

**THE COUNCIL**  
**City of New Orleans**

**HELENA MORENO**  
Councilmember-At-Large

**JASON ROGERS WILLIAMS**  
Councilmember-At-Large

**JOSEPH I. GIARRUSSO III**  
Councilmember District "A"

**JAY H. BANKS**  
Councilmember District "B"

**KRISTIN GISLESON PALMER**  
Councilmember District "C"

**JARED C. BROSSETT**  
Councilmember District "D"

**CYNDI NGUYEN**  
Councilmember District "E"

**COMPLETED AGENDA**

Regular Meeting of the City Council  
held in City Hall Council Chamber  
on Thursday, August 8, 2019 at 10:05 A.M.

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



**VICE PRESIDENT**  
**JASON ROGERS WILLIAMS**  
Councilmember-At-Large

**ROLL CALL**  
**LORA W. JOHNSON**  
CLERK OF COUNCIL

**INVOCATION**  
**REV. DR. EMANUEL SMITH, JR., PASTOR**  
**ISRAELITE BAPTIST CHURCH**

**PLEDGE OF ALLEGIANCE TO THE FLAG**  
**CYNDI NGUYEN**  
COUNCILMEMBER DISTRICT "E"

**NATIONAL ANTHEM**  
**WYNTON STYLEZ**

REV. DR. EMANUEL SMITH, JR., PASTOR

CITY COUNCIL CHAPLAIN

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

1. **APPROVAL OF THE MINUTES** - July 18, 2019 and July 25, 2019.

**Annotation:**  
**APPROVED.**

## **SPECIAL ORDERS OF BUSINESS**

1. **FIRST ORDER OF BUSINESS - PRESENTATION - CONSULAR CORPS INTERNATIONAL DAY, The Honorable Vincent Marc George Sciama, Consul General of the French Republic and Dean of the Consular Corps & The Honorable Bret Alden Clesi, Honorary Consul General of the Republic of Albania and Vice Dean of the Consular Corps**

**Brief:**  
Recognizing members of the Louisiana Consular Corps in honor of International Day.

**Annotation:**  
*(Cm. Williams).*  
**APPEARED.**

2. **SECOND ORDER OF BUSINESS - PRESENTATION - NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES (NOBLE), DWAYNE CRAWFORD, EXECUTIVE DIRECTOR**

**Brief:**  
Presentation on the organization, its history, and the organization's role in fostering the growth and development of Law Enforcement Officers (LEOs).

**Annotation:**  
*(Cm. Banks).*  
**APPEARED.**

3. THIRD ORDER OF BUSINESS - PRESENTATION - NEW ORLEANS TOURISM MARKETING CORPORATION, MARK ROMIG, NOTMC, JEREMY COOKER, NOTMC, MANDI BORDELON, 504HEALTHNET, DANI DIPIETRO, 504HEALTHNET AND TIFFANY NETTERS, 504HEALTHNET

**Brief:**

NOTMC in partnership with 504 Health Net will discuss their new Healthy Hospitality initiative to provide hospitality workers access to high quality healthcare.

**Annotation:**

*(Cm. Gisleson Palmer).*  
APPEARED.

## **CONSENT AGENDA**

1. **COMMUNICATION - FROM SARAH BABCOCK, MPH, DIRECTOR OF HEALTHY ENVIRONMENTS AND COMMUNICATIONS, NEW ORLEANS HEALTH DEPARTMENT**

**Brief:**

Submitting the May and June 2019 documentation of all encampment clean-up efforts as required by Section 82-703.

**Annotation:**

**RECEIVED.**

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

**Brief:**

Submitting for further handling an original and two copies of Entergy New Orleans, LLC's ("ENO") July 2019 Monthly Progress Report on Its Collaboration with the Sewerage and Water Board of New Orleans to Improve Reliability of Electric Service and Expedite a Long-Term Solution, which is submitted pursuant to Council Resolution R-19-78.

**Annotation:**

**RECEIVED.**

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

**Brief:**

Submitting for further handling an original and two (2) copies of the Public Version of the Bi-Monthly Report of Entergy New Orleans, LLC ("ENO") or the "Company"), concerning construction of the New Orleans Power Station ("NOPS"), pursuant to Council Resolution R-19-78, **RE: Bi-Monthly Report of Entergy New Orleans, LLC, Detailing Expenditures Made to Date on New Orleans Power Station and the Currently Anticipated Schedule for Future Expenditures.**

**Annotation:**

**RECEIVED.**

4. **COMMUNICATION - FROM HARRY M. BARTON, SENIOR COUNSEL, LEGAL DEPARTMENT - REGULATORY, ENTERGY SERVICES, LLC**

**Brief:**

Submitting respectfully an original and two copies of Entergy New Orleans, LLC's August 9, 2019 Public Technical Meeting Materials, **In Re: 2018 Triennial Integrated Resource Plan of Entergy New Orleans, LLC (Docket No. UD-17-03)**.

**Annotation:**

**RECEIVED.**

5. **COMMUNICATION - FROM BASILE J. UDDO, COUNSEL, DENTONS US LLP**

**Brief:**

Submitting an original and three (3) copies of the *Proposed Consensus List of Relevant Issues for Discussion at the First Technical Conference Submitted by the Utility Advisors to the Council for the City of New Orleans*, **In Re: Smart & Sustainable Cities Initiative for the City of New Orleans - Electric Vehicle Charging and Related Matters, CNO Docket UD-18-01.**

**Annotation:**

**RECEIVED.**

6. **COMMUNICATION - FROM NICOLAS THORPE, LITIGATION ASSISTANT, EARTHJUSTICE**

**Brief:**

Submitting an original and two (2) copies of the **Entry of Appearance of Susan Stevens Miller** on behalf of Sierra Club, **Re: Revised Application of Entergy New Orleans, LLC for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief, CNO Docket No. UD-18-07.**

**Annotation:**

**RECEIVED.**

7. **COMMUNICATION - FROM SUSAN STEVENS MILLER (*pro hac vice*),  
CLEAN ENERGY ATTORNEY, EARTHJUSTICE**

**Brief:**

Submitting an original and two (2) copies of the *Public Version* of the **Initial Brief of the Alliance for Affordable Energy and Sierra Club, Re: Revised Application of Entergy New Orleans, LLC for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief, City Council of New Orleans Docket No. UD-18-07.** Also submitting an original and two (2) of the *Confidential Version* of the **Initial Brief of the Alliance for Affordable Energy and Sierra Club.**

**Annotation:**

RECEIVED.

8. **COMMUNICATION - FROM ALYSSA MAURICE-ANDERSON, ASSISTANT  
GENERAL COUNSEL, LEGAL DEPARTMENT - REGULATORY, ENTERGY  
SERVICES, INC.**

**Brief:**

Submitting on behalf of Entergy New Orleans, LLC ("ENO" or the Company) for further handling an original and two (2) copies of the *Public Version* of the **Post-Hearing Brief of Entergy New Orleans, LLC, Re: Revised Application of Entergy New Orleans, LLC for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief, Council Docket No. UD-18-07.**

**Annotation:**

RECEIVED.

9. COMMUNICATION - FROM MICHAEL W. TIFFT, LAW OFFICE OF MICHAEL W. TIFFT, LLC

**Brief:**

Submitting an original and two (2) copies of the *Post-Hearing Brief of Building Science Innovators*, In Re: *Application of ENO for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief*, CNO Docket No. UD-18-07.

**Annotation:**

RECEIVED.

10. COMMUNICATION - FROM SHANNON BELL, LEGAL ASSISTANT TO LUKE F. PIONTEK & CHRISTIAN J. RHODES, ROEDEL PARSONS KOCH, BLACHE BALHOFF & MCCOLLISTER, A LAW CORPORATION

**Brief:**

Submitting an original and two (2) copies of *Crescent City Power Users' Group's Initial Post-Hearing Brief*. Re: *Revised Application of Entergy New Orleans, LLC For a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Relief*: UD-18-07.

**Annotation:**

RECEIVED.

11. COMMUNICATION - FROM JAY BEATMANN, COUNSEL, DENTONS US LLP

**Brief:**

Submitting an original and two (2) copies of the *Initial Brief of the Advisors to the City of New Orleans*, In Re: *Application of ENO for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief*, CNO Docket UD-18-07.

**Annotation:**

RECEIVED.

12. **COMMUNICATION - FROM CARRIE R. TOURNILLON, PARTNER, KEAN | MILLER LLP, ATTORNEYS AT LAW**

**Brief:**

Submitting an original and two (2) copies of **Air Products and Chemicals, Inc.'s Initial Post-Hearing Brief, RE: Revised Application of ENO for a Change in Electric and Gas Rate in the City of New Orleans Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief. UD-18-07. File No.: 7717-46**

**Annotation:**

**RECEIVED.**

13. **COMMUNICATION - FROM BRIAN L. GUILLOT, VICE PRESIDENT, REGULATORY AFFAIRS, ENTERGY NEW ORLEANS, LLC**

**Brief:**

Submitting on behalf of APTIM, Entergy New Orleans, LLC an original and three copies of the Energy Smart Quarterly Report for the period of April 1, 2019 to June 30, 2019.

**RE: Filing of Entergy New Orleans, LLC's Energy Smart Quarterly Report for the Period of April 1, 2019 to June 30, 2019 (Resolutions R-11-52, R-17-31, R-17-176, R-17-177, R-17-623; UD-08-02, UD-17-03)**

**Annotation:**

**RECEIVED.**

14. **COMMUNICATION - FROM MICHAEL A. FITTS, PRESIDENT, TULANE UNIVERSITY**

**Brief:**

Submitting on behalf of Tulane University a list of nominees to serve on the City of New Orleans Civil Service Commission:

- 1) Brittney Richardson
- 2) Neil Kleiman
- 3) Tom Jones

**Annotation:**

**RECEIVED.**



15. **COMMUNICATION - FROM BRIAN L. GUILLOT, VICE PRESIDENT,  
REGULATORY AFFAIRS, ENTERGY NEW ORLEANS, LLC**

**Brief:**

Submitting an original and two copies of a CD-ROM containing Entergy New Orleans, LLC's ("ENO's") Bi-Monthly Report on Customer Outages for the period of April 1, 2019 through May 31, 2019, which Report is being filed, **In RE: Council Docket UD-17-04; Bi-Monthly Filing Requirement per Ordering Paragraph #6 of Council Resolution R-17-427**, dated August 10, 2017.

**Annotation:**

**RECEIVED.**

16. **COMMUNICATION - FROM ALYSSA MAURICE-ANDERSON, ASSISTANT  
GENERAL COUNSEL, LEGAL DEPARTMENT - REGULATORY, ENTERGY  
SERVICES, LLC**

**Brief:**

Submitting for further handling pursuant to Paragraph (V) (B) (1) of the Purchased Power and Capacity Acquisition Cost Recovery Rider ("PPCACR Rider") an original and two (2) copies of Entergy New Orleans, LLC's Mid-Year Report on Actual Revenue Requirement associated with the Union Power Station Power Block 1, **Re: Supplemental and Amending Application of Entergy New Orleans, Inc. for Approval to Purchase Power Block 1 of the Union Power Station, for Cost Recovery and Request for Timely Relief - Council Docket No. UD-15-01 (Phase II).**

**Annotation:**

**RECEIVED.**

**17. COMMUNICATION - FROM DAWN HEBERT**

**Brief:**

Submitting an original and two copies of a letter to the New Orleans City Council regarding the Renewable Portfolio Standard (Docket No. UD-19-01) and thanking the City Council in striving for additional Renewable Energy generation by Entergy New Orleans.

**Annotation:**

**RECEIVED.**

**18. COMMUNICATION - FROM JENNIFER AVEGNO, MD, DIRECTOR OF HEALTH, CITY OF NEW ORLEANS**

**Brief:**

Submitting the July 2019 documentation of all encampment clean-up efforts as required by Section 82-703.

**Annotation:**

**RECEIVED.**

**19. COMMUNICATION - FROM LATOYA CANTRELL, MAYOR, CITY OF NEW ORLEANS**

**Brief:**

Submitting the final recommendations for fiscal year 2020 Neighborhood Housing Improvement Fund allocations, pursuant to Sec. 70-415.5 of the City Code.

**Annotation:**

**RECEIVED.**

20. **COMMUNICATION - FROM JEAN "JC" CELESTIN, CHAIR, ECONOMIC DEVELOPMENT ADVISORY COMMITTEE (EDAC)**

**Brief:**

Submitting the recommendations for 2020 Economic Development Fund Appropriation proposed budget of \$3,977,672. The EDAC unanimously approved the 2020 proposed budget of and recommends the following uses:

- Personnel: \$527,672
- Operating: \$3,450,000
  - EDF Other Operating: \$100,000
  - Investment in New Orleans Business Alliance: \$2,500,000
  - Healthy Corner Store Collaborative: \$50,000
  - Business Expansion and Attraction Fund: \$500,000
  - Emerging Strategic Initiatives: \$300,000

**Annotation:**

*(The Mayor concurs with the EDAC's recommendation).*  
**RECEIVED.**

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

**Brief:**

Transmitting Zoning Docket Numbers 45/19 - All Cms., 46/19 - Cm. Banks, 61/19 - Cm. Brossett, 63/19 - Cm. Banks, Cn. Deadline 10/7/19 and **BILLBOARD STUDY** (Study provided for informational purposes only) - Request by City Council Motion M-18-319 for the City Planning Commission to conduct a public hearing and a study to examine the existing billboard regulations within the Comprehensive Zoning Ordinance (CZO) and provide recommendations for potential amendments. The City Planning Commission **APPROVED** transmittal of the Study to the City Council. (All Cms., Cn. Deadline N/A)

**Annotation:**

**RECEIVED.** *(Hearing Date Set For 8/22/19).*

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

**Brief:**

Transmitting Zoning Docket Numbers 67/19 - Cm. Banks, 68/19 - Cm. Brossett, 69/19 - Cm. Banks, 70/19 - All Cms., 72/19 - Cm. Giarrusso, , Cn. Deadline 10/7/19.

**Annotation:**

**RECEIVED. (Hearing Date Set For 8/22/19).**

**23. REPORT - OF COUNCILMANIC DISTRICT "B"**

**Brief:**

Submitting the Mayor's Office of Economic Development's recommendation of "**approval**" of the Restoration Tax Abatement request for:

- RTA #2017-0232; 546 Carondelet Street, 546 Carondelet Partner LLC as lessee & Hebbler Properties LLC et al

**Annotation:**

**RECEIVED. (Hearing Date Set For 8/22/19).**

**24. REPORT - OF COUNCILMANIC DISTRICT "B"**

**Brief:**

Submitting the Mayor's Office of Economic Development's recommendation of "**approval**" of the Restoration Tax Abatement request for:

- RTA #2016-1557; 640 Magazine Street, 640 Magazine Street LLC

**Annotation:**

**RECEIVED. (Hearing Date Set For 8/22/19).**

25. CAL. NO. 32,701 - BY: COUNCILMEMBERS BROSSETT, BANKS, GISLESON PALMER, NGUYEN AND MORENO (BY REQUEST)

**Brief:**

An Ordinance calling an election for November 16, 2019, at which shall be submitted to the electors of the City of New Orleans a certain proposal to amend Article V of the Home Rule Charter of the City of New Orleans to add Sections 5-1101 through 5-1103 thereto to create a local Human Rights Commission; and otherwise to provide with respect thereto.

**Annotation:**

(Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 10/18/19).

(Technical needed).

ADOPTED. ORD. NO. 28158 M.C.S.

26. CAL. NO. 32,709 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend and re-ordain Ordinance No. 27,930 M.C.S., entitled "An Ordinance Providing a Capital Budget for the Year 2019", to effect the following change to the 2019 Capital Budget: to appropriate funds to the Department of Public Works, and otherwise to provide with respect thereto.

**Annotation:**

(Fiscal Note received).

(Council Rule 34. Postponement: 11/15/19).

(Referred to the Budget Committee).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28159 M.C.S.

**27. CAL. NO. 32,710 - BY: COUNCILMEMBER BANKS**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit the expansion of an existing drive-through facility for a financial institution in an MU-1 Medium Intensity Mixed-Use District, the St. Charles Avenue Use Restriction Overlay District, and a CPC Character Preservation Corridor Design Overlay District, on Square 377, Lots A, B, and D, in the Sixth Municipal District, bounded by Saint Charles Avenue, Foucher Street, Aline Street, and Prytania Street (Municipal Address: **3540 Saint Charles Avenue**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 55/19**)

**Annotation:**

*(90 Days, Cn. Deadline 9/18/19).*

*(Cn. Deadline 9/5/19).*

**ADOPTED. ORD. NO. 28160 M.C.S.**

**28. CAL. NO. 32,711 - BY: COUNCILMEMBER BANKS**

**Brief:**

An Ordinance to effect a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-MU Historic Urban Neighborhood Mixed-Use District and a conditional use to permit a "wellness center" (with health club, personal service establishment, medical clinic, and carry-out restaurant components) that is over 10,000 square feet in floor area in existing structures in the proposed HU-MU District, on Square 202, an undesignated lot, part of Lot 2, and Lot 3, or Lots 19, 20, and 3 or half of S, 21, and 22 in the First Municipal District, bounded by Prytania Street, Urania Street, Coliseum Street, and Polymnia Street (Municipal Addresses: **1758-1772 Prytania Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 56/19**)

**Annotation:**

*(90 Days, Cn. Deadline 9/18/19).*

*(Cn. Deadline 9/5/19).*

**ADOPTED. ORD. NO. 28161 M.C.S.**

29. CAL. NO. 32,720 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,931 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2019" to appropriate federal grant funds to the Mayor's Office, Homeland Security for the purpose of elevating properties and conducting project management and design plan development towards elevating additional properties, and otherwise to provide with respect thereto.

**Annotation:**

*(Budget Committee recommended approval).*

*(Council Rule 34. Postponement 11/22/19).*

ADOPTED. ORD. NO. 28164 M.C.S.

30. CAL. NO. 32,721 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019" to appropriate federal grant funds to the Mayor's Office, Homeland Security for the purpose of elevating properties and conducting project management and design plan development towards elevating additional properties, and otherwise to provide with respect thereto.

**Annotation:**

*(Budget Committee recommended approval).*

*(Council Rule 34. Postponement 11/22/19).*

ADOPTED. ORD. NO. 28165 M.C.S.

**31. MOTION - NO. M-19-302 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)**

**Brief:**

Ratifying, confirming and approving the Mayor's appointment of Monique Gougisha Doucette (vice Allen C. Miller, initial term ending June 30, 2018, representing Xavier University of Louisiana), as a member of the Ethics Review Board, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2025.

**Annotation:**

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/6/19).

**ADOPTED.**

**32. MOTION - NO. M-19-303 - BY: COUNCILMEMBERS GISLESON PALMER AND GIARRUSSO**

**Brief:**

Ratifying, confirming and approving the appointment of Jessica Knox, nominee of the District Council C councilmember, as a member of the Felicia Kahn Equal Pay Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

**Annotation:**

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/6/19).

**ADOPTED.**



**33. MOTION - NO. M-19-304 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**

**Brief:**

Ratifying, confirming and approving the Mayor's reappointment of Kristyna Jones (initial term ending March 4, 2019, nominated by Senator Karen Carter Peterson), as a member of the New Orleans Redevelopment Authority, effective upon approval by the Council of the City of New Orleans, for a term ending on August 8, 2024.

**Annotation:**

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/6/19).

**ADOPTED.**

**34. MOTION - NO. M-19-305 - BY: COUNCILMEMBERS GISLESON PALMER (BY REQUEST) AND GIARRUSSO**

**Brief:**

Ratifying, confirming and approving the Mayor's appointment of Rodney Villarreal (a resident of the Vieux Carre, vice Lesley Stokes, initial term ending June 30, 2018), as a member of the Vieux Carre Commission, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

**Annotation:**

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/6/19).

**ADOPTED.**

**35. MOTION - NO. M-19-306 - BY: COUNCILMEMBER BANKS (BY REQUEST)**

**Brief:**

Ratifying, confirming and approving the Mayor's appointment of Toni A. DiMaggio (vice Nicholas Musso, initial term ending June 30, 2014, representing the New Orleans Chapter of the American Institute of Architects), as a member of the Vieux Carre Commission, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

**Annotation:**

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/6/19).

**ADOPTED.**

**36. MOTION - NO. M-19-312 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

Granting the "**approval**" of the *Neighborhood Conservation District Advisory Committee's* request to renovate the front facade for the property located at:

- 1304-1306 Deslonde St.

**Annotation:**

(Council Rule 34. Postponement: 12/6/19).

**ADOPTED.**

37. MOTION - NO. M-19-314 - BY: COUNCILMEMBER NGUYEN

**Brief:**

Granting the "**approval**" of the *Neighborhood Conservation District Advisory Committee's* request for a demolition permit for the property at the following location:

- 1423-25 Lamanche St.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*

ADOPTED.

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

**YEAS:** Banks, Brossett, Giarrusso, Moreno, Nguyen,  
Williams - 6

**NAYS:** 0

**ABSENT:** Gisleson Palmer - 1

**AND THE CONSENT AGENDA WAS ADOPTED.**

## **REGULAR AGENDA**

### **1. COMMUNICATION - FROM LATOYA CANTRELL, MAYOR, CITY OF NEW ORLEANS**

#### **Brief:**

Submitting the final recommendations for fiscal year 2020 Neighborhood Housing Improvement Fund allocations, pursuant to Sec. 70-415.5 of the City Code.

#### **Annotation:**

**RECEIVED AND REFERRED TO THE COMMUNITY DEVELOPMENT COMMITTEE.**

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

**1. LEGISLATIVE GROUPING**

**1a. NCDAC – OF ELIZABETH B. BALLARD, DEPARTMENT OF SAFETY AND PERMITS, NEIGHBORHOOD CONSERVATION DISTRICT ADVISORY COMMITTEE, NCDAC CLERK**

**Brief:**

Requesting Council action regarding the *Neighborhood Conservation District Advisory Committee's* decision of "**approval**" on an application for a demolition permit for the following location:

**Address:**

1401 Tricou St.

The property owner is requesting a fee waiver of the post demolition fee of \$1,605.00 which is 15% of the building value of \$10,700.00.

NCDAC recommended a Motion to Approve that the entire fee be waived.

Motion Passed – it is recommended that the entire fee of \$1,605.00 fee BE WAIVED ENTIRELY.

**Annotation:**

**(Cm. Nguyen, Cn. Deadline 9/9/19).**

**HEARING HELD.**

**1b. MOTION – NO. M-19-313 – BY: COUNCILMEMBER NGUYEN**

**Brief:**

Granting the "**approval**" of the *Neighborhood Conservation District Advisory Committee's* request for a fee waiver of the post-demolition fee of \$1,605.00 which is 15% of the building value of \$10,700.00 for the property located at:

- 1401 Tricou St.

**Annotation:**

**(Council Rule 34. Postponement: 12/6/19).**

**ADOPTED.**

2. LEGISLATIVE GROUPING

2a. NCDAC APPEAL - OF ELIZABETH B. BALLARD, DEPARTMENT OF SAFETY AND PERMITS, NEIGHBORHOOD CONSERVATION DISTRICT ADVISORY COMMITTEE, NCDAC CLERK

**Brief:**

Requesting Council action regarding the *Neighborhood Conservation District Advisory Committee's* decision of "**no recommendation**" on an application for a demolition permit for the following location:

**Address:**

3620-22 Fourth St.

The NCDAC Committee recommended a motion to approve. Motion failed by lack of votes. This property will be forwarded to The Clerk of Council's Office without a recommendation, as the committee did not pass a Motion.

**Annotation:**

**(Cm. Banks, Cn. Deadline 8/19/19).**

**On Deadline.**

**HEARING HELD.**

2b. MOTION - NO. M-19-311 - BY: COUNCILMEMBER BANKS

**Brief:**

Granting the "**no recommendation**" of the *Neighborhood Conservation District Advisory Committee's* request for a demolition permit for the property at the following location:

- 3620-22 Fourth St.

**Annotation:**

**(Council Rule 34. Postponement: 12/6/19).**

**ADOPTED.**

3. NCDAC APPEAL - OF ELIZABETH B. BALLARD, DEPARTMENT OF SAFETY AND PERMITS, NEIGHBORHOOD CONSERVATION DISTRICT ADVISORY COMMITTEE, NCDAC CLERK

**Brief:**

Requesting Council action regarding the *Neighborhood Conservation District Advisory Committee's* decision of "**denial**" on an application for a demolition permit for the following location:

2139 Painters St.

**Annotation:**

(*Cm. Brossett, Cn. Deadline 9/9/19*).  
CONTINUED TO THE MEETING OF 8/22/19.

4. ZONING DOCKET 44/19 - RETIF/N.O. EAST, LLC

**Brief:**

Requesting an amendment to or the rescission of Ordinance No. 14,306 MCS (Zoning Docket 070/90) to now grant a conditional use to permit a gas station in a MU-1 Medium Intensity Mixed-Use District and an EC Enhancement Corridor Design Overlay District, on Square 121, Lots A and C, in the Second Municipal District, bounded by North Rampart Street, Saint Louis Street, Basin Street, and Conti Street (Municipal Addresses: **421-447 North Rampart Street** and **1180 Saint Louis Street**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

**Annotation:**

(*Cm. Gisleson Palmer, Cn. Deadline 8/19/19*).  
On Deadline.  
APPROVED. See Motion No. M-19-319.

5. **ZONING DOCKET 48/19 - KIDS RETHINK NEW ORLEANS SCHOOLS**

**Brief:**

Requesting a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 198, Lot 13, in the Third Municipal District, bounded by Flood Street, Royal Street, Dauphine Street, and Caffin Avenue (Municipal Addresses: **705-707 Flood Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to thirteen (13) provisos.

**Annotation:**

*(Cm. Nguyen, Cn. Deadline 8/19/19).*

**On Deadline.**

**APPROVED. See Motion No. M-19-320.**

6. **ZONING DOCKET 50/19 - CITY COUNCIL MOTION NO M-19-120**

**Brief:**

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 18 *Overlay Zoning Districts* to establish a new overlay zoning district, to be named the *Lower Ninth Ward Front Yard Parking Overlay District*, the intent of which is to permit front yard parking to accompany the redevelopment of lots for housing in the areas currently zoned S-RS Suburban Single-Family Residential District and S-RD Suburban Two-Family Residential District (and proposed for a zoning change from an S-RD Suburban Two-Family Residential District to an HU-RD2 Historic Urban Two-Family Residential District under Zoning Docket 010/19), generally bounded by North Claiborne Avenue, the Industrial Canal, Florida Avenue, and Delery Street; to allow for front yard parking; and otherwise to provide for with respect thereto. Lot generally bounded by North Claiborne Avenue, the Industrial Canal, Florida Avenue, and Delery Street; to allow for front yard parking; and otherwise to provide for with respect thereto. The recommendation of the City Planning Commission being "**FOR DENIAL**".

**Annotation:**

*(Cm. Nguyen, Cn. Deadline (8/5/19)).*

**Past Deadline.**

**PETITION DIES.**



7. CAL. NO. 32,593 - BY: COUNCILMEMBER MORENO

**Brief:**

An Ordinance to ordain Article IX of Chapter 158 of the Code of the City of New Orleans, relative to energy conservation, to require owners of nonresidential and multi-family buildings to measure and disclose energy efficiency performance; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 7/12/19 - Postponement continued until 9/19/19).*

CONTINUED TO THE MEETING OF 9/19/19.

8. CAL. NO. 32,681 - BY: COUNCILMEMBERS BROSSETT, GIARRUSSO, MORENO, NGUYEN, AND GISLESON PALMER (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,931 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2019" to appropriate Federal grant funds from Intergovernmental Transfers to the Office of the Mayor, Office of Homeland Security and Emergency Preparedness for Federal Emergency Management Agency reimbursable related costs; and otherwise to provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

*(Referred to the Budget Committee).*

*(Council Rule 34. Postponement: 10/4/19).*

CONTINUED TO THE MEETING OF 8/22/19.

9. CAL. NO. 32,682 - BY: COUNCILMEMBERS BROSSETT, GIARRUSSO, MORENO, NGUYEN AND GISLESON PALMER (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019" to appropriate Federal grant funds from Intergovernmental Transfers to the Office of the Mayor, Office of Homeland Security and Emergency Preparedness for Federal Emergency Management Agency reimbursable related costs; and otherwise to provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

*(Referred to the Budget Committee).*

*(Council Rule 34. Postponement: 10/4/19).*

CONTINUED TO THE MEETING OF 8/22/19.

10. LEGISLATIVE GROUPING

- 10a. CAL. NO. 32,685 - BY: COUNCILMEMBER GISLESON PALMER

**Brief:**

An Ordinance to amend and reordain Articles 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 26 Ordinance No. 4264 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 incorporate certain recommendations and initiatives contained in the 2018 "Short Term Rental Study," and other modifications as recommended by the City Planning Commission, to establish revised short term rental definitions, land-use classifications and categories, permissible and prohibited locations, and other requirements relative thereto, all to apply City-wide; and otherwise to provide with respect thereto. *(ZONING DOCKET NUMBERS 26/19 and 27/19)*

**Annotation:**

*(90 Days, Cn. Deadline 8/14/19).*

*(Cn. Deadline 8/8/19).*

*On Deadline.*

ADOPTED, AS AMENDED. ORD. NO. 28156 M.C.S.

10b. CAL. NO. 32,691 - BY: COUNCILMEMBERS GISLESON PALMER,  
MORENO AND BANKS

**Brief:**

An Ordinance to amend and reordain Article XI of Chapter 26 of the Code of the City of New Orleans, relative to Short-Term Rentals, to establish application procedures, permit types and fees, operating regulations, enforcement parameters, and penalties; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 10/4/19).*  
ADOPTED, AS AMENDED. ORD. NO. 28157 M.C.S.

10c. CAL. NO. 32,708 - BY: COUNCILMEMBER MORENO

**Brief:**

An Ordinance to amend and reordain Section 150-441 of Article VI of Chapter 150 of the Code of the City of New Orleans, relative to sales and use taxes, to clarify that short-term rental platforms shall be included within the definition of "dealer" for the purposes of collecting and remitting sales and use taxes owed in connection with the short-term rental of property; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 11/15/19).*  
WITHDRAWN.

11. CAL. NO. 32,693 - BY: COUNCILMEMBERS GISLESON PALMER AND NGUYEN

**Brief:**

An Ordinance to amend and reordain Sections 10-1, 10-4, 10-5, 10-6, 10-11, 10-12, 10-46, 10-50, 10-53, 10-78, 10-101, 10-123, 10-124, 10-125, 10-128, 10-131, 10-136, 10-157, 10-160, 10-161, 10-236, 10-237, 10-238, 10-261, 10-262, 10-263, 10-286, 10-401, 10-403, 10-429, and 10-430 of the Code of the City of New Orleans, to create, clarify, and augment regulations pursuant to the City's police powers regarding the application and issuance of alcoholic beverage permits, enforcement and applicable penalties for alcoholic beverage outlets, ensuring consistency with the Comprehensive Zoning; to reserve certain provisions; and to provide otherwise with respect thereto.

**Annotation:**

**(Council Rule 34. Postponement: 10/4/19).**  
**CONTINUED TO THE MEETING OF 8/22/19.**

12. CAL. NO. 32,702 - BY: COUNCILMEMBER BANKS (BY REQUEST)

**Brief:**

An Ordinance to authorize the City of New Orleans to enter into a contract of lease with **JESUIT HIGH SCHOOL OF NEW ORLEANS ("JESUIT HIGH SCHOOL")** for a volume of airspace over Banks Street Right of Way between Squares 780 and 781, located in the First Municipal District, for an initial period of fifty (50) years, with four (4) consecutive renewal options of ten (10) years each, to fix the annual rent and terms of said lease of airspace; to fix the terms for said lease of airspace to be used to construct and maintain an overhead pedestrian bridge crossing; to declare that such airspace to be leased is not needed for public purposes; and to set forth the reasons for said lease of airspace, which is attached and shall be part of this ordinance; and otherwise to provide with respect thereto.

**Annotation:**

**(Council Rule 34. Postponement: 10/18/19).**  
**CONTINUED TO THE MEETING OF 8/22/19.**

**13. CAL. NO. 32,715 - BY: COUNCILMEMBER NGUYEN (BY REQUEST)**

**Brief:**

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and Tulane University to study the effects of blight on youth and family violence by abating and reducing blight in certain high-crime neighborhoods, as more fully set forth in the Cooperative Endeavor Agreement form; and otherwise to provide with respect thereto.

**Annotation:**

**(Council Rule 34. Postponement: 11/15/19).**

**ADOPTED. ORD. NO. 28162 M.C.S.**

**14. CAL. NO. 32,717 - BY: COUNCILMEMBER BANKS**

**Brief:**

An Ordinance to amend Ordinance No. 32,556 MCS (Zoning Docket 127/18, which established a Conditional Use to permit a retail goods establishment over 5,000 square feet in floor area with retail sales of packaged alcoholic beverages), to clarify the waiver and provide corrections and updates to provisos. The subject property is located in an HU-MU Historic Urban Neighborhood Mixed-Use District, CSH Canal Street Height Overlay District, HUC Historic Urban Corridor Use Restriction Overlay District, and EC Enhancement Corridor Design Overlay District, on Square 580, Lots 9 and 10, in the First Municipal District, bounded by Canal Street, South Rocheblave Street, South Dorgenois Street, and Cleveland Avenue (Municipal Address: **2530 Canal Street**); and otherwise to provide with respect thereto.

**Annotation:**

**(Council Rule 34. Postponement 11/15/19).**

**ADOPTED. ORD. NO. 28163 M.C.S.**

15. CAL. NO. 32,724 - BY: COUNCILMEMBER BROSSETT

**Brief:**

An Ordinance to amend and reordain Section 70-498 of the Code of the City of New Orleans; relative to HireNola and definition relative thereto, to amend the definition of "covered project" to clarify applicability parameters; and otherwise to provide with respect thereto.

**Annotation:**

(Council Rule 34. Postponement 11/22/19).  
(Referred to the Economic Development Committee).  
CONTINUED TO THE MEETING OF 8/22/19.

16. CAL. NO. 32,725 - BY: COUNCILMEMBER BROSSETT

**Brief:**

An Ordinance to ordain Section 2-8.1 of the Code of the City of New Orleans, relative to City contracts, to require a provision in all City contracts that if City funds are awarded to a third party, and that third party fails to fulfill its contractual obligations, that reimbursement or disgorgement of funds to the City is required; and to provide otherwise with respect thereto.

**Annotation:**

(Council Rule 34. Postponement 11/22/19).  
(Referred to the Economic Development Committee).  
CONTINUED TO THE MEETING OF 8/22/19.

17. CAL. NO. 32,726 - BY: COUNCILMEMBERS GISLESON PALMER (BY REQUEST) AND GIARRUSSO

**Brief:**

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an amendment to an existing Cooperative Endeavor Agreement between the City of New Orleans (the "City") and the State of Louisiana relative to the planning and construction of a Consolidated Westbank Fire Station to adjust project funding amounts, as more fully set forth in the Amendment to Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

**Annotation:**

(Council Rule 34. Postponement 11/22/19).  
ADOPTED. ORD. NO. 28166 M.C.S.

18. CAL. NO. 32,727 - BY: COUNCILMEMBERS GISLESON PALMER (BY REQUEST) AND GIARRUSSO

**Brief:**

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a seventh amendment to an existing Cooperative Endeavor Agreement between the City of New Orleans (the "City") and the State of Louisiana relative to capital improvements at the Behrman Soccer Facility at the Old Brechtel Golf Course Site in the Fifth Municipal District and the renovation of George W. Carver Playground, to add provisions relative to (1) making revisions to the Funding Summary and/or Detailed Allocation of Project Funding and (2) Project Closeout, as more fully set forth in the Amendment to Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

**Annotation:**

(Council Rule 34. Postponement 11/22/19).  
ADOPTED. ORD. NO. 28167 M.C.S.

**19. RESOLUTION (LYING OVER) - NO. R-19-58 - BY: COUNCILMEMBER GISLESON PALMER**

**Brief:**

Supporting the initiatives proposed by Louisiana Department of Transportation and Development to administer the environmental assessments necessary to advance the rail service.

**Annotation:**

*(Referred to the Transportation and Airport Committee).*  
*(Council Rule 34. Postponement: 6/7/19).*  
**POSTPONED INDEFINITELY.**

**20. RESOLUTION (LYING OVER) - NO. R-19-286 - BY: COUNCILMEMBERS BROSSETT, BANKS, GISLESON PALMER AND NGUYEN (BY REQUEST)**

**Brief:**

**A RESOLUTION** calling a special election for Saturday, November 16, 2019, at said election the electorate of the City of New Orleans may approve or disapprove authorizing the City Council to authorize the levy of an ad valorem tax.

**Annotation:**

*(Council Rule 34. Postponement: 11/22/19).*  
**ADOPTED, AS AMENDED.**

**21. MOTION - NO. M-19-301 - BY: COUNCILMEMBER MORENO**

**Brief:**

Authorizing Council President, Helena Moreno, to complete the Governing Authority's portion of the Secretary of State's Precinct Survey Forms on behalf of the City Council.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*  
**ADOPTED.**



**22. MOTION - NO. M-19-307 - BY: COUNCILMEMBER BANKS**

**Brief:**

Directing the City Planning Commission to conduct a public hearing to consider the rescission of Ordinance No. M.C.S. 16005, which established a conditional use to permit an amusement place in a CBD-3 Central Business District for Lots 1, 2, 3, 4, 5, 6, and 88, Square 300, First Municipal District, bounded by Elk Place, Canal Street, South Rampart Street, and Tulane Avenue (Municipal Address: **1108 Canal Street**).

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*

**ADOPTED.**

**23. RESOLUTION - NO. R-19-308 - BY: COUNCILMEMBERS BANKS, BROSSETT AND NGUYEN (BY REQUEST)**

**Brief:**

**A RESOLUTION** calling a special election for Saturday, November 16, 2019 in the City of New Orleans: **SHORT TERM RENTALS OCCUPANCY TAX PROPOSITION.**

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*

*(Technical needed).*

**ADOPTED.**

**24. RESOLUTION - NO. R-19-309 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST) AND GIARRUSSO**

**Brief:**

**A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION, ISSUANCE, SALE, AND DELIVERY BY THE NEW ORLEANS AVIATION BOARD IN ITS OWN NAME OF NOT EXCEEDING \$53,640,000 NEW ORLEANS AVIATION BOARD GENERAL AIRPORT REVENUE REFUNDING BONDS (GULF OPPORTUNITY ZONE PROJECTS) SERIES 2019 (NON-AMT); AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*

**ADOPTED.**

25. MOTION - NO. M-19-310 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

**Brief:**

Ratifying, confirming and approving the appointment of Mark Surprenant (fulfilling the unexpired term of Nathalie Simon), the nominee of Loyola University, to the New Orleans Civil Service Commission, which will expire on January 12, 2023, in accordance with Article 10, Section 4 of the Louisiana Constitution.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*  
ADOPTED.

26. MOTION - NO. M-19-315 - BY: COUNCILMEMBER NGUYEN

**Brief:**

Waiving all permit fees relative to the "NORDC Facility Rental Fee" for events and activities that are officially sponsored and sanctioned by Love Lifted Hands "Back to School" event, on Saturday, August 17, 2019 at Goretti Park located at 7700 Benson Street, New Orleans, Louisiana 70126; as provided by the City Code, upon the condition that the application processes of the City of New Orleans are completed and approvals are granted. The fee waiver authorized by this section shall not include any direct costs to the city.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*  
ADOPTED.

**27. MOTION - NO. M-19-316 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

Waiving all permit fees relative to the "NORDC Facility Rental Fee" for events and activities that are officially sponsored and sanctioned by City of Love "Back to School" event, on Sunday, August 11, 2019 at Oliver Bush Park, located at 2500 Caffin Avenue, New Orleans, Louisiana, 70117; as provided by the City Code, upon the condition that the application processes of the City of New Orleans are completed and approvals are granted. The fee waiver authorized by this section shall not include any direct costs to the city.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*

**ADOPTED.**

**28. MOTION - NO. M-19-317 - BY: COUNCILMEMBER GIARRUSSO**

**Brief:**

Rescinding Motion M-18-562 by the Council and pursuant to City Code Section 162-52, the Director of Public Works and the Director of Safety and Permits may designate that CPNC vehicles are no longer restricted on Bellaire Drive.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*

**WITHDRAWN.**

29. MOTION - NO. M-19-318 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

**Brief:**

Ratifying, confirming and approving the appointment of Christopher Wiseman (fulfilling the unexpired term of Nathalie Simon), the nominee of Loyola University, to the New Orleans Civil Service Commission, which will expire on January 12, 2023, in accordance with Article 10, Section 4 of the Louisiana Constitution.

**Annotation:**

*(Council Rule 34. Postponement: 12/6/19).*  
WITHDRAWN.

30. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 32,729 THRU 32,732 AND 32,734 THRU 32,745.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.