1,000
New Orleans Arts & Cultural Host Committee	\$1,000
Louisiana Philharmonic Orchestra	\$1,000
Friends of City Park	\$2,500
Tennessee Williams/New Orleans Literary Festival	\$1,000
Young Audiences of Louisiana	\$1,000
New Orleans Ballet Association	\$1,000
Contemporary Arts Center	\$1,500
St. Anna's Episcopal Church	\$1,000
Greater New Orleans Youth Orchestras	\$1,000

At-Large B (Granderson):

Project Lazarus	\$1,000
AVODAH: The Jewish Service Corps.	\$2,000
Leona Tate Foundation for Change, Inc.	\$2,000
Covenant House New Orleans	\$2,000
Boys Town Louisiana, Inc.	\$2,000
Young Aspirations/Young Artists, Inc.	\$2,000
New Orleans Arts & Cultural Host Committee	\$2,000
Early Childhood & Family Learning Foundation	\$1,000
Hope Stone Inc.	\$2,071

District A (Guidry):

Louisiana Cultural Economy Foundation	\$1,000
Preservation Alliance of New Orleans, Inc.	\$1,000
New Orleans Afrikan Film & Arts Festival Project	\$1,000
Professional Services Industry, Inc./Serving Up!	\$1,000
THEOS Community Empowerment Corp.	\$1,000
New Orleans African American Museum of Art, History & Culture	\$1,000

New Orleans Arts & Cultural Host Committee, Inc.	\$2,000
Boys Town Louisiana, Inc.	\$2,000
Global Green USA	\$1,000
Kids Coupes Inc.	\$2,000
Trinity Christian Community	\$3,000

District B (Head):

Covenant House New Orleans	\$2,500
Professional Services Industry, Inc.	\$2,500
Hope Stone Inc.	\$1,000
Shalom Zone Community, Inc.	\$2,500
Young Aspirations/Young Artists, Inc.	\$7,500
Urban Impact Ministries	\$2,000

District C (Gisleson Palmer):

Metro Bicycle Coalition of New Orleans	\$1,500
Professional Services Industry, Inc.	\$1,000
New Era Track Club	\$1,000
New Orleans African American Museum of Art, History & Culture	\$1,000
Historic Faubourg Treme Association	\$2,500
Global Green USA	\$1,500

District D (Hedge-Morrell):

Rubarb Community Bike Shop	\$1,000
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District E (Johnson):

New Orleans Afrikan Film & Arts Festival Project	\$1,500
Vietnamese Initiatives in Economic Training	\$2,500

49. RESOLUTION - NO. R-11-516 - BY: COUNCILMEMBER HEDGE-MORRELL

Brief:

Honoring Ronald Washington, Manager, 2011 American League Champion Texas Rangers by declaring November 14th Ron Washington Day, and forever acknowledging his achievements to baseball, humanity and the love for New Orleans - the city he calls home.

50. RESOLUTION - NO. R-11-517 - BY: COUNCILMEMBERS HEAD AND GISLESON PALMER

Brief:

Requesting that the Mayor's Restoration Tax Abatement Committee and the Economic Development Staff consider the guidelines outlined in this resolution prior to making their recommendation to the Council, for each initial application as well as for each renewal application.

51. ORDINANCES ON FIRST READING