

THE COUNCIL City of New Orleans

HELENA MORENO
Councilmember-At-Large

JP MORRELL
Councilmember-At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

LESLI D. HARRIS
Councilmember District B

FREDDIE KING III
Councilmember District C

EUGENE J. GREEN, JR.
Councilmember District D

OLIVER M. THOMAS, JR.
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held in City Hall Council Chamber
on Thursday, June 22, 2023 at 10:00 A.M.

**PRESIDENT
JP MORRELL**
Councilmember-At-Large



**VICE PRESIDENT
HELENA MORENO**
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

INVOCATION
RABBI DAVID GERBER
CONGREGATION GATES OF PRAYER

PLEDGE OF ALLEGIANCE
JOSEPH I. GIARRUSSO III
COUNCILMEMBER DISTRICT "A"

NATIONAL ANTHEM

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VIBRATE DURING COUNCIL PROCEEDINGS.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER OF BUSINESS - PRESENTATION - SHE'S GOT TIME SUMMIT - SWIN CASH VICE PRESIDENT OF BASKETBALL OPERATIONS/TEAM DEVELOPMENT, NEW ORLEANS PELICANS, KENEISHA SIMMONS, SENIOR COORDINATOR OF BUSINESS DEVELOPMENT, SHE'S GOT TIME, SHANEIKA DABNEY-HENDERSON, VICE PRESIDENT OF PRODUCTION, NEW ORLEANS SAINTS AND NEW ORLEANS PELICANS**

Brief:

Organizational representatives will present on the She's Got Time annual summit whose mission is to elevate, highlight, and empower a community of women in sports to gain new tools and expanded networks that support their ability to rise above in their everyday life.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. Moreno).
APPEARED.

2. **SECOND ORDER OF BUSINESS - PRESENTATION - NEW ORLEANS DRAG QUEENS - DEBBIE WITH A D, ALEXA MILANO AND VANESSA CARR KENNEDY**

Brief:

Recognizing the important role of local drag during Pride Month and year round.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. Harris).
APPEARED.

**3. THIRD ORDER OF BUSINESS – PRESENTATION – DR. DESHANDA FIRMIN,
PHARMD, JD**

Brief:

Honoring Deshanda Firmin, PharmD, JD, for her astounding accomplishments and as an ambassador for the River Parishes as a result of her dedication to working across boundary lines and promoting cross regional partnerships.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Thomas).

APPEARED.

CONSENT AGENDA

1. COMMUNICATION – FROM ERIN SPEARS – CHIEF OF STAFF & COUNSEL, COUNCIL UTILITIES REGULATORY OFFICE

Brief:

Submitting the transmittal document for communications related to electric and gas utility matters to be received by the Council of the City of New Orleans at its meeting on **June 22, 2023:**

Communications from Entergy New Orleans, LLC ("ENO")

1. First Quarter 2023 Customer Interruptions Report, UD-17-04
2. First Quarter 2023 Reliability Plan Progress Report, UD-17-04

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

2. COMMUNICATION – FROM JONATHAN LANDRY

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of a roof replacement request for property located at **437 Bermuda Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (*Hearing Date Set for 7/13/23*).**

3. COMMUNICATION – FROM ZACHARY SMITH, OWNER, ZACH SMITH, CONSULTING & DESIGN

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of a fine of \$5,000 for the unpermitted demolition of the front porch for property located at **1622 Pine Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (*Hearing Date Set for 7/13/23*).**

4. COMMUNICATION - FROM BRIAN ACE

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of a request to replace approximately 29 feet of iron fencing for property located at **2222 Chartres Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set for 7/13/23).

5. COMMUNICATION - FROM HEATHER COOPER, AIA NCARB, ROZAS WARD ARCHITECTS

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of a request of a proposed demolition of an existing rear service cottage for property located at **1492 Moss Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set for 7/13/23).

6. COMMUNICATION - FROM JUDGE MICHAEL G. BAGNERIS, RET., BAGNERIS, PIEKSEN & ASSOCIATES, LLC., REPRESENTING APPLICANT, BROADWAY STREET HOLDINGS, LLC

Brief:

Requesting to appear before the New Orleans City Council to appeal the decisions and fine of \$15,000 rendered by the Historic District Landmarks Commission and to get the decision reversed and have the fine removed or significantly reduced for property located at **7200 S. Claiborne Avenue**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set for 7/13/23).

7. **COMMUNICATION - FROM SEBASTIAN HERRMANN**

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" to retain all windows as they currently are, since they were installed by the previous owner in 2020/21 for property located at **430 Homer Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set for 7/13/23).

8. **COMMUNICATION - FROM RODGERIKA MEDRANO, SENIOR PROJECT MANAGER, STORMWATER & GREEN INFRASTRUCTURE, DEPARTMENT OF PUBLIC WORKS, CITY OF NEW ORLEANS**

Brief:

Submitting a proposed agreement between the City of New Orleans and Orleans Parish School Board, a completed contract summary form and the related Motion, pursuant to Rule 57.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE PUBLIC WORKS COMMITTEE.

(See Motion No. M-23-294).

9. **COMMUNICATION - FROM CLIFFORD G. TERRY, ACCOUNTANT III, NEW ORLEANS POLICE DEPARTMENT, CITY OF NEW ORLEANS**

Brief:

Submitting a proposed agreement between the City of New Orleans and Saltus Technologies, Inc., a completed contract summary form and the related Motion, pursuant to Rule 57.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE PUBLIC WORKS COMMITTEE.

(See Motion No. M-23-293).

10. COMMUNICATION - FROM TYRA JOHNSON BROWN, DIRECTOR, OFFICE OF HOUSING POLICY & COMMUNITY DEVELOPMENT, CITY OF NEW ORLEANS

Brief:

Submitting a proposed agreement between the City of New Orleans and START Corporation, Incorporation, a completed contract summary form and the related Motion, pursuant to Rule 57.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE COMMUNITY DEVELOPMENT COMMITTEE.

11. COMMUNICATION - FROM WILLIAM T. SALMERON, CHIEF OF NEW ORLEANS EMS, NEW ORLEANS EMERGENCY MEDICAL SERVICES, CITY OF NEW ORLEANS

Brief:

Submitting a proposed agreement between the City of New Orleans and Teleflex, LLC, a completed contract summary form and the related Motion, pursuant to Rule 57.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE COMMUNITY DEVELOPMENT COMMITTEE.

12. COMMUNICATION - FROM WILLIAM T. SALMERON, CHIEF OF NEW ORLEANS EMS, NEW ORLEANS EMERGENCY MEDICAL SERVICES, CITY OF NEW ORLEANS

Brief:

Submitting a proposed agreement between the City of New Orleans and ZOLL Medical, a completed contract summary form and the related Motion, pursuant to Rule 57.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE COMMUNITY DEVELOPMENT COMMITTEE.

13. COMMUNICATION - FROM JAMES SPALT, LBT VENTURES

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision to levy a fine of \$48,254 for the unpermitted demolition for property located at **838 Lowerline Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set for 7/13/23).

14. REPORT - OF THE CHIEF OF STAFF OF THE CHIEF ADMINISTRATIVE OFFICER, CITY OF NEW ORLEANS

Brief:

Submitting the Chief Administrative Office Report for passenger type vehicles, owned or leased by the City of New Orleans ("City") for the first quarter of 2023, pursuant to Chapter 2, Article IX, Section 2-902 of the City Code.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED.

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

Brief:

Transmitting the Bed and Breakfast Interim Zoning District Appeal for IZD 001-23 - Cm. Giarrusso, Cn. Deadline 8/21/23.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set for 7/13/23).

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

Brief:

Transmitting the Historic Urban Neighborhood Commercial Short Term Rental Interim Zoning District Appeal for IZD 002-23 - Cm. King, Cn. Deadline 8/21/23.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (*Hearing Date Set for 7/13/23*).

17. REPORT - OF THE DEPUTY DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION | CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report regarding an appeal of the Historic District Landmarks Commission's (HDLIC) decision to deny an application to demolish a Contributing-rated rear accessory structure for the property located at **1492 Moss Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED.

18. REPORT - OF THE DEPUTY DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION | CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report regarding an appeal of the Historic District Landmarks Commission's (HDLIC) decision to deny the application to remove existing asphalt shingle roof and English-V ridge tiles for the installation of new, standing seam, metal roofing on a Contributing rated building for the property located at **437 Bermuda Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED.

19. REPORT - OF THE DEPUTY DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION | CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report regarding an appeal of the Historic District Landmarks Commission's (HDLIC) decision to allow the retention of the unpermitted demolition of more than 25% of the façade and fine the owner \$5000 for the property located at **1622 Pine Street**.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

20. REPORT - OF THE DEPUTY DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION | CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report regarding an appeal of the Historic District Landmarks Commission's (HDLIC) decision to deny an application to remove a historic fence for the property located at **2222 Chartres Street**.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

21. REPORT - OF THE CHIEF ADMINISTRATIVE OFFICER, CITY OF NEW ORLEANS

Brief:

Submitting a written report, pursuant to Chapter 70, Article IV, Division 1, Section 70-429 of the City of New Orleans Code of Ordinances, stating that at this time, no purchases have been made under the emergency declaration related to Motion M-23-252.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

22. CAL. NO. 34,190 - BY: COUNCILMEMBER KING

Brief:

An Ordinance to effect a zoning change from an HMR-2 Historic Marigny/Tremé/Bywater Residential District to an HMC-2 Historic Marigny/Tremé/Bywater Commercial District, located on the rear portions of existing Lots A or 14, 15, and 470-A or 16 (which are to be subdivided into the rear portion of proposed Lot B) in Square 623 & 624, the Third Municipal District and bounded by Saint Bernard Avenue, North Robertson Street, Annette Street, and North Villere Street (**Municipal Addresses: 1646, 1650 and 1654 North Robertson Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 26/23**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 8/23/23).

(Cn. Deadline 8/10/23).

ADOPTED. ORD. NO. 29495 M.C.S.

23. CAL. NO. 34,192 - BY: COUNCILMEMBER HARRIS

Brief:

n Ordinance to establish a conditional use to permit alcohol beverage sales in an existing standard restaurant in an HU-B1 Historic Urban Neighborhood Business District and the Magazine Street Use Restriction Overlay District, on Square 209, Lot 4, in the Sixth Municipal District, bounded by Magazine Street, General Taylor Street, Peniston Street, and Constance Street (**Municipal Addresses: 3814-3816 Magazine Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 29/23**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 8/23/23).

(Cn. Deadline 8/10/23).

ADOPTED. ORD. NO. 29496 M.C.S.

24. CAL. NO. 34,240 - BY: COUNCILMEMBER KING (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into Amendment No. 1 ("Amendment") to amend the Cooperative Endeavor Agreement ("Agreement") between the City of New Orleans (the "City") and Foundation for Louisiana (the "Contractor") relative to the Contractor acting as the designated fiscal administrator for the Children and Youth Planning Board, in order to extend the Agreement for an additional one (1) year; to increase the maximum aggregate amount of compensation; to amend the rate of compensation; to amend the services provided by the Contractor; and to add, modify, or reaffirm certain terms and conditions, as more fully set forth in the Amendment attached hereto as Exhibit "1" and incorporated and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

(Governmental Affairs Committee recommended approval).

ADOPTED. ORD. NO. 29500 M.C.S.

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

*YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell,
Thomas - 7*

NAYS: 0

ABSENT: 0

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

LAND USE MATTERS

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

*All public comments on land use items are subject to City Council
Rule 10.1B, whereby each land use matter is limited to a maximum
public comment period of 20 minutes, with speakers being limited
to two minutes, per item.*

No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. HDLC APPEAL – OF SUSAN JOHNSON, TOWN OF CARROLLTON WATCH, LLC

Brief:

Requesting to appeal the Historic District Landmarks
Commission's decision of "approval" to grant Conceptual
Approval for property located at **7417-7421 Burthe Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, District A, Cn. Deadline 7/9/23).

(Communication received at the meeting of 5/25/23).

(Report received at the meeting of 6/8/22).

HEARING HELD.

1b. MOTION – NO. M-23-288 – BY: COUNCILMEMBER GIARRUSSO

Brief:

Denying the applicant's appeal request for properties
located at **7417-7421 Burthe Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

2. LEGISLATIVE GROUPING

2a. VCC APPEAL - OF KAREN GLASER STEIN

Brief:

Requesting to appeal the Vieux Carré Commission's decision of "**denial**" at the meeting of February 8, 2023, to retain work completed without benefit of VCC review and approval, including gallery millwork modifications, per application and materials received 12/16/2022 for properties located at **1000-1012 St. Philip Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, Cn. Deadline 6/25/23).

(Communication received at the meeting of 5/11/23).

(Report received at the meeting of 6/8/23).

(Revised Report received).

HEARING HELD.

2b. MOTION (LYING OVER) - NO. M-23-269 - BY: COUNCILMEMBER KING

Brief:

Denying the applicant's appeal request for properties located at **1000-1012 St. Philip Street**.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

ADOPTED.

2c. MOTION - NO. M-23-289 - BY: COUNCILMEMBER KING

Brief:

Granting in part and denied in part the applicant's appeal request for properties located at **1000-1012 St. Philip Street**, as follows:

- The retention of the flood lights and cameras is approved; and
- The retention of all other matters under appeal, including gallery millwork modifications, is denied.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

WITHDRAWN.

3. ZONING DOCKET NO. 22/23 - 2GETHER, LLC

Brief:

Requesting a Conditional Use to permit a standard restaurant over 5,000 square feet in an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 581, Lots A and B, in the Sixth Municipal District, bounded by Freret Street, Upperline Street, LaSalle Street, and Valence Street (**Municipal Address: 4730 Freret Street**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 8/7/23).

CONTINUED TO THE MEETING OF 7/13/23.

4. LEGISLATIVE GROUPING

4a. ZONING DOCKET NO. 28/23 - BAYOU TREME CENTER, LLC

Brief:

Requesting an Amendment to Ordinance No. 27,982 MCS (Zoning Docket 131/18) to permit a live performance venue with waivers of Section 18.9.C.1 of the Comprehensive Zoning Ordinance to:

- remove a restriction limiting the live performance venue to plays and musicals only; and
- remove a restriction limiting the sale of alcoholic beverages for consumption on-site to only one (1) hour prior to and during performances, permitting such alcoholic beverage sales from 4 p.m. to midnight Tuesday through Thursday, 4 p.m. to 1. a.m. on Friday, 2 p.m. to midnight on Saturday, and 2 p.m. to 11 p.m. on Sunday. (**Municipal Addresses: 2527-2541 Bayou Road**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, with two (2) waivers.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline 7/24/23).

HEARING HELD.

4b. MOTION - NO. M-23-292 - BY: COUNCILMEMBER GREEN

Brief:

Approving the applicant's request for property located at **2527-2541 Bayou Road, ZD NO. 28/23**, subject to the two (2) waivers recommended by the City Planning Commission, with the following modification:

Strike the last sentence of waiver 2 so that it reads as follows:

The development shall be granted a waiver of Article 18, Section 18.9.C.1 of the Comprehensive Zoning Ordinance to remove a restriction limiting the sale of alcoholic beverages for consumption on-site to only one (1) hour prior to and during performances, permitting such alcoholic beverage sales for consumption on-site one (1) hour prior to performances, during performances, and until one (1) hour after a performance concludes.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

5. LEGISLATIVE GROUPING

5a. ZONING DOCKET NO. 30/23 - 3205 TULANE, LLC

Brief:

Requesting a Conditional Use to permit outdoor live entertainment (secondary use) and the extension of restaurants' hours of operations in an MU-1 Medium Intensity Mixed-Use District and in an EC Enhancement Corridor Design Overlay District, on Square 663, Lot C-1, in the First Municipal District, bounded by Tulane Avenue, South Lopez Street, d'Hemecourt Street, and South Rendon Street **(Municipal Address: 3219 Tulane Avenue)**. The recommendation of the City Planning Commission being **"FOR APPROVAL"**, with four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 7/24/23).

HEARING HELD.

5b. MOTION - NO. M-23-283 - BY: COUNCILMEMBER HARRIS

Brief:

Granting the applicant's request for property located at **3219 Tulane Avenue, ZD NO. 30/23**, subject to the four (4) provisos set forth by the City Planning Commission, modified as follows:

Delete the text of proviso 3f and replace it with the following:

The restaurant's allowable hours of operation are Sunday thru Saturday, 24 hours a day; however, alcohol service is permitted only on Sunday thru Wednesday from 6:00 am to 12:00 am midnight, and Thursday thru Saturday from 6:00 am to 2:00 am.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

6. ZONING DOCKET NO. 31/23 - CITY COUNCIL MOTION NO. M-23-X

Brief:

Requesting a text amendment to Article 19 of the Comprehensive Zoning Ordinance (CZO) to establish a new Interim Zoning District (IZD) to be named the Historic Urban Neighborhood Commercial Short Term Rental Interim Zoning District. The intent of the IZD is to establish a temporary prohibition of new Commercial Short Term Rental Commercial (CSTR) uses within the Historic Urban Neighborhood Mixed-Use District (HU-MU). The proposed text amendment would affect properties across the city currently zoned Historic Urban Neighborhood Mixed Use District (HU-MU) **City-wide**. The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Cms., All Districts, Cn. Deadline 7/24/23).

CONTINUED TO THE MEETING OF 7/27/23.

7. **LEGISLATIVE GROUPING**

7a. **ZONING DOCKET NO. 35/23 - THE BLACK SCHOOL, INC**

Brief:

Requesting a Conditional Use to permit a community center on a lot with insufficient lot and insufficient off-street parking in an HU-RD2 Historic Urban Two-Family Residential District, on Square 766, Lots 23 and 24, in the Fourth Municipal District, bounded by North Roman Street, New Orleans Avenue, North Derbrigny Street, St. Bernard Avenue, and Seventh Streets (**Municipal Address: 1660 N. Roman Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", with one (1) waiver and twelve (12) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline 7/24/23).

CONTINUED TO THE MEETING OF 7/13/23.

7b. **MOTION (LYING OVER) - NO. M-23-258 - BY: COUNCILMEMBER GREEN**

Brief:

Approving the applicant's Conditional Use request for the property located at **1660 N. Roman Street**, on **ZD NO. 35/23**, subject to one (1) waiver and twelve (12) provisos recommended by City Planning Commission.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

CONTINUED TO THE MEETING OF 7/13/23.

8. LEGISLATIVE GROUPING

8a. ZONING DOCKET NO. 36/23 - 2834 LASALLE, LLC

Brief:

Requesting a Conditional Use to permit a hotel in an HU-B1 Historic Urban Neighborhood Business District and the LAS La Salle Street Overlay District, on Square 333, Lot 38 and part of Lot J or Lot 4, the rear part of Lot 15, part of original Lot J, rear part of Lot 17, and rear part of Lot 18, in the Fourth Municipal District, bounded by La Salle Street, Washington Avenue, Sixth Street, and South Liberty Street (**Municipal Addresses: 2832-2834 La Salle Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL", subject to three (3) provisos.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 8/7/23).

HEARING HELD.

8b. MOTION - NO. M-23-284 - BY: COUNCILMEMBER HARRIS

Brief:

Approving the applicant's Conditional Use request for the property located at **2832-2834 LaSalle Street**, on **ZD NO. 36/23**, subject to three (3) provisos recommended by City Planning Commission.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

9. ZONING DOCKET NO. 40/23 - C. DEMATTEO, LLC

Brief:

Requesting a Conditional Use to permit a car wash in an MU-1 Medium Intensity Mixed-Use District and an HUC Historic Urban Corridor Use Restriction Overlay District, on Square 762, Lots 11, 12, 13, 14, 18, 19, 20, 21A, 22A, 22B, 23, 24, 25, 26, 27, and 28, bounded by South Carrollton Avenue, Tulane Avenue, Ulloa Street, South Pierce Street (**Municipal Addresses: 4118-4132 South Carrollton Avenue, 4036-4052 Ulloa Street, and 4041-4051 Tulane Avenue**). The recommendation of the City Planning Commission being "FOR APPROVAL", subject to one (1) waiver and 17 provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, District A, Cn. Deadline 8/7/23).

CONTINUED TO THE MEETING OF 7/13/23.

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 41/23 - CITY COUNCIL MOTION NO. M-23-105

Brief:

Requesting an Amendment to the text of Article 18 of the Comprehensive Zoning Ordinance to establish the Brown's Dairy Neighborhood District overlay, bounded by Erato Street, Baronne Street, Martin Luther King, Jr. Boulevard, and Carondelet Street, to maintain and create affordable housing opportunities for long-term residency.

For all lots within the boundaries, the following use restrictions shall apply. The following uses are prohibited:

- Bed and Breakfast (accessory and principal);
- Hostel;
- Hotel/Motel; and
- Short Term Rental (commercial and non-commercial).

Properties located in the area generally bounded by Erato Street, Baronne Street, Martin Luther King, Jr. Boulevard, and Carondelet Street (**Municipal Addresses: 1300-1432 Baronne Street, 1710-1726 Erato Street, 1301-1429 Carondelet Street, 1714-1736 Thalia Street, and 1721-1731 Martin Luther King, Jr. Boulevard**). The recommendation of the City Planning Commission being **"NO RECOMMENDATION"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 8/7/23).

HEARING HELD.

10b. MOTION - NO. M-23-285 - BY: COUNCILMEMBER HARRIS

Brief:

Granting the applicant's request for the properties located at **1300-1432 Baronne Street, 1710-1726 Erato Street, 1302-1429 Carondelet Street, 1714-1736 Thalia Street, and 1721-1731 Martin Luther King, Jr. Boulevard**, on ZD NO. 41/23.

Annotation:

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

11. CAL. NO. 34,017 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend and reordain section 34-1.1 of the Code of the City of New Orleans to require annual reporting to City Council of the mayor's Mardi Gras advisory council's recommendations; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 8/10/23.

12. LEGISLATIVE GROUPING

12a. CAL. NO. 34,124 - BY: COUNCILMEMBERS MORENO, MORRELL, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

An Ordinance to ordain Sections 114-400, 114-401, 114-402, 114-403, 114-404, 114-405, 114-406, 114-407, 114-408, 114-409, 114-410, 114-411, 114-412, 114-413, 114-414, 114-415, and 114-416 of the Code of the City of New Orleans to establish definitions, procedures, and rights relevant to the collective bargaining for employees of the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/21/23).

ADOPTED, AS AMENDED. ORD. NO. 29494 M.C.S.

12b. AMENDMENT TO ORDINANCE CAL. NO. 34,124 - BY: COUNCILMEMBER MORENO

Brief:

1. In the preamble, delete "Sections 114-400, 114-401, 114-402, 114-403, 114-404, 114-405, 114-406, 114-407, 114-408, 114-409, 114-410, 114-411, 114-412, 114-413, 114-414, 114-415, and 114-416" and insert in lieu thereof:

"Article V of Chapter 114"

2. In the first WHEREAS clause, delete "Employees" and insert in lieu thereof:

"employees"

3. In the second WHEREAS clause, on the first line, delete "been".

4. After the second WHEREAS clause, insert the following:

"WHEREAS, AFSCME Council 17 is the recognized exclusive representative of general government employees and the New Orleans Fire Fighters Association, Local 632 IAFF, is the current exclusive representative of firefighters; and"

5. After the insertion above is made, in what will then be the fifth WHEREAS clause, on the first line, delete "city" and insert in lieu thereof:

"City"

6. In what is now the fifth WHEREAS clause, on the second line, delete "the the process" and insert in lieu thereof:

"the process"

7. In what is now the sixth WHEREAS clause, on the second line, delete "city" and insert in lieu thereof:

"City"

8. In Section 1, delete lines 1-4 in their entirety and insert in lieu thereof:

"SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That the Code of the City of New Orleans, Louisiana, is amended by adding an article to Chapter 114 to be numbered as Article V which shall read as follows:"

9. Delete line 5 in its entirety and insert in lieu thereof:

""CHAPTER 114. - PERSONNEL"

10. Delete lines 9-61 in their entirety and insert in lieu thereof:

"As used in this Article, the following terms shall have the meanings ascribed to them in this section:

Collective Bargaining means bargaining for employee matters on behalf of employees.

Collective bargaining agreement means a written lawful contract between the City and an exclusive bargaining agent representing the employees in a bargaining unit authorized by this Article and resulting from collective bargaining.

Confidential employee means an employee who acts in a confidential capacity with respect to an individual who formulates or effectuates management policies in the field of labor-management relations.

Covered employee means any employee of the City of New Orleans in classified or unclassified service, as defined in the Charter, excluding confidential employees, management officials and supervisors as defined herein.

Employee labor organization means an organization in which employees participate, and that exists, in whole or in part, for the purpose of representing employees in collective bargaining concerning labor disputes, hours, and other terms and conditions of employment.

Grievance means a claim of breach, misinterpretation, or misapplication of any provision of a collective bargaining agreement between the City and an exclusive bargaining representative.

Management official means an individual whose duties and responsibilities require or authorize the individual to formulate or determine the policies of a City department.

Supervisor means any individual having independent authority in the interest of the City to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees. The term "supervisor" does not include either sworn Police Department employees below the rank of Lieutenant or uniformed Fire Department employees at or below the rank of Fire District Chief."

11. Delete lines 62-74 in their entirety and insert in lieu thereof:

"Sec. 114-401. - Employee Rights.

- (a) Subject to the terms of this article, employees shall have the right to:
- (1) organize, form, join, assist, participate in, and pay dues or contributions to a union;
 - (2) bargain collectively through an exclusive bargaining representative of their own choosing and to receive fair representation from a union; and
 - (3) engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection insofar as such activity is not inconsistent with this article.
- (b) Employees shall also have the right to refrain from any or all such activities described above.

No City employee or any other person acting on behalf of the City, an exclusive bargaining agent, or a union or labor organization may interfere with the exercise of an

employee's rights under this article or commit any form of retaliation arising from the exercise of any rights granted here under this article."

12. Delete lines 75-84 in their entirety and insert in lieu thereof:

"Sec. 114-402. - Employee Use of Work Time for Employee Labor Organization Matters.

- (a) Employees shall have the right to hold informal conversations and interactions with one another to discuss workplace and employee labor organization issues while on duty, provided that such conversations or interactions do not interfere with the employee's job duties. Employee labor organizations shall not hold formal meetings that interfere with the work time of employees, except as provided for in this article or in a collective bargaining agreement.
- (b) Employees are permitted to use City electronic communication systems, including but not limited to, email and text messaging on City devices and/or accounts, to discuss employee labor organization business or activities, or employee organizing activity."

13. Delete lines 85-96 in their entirety and insert in lieu thereof:

"Sec. 114-403. - Bargaining Units.

The City shall recognize the following bargaining units for the purposes of collective bargaining:

- (a) *Police.* The police department employees' bargaining unit shall consist of all sworn commissioned employees of the police department, except those excluded by definition in section 114-400.

(b) *Fire.* The fire fighters bargaining unit shall consist of Fire Fighters, Fire Apparatus Operators, Fire Captains, Fire Prevention Inspectors, and Fire Alarm Dispatchers and any other uniformed fire employees below the rank of Deputy Chief.

(c) *General Government.* All other covered City employees, except those excluded in section 114-400."

14. Delete lines 97-128 in their entirety and insert in lieu thereof:

"Sec. 114-404. - Labor Relations Advisor.

(a) The Council shall employ one or more labor relations advisors (LRA) to provide professional advice and assistance to the Council regarding the implementation of this article and the development of labor policy; to assist the Council in mediating impasses in the negotiation of collective bargaining agreements; to investigate and advise the Council regarding possible violations of this article; and to serve as liaison among the Council, the administration, exclusive bargaining agents, unions or labor organizations, and employees with respect to labor and collective bargaining concerns.

(b) The LRA shall operate under the rules and procedures detailed in a City Council Labor Relations Advisor Rules Manual (LRA Rules Manual).

(c) The Council shall create the LRA Rules Manual by resolution and shall publish the same on the Council website. The LRA Rules Manual may be amended by the same procedure.

(d) City departments shall cooperate with the labor relations advisor and shall provide all documents or assistance reasonably requested by the LRA in performance of the duties described herein or otherwise assigned by the

Council.

- (e) The LRA shall oversee and report to the Council in relation to the following:
 - (1) Oversight and ratification of elections, including card-check recognition, certification or decertification pursuant to the provisions of the LRA Rules Manual, and issue to the Council a report on certification or decertification;
 - (2) Disputed issues of employee inclusion in or exclusion from the bargaining units permitted under this article; and
 - (3) The status and results of negotiations of any collective bargaining proposal as a subject of bargaining permitted under this article."
15. After line 128, insert the following:
- "Sec. 114-405. -- Exclusive Collective Bargaining.
- The City may engage in collective bargaining and enter into a collective bargaining agreement only with an employee labor organization selected as the exclusive bargaining representative of a particular employee bargaining unit."
16. Delete lines 129-147 in their entirety and insert in lieu thereof:
- "Sec. 114-406. - Recognition of Exclusive Bargaining Agent.
- (a) If upon the effective date of this ordinance, an employee labor organization has been recognized as the exclusive bargaining agent of a bargaining unit of City employees, whether by a Memorandum of Understanding with the City or by another process legally recognized with the City of New Orleans, then that bargaining agent shall have the rights and responsibilities vested by this ordinance. All other provisions of this ordinance shall henceforth apply to all

recognized bargaining agents and the bargaining units they represent.

- (b) If there is no recognized exclusive bargaining agent, a bargaining agent may become recognized as the exclusive bargaining agent of all employees in an appropriate bargaining unit described in section 114-403 if the LRA reports to the Council the appropriate procedures to select a representative are followed and that representative is certified by the Council as described in section 114-107."

17. Delete lines 148-209 in their entirety and insert in lieu thereof:

"Sec. 114-407. - Certification of an Exclusive Representative.

- (a) Elections of exclusive bargaining agents shall occur pursuant to rules promulgated in the LRA Rules Manual and overseen by the LRA.
- (b) The LRA shall present a report to the Council regarding the outcome of any election and compliance with the procedures within the LRA Rules Manual.
- (c) The certification or decertification of a union or labor organization as an exclusive bargaining agent shall be made by Council resolution."

18. After line 209, insert the following:

"Sec. 114-408. - Access.

To facilitate the certification process and to ensure fair access among competing employee labor organizations, the City shall provide reasonable access to any employee labor organization seeking to become the exclusive bargaining representative of a particular bargaining unit that meets the qualifications set forth in a resolution

adopted pursuant to section 114-407."

19. Delete lines 210-242 in their entirety.

20. Delete lines 243-288 in their entirety and insert in lieu thereof:

"Sec. 114-409. - Rights Accompanying Exclusive Representation.

Any employee labor organization recognized as the exclusive bargaining agent for employees in an appropriate bargaining unit has the following rights:

- (a) To speak on behalf of all members of the bargaining unit and be responsible for representing the interests of all members of the bargaining unit without discrimination and without regard to employee labor organization membership.
- (b) To meet at reasonable times and places to engage in good faith collective bargaining on matters that, under this article, may be the subject of collective bargaining, in an effort to reach an agreement with the City.
- (c) To meet with bargaining unit employees on City premises in non-secure areas during times when the employees are on break or in a non-duty status. Any other employee labor organization that has submitted a petition and established a valid question concerning representation of the bargaining unit is also permitted to meet with bargaining unit employees with the same limitations. An exclusive bargaining agent and the City is permitted to negotiate regarding greater access to employees by the exclusive bargaining agent as a provision of a collective bargaining agreement.
- (d) To receive a quarterly list of all bargaining unit employees, to be informed of all new hires within 10

calendar days, and to be permitted to provide a presentation at any new employee orientation or on-boarding meeting.

- (e) To communicate with employees regarding collective bargaining, the administration of collective bargaining agreements, investigation of grievances, other workplace-related complaints and issues, and internal union matters involving the governance or business of the exclusive bargaining agent via City communications systems, including but not limited to, City-issued email addresses and/or phone numbers.
- (f) To be represented at any formal discussion between one or more representatives of the City and one or more employees in the bargaining unit or their representatives concerning (1) any matter that is within the scope of collective bargaining as set forth in section 114-400; or (2) any examination of bargaining unit employees by a representative of the City in connection with an investigation if the employee reasonably believes that the examination involves matters covered by any collective bargaining agreement then in effect, and the employee requests representation. The City shall inform the employee that the employee has a right to union representation prior to any such discussion or interview, and the employee shall have a right to request union representation before proceeding with the discussion or interview. An individual employee may present a personal complaint or question at any time to the City without the intervention of an employee labor organization, provided that any such organization that is recognized by the

City as the exclusive bargaining agent for the bargaining unit in which the employee is a member is afforded an effective opportunity to be present and to offer its view at any meetings held to adjust the matter and that any adjustment made shall not be inconsistent with the terms of any applicable collective bargaining agreement. Employees who utilize this avenue of presenting personal complaints to the City shall not do so under the name, or by representation, of an employee labor organization.

- (g) To be the only labor organization eligible to receive from the City amounts deducted from the pay of employees as authorized by written assignment of the employees, for the payment of regular and periodic dues to the exclusive bargaining agent. Any such authorization may be revoked in accordance with the terms of the authorization which shall provide a period of irrevocability of not more than one year. An authorization that satisfies the Uniform Electronic Transactions Act (La. Rev. Stat. § 9:2601), including, without limitation, electronic authorizations and voice authorizations, shall be valid for employees' authorizations for payroll deductions."

21. Delete lines 289-303 in their entirety and insert the following in lieu thereof:

"Sec. 114-410. - Good Faith Bargaining Process.

- (a) The exclusive bargaining agent must submit a written request for bargaining to the City and negotiations must begin no later than May 1 and conclude by November 15 of any year where an agreement is sought to be effective at the beginning of the next fiscal year, in order to accommodate the City budget process.

(b) Good faith bargaining does not include submission of or a response to a proposal that:

(1) Violates the rights of employees as set forth in this article, or

(2) Is outside the scope of lawful collective bargaining."

22. After line 303, insert the following:

"Sec. 114-411. - Inclusion of Grievance Procedures.

All collective bargaining agreements must include a negotiated grievance procedure which culminates in final and binding arbitration matters defined as a grievance in section 114-400. Where an alternate procedure to process a grievance is available, an employee's initial election of procedure made at the time of filing the grievance through the negotiated procedure or alternative procedure shall be irrevocable."

23. Delete lines 304-307 in their entirety and insert in lieu thereof:

"Sec. 114-412. - Approval of Agreement.

When an exclusive bargaining agent and the City reach an agreement, they shall reduce it to writing and execute it, signifying the approval of the bargaining agent and the Mayor.

(a) Upon signature of the Mayor, the agreement shall be communicated to the Council for approval as provided for in section 114-413, and appropriation of funds necessary to implement the financial terms of the agreement and the exclusive representative's ratification process.

(b) Upon Council approval of the agreement, if any provision of the agreement is inconsistent with the published rules of the Civil Service Commission, or addresses pay,

classification, benefits or other matters relating to compensation that are within the authority of the Civil Service Commission, the City shall request that the Civil Service Commission amend its rules to resolve the inconsistency but the provision or provisions shall not go into effect unless and until the inconsistency is resolved."

24. Delete lines 308-329 in their entirety.

25. After line 329, insert the following:

"Sec. 114-413. - Council Approval of Collective Bargaining Agreements.

Any collective bargaining agreement must be signed by the Council President and authorized by a motion of the Council in the manner provided in City Code Sec. 70-10."

26. Delete lines 330-379 in their entirety and insert in lieu thereof:

"Sec. 114-414. - Non-interference and Neutrality.

Neither the City nor any exclusive bargaining agent shall refuse to negotiate in good faith with respect to matters within the scope of collective bargaining defined in section 114-400.

(a) The City and its agents shall not:

- (1) Interfere with, restrain, or coerce employees with regard to the exercise of rights granted by this article;**
- (2) Dominate or interfere in the administration of any employee labor organization;**
- (3) Deter or discourage employees or applicants for City positions from becoming or remaining members of an employee labor organization, or from authorizing dues deductions, or voting to authorize union representation, or exercising any of their rights**

under this article;

- (4) Encourage or discourage membership in any employee labor organization, committee, or association including by discrimination in hiring, tenure, or other terms and conditions of employment, provided that use of City property and time for meetings and the City's communication system for employee labor organization business, as may be permitted by this article or a collective bargaining agreement, shall not be deemed encouragement prohibited by this section;
- (5) Discharge, retaliate, or discriminate against any employee because the employee has filed an affidavit, petition, or complaint or given any information or testimony under this article or because the employee has formed, joined, or chosen to be represented by any exclusive bargaining agent;
- (6) Deny the rights accompanying certification as the exclusive bargaining agent as conferred by this article;
- (7) Refuse to bargain collectively with the exclusive bargaining agent as provided in this article;
- (8) Refuse to participate in good faith in any agreed-upon impasse resolution procedures or those set forth in this article;
- (9) Refuse to reduce a collective bargaining agreement to writing and sign such agreement provided all conditions for an enforceable agreement, as set forth in this article, have been met; or
- (10) Enforce any rule or regulation which is plainly in direct conflict with any applicable collective bargaining agreement if the agreement was in effect

before the date the rule or regulation was prescribed.

(b) No employee labor organization or its agents shall:

- (1) Interfere with, restrain, or coerce any employee with respect to rights granted in this article or with respect to selecting an exclusive representative;
- (2) Fail to represent an employee who is in a bargaining unit exclusively represented by the employee labor organization fairly and without discrimination provided such failure is willful or deliberate;
- (3) Refuse to bargain collectively with the City as provided in this article;
- (4) Refuse to participate in good faith in or violate any mutually agreed-upon impasse resolution procedures; or
- (5) Engage in conduct which is plainly in direct conflict with any applicable collective bargaining agreement."

27. Delete lines 380-396 in their entirety.

28. Delete lines 397-399 in their entirety and insert in lieu thereof:

"Sec. 114-415. - Time Limits.

Any time limits in this article may be extended by written agreement of the City, the employee labor organization, and any other appropriate parties."

29. Delete lines 400-406 in their entirety.

30. Delete lines 407-412 in their entirety and insert in lieu thereof:

"Sec. 114-416. - Annual Public Hearing.

The Council shall hold a public hearing annually to hear presentations from city employee unions or labor representatives about the needs of City employees. At said hearings, labor representatives or City employees may

discuss recommendations for addressing workplace concerns, civil service requests, employee pay or leave change requests, recommendations for City facility upgrades, budgetary recommendations, or other labor or workplace issues that affect City employees."

31. After line 412, insert the following:

"Sec. 114-417. - Authority of Civil Service Commission.

Nothing in this article should be construed to impair or supersede the authority granted to the civil service commission or the city civil service department by the Louisiana Constitution or the Home Rule Charter. The chief administrative office shall take all available steps to secure necessary civil service commission approval of any matter governed by this article or by a collective bargaining agreement requiring commission approval.""

32. After Sec. 114-417 (above) is inserted in its entirety, insert the following:

"SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That this ordinance shall be effective January 1, 2024."

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

12c. MOTION NO. M-23-281 - BY: COUNCILMEMBER MORENO

Brief:

Directing the Council Chief of Staff to conduct a competitive selection for a labor relations advisor to perform the duties outlined by Section 114-404 of the Code of the City of New Orleans, as adopted in Ordinance Cal. No. 34,124, in accordance with Council Rule 42.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

12d. RESOLUTION NO. R-23-282 - BY: COUNCILMEMBER MORENO

Brief:

Resolution stating that the rule manual (Exhibit A), establishing as the rules governing the Labor Relations Advisor.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

13. CAL. NO. 34,143 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to require augmentation of the contact information included on Roadwork.nola.gov ("the Roadwork website") which was designed to provide the public with information about the Federal Emergency Management Agency (FEMA) funded Joint Infrastructure Recovery Roads (JIRR) projects currently under construction and planned city wide; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 8/4/23).

CONTINUED TO THE MEETING OF 7/13/23.

14. CAL. NO. 34,150 - BY: COUNCILMEMBER THOMAS

Brief:

An Ordinance to amend and reordain Section 66-36 and to ordain Section 66-79 of the Code of the City of New Orleans, in the Smoke Free Air Act, to create operating health and safety regulations for cigar bars; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 8/18/23).

WITHDRAWN.

15. CAL. NO. 34,198 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend and reordain Section 26-15 of the Code of the City of New Orleans, relative to the City of New Orleans' amendments to the adopted International Building Code, 2015 Edition; to amend therein the Stormwater Code of the City of New Orleans, which includes permitting and submittal requirements, removal of bonding requirements, fees, plan review, and various standards relative thereto; and otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/22/23).

(Technical needed).

CONTINUED TO THE MEETING OF 7/27/23.

16. CAL. NO. 34,230 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend and reordain Section 26-680 of the Code of New Orleans to add references to the Minimum Property Maintenance Code; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

ADOPTED. ORD. NO. 29497 M.C.S.

17. CAL. NO. 34,237 - BY: COUNCILMEMBER KING

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements within and around Devour Park located at 1500 Teche Street, New Orleans, Louisiana in conjunction with the Senior Car Giveaway event on Sunday, June 18, 2023 from 12:00 p.m. to 5:00 p.m., to specify the duration and boundaries of said waiver; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/6/23).

ADOPTED. ORD. NO. 29498 M.C.S.

18. CAL. NO. 34,238 - BY: COUNCILMEMBERS MORRELL, MORENO, HARRIS, AND KING

Brief:

An Ordinance to amend and reordain Section 2-905 of the Code of New Orleans to change the process for granting of exceptions to the City's Clean Fleet requirements; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/6/23).

ADOPTED. ORD. NO. 29499 M.C.S.

19. CAL. NO. 34,239 - BY: COUNCILMEMBER THOMAS (BY REQUEST)

Brief:

An Ordinance authorizing the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement ("CEA") between the City of New Orleans (the "City") and the Law Enforcement District ("LED") of the Parish of Orleans, State of Louisiana, represented by its Chief Executive Officer Sheriff Susan Hutson, for a term greater than one year, for the public purpose of constructing a new Medical and Mental Health Services Facility ("Phase III") at the Orleans Justice Center ("OJC") in the City of New Orleans, as more fully detailed in the CEA form attached hereto as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

WITHDRAWN.

20. CAL. NO. 34,241 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to amend and reordain the Unclassified Pay Plan for officers and employees in the unclassified service of the City of New Orleans, in accordance with Section 3-118 and 4-206(1)(g) of the Home Rule Charter of the City of New Orleans, to establish new titles for the existing positions of Chief of EMS (Physician) (U-3005) and Deputy Chief of EMS (U-3006); to change the titles to Medical Director (U-3005) and Chief of EMS (U-3006); to establish new salary ranges

for these classifications within the Unclassified Pay Plan; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

21. CAL. NO. 34,242 - BY: COUNCILMEMBERS GIARRUSSO, HARRIS AND MORENO (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29265 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2023," to appropriate funds for rental assistance programs in the Office of Community Development and to pilot a program to assist homeowners in addressing code enforcement violations in Historic District Landmarks Commission; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

22. CAL. NO. 34,243 - BY: COUNCILMEMBERS GIARRUSSO, HARRIS AND MORENO (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29266 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023," to appropriate funds for rental assistance programs in the Office of Community Development and to pilot a program to assist homeowners in addressing code enforcement violations in Historic District Landmarks Commission; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

23. CAL. NO. 34,244 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29265 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2023", to appropriate grant funds to the Police Department for personnel overtime and to purchase security systems, equipment and software; and otherwise to provide with respect thereto.

Annotation:

*(Council Rule 34. Postponement Deadline 10/6/23).
(Fiscal Note received).*

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

24. CAL. NO. 34,245 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29266 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023", to appropriate grant funds to the Police Department for personnel overtime and to purchase security systems, equipment and software; and otherwise to provide with respect thereto.

Annotation:

*(Council Rule 34. Postponement Deadline 10/6/23).
(Fiscal Note received).*

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

25. CAL. NO. 34,246 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29265 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2023", to appropriate grant funds awarded to the Health

Department for the Healthcare for the Homeless Program to expand HIV health services in the community through various partnerships; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

26. CAL. NO. 34,247 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29266 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023", to appropriate grant funds awarded to the Health Department for the Healthcare for the Homeless Program to expand HIV health services in the community through various partnerships; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

(Fiscal Note received).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

27. CAL. NO. 34,248 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29265 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2023", to appropriate unspent grant funds to the Office of Workforce Development; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

(Fiscal Note received).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

28. CAL. NO. 34,249 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29266 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023", to appropriate unspent grant funds to the Office of Workforce Development; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

(Fiscal Note received).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

29. CAL. NO. 34,250 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29265 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2023", to appropriate grant funds to the Department of Health for Emergency Medical Services to purchase computers and virtual reality headsets required for virtual reality training; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/6/23).

(Fiscal Note received).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

30. CAL. NO. 34,251 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29266 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023", to appropriate grant funds to the Health Department for Emergency Medical Services to purchase computers and virtual reality headsets required for virtual reality training; and otherwise to provide with respect thereto.

Annotation:

*(Council Rule 34. Postponement Deadline 10/6/23).
(Fiscal Note received).*

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

31. CAL. NO. 34,252 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 29266 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023", to transfer funds from Personal Services to Other Operating within the Office of Police Secondary Employment to cover the remaining payrolls (19) for Reserve Officers; and otherwise to provide with respect thereto.

Annotation:

*(Council Rule 34. Postponement Deadline 10/6/23).
(Fiscal Note received).*

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

32. MOTION (LYING OVER) - NO. M-22-516 - BY: COUNCILMEMBER MORRELL

Brief:

Authorizing the creation of committee as an advisory committee, to be known as the City of New Orleans Home Rule Charter Review Committee, to review, opine on and make non-binding recommendations to the New Orleans City Council regarding potential changes to the Home Rule Charter, pursuant Section 3-127 of the City of New Orleans Home Rule Charter.

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

(Technical Correction).

CONTINUED TO THE MEETING OF 7/13/23.

33. MOTION (LYING OVER) - NO. M-23-Z - BY: COUNCILMEMBERS MORRELL AND KING

Brief:

Directing City Planning Commission to conduct a public hearing to consider amendments to Ordinance No. 4,264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend *Article 9 Historic Core Neighborhoods Residential Districts* to create a new zoning classification, VCR-3, and to make associated zoning map changes to effectuate the new zoning district. The purpose of VCR-3 is to allow a mix of primarily residential uses, limited to singles, doubles, educational, and cultural uses. When compared to VCR-1 and VCR-2, VCR-3 is intended to promote educational and cultural uses that are compatible with residential use.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/7/23).

ADOPTED.

34. MOTION (LYING OVER) - NO. M-23-AA - BY: COUNCILMEMBERS MORRELL AND KING

Brief:

Directing City Planning Commission to conduct a public hearing to consider a zoning change from VCR-1 Vieux Carre Residential District to VCR-3 Vieux Carre Residential District, on the entirety of Square 56, Lots 16, 18, 19, 20, 21, Lot A Pt Lot 1, Lot B, Pt Lot 1, and Lot C Pt 1, in the Second Municipal District, bounded by Saint Philip Street, Bourbon Street, Ursulines Street, and Royal Street (Municipal Addresses: 721 Saint Philip Street and 1014 Bourbon Street).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/7/23).

CONTINUED INDEFINITELY. According to Rule 34, this matter is being Continued Indefinitely, and pursuant to Rule 34 it will not appear on any further agendas unless requested by the sponsoring Councilmember(s).

35. MOTION (LYING OVER) - NO. M-23-164 - BY: COUNCILMEMBER MORRELL

Brief:

Stating that before any substantive filing is made in the United States District Court for the Eastern District of Louisiana, or, in any appellate court with jurisdiction over the Eastern District, for either *Lashawn Jones v. Marlin Gusman* or *United State of America v. City of New Orleans*, the Department of Law shall brief the Council on the City's position before the filing occurs.

Annotation:

(Council Rule 34. Postponement Deadline 8/18/23).

(Cm. Giarrusso requested his name be added).

WITHDRAWN.

36. RESOLUTION (LYING OVER) - NO. R-23-207 - BY: COUNCILMEMBERS HARRIS, MORRELL, MORENO, KING, GREEN AND THOMAS

Brief:

Urging the Louisiana Governor's Office and U.S. EPA to immediately exercise oversight authority and compel the LDEQ to reinstate the Irish Channel Air Monitoring Site and to suspend BWC Harvey's air permit and institute a permit review process that provides for public input and accounts for noxious emissions from BWC Harvey's entire operations, including those at the recently-purchased IMTT Gretna.

Annotation:

**(Council Rule 34. Postponement Deadline 9/8/23).
ADOPTED.**

37. MOTION (LYING OVER) - NO. M-23-273 - BY: COUNCILMEMBER THOMAS (BY REQUEST)

Brief:

Adding the President of the Council as a signatory to the Amendment No. 1 to the contract between the City of New Orleans, the Orleans Parish Sheriff's Office, and Wellpath, LLC; and authorizing the President of the Council to sign Amendment No. 1 contract between the City of New Orleans, the Orleans Parish Sheriff's Office, and Wellpath, LLC as Exhibit A.

Annotation:

**(Council Rule 34. Postponement Deadline 10/6/23).
ADOPTED.**

38. RESOLUTION - NO. R-23-276 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Resolution giving preliminary approval to the issuance of not exceeding Eighty Million Dollars (\$80,000,000) of City of New Orleans Sewerage Service Revenue Bonds, in one or more series.

Annotation:

(Council Rule 34. Postponement Deadline 10/20/23).
CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE BUDGET COMMITTEE.

39. RESOLUTION - NO. R-23-277 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

Celebrating the diversity of the City of New Orleans' residents, including its religious minorities, and stands in solidarity with the Biden-Harris Administration's national strategy to counter antisemitism.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 10/20/23).
ADOPTED.

40. RESOLUTION - NO. R-23-279 - BY: COUNCILMEMBER MORRELL

Brief:

Resolution stating that based on recent testimony from federal consent decree monitors, the Council of the City of New Orleans expresses its concern for the healthcare services provided at the Orleans Justice Center.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 10/20/23).
ADOPTED.

41. **MOTION - NO. M-23-280 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS**

Brief:

Authorizing the employment of Barrasso Usdin Kupperman Freeman & Sarver, L.L.C. as legal counsel for Council President JP Morrell and Council Vice President Helena Moreno in their official and individual capacities for the purpose of intervening in and pursuing the Council's claims in *Council of the City of New Orleans v. Edward Wisner Donation, et al.*, Case No. 2022-6765 and any other case involving similar subject matter. The terms of the representation, including the maximum compensation payable in connection therewith, shall be as set forth in the recitals herein and in the professional services agreement authorized by Motion No. M-22-185, as amended from time to time.

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 10/20/23).
ADOPTED.**

42. **MOTION - NO. M-23-286 - BY: COUNCILMEMBER GREEN (BY REQUEST)**

Brief:

Declaring the failure of the two HVAC chiller compressors at the St. Bernard Recreation Center an imminent threat to life and property and a public emergency and authorizing the New Orleans Recreation Development Commission to secure informal bids for the emergency procurement of two HVAC chiller compressors systems at an estimated cost of \$40,000.00.

Annotation:

**(Council Rule 34. Postponement Deadline 10/20/23).
ADOPTED.**

43. MOTION - NO. M-23-287 - BY: COUNCILMEMBERS THOMAS AND HARRIS (BY REQUEST)

Brief:

Adding the President of the Council as a signatory to Amendment No. 1 to the contract between the City of New Orleans and Legacy Professional Services, LLC; and authorizing the President of the Council to sign Amendment No. 1 between the City of New Orleans and Legacy Professional Services, LLC.

Annotation:

**(Council Rule 34. Postponement Deadline 10/20/23).
CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE
PUBLIC WORKS COMMITTEE.**

44. MOTION - NO. M-23-290 - BY: COUNCILMEMBER KING

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a zoning map amendment from S-RS Suburban Single-Family Residential District to S-B1 Suburban Business District on Square 2, Lot PT27, in the Fifth Municipal District, bounded by General Meyer Avenue, and Casimere, Zion, and Carver Streets (Municipal Address: **6505 General Meyer Avenue**).

Annotation:

**ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 10/20/23).
ADOPTED.**

45. MOTION - NO. M-23-291 - BY: COUNCILMEMBER KING

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a zoning map amendment from S-B1 Suburban Pedestrian-Oriented Corridor Business District to S-RS Suburban Single-Family Residential District on Square

1, Lot RB25, in the Fifth Municipal District, bounded by Stanton Road, English Turn Parkway, Delacroix Road, and Willow Drive (Municipal Address: **1600 Stanton Road**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

46. MOTION - NO. M-23-293 - BY: COUNCILMEMBER THOMAS (BY REQUEST)

Brief:

Adding the President of the Council as a signatory to the professional services agreement between the City of New Orleans and Saltus Technologies, Inc.; and authorizing the President of the Council to sign the professional services agreement between the City of New Orleans and Saltus Technologies, Inc.

Annotation:

(Council Rule 34. Postponement Deadline 10/20/23).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE PUBLIC WORKS COMMITTEE.

47. MOTION - NO. M-23-294 - BY: COUNCILMEMBER GREEN (BY REQUEST)

Brief:

Adding the President of the Council as a signatory to the Grant of Servitude between the City of New Orleans, through its Stormwater and Green Infrastructure and Orleans Parish School Board; and authorizing the President of the Council to sign the Grant of Servitude between the City of New Orleans, through its Stormwater and Green Infrastructure and Orleans Parish School Board.

Annotation:

(Council Rule 34. Postponement Deadline 10/20/23).

CONTINUED TO THE MEETING OF 7/13/23 AND REFERRED TO THE PUBLIC WORKS COMMITTEE.

48. RESOLUTION - NO. R-23-295 - BY: COUNCILMEMBERS MORRELL, MORENO, HARRIS, KING, THOMAS, GIARRUSSO AND GREEN

Brief:

Imploring on behalf of all Louisiana citizens, the Louisiana Legislature to reconsider the \$100 million budget cut to the Louisiana Department of Health

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

49. RESOLUTION - NO. R-23-296 - BY: COUNCILMEMBERS MORENO, MORRELL, HARRIS, GREEN AND THOMAS

Brief:

A RESOLUTION requesting an official third-party audit to review the cost of construction for the new Medical and Mental Health Service Facility (Phase III) at the Orleans Justice Center to ensure the drastic rise in expenses is appropriate prior to the allocation of public funds.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/20/23).

ADOPTED.

50. MOTION - NO. M-23-297 - BY: COUNCILMEMBERS MORRELL, HARRIS AND KING

Brief:

Directing Gilbert Montaña, Chief Administrative Officer, Tom Mulligan, Deputy Chief Administrative Officer, Business and External Services, Vincent Smith, Director of Capital Projects Administration, and Tammie Jackson, Director of the Department of Safety and Permits to appear before the Council's Community Development Committee on Monday, June 26, at 10 a.m. to advise the Council on the status of the

Department and the expected timeframe for obtaining internet services, to explain why services were not procured ahead of the move and what the Department is doing to mitigate the impact of the lack of internet services on the public, and to answer any questions Councilmembers may have regarding the situation.

Annotation:

(Council Rule 34. Postponement Deadline 10/20/23).

WITHDRAWN.

51. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 34,253 THRU 34,276.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.