

City Council August 6, 2009
Regular Meeting Summary

News Release

August 6, 2009

Contact:
Ronald J. Pursell
Council Chief of Staff
Ph: (504) 658-1082
rjpursell@cityofno.com

[New Orleans
City Council](#)

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New Orleans, LA - August 6, 2009 - Today, the New Orleans City Council addressed a request from the District Attorney regarding case transfers, and passed Motions submitting the Council's six nominations for the board of the New Orleans Economic Development Corporation and approving the City Council's Hurricane Emergency Preparedness Plan.

The Council also passed an emergency Motion allowing for the immediate allocation of additional funds for security services at Criminal District Court, and Ordinances establishing the criteria for the assignment of take home vehicles and a moratorium to preserve the quality of District "D" neighborhoods.

Additionally, the Council addressed a report on and passed a Resolution supporting the action of the Regional Transit Authority (RTA) to expand the streetcar system.

The Council also addressed presentations on the progress of 100-year storm protection, celebrating the life of Edwin Hampton, Music Director of St. Augustine High School, and announcing the new International School of Fine and Performing Arts at Live Oak Elementary.

Addressed Security at Criminal District Court



The Council passed an emergency Motion M-09-409, authored by Councilmember Hedge-Morrell, to provide for the immediate adoption of Ordinance Calendar Nos. 27,615 and 27,616, which will allow for allocation of additional funds to Criminal Sheriff Marlin Gusman for maintaining security services and measures at Criminal Court.

The Council moved that a state of emergency exists as a result of the inability of the Criminal Sheriff to continue providing critical security services and measures including metal detection screening on a daily basis at the Criminal Court building, due to a lack of funding. The Home Rule Charter provides a means by which these Ordinances may be adopted immediately due to the existence of this emergency.

The Motion reflects the Council's belief that the Criminal Court is a major component of the City's criminal justice system and requires a high level of security in order to protect the lives and safety of the City's workers, citizens and visitors.

Addressed Request from District Attorney Regarding Case Transfers



***District Attorney
Leon Cannizzaro***

District Attorney (DA) Leon Cannizzaro appeared before the Council to request that the Council pass an Ordinance allowing for the transfer of simple possession of marijuana cases from Criminal District Court to Municipal Court. Cannizzaro also requested that the Ordinance allow police officers to issue a ticket to, rather than make an arrest of, individuals charged with simple possession of marijuana.

Cannizzaro informed the Council that his office is currently dealing with 2,100 open cases, a third of which involve simple possession of marijuana. By current law, simple possession of marijuana offenders must be arrested and taken to Central Lockup and the case must go to Criminal Court.

The DA stated that the Ordinance will allow the Criminal Court and the DA to focus on dealing with more serious charges, use resources more efficiently, relieve crowded conditions in jail, and cut costs, while still ensuring that offenders are held accountable. Cannizzaro ensured the Council these measures would not apply to those cases dealing with offenders charged with possession of large amounts of marijuana or dealing marijuana.

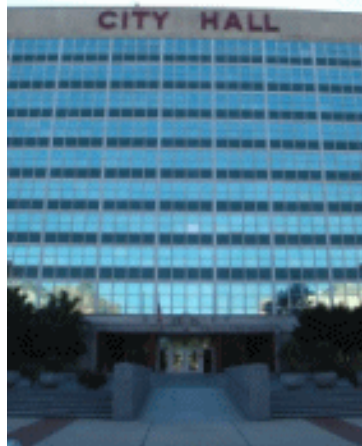


Councilmember Carter

District "C" Councilmember James Carter said, "We appreciate the District Attorney making us aware of this issue. The DA's proposal will affect the entire criminal justice system and must be considered carefully. We will bring representatives from all the relevant criminal justice agencies to the table for a full and complete discussion of the proposal."

At the request of several Councilmembers, Criminal Justice Committee Chair Councilmember Carter stated that this matter would be placed as the first item on the agenda for the Criminal Justice Committee meeting to be held Wednesday, August 12 at 10 a.m. in the Council Chamber.

Established Criteria for Assignment of Take Home Vehicles



The Council passed Ordinance Calendar No. 27,574, authored by Councilmember Hedge-Morrell, to establish criteria for the assignment of take home vehicles and to exempt public safety and service departments from the restrictions on assignments of take home vehicles.

Specifically, the Ordinance provides that within the executive branch of government vehicles will be assigned to employees providing that the vehicle is used to perform a critical function that contributes to the overall operations and recovery of the City and maintenance of its infrastructure, and the vehicle is used to respond to critical needs on a 24-hour basis.

District "D" Councilmember Cynthia Hedge-Morrell said, "Our City is still recovering and we need to ensure that all departments contributing to the rebuilding of this City have the tools and resources necessary to do their jobs. Ensuring that these departments and staff have access to vehicles when necessary will help them to perform their duties in an efficient and timely manner."

Approved Hurricane Emergency Preparedness Plan



The Council passed Motion M-09-387, approving the City Council's Hurricane Emergency Preparedness Plan and stating that such plan be implemented under the circumstances delineated in the plan and in accordance with its terms.

Rule 47 of the Council's Rules and Regulations requires that the Council establish an Emergency Preparedness Plan. The plan was developed in coordination with the Office of Emergency Preparedness of the City's Office of Homeland Security.

The plan provides mechanisms to ensure that the City Council can sustain operational capacity under emergency conditions.

Received Report on Progress of 100-Year Storm Protection



Col. Greg Gunter & Col. Bob Sinkler of U.S. Army Corps of Engineers & Tim Doody of Southeast Louisiana Flood Protection Authority - East

Col. Greg Gunter and Col. Bob Sinkler of the U.S. Army Corps of Engineers and Tim Doody, Executive Director of the Southeast Louisiana Flood Protection Authority - East, appeared before the Council to present status reports on the progress of meeting the June 2011 deadline to provide a quality system of protection for a 100-year storm.

The representatives expressed their commitment to meeting the June 2011 deadline and to providing the citizens of New Orleans with the storm protection they deserve. They also gave an overview of the planned flood protection system, the programmatic schedule to meet their deadlines, the various contracts projected past June 1, 2011, and the status of current projects related to achieving 100-year storm protection.

Council President Arnie Fielkow said, "We thank you for keeping us up to date on the progress of reaching this important deadline for 100-year storm protection. This is a vital piece of our hurricane preparedness plan,

and we must do everything we can to expedite the completion of this project."

Established Moratorium to Preserve Quality of District "D" Neighborhoods



Councilmember Hedge-Morrell

The Council approved Ordinance Calendar No. 27,594, authored by Councilmember Hedge-Morrell, that established a temporary moratorium in Council District "D" on the opening of new tattoo parlors, as well as bars, cocktail lounges, package liquor stores, grocery stores, and restaurants. The Ordinance also extends the moratorium on the issuance or renewal of alcoholic beverage permits to anyone who doesn't already have an active alcoholic beverage outlet.

District "D" Councilmember Cynthia Hedge-Morrell said "There are two reasons for this Ordinance. One is an incident in my district where the Department of Safety and Permits issued an alcoholic beverage permit in error; the other is to prevent businesses like tattoo parlors from opening in inappropriate locations. This Ordinance protects the residents from these types of businesses opening in their neighborhood without a public hearing."

The Ordinance includes a provision that allows anyone interested in opening one of the prohibited establishments to appeal to the City Council for a waiver of the moratorium.

Hedge-Morrell continued, "This is something my constituents have asked for - this legislation allows the Council to have a more active role in deciding what types of businesses will be allowed in our neighborhoods in District "D"."

Supported Expansion of Streetcar System



*RTA representatives
Mark Major & Justin Augustine*

At the request of Council President Fielkow, Justin Augustine, Regional Vice President of Veolia Transportation, Mark Major, General Manager of the Regional Transit Authority (RTA), and other RTA representatives appeared before the Council to give a report on the RTA's expansion of the streetcar system.

The representatives presented the Council with information on a study, completed by RTA, to determine the feasibility of future streetcar

alignments in the New Orleans Central Business District (CBD) / French Quarter Corridor. Of the six alignments studied during the analysis, the Loyola/UPT Howard Avenue, Convention Center/Riverfront and French Quarter/Press Street loops were determined to be the most cost effective and were recommended by RTA staff to the RTA Board of Commissioners for approval and further development.

The Council passed Resolution R-09-408, authored by Councilmember Clarkson, supporting the action of the RTA Board of Commissioners to take the necessary steps to move forward on the assembly of the three new alignments, and pursue Federal, State and local funds for continued project development activities necessary to design and build these streetcar projects.

Council Vice President Jacquelyn Brechtel Clarkson said, "We are grateful to the RTA for its vision in creating these three streetcar projects and its dedication to bringing streetcar service to various areas of the City. These new streetcar lines will serve as a catalyst for economic development in neighborhoods near the new lines."

Submitted Nominations for Board of the New Orleans Economic Development Corporation



Councilmember-at-Large
Felkew

The Council passed Motion M-09-406, submitting to the Advisory Committee of University Presidents the Council's six nominations for the Board of Directors of the New Orleans Economic Development Corporation (NOEDC).

The Council submitted six NOEDC board nominations:

- Donald "Boysie" Bollinger, President, CEO and Board Chairman of Bollinger Shipyards, nominated by Councilmember-at-Large Jacquelyn Brechtel Clarkson
- Sheila Burns, President, Burns Management Group; Vice President Quick Courier Services; and Vice President Global Parking Systems, nominated by District "E" Councilmember Cynthia Willard-Lewis
- Vaughn Fauria, President of NewCorp, Inc., nominated by District "D" Councilmember Cynthia Hedge-Morrell
- Gaye Anderson Frederic, Chief Operating Officer of Jefferson Parish Economic Development Commission, nominated by District "A" Councilmember Shelley Midura
- Marshall Page, Attorney and Partner of Jones, Walker, Waechter,

Poitevent, Carrère & Denègre L.L.P., nominated by District "B" Councilmember Stacy Head

- James Williams, Williams Construction and Building Company L.L.C. & Williams Acquisitions and Consulting L.L.C., nominated by District "C" Councilmember James Carter

Other names will be submitted by Mayor C. Ray Nagin, the Mayor's Executive Assistant for Development, the Chairman of the City Planning Commission, the Chairman of the New Orleans Redevelopment Authority, and representatives from the private and non-governmental sectors. An Advisory Committee of local University Presidents will review the nominations and make the final selections. Of the nominations submitted by the Council, two will be selected by the Committee.

Council President Arnie Fielkow said, "I am pleased that the Motion carrying the City Council's Public-Private Partnership (PPP) board nominations passed. However, I am highly frustrated that the Mayor has obstructed the progress of the city's new economic development partnership by suspending the PPP board nomination process indefinitely as an apparent retaliation for the outcome of the Council's vote on the Chevron building."

Celebrated the Life of Edwin Hampton, Music Director of St. Augustine High School



Councilmembers with Rev. Doyle, Rev. Raphael, Tamara Hingle and Yakitha Hingle

The Council celebrated the life of Edwin Hampton, Music Director of St. Augustine High School, and presented a Resolution in Mr. Hampton's memory to his daughter Tamara Hingle, his granddaughter Yakitha Hingle, Rev. John Raphael, S.S.J., and Rev. Joseph M. Doyle, S.S.J., President of St. Augustine High School.

Resolution [R-09-374](#), authored by Councilmember Hedge-Morrell and passed at the July 23rd Council meeting, honored Hampton as the legendary band Director and Founder of the iconic St. Augustine High School Marching 100.

District "D" Councilmember Cynthia Hedge-Morrell said, "Thank you for sharing your father with this City. He was a great inspiration to so many people throughout his community and he gave our children the opportunity to involve themselves in music and the arts. His legacy will continue to live on through the Marching 100."

Addressed Presentation on New International School of Fine and Performing Arts at Live Oak Elementary



L to R: Damon Batiste, Leslie Williams and a RSD representative

At the request of Councilmember Fielkow, Damon Batiste and other members of the Batiste family, a representative of the Recovery School District (RSD), Live Oak Elementary Principal Leslie Williams and Gina Warner of the Greater New Orleans Afterschool Partnership appeared before the Council to announce the new International School of Fine and Performing Arts at Live Oak Elementary.

The school will serve as the RSD's flagship arts school, and students will be taught by acclaimed artists from around the world. The representatives provided information on the curriculum to be offered at the school, which will supplement traditional academic subjects with quality arts education, music, drama, dance, and the visual arts.

Council President Arnie Fielkow said, "We congratulate you all for partnering to establish and administer this great new facility. We understand the importance of providing this City's children with experiences and opportunities to interact with art, culture and music - this school will serve to do just that."

New Orleans City Council

The New Orleans City Council is the legislative branch of New Orleans City government. The Council considers and enacts all local laws that govern the City of New Orleans. The Council also approves the operating and capital budgets for the City, as recommended by the mayor, and continually monitors revenues and expenditures for local government operations. The City Council is also the regulatory body for public utilities. It also reviews and has final say on many land use and zoning matters, as well as considers major economic development projects for the City. As a Board of Review for Orleans Parish, the Council examines appeals of property tax assessments for real estate taxes, and certifies tax rolls to the Louisiana Tax Commission. Other responsibilities of the Council include overseeing the operation of the public access television in Orleans Parish.

The City Council is comprised of five districts and two councilmembers-at-large. Council President and Councilmember-at-Large Arnie Fielkow; Council Vice President and Councilmember-at-Large Jacquelyn Brechtel Clarkson; District "A" Councilmember Shelley Midura; District "B" Councilmember Stacy S. Head; District "C" Councilmember James Carter; District "D" Councilmember Cynthia Hedge-Morrell; and District

"E" Councilmember Cynthia Willard-Lewis.