

May 4, 1995

**OF REGULAR MEETING OF THE COUNCIL OF THE CITY OF NEW ORLEANS
HELD IN CITY HALL COUNCIL CHAMBER ON THURSDAY, MAY 4, 1995
AT 10:20 A.M.**

The Council of the City of New Orleans met this day in Regular Session, at 10:20 A.M., in the Council Chamber, City Hall, Council President, Peggy Wilson, presiding.

On calling the roll, the following members answered to their names:

PRESENT:

CARTER

GLAPION

HAZEUR

SINGLETON (VICE COUNCIL PRESIDENT)

THOMAS

TERRELL

WILSON (COUNCIL PRESIDENT)

SEVEN MEMBERS, CONSTITUTING A QUORUM, PRESENT.

INVOCATION

JUDGE LAWRENCE L. "LARRY" LAGARDE, JR.

JUVENILE COURT - SECTION D

PRESENTATION OF COLORS

MAJOR GROVER - JROTC COLOR GUARD

FORTIER SENIOR HIGH SCHOOL

PLEDGE OF ALLEGIANCE TO THE FLAG

OLIVER M. THOMAS

COUNCILMEMBER

DISTRICT

"B"

NATIONAL ANTHEM

DOMINIC

MARTIN

ACCOMPANIED BY

MRS. LILLIAN DUNN PERRY

B SHARP MUSIC CLUB

PRESIDENT EMERITUS

EXECUTIVE

SESSION

Notice is hereby given that the City Council of New Orleans will go into executive session during the City Council meeting of May 4, 1995, for the purpose of discussion litigation for the following:

1. DeGaulle Investments, et al vs. City of New Orleans, et al, Civil
District Court No. 94-7177, Division E.

Councilmember Wilson stated that an Executive Session on this foregoing matter was not necessary.

CANCELLED.

At this time Councilmember Wilson welcomed three members of Pittsburgh, PA City Council.

PROCLAMATION

10 Year anniversary of City's regulation of NOPSI & LP&I

At this time Councilmember Singleton and Joe Giarrusso, Criminal Justice Commission, presented comments on the foregoing matter.

On motion of Councilmember Wilson, seconded by Councilmember Carter, and without objection, the rules of the Council were suspended for the purpose of advancing to First Order of Business/Resolutions.

]

FIRST ORDER OF BUSINESS

RESOLUTIONS

The following resolutions were read simultaneously but acted on separately:

NO. R-95-542

**BY: COUNCILMEMBERS CARTER, GLAPION, HAZEUR, SINGLETON, TERRELL,
THOMAS AND WILSON**

A Resolution and order establishing public hearings on the public utility holding company act (PUHCA), and competition in the electric utility service industry on the tenth anniversary of the reinvestment of regulatory control in the City Council.

NO. R-95-543

**BY: COUNCILMEMBERS CARTER, GLAPION, HAZEUR, SINGLETON, TERRELL,
THOMAS AND WILSON**

A Resolution and order establishing public hearings on competition in the natural gas utility service industry.

The following persons addressed the Council on the foregoing resolutions:

Mr. Clint Vince

Mr. Jeff Wilkerson

Mr. Gary Groesch

Mr. Henry Heier

Mr.

Pack

At this time Councilmember Wilson moved to suspend the rules of the Council for the purpose of deferring the Consent Agenda until later in the meeting.

There being no objection, so ordered.

NO. R-95-542

BY: COUNCILMEMBERS SINGLETON, CARTER, GLAPION, HAZEUR, TERRELL, THOMAS AND WILSON

**A RESOLUTION AND ORDER
ESTABLISHING PUBLIC HEARINGS ON THE
PUBLIC UTILITY HOLDING COMPANY ACT (PUHCA),
AND COMPETITION IN THE ELECTRIC
UTILITY SERVICE INDUSTRY
ON THE TENTH ANNIVERSARY OF THE REINVESTMENT OF
REGULATORY CONTROL IN THE CITY COUNCIL.**

WHEREAS, ten years ago today the voters of Orleans Parish reinvested in the City Council the powers of supervision, regulation and control of public utilities operating within the City of New Orleans; and

WHEREAS, since the reinvestment of the powers of supervision, regulation and control of public utilities operating within the City of New Orleans, the City Council has saved NOPSI and LP&L ratepayers nearly \$4 billion over the estimated life of the Grand Gulf nuclear power station through local regulatory dockets, interventions in federal proceedings and court action; and

WHEREAS, in on-going Docket No. CD-85-1 and UD-91-1 (Rate Reduction Allocation and Design) and in on-going Docket No. UD-92-2A and 2B (Least Cost Integrated Resource Planning) NOPSI and LP&L have sought certain relief from the City Council in response to an alleged competitive environment, including the alleged relocation of, and self-generation by, "at-risk" commercial and industrial customers; and

WHEREAS, New Orleans-based Entergy Corporation (Entergy) a multi-state utility holding company and corporate parent of NOPSI and LP&L has joined with other such public utility holding companies in seeking congressional repeal of the Public Utility Holding Company Act of 1935 (PUHCA), again in response to an alleged competitive environment; and

WHEREAS, PUHCA requires federal Securities and Exchange Commission (SEC) review and approval of multi-state utility holding company investments in otherwise unrelated and unregulated activities, including domestic and foreign utility and non-utility ventures in the energy and telecommunications fields, such as Entergy's investments in independent power production and electric plant facilities in Argentina, China and India, and in its affiliate First Pacific Network's telecommunications technologies; and

WHEREAS, the FERC has proposed a restructuring of the electric energy industry in its March 29, 1995 Notice of Proposed Rule Making on Wholesale Competition and Recovery of Stranded Costs, which proposal would: (1) require utilities to file non-discriminatory open access tariffs available to wholesale sellers and purchasers of electric energy; (2) require utilities to take service under such tariffs for their own wholesale sales and purchase; and (3) allow utilities the opportunity to recover stranded costs; and

WHEREAS, these developments may require that the City Council explore new issues in a competitive environment for the provision of electric utility services, including the impact of such competition on captive ratepayers and classes of ratepayers, ratepayer versus shareholder liability for existing and future investment in plant, and customer service and utility system reliability; and

WHEREAS, the City Council is of the opinion that these and other changes in the electric utility service industries will pose new regulatory challenges and may have important consequences for ratepayers over the next ten years and the Council therefore desires to establish a process to begin considering these and other issues; and

WHEREAS, Section 52-142 of the City Code provides that the City Council, in those instances wherein it deems a public hearing to be appropriate, convenient and necessary in the public interest, may conduct formal public hearings with reference to any matter within its franchise and regulatory jurisdiction; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that in accordance with Section 52-142 of the City Code, and as may otherwise be governed by the Home Rule Charter and City Code, and as may otherwise be governed by subsequent order or orders of the Council, the Council will hold public hearings on competition in the electric utility industry.

The first public hearing will focus on PUHCA and will take place in the Council Chambers on June 8, 1995. Interested parties are asked to address the following issues in written and/or oral comments:

What are the basic consumer protection of PUHCA and what is their impact on consumers in New Orleans?

What efforts are underway to repeal or reform PUHCA and what has been Entergy's role in such efforts?

Should PUHCA be repealed, amended or preserved in its current state? If PUHCA is to be amended, what amendments are appropriate?

How would repeal or amendment of PUHCA impact ratepayers in New Orleans?

How would repeal or amendment of PUHCA impact NOPSI, LP&L and the rest of the Entergy System?

How would repeal or amendment of PUHCA effect entities which desire to become suppliers of electricity in New Orleans?

If PUHCA is repealed or amended, should the Council permit entities other than NOPSI and LP&L to provide retail electric services in New Orleans.

Written comments should be filed with the Council no later than June 5, 1995.

The Council will subsequently schedule one or more additional hearings on competition in the electric utility service industries and also the issue of retail electric competition. The Council will identify those issues to be addressed in such subsequent public hearings by separate order.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that based on the record established at such hearings, the oral and written comment of the public and the regulated industries, and the advice of its staff and professional consultants, the City Council will consider the establishment of one or more additional public hearings and/or regulatory dockets for further and more formal review of these and other issues.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

NO. R-95-543

**BY: COUNCILMEMBERS SINGLETON, CARTER, GLAPION, HAZEUR, TERRELL,
THOMAS AND WILSON**

**A RESOLUTION AND ORDER
ESTABLISHING PUBLIC HEARINGS ON**

**COMPETITION IN THE NATURAL GAS
UTILITY SERVICE INDUSTRY**

WHEREAS, on October 12, 1994 the Council held a public hearing to receive comment on: integrated resource planning for gas utilities, the NOPSI Gas Storage Program required by Resolution and Order R-91-102, and the NOPSI Gas Marketing Program as adopted by Resolution and Order R-93-74 (as corrected); and

WHEREAS, by Council Resolution and Order R-94-819 (as amended), dated October 20, 1994, the Council's Advisors were directed to include in their forthcoming gas report an analysis of the potential for expansion of the NOPSI gas distribution system to additional residential, commercial and industrial customers; a review of NOPSI's policies for service expansion; a review of NOPSI's pricing policies when measured against surrounding LDC's; and an overview of NOPSI's supply portfolio to meet its peak-day send out requirements (exclusive of gas used for electric generating purposes), including the potential for opportunities afforded NOPSI by viture

of Federal Energy Regulatory Commission (FERC) Order 636; and

WHEREAS, by Council Resolution and Order R-94-819 (as amended), dated October 20, 1994, NOPSI was directed to provide such data and information (including any relevant information obtained as a result of the Council's directive to conduct a fuel switching pilot program), on a timely basis, as the Advisors were required to provide the above analysis to the Council within 120 days of the adoption of the Resolution; and

WHEREAS, NOPSI was further directed to begin collecting data on load research, and uses and forecasts necessary for future evaluation of IRP and DSM; and

WHEREAS, on December 14, 1994, the Council Advisors submitted to NOPSI a detailed request for information pertaining to NOPSI gas service availability, reliability, and competitiveness; and

WHEREAS, on April 5 and April 13, 1995 NOPSI submitted to the Council Advisor's their responses to the Advisors informational of December 14, 1994; and

WHEREAS, the Council's Advisors have informed the Council's that with the receipt of said responses, they are now able to finalize the report requested by the Council in Resolution R-94-819 (as amended); and

WHEREAS, on March 31, 1995, pursuant to Docket UD-91-1 and Resolutions R-92-111 (as amended) and R-93-74 (as corrected), NOPSI filed with the Council its second annual report on NOPSI's Natural Gas Marketing Program describing activities undertaken in 1994 in the Vacant Housing Renewal Program, the Large Customer Attraction Program, the Natural Gas Vehicle Program; and

WHEREAS, the Sewerage and Water Board is currently considering a "bypass" of NOPSI in order to obtain natural gas from Louisiana Gas Service which may have an impact on NOPSI natural gas customers; and

WHEREAS, Air Products 1989 "bypass" of NOPSI in order to obtain natural gas directly from the Southern Natural Gas pipeline company resulted in the creation of Council Docket CD-89-2 In Re: An Appropriate Regulatory Framework for Natural Gas Pipelines; which raised issues still unresolved; and

WHEREAS, the Public Utility Holding Company Act of 1935 requires SEC review and approval of the provision of both electric and natural gas utility services by a single multi-state utility holding company, such as Entergy's provision of both electric and natural gas utility services

through its operating companies, NOPSI and Gulf States Utilities (GSU); and

WHEREAS, in approving the Entergy/GSU merger and Entergy's provision of both electric and natural gas utility services in 1993, the SEC relied on a 1953 declaration of policy by the Mayor and members of the Commission Council of New Orleans to the effect that the City of New Orleans desired the joint provision of electric, natural gas and transit services by NOPSI based on circumstances which have since changed; and

WHEREAS, the FERC's Order 636 resulted in the massive restructuring of the natural gas industry, including the "unbundling" or separate provision of formerly "bundled" interstate natural gas sale and transportation services and the indirectly related "bypass" of local distribution companies, such as NOPSI, by customers contracting directly with other suppliers; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that in accordance with Section 52-542 of the City Code, as may otherwise be governed by the Home Rule Charter and the City Code, and as may otherwise be governed by subsequent order or orders of the Council, the Council will hold a public hearing on competition in the natural gas utility service industry.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS that the public hearing will take place in the Council Chambers on July 13, 1995 at 10:00 a.m. Interested parties are asked to address the following issues in written or oral comments:

to The reliability and availability of NOPSI natural gas utility services
all consumers;

The effects of NOPSI's natural gas marketing program;

The effect of NOPSI's natural gas storage program;

electric The effect of NOPSI's continued provision of both natural gas and
utility services;

services; The effect of Order 636 on NOPSI's provision of natural gas utility

utility The effect of "bypass" instances on NOPSI's provision of natural gas
services.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS that based on the record established at such hearings, the oral and written comment of the public and the regulated industries, and the advice of its staff and professional consultants, the City Council will consider the establishment of one or more additional public hearings and/or regulatory dockets for further and more formal review of these and other issues.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

On motion of Councilmember Singleton, seconded by Councilmember Wilson, and without objection, the rules of the Council were suspended for the purpose of advancing to Fourth Order of Business.

RESOLUTION

NO. R-95-550

BY: COUNCILMEMBERS TERRELL, THOMAS, SINGLETON AND WILSON

Endorsing the Port of New Orleans' plan to name the 4 mile route from Felicity to Audubon Park on the inside of the floodwall to honor the memory of Clarence "Chink" Henry.

Withdrawn.

Mrs. Clarence Henry addressed the Council on the foregoing resolutions.

After discussion, Councilmembers Terrell, Thomas, Singleton and Wilson offered the following substitute resolution:

SUBSTITUTE

NO. R-95-550

BY: COUNCILMEMBERS TERRELL, THOMAS, SINGLETON AND WILSON

WHEREAS, according to John Chase,

*"The streets of New Orleans are indelible markings of
yesterday, which the law of the land retains for today, and
for the eternal tomorrows"; and*

WHEREAS, the crazy quilt pattern of New Orleans streets and the names given them by the many names have an historical story to tell; and

WHEREAS, the name Tchoupitoulas has been a mystery of grand proportions to historians and etymologists with references made to an Indian tribe, a mud fish, a bayou and other translations which give visitors a problem with pronunciation and natives a problem in spelling; and

WHEREAS, historically, the word Tchoupitoulas first appears as the name of the settlement on the east bank of the Mississippi river, nine miles above the St. Louis Cathedral and the name was later assigned to a street recognized as New Orleans' oldest and longest street; and

WHEREAS, the policy objective of the street renaming policy procedure of the City Planning Commission is to preserve historic and significant street names; and

WHEREAS, the renaming of Tchoupitoulas Street would affect 4 historic districts; the Warehouse District, the Irish Channel, Uptown District and the Lower Garden District and representatives of the areas have expressed the desire to keep the name of Tchoupitoulas for this historic street; and

WHEREAS, recent suggestions have been made to change the name to honor one of New Orleans' most distinguished citizens; and

WHEREAS, no one is more deserving of this honor than the late Clarence "Chink" Henry, who served the community as a labor leader, civil rights activist and humanitarian; and

WHEREAS, it is the sense of the Council that the designation of the Port of New Orleans new roadway inside the riverfront flood wall is a more appropriate dedication for Clarence "Chink" Henry whose union activities as president of Local 1419 of the International Longshoreman's Association identified with work along that stretch of the river; and

WHEREAS, in light of the designation of the Port of New Orleans, it is no longer necessary to consider changing the name of Tchoupitoulas Street; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this Council hereby endorses the Port of New Orleans plan to name the 4 mile route from Felicity to Audubon Park on the bature side of the flood wall to honor the memory of Clarence "Chink" Henry.

BE IT FURTHER RESOLVED That this Council recognizes the policy objectives of the City Planning Commission to preserve historic and significant street names and reaffirm its commitment to keeping this historic street named Tchoupitoulas.

BE IT FURTHER RESOLVED, That the Clerk of Council shall cause copies of this resolution to be forwarded to the Director and Board of Port of New Orleans as a indication of the Council's intent to support their efforts.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Hazeur, Singleton, Terrell, Thomas, Wilson - 6

NAYS: Glapion - 1

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

On motion of Councilmember Singleton, seconded by Councilmember Wilson, and without objection, the rules of the Council were suspended for the purpose of reverting to Third Order of Business/Report.

THIRD ORDER OF BUSINESS

LEGISLATIVE

GROUPING

REPORT

MEMBERS OF THE CONFLICT RESOLUTION TASK FORCE will submit a report to the Council on its findings. (Per **R-95-313**)

After discussion, the foregoing report was continued to the meeting of May 18, 1995. *as the 1st Order of Business.*

ORDINANCE ON FINAL PASSAGE

CAL. NO. 19,889 - BY: COUNCILMEMBER THOMAS - An Ordinance to amend Chapter 43 of the City Code by adding thereto a new subsection to be designated as § 43-15.1, relative to the establishment of a conflict resolution program within the Department of Recreation.

Continued to the meeting of May 18, 1995, as the *1st Order of Business.*

TO ADDRESS THE COUNCIL

COUNCILMEMBER TERRELL has requested that *Mr. Marlin Gusman, Chief Administrative Officer and Mrs. Nanette Brown, Director of Sanitation* be present at this Council meeting to discuss possible additional costs related to curbside recycling as outlined in the Wall Street Journal article.

The following persons addressed the Council on the foregoing matter:

Mr. Marlin Gusman, Chief Administrative Officer

Mrs. Nanette Brown, Director of Sanitation

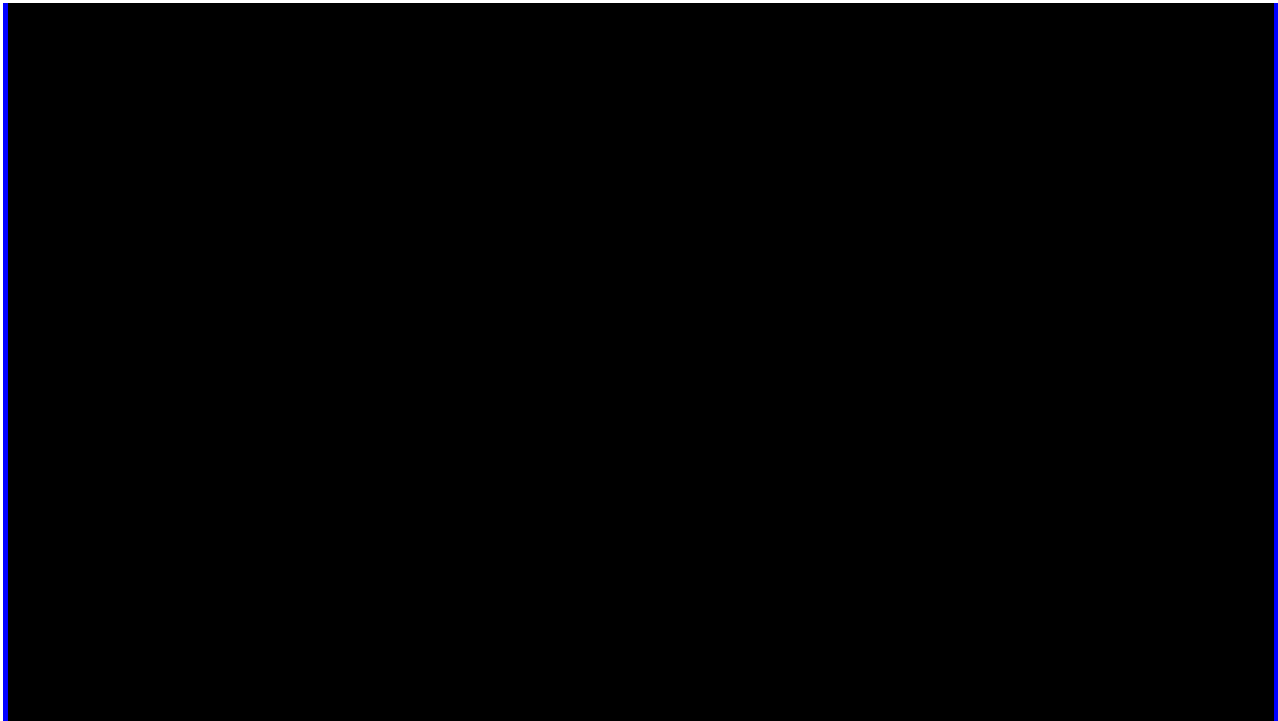
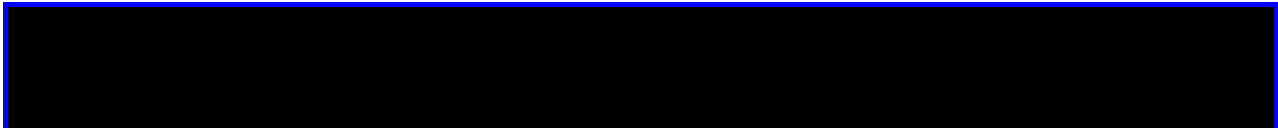
At this time the Council took a 1 hour recess.

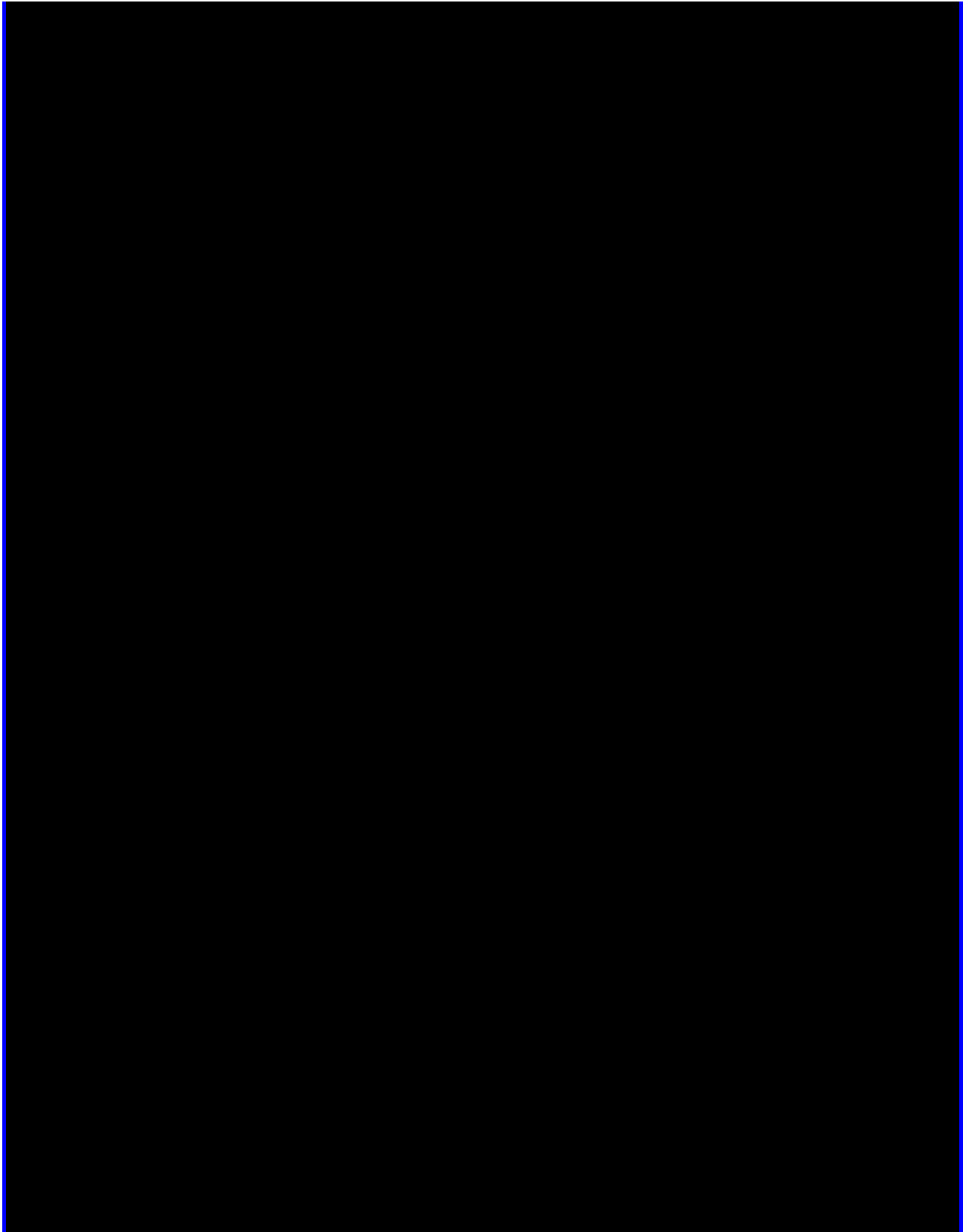
At 1:30 p.m., the Council reconvened their meeting.

PUBLIC **HEARING**

BLIGHTED PROPERTY

OF THE OFFICE OF HOUSING & HUMAN NEEDS COMMITTEE - Submitting
Blighted Property List Numbers #26.



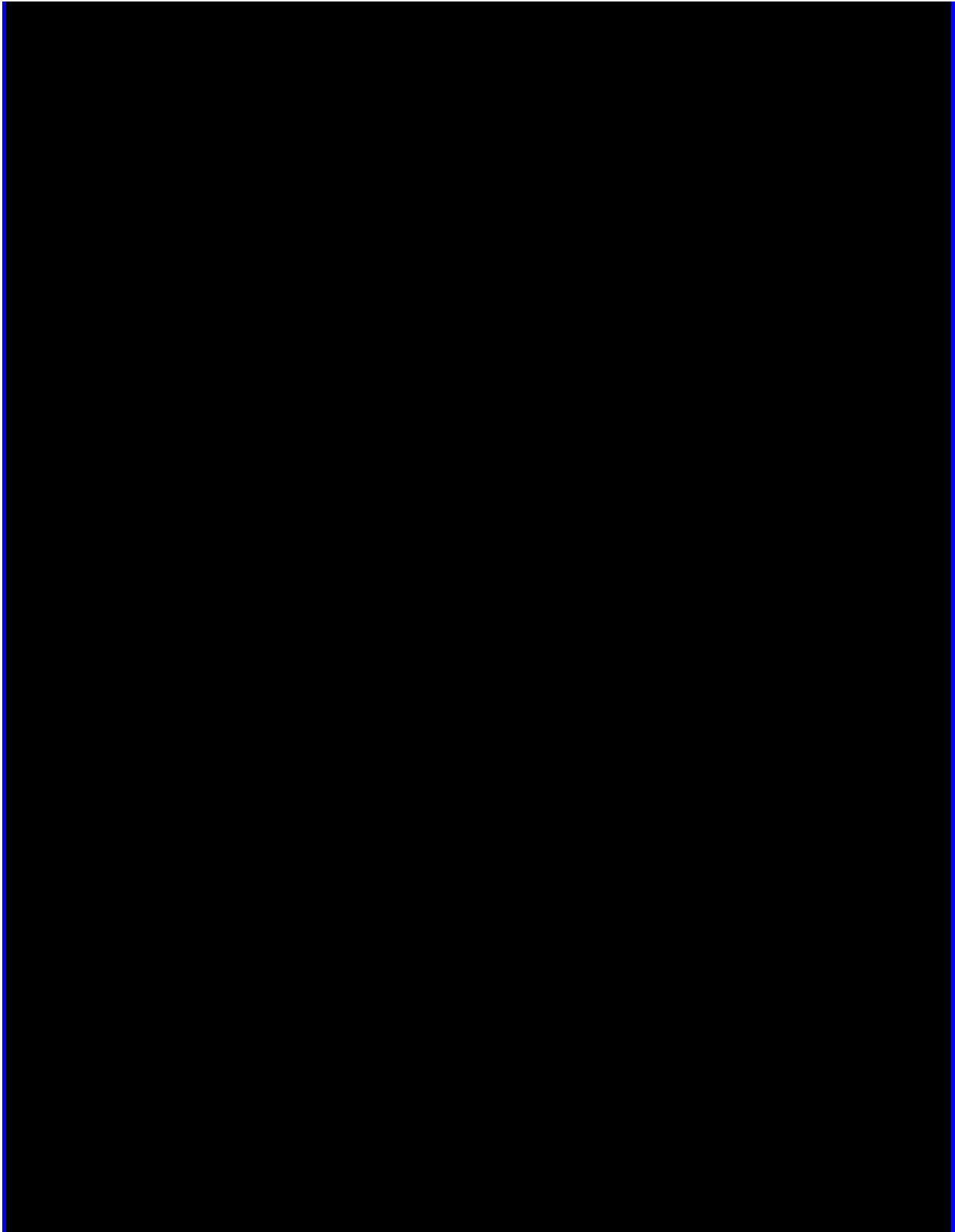


[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

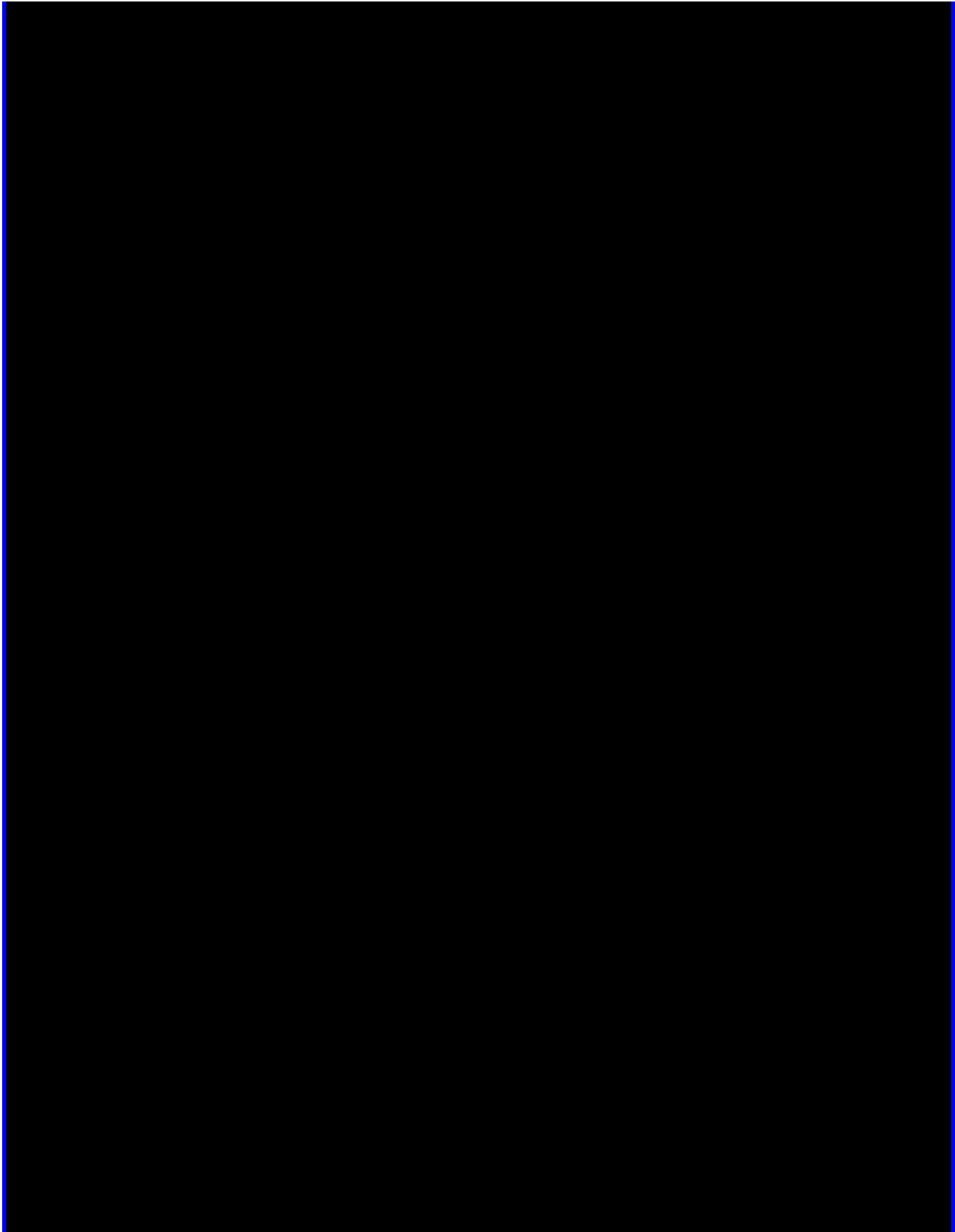


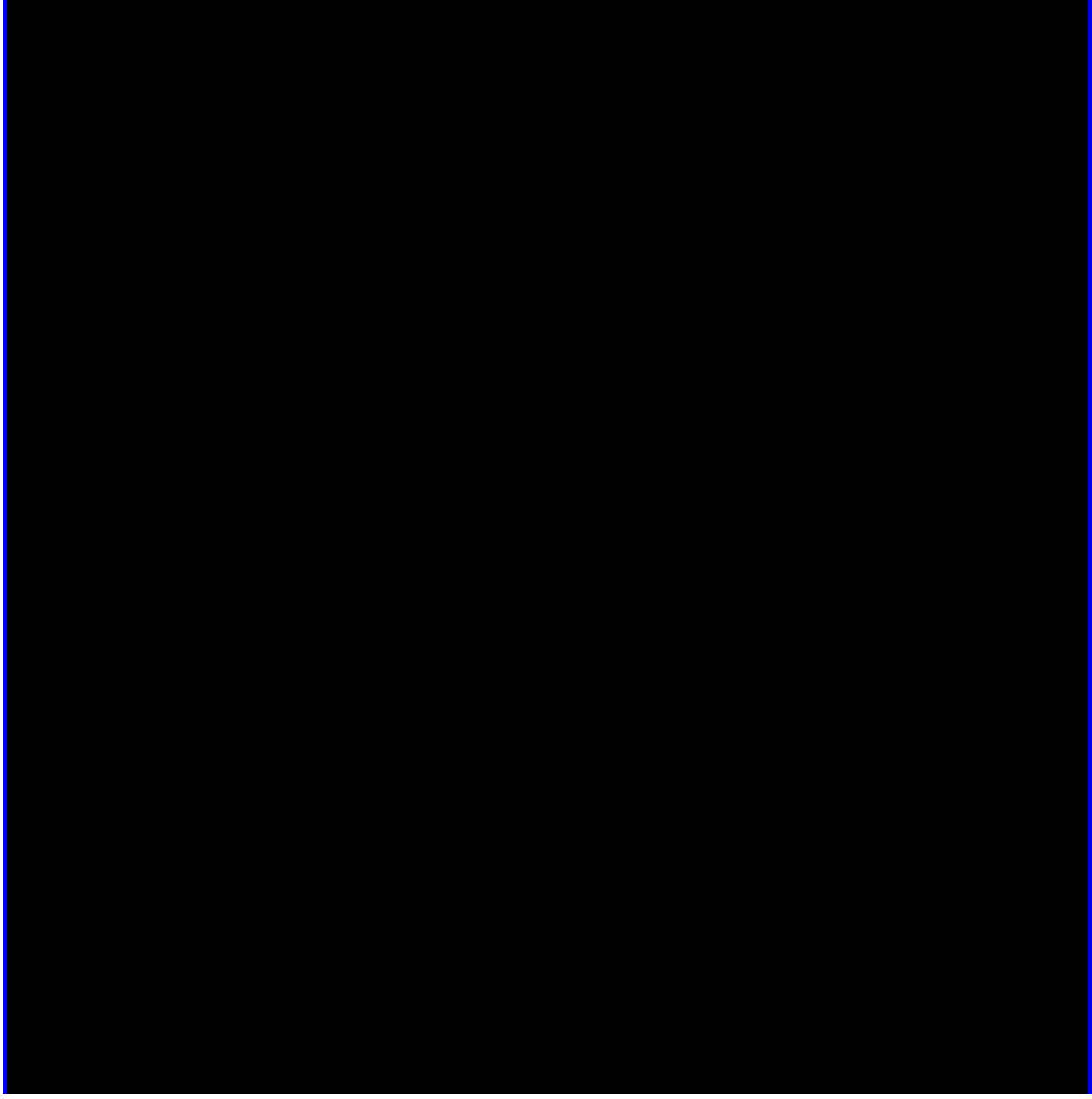
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





CONTINUED TO THE MEETING OF MAY 18, 1995.

COMMUNICATIONS

FROM EYNES MENDEZ - Requesting to address the City Councilmembers concerning his beliefs and ideas about the city charter revision.

Appeared.

FROM MARK M. GONZALEZ - Representing Richard Opdyke in the denial of a CPNC for a Tour Guide License.

Received and referred to the Grounds Transportation Committee.

FROM ALVIN L. GARIBALDI, Executive Regulatory & Governmental Affairs of the City of New Orleans - Submitting NOPSI's Utilities Action Plan.

Received and referred to the Council Utilities Committee.

FROM ALVIN L. GARIBALDI, Executive Regulatory & Governmental Affairs of the City of New Orleans - Submitting a monthly report for the month of March 1995, of NOPSI's progress to improve reliability of its underground Residential Distribution (URD) System.

RECEIVED & REFERRED TO COUNCIL UTILITIES COMMITTEE.

FROM J. MICHAEL DOYLE, JR., Director of Personnel, City Civil Service - Submitting an amendment to the pay plan of the classified service, adopted by the Civil Service Commission at its April 20, 1995 meeting for Councilmanic approval:

RECEIVED & REFERRED TO COUNCIL RESEARCH STAFF & BUDGET COMMITTEE.

FROM KENNETH DUCOTE, Director of Facility Planning, New Orleans Public Schools - Submitting a proposed Plan and Budget for Orleans Parish School Board proceeds of the City's lease with Harrah's for the Temporary Casino.

RECEIVED & REFERRED TO THE COUNCIL RIVERGATE COMMITTEE.

FROM McCHORD CARRICO of MONROE AND LEMANN, Attorneys-at-Law - Submitting NOPSIS Information Filing Pursuant to Resolution No. R-95-2 and pursuant to Section 52-300 et seq of the City Code - Underwriting Utilities Agreement (NOPSIS) - \$30,000,000 General Committee and Refunding Mortgage Bonds.

RECEIVED & REFERRED TO COUNCIL UTILITIES COMMITTEE.

The following communication was received after the Council's deadline:

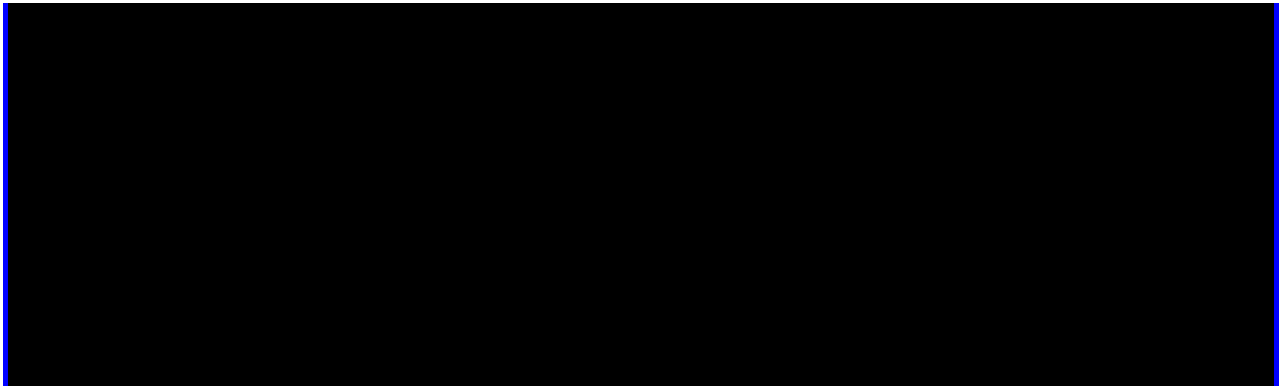
FROM WADE H. STEWART, Director, Regulatory Affairs, NOPSIS - Submitting a report of Louisiana Power & Light Company in Conformance with Council Resolution R 93-186 dated June 17, 1993 and Review of General Service Customers Billing on Alternate Rate

Schedules.

RECEIVED & REFERRED TO COUNCIL UTILITIES.

REPORTS

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION -
Transmitting Zoning Dockets Numbers 19/95, 20/95 and 21/95 to set hearing dates thereon:



The foregoing report was inadvertently placed on today's agenda. This report was received at a previous meeting and the hearing dates set thereon.

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION -
Recommending approval to the change in non-conforming use for property located at **1242 St. Roch Avenue**, subject to six (6) provisos. The use is being changed from a printing shop to a sweet shop.

RECEIVED.

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION -
Recommending approval to the change in non-conforming use for property located at **1022-24**
Royal Street, subject to seven (7) provisos.

RECEIVED.

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION -
Recommending approval of the moratorium appeal of Charles Whalen, Jr. for property located at
4416, 18 & 20 Magazine Street, subject to six (6) provisos.

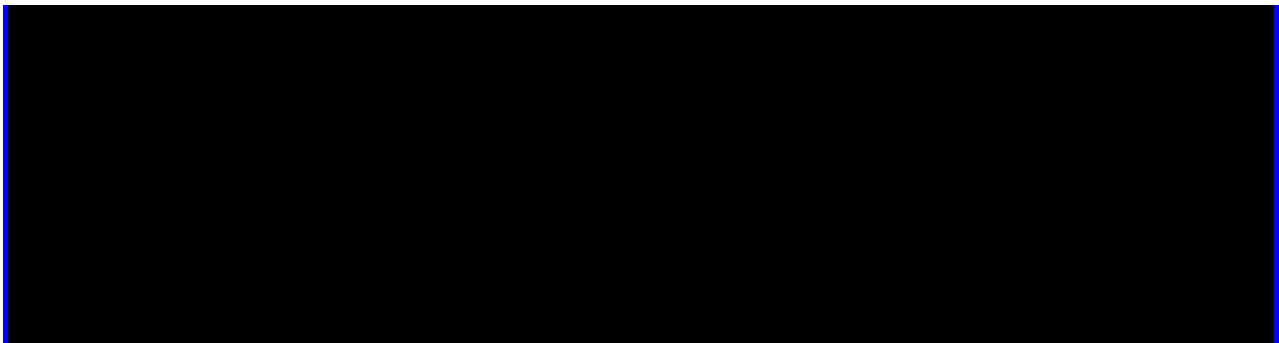
RECEIVED.

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION -
Recommending approval for the moratorium appeal for E.J.'s Grooming, Inc. located at **4500 Old**
Gentilly Road, subject to five (5) provisos.

RECEIVED.

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION -
Transmitting Zoning Dockets Numbers 13/95 and 23/95 to set hearing dates thereon:

RECEIVED. HEARING DATES ARE AS FOLLOWS:



The following reports were received after the Council's deadline:

OF THE DIRECTOR OF THE VIEUX CARRE COMMISSION - Recommending that the permits not be granted on the moratorium appeal of Quarter Scene Restaurant for property located at **900 Dumaine Street.**

RECEIVED.

OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION - Recommending approval to Ordinance Calendar No. 19,932.

RECEIVED.

HISTORIC DISTRICT APPEALS

OF WILLIAM "VAN" HOWENSTINE - Requesting to appeal the decision of the Historic District Landmarks Commission's denial of a window placed on the front of property located at **301-03 Morgan Street.**

CONTINUED TO THE MEETING OF JUNE 1, 1995.

LEGISLATIVE GROUPING

and Royal Streets, Second Municipal District (Municipal Address **420 Bourbon Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

CONTINUED TO THE MEETING OF MAY 18, 1995.

ZONING PETITION NO. 20/95 - CITY COUNCIL MOTION NO. M-95-92 - Requesting to amend the Comprehensive Zoning Ordinance No. 4264 M.C.S., as amended, to delete pawn shops as a permitted or conditional use in all zoning districts, including the C-1, General Commercial District for *all districts*. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

CONTINUED TO THE MEETING OF MAY 18, 1995.

ZONING PETITION NO. 21/95 - CITY COUNCIL MOTION NO. M-95-113 - Requesting an establishment of an Interim Zoning District (IZD) to prohibit all uses except those specifically permitted in the RO-1, General Office District, less and except hospitals and clinics and provided that any proposed development or redevelopment of any property of more than 10,000 square feet shall be considered only through the Residential Planning Community (RPC) processes, for the area generally bounded by N. Pierce, Toulouse and N. Scott Streets, Orleans Avenue, N. Jefferson Davis Parkway, Conti, N. Telemachus and Bienville Streets. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**, as per staff recommendations.

CONTINUED TO THE MEETING OF MAY 18, 1995.

ORDINANCES ON FINAL PASSAGE

CAL. NO. 19,738 - BY: COUNCILMEMBER WILSON - AN ORDINANCE to amend and reordain Section 12-124 of the City Code to add penalties for violation of this

section relative to the solicitation of patronage at the terminus of any public utility; and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,762 - BY: COUNCILMEMBER SINGLETON (BY REQUEST) - An Ordinance to ordain a new § 42-155 of Ordinance No. 828 M.C.S., as amended, the City Code, relative to the non-public employment of Peace Officers; and to otherwise provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,765 - BY: COUNCILMEMBER HAZEUR - An Ordinance to amend and reordain Chapter 38, § 172 of Ordinance No. 828 M.C.S., as amended, relative to truck routes; to remove the designation of Caffin Avenue between Florida Avenue and Chartres Street as a truck route; and to otherwise provide with respect thereto.

Deferred until later in the meeting.

CAL. NO. 19,777 - BY: COUNCILMEMBER WILSON - An Ordinance to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to appropriate 1993 fund balance to Reserves.

CONTINUED TO THE MEETING OF JUNE 1, 1995.

CAL. NO. 19,778 - BY: COUNCILMEMBER WILSON - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to appropriate 1993 fund balance to Reserves and to provide that funds appropriated herein may be reappropriated and expended only for purposes which are one-time expenditures.

CONTINUED TO THE MEETING OF JUNE 1, 1995.

CAL. NO. 19,786 - BY: COUNCILMEMBER HAZEUR - An Ordinance to amend and reordain § 42-59 of the City Code, relative to illegal possession or ownership of firearms or other dangerous instruments by certain persons, to include a violation of § 42-54 which addresses discharging of weapons; and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,787 - BY: COUNCILMEMBER WILSON - An Ordinance to amend and reordain Ordinance No. 11,625 M.C.S., known as the Uniform Building Code of the City of New Orleans, as amended, relative to the applicability of provisions, requiring City Council approval of all building demolitions; and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,788 - BY: COUNCILMEMBER WILSON - An Ordinance to amend and reordain Chapter 30, § 30-3 of Ordinance No. 828 M.C.S., of the code of the City of New Orleans relative to applicability of provisions of the Minimum Housing Standards requiring City Council approval of all building demolitions; and to provide otherwise with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,828 - BY: COUNCILMEMBER THOMAS - An Ordinance to amend and reordain § 42-5 of Ordinance No. 828 M.C.S., as amended, known as the City Code of New Orleans to increase the penalty provisions for violation of this section of the Municipal Criminal Code from three hundred dollars (\$300.00) to five hundred dollars (\$500.00).

Councilmember Thomas offered the following amendments:

AMENDMENTS TO ORDINANCE CALENDAR NO. 19,828

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

1. In Section 1, on line 13, delete the words "In no event shall the municipal".

After discussion, Councilmember Thomas moved adoption of the amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

Councilmember Thomas offered the following amendment:

AMENDMENT TO ORDINANCE CALENDAR NO. 19,828

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

2. In Section 1, delete line 14 in its entirety which contains the words "penalty be greater than the specific penalty provided by State law for the same offense."

After discussion, Councilmember Thomas moved adoption of the amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

After further discussion, Councilmember Thomas moved adoption of the ordinance, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

The following ordinance was continued from earlier in the meeting:

CAL. NO. 19,765 - BY: COUNCILMEMBER HAZEUR - An Ordinance to amend and reordain Chapter 38, § 172 of Ordinance No. 828 M.C.S., as amended, relative to

truck routes; to remove the designation of Caffin Avenue between Florida Avenue and Chartres Street as a truck route; and to otherwise provide with respect thereto.

Councilmember Hazeur offered the following amendments:

AMENDMENTS TO ORDINANCE CALENDAR NO. 19765

BY: COUNCILMEMBER HAZEUR

SECONDED BY: COUNCILMEMBER WILSON

1. In the first unnumbered paragraph of the Ordinance, in the third line, following the word "between", and preceding the word "as", delete the words "Florida Avenue and Chartres Street" and insert in lieu thereof the words, "North Claiborne Avenue and St. Claude Avenue"

2. In Section 1 of the ordinance, in line 3, following the word "the" and preceding the word "blocks", delete the words "600-2600", and insert in lieu thereof the words "1100-1500"

3. In Section 1 of the ordinance, in line 4, following the word "between" and preceding the word "as", delete the words "Florida Avenue and Chartres Street", and insert in lieu thereof the words "North Claiborne Avenue and St. Claude Avenue"

Councilmember Hazeur moved adoption of the amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

After discussion, Councilmember Hazeur moved adoption of the ordinance as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

CAL. NO. 19,888 - BY: COUNCILMEMBER SINGLETON - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to transfer funds within the budget of the City Council.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,906 - BY: COUNCILMEMBER WILSON - AN ORDINANCE to amend paragraph (2) (a) of Section 17A-1 of the City Code, which levies the Documentary Transaction Tax, to provide that the amount of mortgage used as the basis for determination of the amount of the tax shall exclude any amount borrowed for the purpose of payment of the Documentary Transaction Tax and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF JUNE 1, 1995.

CAL. NO. 19,933 - BY: COUNCILMEMBER SINGLETON (BY REQUEST) - AN ORDINANCE calling an election at which shall be submitted to all qualified voters of the City of New Orleans propositions (i) to incur debt and issue general obligation bonds in the aggregate principal amount of \$147,400,000 for the purposes hereinafter defined and (ii) to rededicate a

portion of the Special Economic Development Millage and the Special Neighborhood Housing Millage.

Councilmember Singleton offered the following amendments:

AMENDMENTS TO ORDINANCE CALENDAR NO. 19933

BY: COUNCILMEMBER SINGLETON (BY REQUEST)

SECONDED BY: COUNCILMEMBER THOMAS

1. In Section I, page 1, on line 29 insert the word "parks," before the word "playground".

2. In Section I, page 2, on line 32 delete the figure \$48,760,000 and insert in lieu thereof the figure \$47,910,000.

3. In Section I, page 2, on line 37 delete the figure \$5,110,000 and insert in lieu thereof the figure 5,960,000.

4. In Section I, page 2, on line 62 after the words "urban blight" and before the semicolon, insert the following:

", to be appropriated and spent in accordance with ordinance calendar nos. 17218 and 17219 pursuant to the recommendation of the Neighborhood Housing Advisory Committee and the Economic Development Advisory Committee"

5. In Section I, page , on line 66 insert the word "parks," before the word "playground".

The following persons addressed the Council on the foregoing matter:

Mayor Marc Morial

Mr. Alexander, Board of Liquidation

Mr. Grant

Mr.

Judell

After discussion, Councilmember Hazeur offered the following amendment to the amendment:

AMENDMENT TO AMENDMENT TO CALENDAR ORDINANCE NO. 19933

BY: COUNCILMEMBER HAZEUR

SECONDED BY: COUNCILMEMBER SINGLETON

ADD A LINE # 6 TO READ AS FOLLOWS:

On page 1, line 28, after the words "Pressburg St", and before the period "(.)", insert the words "and Crowder Boulevard"

Councilmember Hazeur moved adoption of the amendment to the amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT TO THE AMENDMENT WAS ADOPTED.

Councilmember Singleton moved adoption of the amendment, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT, AS AMENDED, WAS ADOPTED.

After discussion, Councilmember Wilson offered the following amendment:

AMENDMENT TO ORDINANCE CALENDAR NO. 19933

BY: COUNCILMEMBER WILSON

SECONDED BY: COUNCILMEMBER THOMAS

Eliminate millage for Housing and Economic Development Trust Fund.

After further discussion, Councilmember Wilson moved adoption of the amendment.

ROLL CALL:

YEAS: Terrell, Wilson - 2

NAYS: Carter, Glapion, Hazeur, Singleton, Thomas - 5

ABSENT: 0

AND THE AMENDMENT FAILED.

Councilmember Singleton moved adoption of the ordinance, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Thomas - 5

NAYS: Terrell, Wilson - 2

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

CAL. NO. 19,908 - BY: COUNCILMEMBERS SINGLETON (BY REQUEST) - AN ORDINANCE to amend Chapter 1 of Ordinance Number 828 M.C.S., known as the City Code of New Orleans by amending Section 1-18 (c) relative to the addition of a unified finance delinquency rate; and otherwise to provide with respect thereto.

Marina Kahn, Director/Finance, addressed the Council on the foregoing ordinance.

After discussion, Councilmember Singleton moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,915 - BY: COUNCILMEMBERS HAZEUR-DISTANCE - AN ORDINANCE to amend the City Code by adding thereto Section 42-88.1 relative to restricting the sale, possession or use of emergency lights that emit white, blue or red glow; and to provide otherwise with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,916 - BY: COUNCILMEMBERS CARTER - AN ORDINANCE granting permission to MAGNOLIA MARKETING COMPANY, to continue the maintenance and operation of an existing SWITCH TRACK on Lafitte Avenue, North Dupre, and Toulouse Streets.

After discussion, Councilmember Carter moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,918 - BY: COUNCILMEMBERS THOMAS (BY REQUEST) - AN ORDINANCE granting permission to River CITY JOINT VENTURE to construct, maintain and operate, two wood utility poles and sixty five feet of cable across Euterpe Street near the upper sidewalk of Tchoupitoulas Street, two wood utility poles and sixty-four (64) feet of cable across Tchoupitoulas Street near Euterpe Street and three hundred feet of duct and or cable across Water Street between Euterpe and Race Street to the wharf for a private telecommunications.

After discussion, Councilmember Thomas moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,922 - BY: COUNCILMEMBER TERRELL AND THOMAS - AN ORDINANCE to amend Section 18-B6 of the City Code to add a requirement that the Economic Development Advisory Committee hold public hearings on their proposed recommendations prior to submitting them to the Mayor and Clerk of Council and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,923 - BY: COUNCILMEMBER THOMAS (BY REQUEST) - AN ORDINANCE to effect an administrative amendment, permitting changes in the recorded development plans and an extended development schedule for the riverboat gaming facility (the "Administrative Amendment"), to Ordinance No. 16,590 M.C.S., which approved a conditional use for Squares 31, 32, 41, 42, 13A and undesignated portions of ground all generally bounded by: Race, Tchoupitoulas and Henderson Streets and the Mississippi River in the First Municipal District with the Downtown Design Review Overlay to permit a Gaming Boat, Berth and related land-side support facilities; and otherwise to provide with respect thereto.

Councilmember Thomas offered the following amendment:

AMENDMENT TO ORDINANCE CALENDAR NO. 19923

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

1. In the second WHEREAS clause of Ordinance Calendar No. 19923, on page 2 after the word "Commissioner" in the first line thereof

and before the word "recommended" on the second line thereof, delete the words "held a public hearing on the Administrative Amendment".

2. In Section 1 of Ordinance Calendar no. 19923, in line 10, on page 2 thereof, delete the words "Temporary Use & Occupancy Certificates may be issued serially tied to the constructions schedule." and insert in lieu thereof the words "From time to time, upon applicant's compliance with this ordinance, Temporary Use and Occupancy Certificates shall be issued for completed portions of the word."

Kristina Ford/Director, City Planning Commission, addressed the Council on the foregoing amendment.

After discussion, Councilmember Thomas moved adoption of the foregoing amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

Councilmember Thomas moved adoption of the foregoing ordinance, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

CAL. NO. 19,924 - BY: COUNCILMEMBERS THOMAS (BY REQUEST) - AN ORDINANCE authorizing the revocation of dedication of portions of Chippewa, St. Thomas, South Peters, South Front, Water, Melpomene, St. Theresa, Bellechase and Euterpe Streets; the dedication of new sections of Henderson Euterpe, Race and Water Streets and convention Center Boulevard; and the exchange and transfer of seventeen certain parcels of ground owned (sixteen street parcels and one supplemental parcel) by the City of New Orleans and no longer needed for public purposes to River City Joint Venture in exchange for six certain parcels of ground presently

owned by River City Joint Venture, a Louisiana general partnership, and needed for City and public purposes; all situated respectively in the First Municipal District, City of New Orleans, bounded generally by Annunciation Street, Thalia Street, the Mississippi River and the upper line of Race Street as shown on a map by Gandolfo, Kuhn & Associates entitled Street Revocation Map, dated May 30, 1994, revised August 15, 1994, revised August 18, 1994, drawing numbers T-180-1 and T-180-2; and in the First Municipal District, City of New Orleans, bounded generally by Henderson Street on the north, the Mississippi River Floodwall on the east, Race Street on the south and Tchoupitolas Street on the west as shown on a map by the office of Gandolfo, Kuhn and Associates entitled Street Dedication Map, dated November 21, 1994, revised March 7, 1995, drawing number T-180-5A; and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,925 - BY: COUNCILMEMBER CARTER - AN ORDINANCE to amend § 286.30 of Chapter 38 by adding a new violation relative to the towing of vehicles not displaying a valid permit in a residential permit parking zone, and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,926 - BY: COUNCILMEMBER CARTER - AN ORDINANCE to amend Section 286.70 (g) of Chapter 38 by adding a new violation relative to the towing of vehicles not displaying a valid permit in a residential permit parking zone for a period exceeding the time limitations established; and otherwise to provide with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,931 - BY: COUNCILMEMBER CARTER - AN ORDINANCE to amend Chapter 52 of the City Code by adding thereto a new section to be designated as Section 52 46.1, relative to the prohibition of outdoor pay telephones on alcoholic beverage outlets (ABO's) in residentially zoned areas, on vacant lots; and to provide otherwise with respect thereto.

CONTINUED TO THE MEETING OF MAY 18, 1995.

CAL. NO. 19,934 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to appropriate fund balance

to an Equipment Replacement Code for the citywide acquisition of vehicles and Computer Equipment.

After discussion, Councilmember Singleton moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,935 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,779 M.C.S., as amended, entitled "An ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the year 1995," to appropriate fund balance to an equipment replacement code for the citywide acquisition of replacement vehicles and new computer hardware.

After discussion, Councilmember Singleton moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,942 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,778 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to appropriate grant funds from Intergovernmental Transfers to the Department of the Mayor, Ryan White Title II program.

After discussion, Councilmember Singleton moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,943 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to appropriate grant funds to the Department of the Mayor, to establish the Ryan White Title II program.

After discussion, Councilmember Singleton moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,944 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Section 17A-6 of the City Code to provide for waiver of penalties for late payment of the Documentary Transaction Tax when payment is remitted within 45 days of the date of the first delinquency notice from the Department of Finance, and otherwise to provide thereto.

CONTINUED TO THE MEETING OF JUNE 1, 1995.

CAL. NO. 19,945 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON - AN ORDINANCE to approve the allocation of 1995 grants and administrative cost from the Municipal Endowment Fund for access television programming for 1995.

CONTINUED TO THE MEETING OF JUNE 1, 1995.

CAL. NO. 19,946 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE, AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended entitled "An ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to transfer funds within the Department of Property Management.

Councilmembers Singleton, Glapion, Hazeur and Wilson offered the following amendments:

AMENDMENT TO ORDINANCE CALENDAR NO. 19946

BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST)

1. In section 1, on page 1, on line 8 delete the figure 525,000 and insert in lieu thereof the figure 350,000.

2. In section 1, on page 1, on line 9 delete the figure 525,000 and insert in lieu thereof the figure 350,000.

3. In section 1, on page 1, on line 12 delete the figure 525,000 and insert in lieu thereof the figure 350,000.

4. In section 1, on page 1, on line 13 delete the figure 525,000 and insert in lieu thereof the figure 350,000.

After discussion, Councilmember Singleton moved adoption of the foregoing amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

Councilmember Singleton moved adoption of the foregoing ordinance, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

On motion of Councilmember Singleton, seconded by Councilmember Wilson, and without objection, the rules of the Council were suspended for the purpose of advancing to Motions/Resolutions.

MOTIONS/RESOLUTIONS

On motion of Councilmember Singleton, seconded by Councilmember Wilson, and without objection, the rules of the Council were further suspended for the purpose of introducing and considering the following motions received after the Council's deadline.

NO. M-95-557

BY: COUNCILMEMBER SINGLETON (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

WHEREAS, the electrical system for the Municipal/Traffic Courts, 727 S. Broad Street, did fail due to a faulty transformer on April 30, 1995; and

WHEREAS, the failure of that system did cause the loss of electrical power to the Municipal/Traffic Courts within the building, resulting in discomfort and lack of safety protection for private citizens, and for those assigned to serve the citizens of New Orleans, at that location, and;

WHEREAS, Deubler Electric, Inc., 5143 River Road, Harahan, LA 70123, did perform repairs for \$55,000.00; and

WHEREAS, the City Attorney, the Director of Finance, and the Chief Administrative Officer have certified this situation as an emergency; now therefore

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That these actual and imminent threat of system failure is formally recognized as a public emergency.

BE IT FURTHER AUTHORIZED, That the Director of Finance and the Bureau of Purchasing are authorized to pay the contractor for the work performed.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

REGULAR ORDER OF BUSINESS RESUMED

ORDINANCES ON FINAL PASSAGE

(CONTINUED)

CAL. NO. 19,947 - BY: COUNCILMEMBER CARTER - AN ORDINANCE to temporarily waive certain permit requirements within the City in conjunction with matters officially sponsored and sanctioned by the City of New Orleans relative to the 8th Annual "Jazzin In The Park" festival, to specify the duration and boundaries of said waiver; and to otherwise provide with respect thereto.

Councilmember Carter offered the following amendment:

AMENDMENT TO ORDINANCE CALENDAR NO. 19947

BY: COUNCILMEMBER CARTER

SECONDED BY COUNCILMEMBER WILSON

1. In Section 1 of the ordinance, in line 7, following the word "be" and preceding the word "for", delete the word "wived" and insert in lieu thereof the word "waived".

2. In Section 2 of the Ordinance, in line 3, following the word "be" and preceding the word "along", delete the word "field" and insert in lieu thereof the word "filed".

After discussion, Councilmember Carter offered the following amendment to the amendment.

AMENDMENT TO AMENDMENT TO CALENDAR ORD. NO. 19947

BY: COUNCILMEMBER CARTER

SECONDED BY: COUNCILMEMBER WILSON

1. On page 1, in the Preamble, line 2, delete the following: "officially sponsored and sanctioned by the City of New Orleans relative to"

2. On page 1, Section 1, line 7, delete the word "wived", and insert in lieu thereof the word "waived".

3. On page 1, Section 1, line 7, delete the following: "and activities which are officially sponsored and sanctioned by the City of New Orleans", and insert in lieu thereof the following: "in conjunction with the 8th annual "Jazzing In The Park" festival"

After discussion, Councilmember Carter moved adoption of the amendment to the amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT TO THE AMENDMENT WAS ADOPTED

Councilmember Carter moved adoption of the amendment, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT, AS AMENDED, WAS ADOPTED.

Councilmember Carter moved adoption of the ordinance, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

CAL. NO. 19,951 - BY: COUNCILMEMBER THOMAS - AN ORDINANCE to authorize the temporary closing of 4900 and 5000 blocks of Prytania Street and the 1400 and 1500 blocks of Robert Street for a Cinco de Mayo celebration sponsored by Vaqueros Restaurant at 4938 Prytania Street, to specify the duration and boundaries of said streets, and to otherwise provide with respect thereto.

Councilmember Thomas offered the following amendment:

AMENDMENT TO CALENDAR ORD. NO. 19951

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER SINGLETON

1. In Section 1, line 4, after "1995", delete the words "from 2:00 p.m."

2. On line 5, after the word "Street.", add a new sentence to read as follows: "The Chief Administrative Officer will have the flexibility to determine the hours of closure for Prytania Street."

After discussion, Councilmember Thomas moved adoption of the foregoing ordinance.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas - 6

NAYS: Wilson - 1

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

Councilmember Thomas moved adoption of the ordinance, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas - 6

NAYS: Wilson - 1

ABSENT: 0

AND THE ORDINANCE, AS AMENDED, WAS ADOPTED.

MOTIONS/RESOLUTIONS

(LYING

OVER)

NO. M-95-522

CITY HALL: April 20, 1995

BY: COUNCILMEMBER TERRELL

SECONDED

BY:

COUNCILMEMBER

WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the temporary moratorium on the change or conversion of any non-conforming use to another or a different non-conforming use as imposed by Ordinance Number 12,865 M.C.S., as amended, for property located at 200 South Murat Street to be a law office for applicant Randall K. Foreman is hereby waived subject to the following provisos:

1. The area of the non-conforming law office shall not exceed the area occupied by the preceding non-conforming barber shop. Remaining floor area shall be used for residential purposes. Petitioner shall provide the department of Safety & Permits with a sketch of the area used for the law practice.

2. The signage for the law office shall be in accord with the RD-3 Two Family Residential District requirements.

3. The barber shop signs and barber "poles" shall be removed.

4. 202 Murat shall not be used for commercial purposes.

5. Office hours shall be 9:00 a.m. to 5:00 p.m., Monday through Friday.

6. The law office shall be limited to that of a sole practitioner.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-523

CITY HALL: April 20, 1995

BY: COUNCILMEMBER TERRELL

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that in accordance with Ordinance Number 11,612 M.C.S., as amended, being an ordinance to temporarily require development plans for all permit applications for any building, development, driveway, transportation system or modification, or signage proposal on certain lots fronting on Carrollton Avenue or lots fronting on intersecting streets one municipal square length to the rear of Carrollton Avenue between the Mississippi River and City Park Avenue, the design review for property located at 2401 South Carrollton Avenue, Henry's Texaco/Check Express, is hereby approved subject to the following provisos:

1. That the existing landscaping along Carrollton Avenue and Claiborne Avenue be continually maintained by the business owner.

2. That any new parking areas be designed in accordance with the standard requirements stated within parking regulations (Article 7) of the Comprehensive Zoning Ordinance.

3. That the six foot wood fencing along the adjacent Burger King drive-thru lane be extended to the property line.

4. That the sign for the check cashing business be limited to one attached sign not to exceed twenty square feet.

5. That the existing slogan signs "Take It to The Star" be removed.

6. That the existing trash dumpster be screened from view with a six foot opaque fence with gates.

7. That the property and the adjacent public right-of-way be maintained on a regular basis including daily trash pick-up of the areas.

After discussion, Councilmember Terrell offered the following amendments:

AMENDMENT TO MOTION M-95-523

BY: COUNCILMEMBER TERRELL

SECONDED BY: COUNCILMEMBER WILSON

1. In Proviso No. 3, after the word "line" and before the period "(.)", add the following: "or subject to final approval by the staff of the City Planning Commission"

2. In Proviso No. 6, after the word "gate" and before the period "(.)", add the following: "or subject to final approval by the staff of the City Planning Commission"

Councilmember Terrell moved adoption of the foregoing amendment:

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

Councilmember Terrell moved adoption of the motion, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION, AS AMENDED, WAS ADOPTED.

MOTIONS/RESOLUTIONS

(CONTINUED)

NO. M-95-538

BY: COUNCILMEMBER HAZEUR (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's re-appointment of Anthony Irvin Laurent, Jr., who is a nominee of The Chamber, New Orleans East Council as a member of the Almonaster-Michoud Industrial District Board of Commissioners for a term which will expire December 31, 1997, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-539

BY: COUNCILMEMBER TERRELL

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's appointment of William F. Grace, Jr., who is a nominee of the Council from District A as a member of the Human Relation Advisory Committee for a term which will expire June 30, 1996, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-540

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's appointment of Louis R. Koerner, Jr., who is a nominee of the Council from District B as a member of the Human Relation Advisory Committee for a term which will expire June 30, 1996, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-541

BY: COUNCILMEMBER GLAPION

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's re-appointment of Maxine R. Johnson, who is a nominee of the Council from District D as a member of the Human Relation Advisory Committee for a term which will expire June 30, 1996, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. R-95-544

**BY: COUNCILMEMBERS CARTER, GLAPION, HAZEUR, SINGLETON, TERRELL,
THOMAS AND WILSON**

WHEREAS, Resolution R-86-112, being a partial settlement of New Orleans Public Service Inc. rate application Docket CD-85-1, included the commitment by NOPSI to provide \$250,000 per year toward the economic development of the City of New Orleans, and

WHEREAS, Resolution R-91-157, being a further partial settlement of New Orleans Public Service Inc. rate application Docket CD-85-1, included a renewed commitment by NOPSI to provide \$250,000 per year toward the economic development of the City of New Orleans; and

WHEREAS, guidelines developed by the Council and NOPSI provide that expenditure of such funds shall be for the development of new businesses, expansion and retention of existing businesses, educational enhancement and tourism development; and

WHEREAS, the City Council Fetal Alcohol Syndrome Committee was appointed by the City Council and charged with providing the public with facts about potential birth defects that can be incurred by fetuses when, the mother consumes alcohol during pregnancy; and

WHEREAS, the City Council, by the adoption of Resolutions R-92-288 and R-93-104, appropriated \$5,000 and \$10,000 respectively in 1986/87 City Council/NOPSI Economic Development Funds that was in an individual Councilmanic account. These funds were earmarked to enhance the public education of the dangers of alcohol by the reproduction and distribution of brochures and the erecting of signage and billboards; and

WHEREAS, upon submission of proper invoices NOPSI was billed a total of \$9,108.14 for work completed in accordance with the Resolutions leaving an unspent balance of \$5,892 this money to be reappropriated by the City Council; and

WHEREAS, the Miriama Arts Association (MAA) exist to bring together young artist and arts projects to both culturally and economically enhance the community; and

WHEREAS, MAA is seeking support and financial assistance to their commitment to the development of youth and the betterment of the community through a multi-faceted program incorporating both education and entertainment while generating economic development opportunities for individuals, the neighborhoods and the City as a whole; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the Council hereby approves a grant in the amount of Five Thousand Eight Hundred and Ninety-Two Dollars (\$5,892.00) to the MAA.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the \$5,892.00 shall come from 1986/87 economic development funds originally designated to the Fetal Alcohol Syndrome Committee which committee no longer exist.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that this grant is subject to a detailed documentation of the expenditure of these funds within six (6) months of receipt of the grant.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

NO. M-95-545

BY: COUNCILMEMBER WILSON (BY REQUEST)

SECONDED BY: COUNCILMEMBER SINGLETON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's re-appointment of Ronald V. Burns, Sr., Carla Legaux Major and Yvonne Mitchell-Grubb who are nominees of the Black Economic Development Council as a member of the New Orleans Economic Development Advisory Committee for a term which will expire December 31, 1995, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. R-95-546

BY: COUNCILMEMBER HAZEUR

SECONDED BY: COUNCILMEMBER WILSON

WHEREAS, as a result of a recent fatal accident involving an oversized vehicle illegally parked in a residential area, concern has been renewed in enhancing enforcement for such regulations; and

WHEREAS, the City Council has adopted legislation to make it unlawful for truck tractors, semitrailers, freight carrying vehicles, trailers and dump trucks to park in residential areas unless actively engaged in loading or unloading; and

WHEREAS, it is the responsibility of the Department of Streets, Parking Division, to enforce these parking regulations to ensure the safety of the residents and the motoring public; and

WHEREAS, the Department of Streets has developed a plan for enforcing such regulations, including, a supervisor sending a parking control officer to issue a ticket when a complaint is received, sending a boot team with proper security for repeat offenders, and forwarding a list, including license plate and vehicle owner, of the violators to the Councilmembers on a bimonthly basis; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the Director of the Department of Streets is requested to continuously pursue their plan of enforcement for these parking regulations, including quickly responding to complaints of oversized vehicles parking in residential areas, as well as having the parking control officers consistently ticket these offenders.

BE IT FURTHER RESOLVED, That the Clerk of Council shall cause a copy of this resolution to be forwarded to the Chief Administrative Officer and the Director of the Department of Streets.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

NO. R-95-549

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

WHEREAS, recently the City of Atlanta had an unfortunate experience during Freaknik, an annual spring ritual for African-American College students; and

WHEREAS, as a result of the incidents that occurred, police were needed to restore order in a shopping mall which became a focal point for activities; and

WHEREAS, this Council has worked diligently, along with other City officials to promote a wholesome, non-violent atmosphere; and

WHEREAS, consideration of any plans to move the Freaknik event from Atlanta to New Orleans would be directly in opposition to our efforts to curb violence in our City; and

WHEREAS, this Council is not in favor of any proposals that would permit the successful relocation of the Freaknik event to our City; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this Council calls upon the administration to join with it in opposition to any measures that would provide for the Freaknik event to be held in the City of New Orleans.

BE IT FURTHER RESOLVED, That this Council shall cause a copy of the resolution to be forwarded to the Mayor and Chief Administrative Officer.

After discussion, Councilmember Thomas offered the following amendment:

AMENDMENT TO RESOLUTION NO. R-95-549

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

In the 1st WHEREAS, paragraph, delete the words "African-American"

Councilmember Thomas moved adoption of the amendment.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS:

ABSENT: 0

AND THE AMENDMENT WAS ADOPTED.

Councilmember Thomas moved adoption of the resolution, as amended.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS:

ABSENT: 0

AND THE RESOLUTION, AS AMENDMENT, WAS ADOPTED.

The following motions/resolutions were received after the Council's deadline:

NO. M-95-547

BY: COUNCILMEMBER TERRELL (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's appointment of J. Richard Randels, who is a nominee of the Nominating Committee as a member of the Human Relation Advisory Committee for a term which will expire June 30, 1996, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-548

BY: COUNCILMEMBER TERRELL (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's appointment of Roger P. Morin (vice Bettye Powell), nominee of the Nominating Committee as a member of the Human Relation Advisory Committee for a term which will expire June 30, 1996, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. R-95-551

BY: COUNCILMEMBER WILSON

SECONDED BY: COUNCILMEMBER SINGLETON

WHEREAS, it has come to this Council's attention that the government of Argentina plans to close its consulate in New Orleans; and

WHEREAS, as the oldest consulate in the United States, 125 years, it is the sense of this Council that every step should be taken to keep the Consulate of Argentina open; and

WHEREAS, the impact the Argentine influence has had on our community has been significant, especially as relates to port activities; and

WHEREAS, reconsideration of the removal of the Argentine consulate would be most beneficial to our community; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this Council requests the government of Argentina to consider leaving open the Consulate General of Argentina in New Orleans, thereby allowing a continued positive influence for both Argentina and New Orleans.

BE IT FURTHER RESOLVED, That the Clerk of Council shall forward a copy of this resolution to the President of Argentina.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

NO. M-95-552

BY: COUNCILMEMBER THOMAS (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That Motion M-95-328 be amended to add the following: "Exempted from this Interim Zoning District (IZD) will be demolition and new construction within the area that is generally bounded by the Crescent City Connection, Terpsichore Street, the Flood Wall, and the Mississippi River."

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-554

BY: COUNCILMEMBER GLAPION

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS That the temporary requirement for a development plan for all permit applications and authorizations for the construction of new and/or renovation of existing multiple family dwellings, office buildings and business in District "D", the boundaries of which are listed in Ordinance Number 15,001 M.C.S., as amended, as imposed by Ordinance Number 16,512 M.C.S., as amended, is hereby waived for property located at 4500 Old Gentilly Road, for applicant "E. J.'s Grooming, Incorporation", subject to the following provisos:

1. The existing large pylon sign must be removed.

2. The signage shall be limited to one attached building sign and one detached sign each limited in area to a maximum of sixty (60) square feet.

3. Landscaping with trees and shrubs within the property line adjacent to the Gentilly Road frontage should be provided to screen the parking area

from the street.

4. All trash areas shall be screened within a six
foot high wood fence enclosure with gates.

5. The site and the adjacent public rights-of-
way shall be cleared of all debris on a daily basis.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-555

BY: COUNCILMEMBER HAZEUR (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Mayor's appointment of Dennis A. Best, who is a nominee of the District 101 State Representative Farve as a member of the Almonaster-Michoud Industrial District Board of Commissioner for a term which will expire December 31, 1997, be, and the same is hereby ratified, confirmed and approved.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. R-95-556

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

WHEREAS, on March 16, 1995, this Council adopted a resolution establishing a Conflict Resolution Task Force charged with making recommendations to the Council on development and implementation of a conflict resolution program; and

WHEREAS, these recommendations included: (1) Conduct an inventory of those programs funded by the City of New Orleans that are youth-oriented; (2) Review Conflict Resolution models that could possibly be implemented in these programs; (3) Recommend possible funding sources for implementation of their suggestions; (4) Provide a programmatic and fiscal assessment of the potential impact their suggestions could have on existing programs; and (5) Propose a plan for implementing their recommendations; and

WHEREAS, said resolution requested that these recommendations be presented to the City Council at its meeting of May 4, 1995; and

WHEREAS, before taking any action on the Task Force's proposal, this Council seeks to provide an opportunity for public comment on these recommendations; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this Council calls a public hearing for the purpose of hearing comments on the Conflict Resolution Task Force's recommendations as presented to the Council on this date, and requests representatives of the Task Force to be available at this public hearing.

BE IT FURTHER RESOLVED, That this public hearing shall be held in the Council Chambers, May 17, 1995 at 6 p.m. and that the Clerk of Council shall provide for proper notice of such hearing.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

NO. M-95-558

BY: COUNCILMEMBER CARTER

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the temporary moratorium on the change or conversion of any non-conforming use to another or a different non-conforming use as imposed by Ordinance Number 12,865 M.C.S., as amended, for property located at 1242 St. Roch Street, CG Sweet Shop, for applicant Mr. Robert Gultry is hereby waived subject to the following provisos:

1. That the petitioner secure the necessary permits from the Department of Safety and Permits to make the necessary repairs and renovations to the structure.

2. Signs shall be in accordance with the RD-3 zoning district regulations.

3. Business hours shall be 7:00 a.m. to 8:00 p.m. on weekdays and 7:00 a.m. to 9:00 p.m. on weekends all year round.

4. A floor plan showing the floor area of all uses in the structure shall be submitted to the Department of Safety and Permits.

5. The applicant will conduct a daily litter abatement program of all sidewalks immediately in front of the property with water hosing and sweeping of sidewalks as needed. All grass and/or groundcover will be maintained appropriately.

6. The applicant will keep all trash receptacles/containers inside the structure. They may be placed outside after closing time of the day before the scheduled pick-up date.

7. No tobacco, beer or alcoholic beverages shall be sold.

8. No video-games or gaming devices shall be allowed on premises.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-559

BY: COUNCILMEMBER THOMAS

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is hereby authorized to hold a public hearing to consider the establishment of an Interim Zoning District to be known as the Central City Redevelopment IZD. The proposed IZD would modify setbacks and allow alternatives to standard detached single or two-family structures, subject to meeting certain conditions, in conjunction with new development on vacant parcels in the area generally bounded by Simon Bolivar, Jackson Avenue, Felicity Street, S. Charles Avenue, and Third Street. The purpose of this IZD is to facilitate major initiatives for compatible redevelopment, such as those by First National Bank (FNBC), by minimizing the need to request lot size or setback waivers which might otherwise be required because of the small lot sizes or unusual lot configurations. However, because this is a Nation Register Historic District, it is proposed that certain design standards or design review procedures be integral to any revisions to the regulations of the zoning districts within the boundaries of the IZD.

BE IT FURTHER MOVED, That in recognition of Article 15, Section 2.16 (4) (B) of Ordinance No. 4264 M.C.S., the Comprehensive Zoning Ordinance, during consideration of this proposed IZD, applications meeting the regulations of the underlying district shall continue to be received and processed by all city agencies excepting requests for waivers of setbacks or other zoning requirements, which shall not be considered by the Board of Zoning Adjustments but shall only be considered through an appeal to City Council. This appeal shall be initiated by a letter accompanied by a development plan sent to both the City Council and the City Planning Commission. Within 30 days of its receipt of the plan(s) and appropriate fees, the City Planning Commission staff shall forward its recommendation to City Council for action. No fee for such an appeal shall exceed the amount which would otherwise be charged in a request to the BZA for

the

necessary

waivers.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-560

BY: COUNCILMEMBER SINGLETON

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS THAT on the recommendation of the World Trade Center of New Orleans, Mr. F. Walker Tucei, Jr. is hereby appointed to the Board of Directors of the New Orleans International Trade Building Corporation for a term to expire on June 30, 1998 to replace Mr. George Denegre

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-561

BY: COUNCILMEMBER SINGLETON (BY REQUEST)

SECONDED BY: COUNCILMEMBER WILSON

WHEREAS, the HVAC system for the Mahalia Jackson Theater of the Performing Arts was experiencing intermittent air-conditioning system failure beginning February 25, 1995; and

WHEREAS, the resulting inefficiency and imminent failure of those units did cause insufficient air-conditioning thus resulting in the discomfort for those working at these locations, as well as, those citizens having to attend performances at the locations; and

WHEREAS, staff personnel were unable to pinpoint the exact source of the problem and get the system operating at a satisfactory level; and

WHEREAS, Phil Campbell, Inc., P. O. Box 29033, New Orleans, LA 70129, did successfully repair two (2) independent A/C systems at Mahalia Jackson Theater of the Performing Arts for \$9,000; and

WHEREAS, the City Attorney, the Director of Finance, and the Chief Administrative Officer have certified this situation as an emergency; now therefore

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this actual and imminent threat of total system failure is formally recognized as a public emergency.

BE IT FURTHER AUTHORIZED, That the Director of Finance and the Bureau of Purchasing are authorized to pay the contractor for the work performed.

Councilmember Singleton explained the purpose of the foregoing motion.

Marlin Gusman/CAO, addressed the Council on the foregoing motion.

After discussion, Councilmember Singleton moved adoption of the foregoing motion:

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-562

BY: COUNCILMEMBER CARTER

SECONDED BY: COUNCILMEMBER WILSON

WHEREAS, Ordinance Calendar Number 19,887 (16,996M.C.S.) was adopted April 20, 1995, with the pertinent rate changes to become effective thirty days after adoption (May 20, 1995); and

WHEREAS, Section 12-184 of the City Code relative to rates for special events was amended to eliminate the provision for a \$3.00 per person fare charged by taxicabs or for hire vehicles; and

WHEREAS, it is the Council's intent to adopt Ordinance Calendar Number 19,976, which would reinstate the above mentioned provision for a \$3.00 per person fare charged by taxicabs or for hire vehicles for special events and;

WHEREAS, the Council wishes to retain the existing provision for a per person fare until such time as Ordinance Calendar Number 19,976 is adopted; now, therefore

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this Council declares its intent to adopt Ordinance Calendar Number 19,976 on June 1, 1995, reinstating the \$3.00 per person fare charged by taxicabs or for hire vehicles for special events.

BE IT FURTHER MOVED, That this Council requests the Department of Utilities to continue enforcing Section 12-184 of the City Code as it presently exists, and refrain from enforcing Section 12-184 as amended in Ordinance Calendar Number 19,887 (16,996 M.C.S.), until such time as Ordinance Calendar Number 19,976 becomes effective.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-563

BY: COUNCILMEMBER WILSON

Amending Rule 10 of the Rules and Regulations of the Council to read as follows:

BUSINESS, PUBLIC HEARINGS - "QUORUM, AGENDA, ORDER OF
Order of Business".
Continued to the meeting of May 18, 1995.

NO. M-95-564

BY: COUNCILMEMBER CARTER

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the temporary moratorium on the change or conversion of any non-conforming use to another or a different non-conforming use as imposed by Ordinance Number 12,865 M.C.S., as amended, for property located at 1022 Royal Street, Starling, for applicants Mr. Jan Spacek and Ms. Claudia Williams, is hereby waived subject to the following provisos:

1. That the petitioner secure the necessary permits from the Vieux Carre Commission and the Department of Safety and Permits to make the necessary repairs and renovations to the structure.

2. Signs shall be in accordance with the VCR-2 Vieux Carre Residential Zoning District regulations and Vieux Carre Commission regulations.

3. Business hours shall be 11:00 a.m. to 7:00 p.m. five days a week.

4. A floor plan showing the floor area of all uses in the structure shall be submitted to the Department of Safety and Permits.

5. The applicant will conduct a daily litter abatement program of all sidewalks immediately in front of the property with water hosing and sweeping of sidewalks as needed.

6. The applicant will keep all trash receptacles/containers inside the premises.

7. That all scheduled deliveries be limited to the hours between 10:00 a.m. and 2:00 p.m. in order to minimize any traffic impacts on adjacent uses.

8. Signage shall be limited to that allowed by the RD-3 Two-Family Residential District.

9. All scheduled deliveries shall be made between the scheduled hours of 10:00 a.m. - 2:00 p.m.

10. A floor plan showing the floor area of all uses in the structure shall be submitted to the Department of Safety and Permits.

11. No sexually explicit materials.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-565

BY: COUNCILMEMBER GLAPION

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That in anticipation of adopting Ordinance Calendar Number 19,979 at the second regularly scheduled City Council meeting, the Council does hereby waive the fee requirement associated with the

Streets Department's authorization to close the 1500 block of Abundance Street for the Annual Fair sponsored by St. Leo the Great School, 1501 Abundance Street, to be held during the period of May 16-21, 1995.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. M-95-566

BY: COUNCILMEMBER CARTER

SECONDED BY: COUNCILMEMBER WILSON

BE IT MOVED BY THE COUNCIL OF THE City OF NEW ORLEANS That Motion M-95-534 is hereby amended to add the following BE IT FURTHER MOVED paragraph:

"BE IT FURTHER MOVED That the provisions of this Section shall not apply to premises which are licensed to sell alcoholic beverages on the effective date of this sub-section provided that there is no change in use of the premises and provided further that the premises are continuously operated as such with no lapse in the operation for a period of six (6) months."

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

NO. R-95-567

BY: COUNCILMEMBERS THOMAS, CARTER, GLAPION, HAZEUR, TERRELL, SINGLETON AND WILSON

WHEREAS, Life begins as a pleasant awakening although death is its legacy; and

WHEREAS, the unfortunate circumstances in Oklahoma City, Oklahoma resulted in the end of the brief 21 years of life of Lakesha Levy; and

WHEREAS, Lakesha was a life long resident of New Orleans having graduated from Seton Academy and having attended both UNO and LSU; and

WHEREAS, she was assigned to the 72nd Medical Group at Tinker Air Force Base in Oklahoma City to receive training to become a medical laboratory technician; and

WHEREAS, she was a member of the Third Rose of Sharon Baptist Church and a former choir member; and

WHEREAS, she leaves to mourn her husband Corey P. Levy, son Cory II, her mother Constance Favorite, her father Michael Richardson, three sisters and one brother, other family members and friends; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE OF NEW ORLEANS, That this Council extends heartfelt sympathy to the family and friends of Lakesha R. Levy with our prayers that we are guided by his ever present spirit, her unselfish life and her triumphant eternity.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

The following matters were continued from earlier in the meeting:

APPROVAL OF MINUTES

OF

JANUARY 5, 1995

JANUARY 12, 1995

&

JANUARY

19,

1995

COMMUNICATIONS

(CONTINUED)

FROM RANDALL MITCHELL - Requesting to address the City Council to thank the Council and Mayor Morial for helping Treme Residents.

Received. Hearing date set for May 18, 1995.

ORDINANCES ON FINAL PASSAGE

(CONTINUED)

CAL. NO. 19,895 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance NO. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to rollover 1994 funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,896 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to rollover funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,897 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to rollover 1994 funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,898 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to rollover funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,899 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to rollover 1994 funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,900 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to rollover funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,901 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to rollover 1994 funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,902 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to rollover funds for the New Orleans Mosquito Control Board.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,903 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,777 M.C.S., as amend entitled "An Ordinance Providing a Capital Budget for the City of New Orleans for the Year 1995," to effect the following changes to the 1995 Capital Budget.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,904 - BY: COUNCILMEMBERS CARTER AND GLAPION (BY REQUEST) - AN ORDINANCE to amend Ordinance NO. 16,777 M.C.S., as amended, entitled "An Ordinance Providing a Capital Budget for the Year 1995", to effect the following changes to the 1995 Capital Budget.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,907 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,777 M.C.S., as amended entitled "An Ordinance Providing a Capital Budget for the Year 1995," to effect the following changes to the 1995 Capital Budget.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,919 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the Year 1995, to appropriate \$20,000,000 in Intergovernmental Revenues.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,920 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the Year 1995, to appropriate \$20,000,000 in Intergovernmental Expenditures.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,928 - BY: COUNCILMEMBERS CARTER, GLAPION, HAZEUR-DISTANCE, SINGLETON, TERRELL, THOMAS, AND WILSON - AN ORDINANCE to effect a Map Change from "VCC-2 Vieux Carre' Commercial District" to "VCP Vieux Carre' Park District" for Square 9 (Bienville Place) bounded by Conti, N. Peters and Decatur Streets in the Second Municipal District (Municipal Address 312-400 N. Peters Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 9/95)**

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,929 - BY: COUNCILMEMBERS CARTER, GLAPION, HAZEUR-DISTANCE, SINGLETON, TERRELL, THOMAS, AND WILSON - AN ORDINANCE to effect a Map Change from "RD-3 Two Family Residential District" to "B1A Neighborhood Business District" for Lot A, Square 893, bounded by Lapeyrouse, N. Prieur, Onzaga and N.

Roman Streets in the Third Municipal District (Municipal Address **1839 Lapeyrouse Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 2/95**)

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,932 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance No. 16,777 M.C.S., as amended entitled "An Ordinance Providing a Capital Budget for the Year 1995," to effect the following changes to the 1995 Capital Budget.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,936 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to provide grant funds from Intergovernmental Transfers, to the L.C.L.E. P.O.S.T. Training Fund of the Police Department.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,937 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to provide grant funds in the Police Department for the L.C.L.E. P.O.S.T. Training Fund.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,938 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to provide grant funds from Intergovernmental Transfers, to the Police Department for the D.A.R.E. Program.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,939 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to provide grant funds in the Police Department for the D.A.R.E. Program.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,940 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE AND WILSON (BY REQUEST) - AN ORDINANCE to amend Ordinance Number 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 1995," to provide grant funds from Intergovernmental Transfers, to the Police Department for the Drug Interdiction Video Program.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

CAL. NO. 19,941 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR-DISTANCE, WILSON (BY REQUEST) - AN ORDINANCE to amend Number 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 1995," to provide grant funds to the Police Department for the Drug Interdiction Video Program.

ROLL CALL:

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE ORDINANCE WAS ADOPTED.

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

YEAS: Carter, Glapion, Hazeur, Singleton, Terrell, Thomas, Wilson - 7

NAYS: 0

ABSENT: 0

AND THE CONSENT CALENDAR WAS ADOPTED.

At this time Councilmember Terrell recognized Mr. Winchester and Mr. T. Thomas and Scout Troop 1085.

REGULAR ORDER OF BUSINESS RESUMED
ORDINANCES ON FIRST READING

CAL. NO. 19,953 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the of New Orleans for the year 1995,' to appropriate funds received from Entergy Services, Inc.

CAL. NO. 19,954 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the of New Orleans for the Year 1995," to appropriate funds received from Entergy Services, Inc.

CAL. NO. 19,955 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the of New Orleans for the Year 1995," to rollover Property Tax funds from Intergovernmental Transfers,, to the New Orleans Public Library.

CAL. NO. 19,956 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the of New Orleans for the Year 1995," to rollover Property Tax funds from Intergovernmental Transfers to the New Orleans Public Library.

CAL. NO. 19,957 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the of New Orleans for the Year 1995," to transfer funds within and between the Chief Administrative Office and the Department of Finance for the Governmental Financial Management Project.

CAL. NO. 19,958 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,777 M.C.S., as amended, entitled "An Ordinance Providing a Capital Budget for the Year 1995,' to effect the following changes to the 1995 Capital Budget.

CAL. NO. 19,959 - BY: COUNCILMEMBER HAZEUR - An Ordinance to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the of New Orleans for the Year 1995," to appropriate 1993 fund balance to Parkway & Parks Commission to provide more frequent grass cutting of playgrounds and parks during the summer.

CAL. NO. 19,960 - BY: COUNCILMEMBER HAZEUR - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the of New Orleans for the Year 1995," to appropriate 1993 fund balance to Parkway & Parks Commission to provide more frequent grass cutting of playgrounds and parks during the summer.

CAL. NO. 19,963 - BY: COUNCILMEMBERS TERRELL AND THOMAS - An Ordinance to amend and reordain Section 2 of Ordinance No. 11,461 M.C.S., as amended, relative to a temporary moratorium on the issuance of permits relative to the establishment of bars, cocktail lounges,, package liquor stores, grocery stores, or restaurants and the issuance or renewal of alcoholic beverage permits to certain persons on lots abutting Magazine Street between Napoleon Avenue and Audubon Park; to extend the duration of the moratorium; and to otherwise provide with respect thereto.

CAL. NO. 19,964 - BY: COUNCILMEMBER GLAPION - An Ordinance to amend and reordain Section 1 of Ordinance No. 13,699 M.C.S., relative to the temporary requirement for development plans for all applications and authorizations for the establishment of health clubs, gymnasiums, public spas and public hot tubs along Old Gentilly Road from Peoples Avenue to France Road; to extend the duration of the temporary requirement; and to otherwise provide with respect thereto.

CAL. NO. 19,965 - BY: COUNCILMEMBERS GLAPION AND TERRELL - An Ordinance to amend and reordain Section 1 of Ordinance No. 11,906 M.C.S., as amended, relative to the temporary requirement for development plans for all permit applications and authorizations for new buildings, development proposals, or driveways in the area bounded by the Jefferson/Orleans Parish Line, Lake Pontchartrain, the Industrial Canal, Leon C. Simon Drive, Robert E. Lee Boulevard, and Hammond Highway; to extend the duration of the moratorium; and to otherwise provide with respect thereto.

CAL. NO. 19,966 - BY: COUNCILMEMBERS TERRELL, THOMAS AND CARTER - An Ordinance to amend Section 1 of Ordinance No. 11,612 M.C.S., relative to the temporary requirement for development plans for all permit applications for any building, development, driveway, transportation system or modification, or signage proposal on certain lots fronting on Carrollton Avenue or lots fronting on intersecting streets one municipal square length to the rear of Carrollton Avenue between the Mississippi River and Park Avenue; to extend the duration of the moratorium; and to provide otherwise with respect thereto.

CAL. NO. 19,967 - BY: COUNCILMEMBER TERRELL - An Ordinance to amend and reordain Section 42-54.2 of the Code relative to responsibilities of owners of firearms with respect to minors; and otherwise to provide with respect thereto.

CAL. NO. 19,968 - BY: COUNCILMEMBER CARTER - An Ordinance to amend and reordain Section 38-286.30 of Chapter 38 by adding a subsection (b) which establishes a fine of \$50.00 for not displaying a valid permit in the 24 hour Residential Permit Parking zones of the French Quarter, Faubourg Marigny and Treme Area; and otherwise to provide with respect thereto.

CAL. NO. 19,969 - BY: COUNCILMEMBER CARTER - An Ordinance to amend and reordain Section 38-286.15 of the Code, relative to schedule of fines for parking violations; and otherwise to provide with respect thereto.

CAL. NO. 19,970 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,778 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the of New Orleans for the Year 1995," to appropriate funds from Intergovernmental Transfers to the New Orleans Recreation Department.

CAL. NO. 19,971 - BY: COUNCILMEMBERS SINGLETON, GLAPION, HAZEUR AND WILSON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,779 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the of New Orleans for the Year 1995," to appropriate funds from Intergovernmental transfers to the New Orleans Recreation Department.

CAL. NO. 19,972 - BY: COUNCILMEMBER SINGLETON (BY REQUEST) - An Ordinance to amend Ordinance No. 16,777 M.C.S., as amended, entitled "An Ordinance Providing a Capital Budget for the Year 1995," to effect the following changes to the 1995 Capital Budget.

CAL. NO. 19,973 - BY: COUNCILMEMBER CARTER - An Ordinance to amend and reordain Section 1 of Ordinance No. 8357 M.C.S., as amended, relative to the temporary moratorium on the issuance of alcoholic beverage permits in the area bounded by Iberville, North Rampart Streets, Esplanade Avenue, and the Mississippi River; to extend the duration of the moratorium; and to otherwise provide with respect thereto.

CAL. NO. 19,974 - BY: COUNCILMEMBER CARTER - An Ordinance to amend and reordain Section 1 of Ordinance No. 11,805 M.C.S., as amended, relative to the interim requirement for development plans for all permit applications for any building, development, access or driveway, or signage proposal on lots located in Lower coast Algiers which are abutting the right-of-way of Louisiana State Highway 406, River Road, Stanton Road, Delacroix Road, English Turn Parkway, or Willow Drive; to extend the duration of the interim requirement; and to otherwise provide with respect thereto.

CAL. NO. 19,975 - BY: COUNCILMEMBERS CARTER, GLAPION, HAZEUR, TERRELL AND THOMAS - An Ordinance to amend Section 4 of Ordinance No. 12,865 M.C.S., as amended, relative to the temporary wide moratorium on the creation or expansion of any non-conforming use to another or a different non-conforming use; to extend the duration of the moratorium; and to otherwise provide with respect thereto.

CAL. NO. 19,976 - BY: COUNCILMEMBER CARTER - An Ordinance to amend and reordain the Code Section 12-184 relative to rates for special events; and otherwise to provide with respect thereto.

CAL. NO. 19,977 - BY: COUNCILMEMBER THOMAS - An Ordinance to amend and reordain Section 1 of Ordinance No. 12,135 M.C.S., as amended, relative to a temporary moratorium on the issuance of permits for uses other than those uses permitted under the RM-1 Multiple Family Residential District in the area bounded by Napoleon Avenue, Tchoupitoulas Street, Jefferson Avenue, and Magazine Street; to extend the duration for the moratorium; and to otherwise provide with respect thereto.

CAL. NO. 19,978 - BY: COUNCILMEMBER THOMAS - An Ordinance to amend and reordain Section 1 of Ordinance No. 11,218 M.C.S., as amended, relative to the temporary requirement for development plans for all building permit applications for any building in the MS, Medical Service District in the area generally bounded by St. Charles Avenue, Peniston, Chestnut Streets, and Louisiana Avenue; to extend the duration of the temporary requirement; and to otherwise provide with respect thereto.

CAL. NO. 19,979 - BY: COUNCILMEMBER GLAPION - An Ordinance to temporarily waive certain street closing fees required within the of New Orleans in conjunction with matters sponsored by St. Leo the Great Catholic School, The annual Fair, to specify the duration and boundaries of said waiver; and to otherwise provide with respect thereto.

CAL. NO. 19,980 - BY: COUNCILMEMBER TERRELL - An Ordinance to suspend the provisions of Section 47-7.1 of Ordinance No. 828 M.C.S., as amended (the " Code"), to waive the requirement of the payment of application, processing and advertising fees for the Planning Commission's consideration of an application for Map Change from "RD-2, Two Family Residential District" to "RM-4, Multiple Family Residential District" for one undesignated lot, Square 425, bounded by South Carrollton Avenue, corner Pritchard Place, bounded by Dublin and Fig Streets in the Seventh Municipal District, Municipal Address being **2908 South Carrollton Avenue**; and otherwise to provide with respect thereto.

CAL. NO. 19,981 - BY: COUNCILMEMBER CARTER - An Ordinance to provide for the establishment of a Conditional Use to permit a theater in a "VCE-Vieux Carre Entertainment District' for Lot 26, Square 63, Second Municipal District, bounded by Bourbon, St. Louis, Conti and Royal Streets (Municipal Address **420 Bourbon Street**); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 19/95)

The foregoing ordinances were introduced and laid over as required by law.

There being no further business, on motion of Councilmember Wilson, seconded by Councilmember Carter, and without objection, the Council meeting adjourned at 5:15 p.m., subject to call.

Emma J. Williams

CLERK

OF

COUNCIL

dmr/

may04-95.min (bwk typed,proofed,corrected,10/17/95.)