

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

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

**HELENA MORENO**  
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"

**AGENDA**

Regular Meeting of the City Council  
to be held in City Hall Council Chamber  
on Thursday, August 22, 2019 at 10:00 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**  
PASTOR MARC NAPOLEON  
NAZARENE BAPTIST CHURCH

**PLEDGE OF ALLEGIANCE TO THE FLAG**  
HELENA MORENO  
COUNCILMEMBER-AT-LARGE

**NATIONAL ANTHEM**

REV. DR. EMANUEL SMITH, JR., PASTOR

CITY COUNCIL CHAPLAIN

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

## **SPECIAL ORDERS OF BUSINESS**

- 1. FIRST ORDER OF BUSINESS - PRESENTATION - SAM JOFFRAY, THE  
FOUNDER AND EXECUTIVE DIRECTOR, NEW ORLEANS JUNIOR  
JOURNALISM (JRNOLA)**

**Brief:**

Briefing the Council on the program and how it impacts youths interested in journalism.

**Annotation:**

*(Cm. Moreno)*.

**TO APPEAR.**

- 2. SECOND ORDER OF BUSINESS - PRESENTATION - DR. DANIELLE  
WRIGHT, NAVIGATE NOLA - THE SOCIAL AND EMOTIONAL COMMUNITY  
WELLNESS DIVISION OF DEEP SOUTH CENTER OF ENVIRONMENTAL  
JUSTICE (DSCEJ)**

**Brief:**

Briefing the Council on its division that takes an asset based approach to cultivating an environment where New Orleans youth can thrive, Navigate NOLA utilizes existing strengths in the New Orleans community to create sustainable positive youth development programming and also to meet the needs of young people across the various levels of the socio-ecological model (the individual level, interpersonal level, community level and the policy/societal).

**Annotation:**

*(Cm. Brossett)*.

**TO APPEAR.**

- 3. THIRD ORDER OF BUSINESS**

## CONSENT AGENDA

1. COMMUNICATION - FROM SUSAN STEVENS MILLER (PRO HAC VICE),  
CLEAN ENERGY ATTORNEY, EARTHJUSTICE

**Brief:**

Submitting an original and two copies of the **Reply 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*)

**Annotation:**

**MAY BE RECEIVED.**

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

**Brief:**

Submitting an original and two copies of Air Products and Chemicals, Inc.'s Post-Hearing Reply 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.** (*CNO Docket UD-18-07*)

**Annotation:**

**MAY BE RECEIVED.**

3. COMMUNICATION - FROM BASILIE J. UDDO, COUNSEL, DENTONS US  
LLP

**Brief:**

Submitting an original and two copies of the *Final Evidentiary and Administrative Record Chart, In Re: Resolution Directing ENO to Investigate and Remediate Electric Service Disruptions and Complaints and to Establish Minimum Electric Reliability Performance Standards and Financial Penalty Mechanisms.* (*CNO Docket No. UD-17-04*)

**Annotation:**

**MAY BE RECEIVED.**

4. **COMMUNICATION - FROM LISA M. HUDSON, PERSONNEL DIRECTOR,  
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

**Brief:**

Submitting for Council approval **Amendments to the Classified Pay Plan (Human Services), RETITLED CLASSIFICATION/PAY CHANGES (Adolescent Home Superintendent, Assistant (Non-Exempt) and Adolescent Home Training Coordinator (Non-Exempt))** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of July 29, 2019.

**Annotation:**

**MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.**

5. **COMMUNICATION - FROM LISA M. HUDSON, PERSONNEL DIRECTOR,  
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

**Brief:**

Submitting for Council approval **Amendments to the Classified Pay Plan (Chief Administrative Office), New Classifications: Internal Auditor Series (Chief Administrative Office), Auditor Series: (Internal Auditor Assistant (Non-Exempt), Internal Auditor (Exempt), Internal Auditor, Senior (Exempt) and Internal Audit Supervisor (Exempt))** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of July 29, 2019.

**Annotation:**

**MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.**

6. **COMMUNICATION - FROM LISA M. HUDSON, PERSONNEL DIRECTOR,  
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

**Brief:**

Submitting for Council approval **Amendment to the Classified Pay Plan (Fire), NEW CLASSIFICATION (FIRE) (911 Liaison Officer (Non-Exempt))** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of July 29, 2019.

**Annotation:**

**MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.**

7. **COMMUNICATION - FROM LISA M. HUDSON, PERSONNEL DIRECTOR,  
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

**Brief:**

Submitting for Council approval **Amendment to the Classified Pay Plan (Council), NEW CLASSIFICATION (Senior Legislative Services Specialist (Non-Exempt))** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of July 29, 2019.

**Annotation:**

**MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.**

8. **COMMUNICATION - FROM LISA M. HUDSON, PERSONNEL DIRECTOR,  
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

**Brief:**

Submitting for Council approval **Amendment to the Classified Pay Plan (EMS)** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of July 29, 2019 as outlined below:

**SPECIAL RATE OF PAY (Health/Emergency Medical Services)**

5. Employees in the class of EMT Paramedic who are assigned by the EMS Director to assist in the supervision and training of EMS field personnel on an assigned shift shall receive a five (5) percentage increase over their normal rate of pay while actively engaged in such assignments.

The Commission approved a five (5) percent "Special Rate of Pay" increase to recognize EMT Paramedics who provide first-line supervision and training to EMS field personnel and also serve as initial incident commander for smaller medical emergencies.

**Annotation:**

**MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.**

9. 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 of copies of *Crescent City Power Users' Group's Reply 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:**

MAY BE RECEIVED.

10. COMMUNICATION - FROM MARLENE Z. PETE

**Brief:**

Submitting an original and two copies of an organization letter to the New Orleans City Council regarding the Renewable Portfolio Standard. (*Docket No. UD-19-01*)

**Annotation:**

MAY BE RECEIVED.

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

**Brief:**

Submitting on behalf of Entergy New Orleans, LLC ("ENO" or the Company) for further handling an original and two copies of the Post-Hearing Reply 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:**

MAY BE RECEIVED.

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

**Brief:**

Submitting an original and two copies of the *Reply Brief of the Advisors to the City Council 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 for Related Relief.* (CNO Docket No. UD-18-07)

**Annotation:**

MAY BE RECEIVED.

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

**Brief:**

Submitting an original and three copies of the *Reply 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 for Related Relief.* (CNO Docket No. UD-18-07)

**Annotation:**

MAY BE RECEIVED.

14. 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 the Public Version of Entergy New Orleans, LLC's ("ENO" or the "Company") New Orleans Power Station Monitoring Report ("Monitoring Report") covering the period through the end of the 2<sup>nd</sup> Quarter 2019, **Re: Application of Entergy New Orleans, Inc. for Approval to Construct New Orleans Power Station and Request for Cost Recovery and Timely Relief (Docket No. UD-16-02) - Second Quarter 2019 Monitoring Report of Entergy New Orleans, LLC.**

**Annotation:**

MAY BE RECEIVED.

15. **COMMUNICATION - FROM SCOTT M. CELINO, MANAGER, FUEL & SPECIAL RIDERS, ENTERGY SERVICES, INC.**

**Brief:**

Submitting the Entergy New Orleans, LLC quarterly reports of Natural Gas Storage Program costs and benefits in compliance with the terms and conditions of Resolution R-91-102, dated May 23, 1991.

**Annotation:**

**MAY BE RECEIVED.**

16. **REPORT - OF THE EXECUTIVE DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION**

**Brief:**

Submitting a report detailing an appeal of the Central Business District Historic District Landmarks Commission's decision of "**denial**" of an application to demolish a contributing rated structure, salvage the first 20'-0 of the structure and construct a six story, multi-use building for property located at **710 Baronne Street**.

**Annotation:**

**MAY BE RECEIVED.**

*(Letter needed from applicant).*

17. **CAL. NO. 32,718 - BY: COUNCILMEMBER BANKS**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit the retail sale of package alcoholic beverages in an HU-MU Neighborhood Mixed-Use District and the GC Greenway Corridor Design Overlay District, on Square 272, Lots A and B, in the Second Municipal District, bounded by North Galvez, Saint Louis, Conti, and North Johnson Streets (Municipal Addresses: 432 North Galvez Street and 2120-2126 Saint Louis Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 51/19)**

**Annotation:**

*(90 Days, Cn. Deadline 10/16/19).*

*(Cn. Deadline 10/3/19).*



18. CAL. NO. 32,719 - BY: COUNCILMEMBERS BANKS AND GIARRUSSO

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit a standard restaurant in a HU-B1A Historic Urban Neighborhood Business District, an HU-B1A Use Restriction Overlay District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 450, Lot 22, in the Second Municipal District, bounded by Bienville Avenue, North Rendon Street, Conti Street, and North Jefferson Davis Parkway (Municipal Addresses: 3305-3307 Bienville Avenue); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 52/19)**

**Annotation:**

**(90 Days, Cn. Deadline 10/16/19).**

**(Cn. Deadline 10/3/19).**

19. CAL. NO. 32,722 - BY: COUNCILMEMBER GISLESON PALMER

**Brief:**

An Ordinance to amend and reordain Article 10, Section 10.2.A (Table 10-1) of 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 classify "tattoo parlor" as a permitted use in the HMC-2 Historic Marigny/Tremé/Bywater Commercial District; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 47/19)**

**Annotation:**

**(90 Days, Cn. Deadline 10/16/19).**

**(Cn. Deadline 10/3/19).**

20. **RESOLUTION - NO. R-19-329 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)**

**Brief:**

A **RESOLUTION** approving the issuance of not exceeding Twenty-Five Million Dollars (\$25,000,000) of the City of New Orleans Sewerage Service Revenue Bonds.

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).  
(Public Works, Sanitation, and Environment Committee recommended approval).*

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

*YEAS:*

*NAYS:*

*ABSENT:*

*AND THE CONSENT AGENDA WAS ADOPTED.*

## REGULAR AGENDA

### 1. LEGISLATIVE GROUPING - TAX ABATEMENT

#### 1a. 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:**

*(Report received at the meeting of 8/6/19).*

#### 1b. RESOLUTION - NO. R-19-330 - COUNCILMEMBER BANKS

**Brief:**

Approving the participation of municipal address **546 Carondelet Street** owned by **546 Carondelet Partner LLC as lessee & Hebbler Properties LLC et al**, in the Property Tax Abatement Program. *(RTA #2017-0232)*

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

2. LEGISLATIVE GROUPING - TAX ABATEMENT

2a. 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:**

*(Report received at the meeting of 8/6/19).*

2b. RESOLUTION - NO. R-19-331 - COUNCILMEMBER BANKS

**Brief:**

Approving the participation of municipal address **640 Magazine Street**, owned by **640 Magazine Street LLC**, in the Property Tax Abatement Program. *(RTA #2016-1557)*

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

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

1. LEGISLATIVE GROUPING

1a. 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).*

1b. MOTION - NO. M-19-333 - BY: COUNCILMEMBER BROSSETT

**Brief:**

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

- 2139 Painters St.

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

2. **ZONING DOCKET NO. 45/19 - BROAD STROKES, LLC**

**Brief:**

Requesting a text amendment to the Comprehensive Zoning Ordinance to:

1. Amend the definition of "live entertainment - secondary use" in Section 26.6 of the Comprehensive Zoning Ordinance to allow live entertainment - secondary use to be part of a brewery.
2. Amend the use standards for live entertainment - secondary use in Section 20.3.JJ of the Comprehensive Zoning Ordinance to allow live entertainment - secondary use to be part of a brewery.
3. Amend the definition of "brewery" in Section 26.6 of the Comprehensive Zoning Ordinance to allow breweries to contain multiple on-site tasting rooms.
4. Any other corresponding changes to the Comprehensive Zoning Ordinance which may be needed.

Location, Citywide. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

**Annotation:**

*(Cms. All, Cn. Deadline 10/7/19).*

3. **ZONING DOCKET NO. 46/19 - BROAD STROKES, LLC**

**Brief:**

Requesting conditional uses to permit a brewery and bar with live entertainment (secondary use) in a C-1 General Commercial District, an HU-MU Historic Urban Neighborhood Mixed-Use District, an EC Enhancement Corridor Design Overlay District, and a Residential District Preservation Interim Zoning District, on Square 482-A (also known as Square 482), Lots 9, 10, 11, 12, and 13, and part of Lot 23, in the First Municipal District, bounded by Thalia Street, South Broad Street, Martin Luther King, Jr. Boulevard, and South Dorgenois Street (Municipal Addresses: **3940 Thalia**

**Street and 3935-3943 Martin Luther King, Jr. Boulevard).** The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and fifteen (15) provisos.

**Annotation:**

*(Cm. Banks, Cn. Deadline 10/7/19).*

**4. ZONING DOCKET 53/19 - VICTORIA J. NAEGELE AND BDK INVESTMENTS, LLC**

**Brief:**

Requesting a conditional use to permit a bed and breakfast (principal) in an HMR-1 Historic Marigny/Tremé/Bywater Residential District and an RDO-1 Residential Diversity Overlay District, on Square 158, Lots 15 and 31, in the Third Municipal District, bounded by Dauphine Street, Touro Street, Pauger Street, Royal Street, and Kerlerec Street (Municipal Addresses: **1924-1928 Dauphine Street**). The recommendation of the City Planning Commission being "**NO LEGAL MAJORITY**".

YEAS: Flick, Hughes, Lunn - 3

NAYS: Brown, Steeg, Witry - 3

ABSENT: Stewart, Isaacson, Wedberg - 3

**Annotation:**

*(Cm. Gisleson Palmer, Cn. Deadline (9/9/19)).*

5. ZONING DOCKET 60/19 - BASTION COMMUNITY OF RESILIENCE

**Brief:**

Requesting a zoning change from an S-RM1 Suburban Multi-Family Residential District to an S-B1 Suburban Neighborhood Business District, on Square 3, Section C, Mirabeau Gardens, Lots 30, 29, 28, 27, 26, 25, 24, 23, 22, and 21-A, in the Third Municipal District, bounded by Mirabeau Avenue, Warrington Drive, Wilton Drive, Windsor Drive, and Haik Drive (Municipal Addresses: **1801-1839 Mirabeau Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**".

**Annotation:**

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

6. ZONING DOCKET NO. 61/19 - VERANIECE E. WILLIAMS

**Brief:**

Requesting a conditional use to permit a bed and breakfast (accessory) in an HU-RD1 Historic Urban Two-Family Residential District, on Square 232, Lot X or 17, in the Second Municipal District, bounded by Esplanade Avenue, North Prieur Street, North Roman Street, and Bayou Road (Municipal Addresses: **1834-1836 Esplanade Avenue and 1320 North Prieur Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and three (3) provisos.

**Annotation:**

*(Cm. Brossett, Cn. Deadline (10/7/19)).*



7. **ZONING DOCKET NO. 63/19 - REZA MOVAHED AND SHERRY SCHOLL MOVAHED**

**Brief:**

Requesting a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-B1A Historic Urban Neighborhood Business District and a conditional use to permit a standard restaurant with alcoholic beverage sales in an HU-B1A Historic Urban Neighborhood Business District and the HU-B1A Use Restriction Overlay District, on Square 133, Lot B, in the Fourth Municipal District, bounded by Magazine Street, First Street, Constance Street, and Philip Street (Municipal Addresses: **2366-2368 Magazine Street and 1035-1041 Frist Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to six (6) provisos.

**Annotation:**

*(Cm. Banks, Cn. Deadline 10/7/19).*

8. **ZONING DOCKET 67/19 - INDUSTRIAL DEVELOPMENT BOARD AND BART PARK, LLC**

**Brief:**

Requesting a zoning change from a CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District to a CBD-1 Core Central Business District, the entireties of Squares 273 and 274, bounded by South Rampart Street, Lafayette Street, Julia Street, and O'Keefe Avenue; and Lots 1 or 25, 2 or 24, 3 or 23, 4 or 22, 5 or 21, 6 or 20, A and B or Pt. 19, B or 18, A or 17, 1, 2, 3, 4, 5, 6, 7, 8, 1, 2, and 11, and an alley, on Square 272, bounded by South Rampart Street, Lafayette Street, Poydras Street, and O'Keefe Avenue (Municipal Addresses: **1001 Julia Street; 549, 611-627, and 709-747 O'Keefe Avenue; 1000 Girod Street; 1006 Lafayette Street; and 522-548, 618-624 and 700-760 South Rampart Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 10/7/19).*

9. ZONING DOCKET 68/19 - LEE J. REISMAN AND CHRIS BRADY

**Brief:**

Requesting a zoning change from an HU-B1 Historic Urban Neighborhood Business District to a C-1 General Commercial District and a conditional use to permit a minor motor vehicle service and repair facility in the requested C-1 General Commercial District and an EC Enhancement Corridor Design Overlay District, on Square 739, Lot 1 or 6, in the Third Municipal District, bounded by North Claiborne Avenue, Port Street, Franklin Avenue, and North Derbigny Street (Municipal Addresses: **2637 North Claiborne Avenue**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

**Annotation:**

*(Cm. Brossett, Cn. Deadline (10/7/19)).*

10. ZONING DOCKET 69/19 - CL TEN STREET, LLC

**Brief:**

Requesting a conditional use to permit a mini-warehouse in a C-2 Auto-Oriented Commercial District and an EC Enhancement Corridor Design Overlay District, on Square 348, Lots A, B, C, B, 13, 9 or 9 and part 13 and an undesignated lot, and part 9 H53 or 8, in the First Municipal District, bounded by Earhart Boulevard, South Liberty Street, Clio Street, and Rev. John Raphael Jr. Way (Municipal Addresses: **2201-2227 Clio Street and 1120-1124 Rev. John Raphael Jr. Way**). The recommendation of the City Planning Commission being **"NO LEGAL MAJORITY"**.

YEAS: Brown, Hughes, Steeg, Stewart - 4

NAYS: Flick - 1

ABSENT: Isaacson, Lunn, Wedberg, Witry - 4

**Annotation:**

*(Cm. Banks, Cn. Deadline (10/7/19)).*

11. ZONING DOCKET NO. 70/19 - NICOLE WEBRE

**Brief:**

Requesting a text amendment to Articles 15, 20, and 26 of the Comprehensive Zoning Ordinance to define outdoor live entertainment, provide use standards, to amend Section 20.3.JJ, to amend Table 15-1 under Section 15.2.A, and to provide any modifications as deemed appropriate by the staff of the City Planning Commission.

The specific amendments to the text are as follows:

1. Define outdoor live entertainment - secondary use under Article 26 as follows:

“Outdoor Live Entertainment - Secondary Use. Any one (1) or more of the following live performances, performed live by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: musical act, theatrical play or act, including stand-up comedy, magic, and disc jockey performances using vinyl records, compact discs, computers, or digital music players when the disc jockey is in verbal communication with the clientele of the establishment. Outdoor Live Entertainment - secondary use shall be part of a standard restaurant, indoor amusement facility, or outdoor amusement facility, and shall be approved separately. Outdoor Live Entertainment may be approved as a secondary use only when the zoning district indicates that it is a permitted use or conditional use for the zoning district, otherwise it is not permitted. A standard restaurant, indoor amusement facility, or outdoor amusement facility may be open to the public when no live performances are scheduled. Outdoor Live Entertainment - Secondary Use does not include:

- A. Any such activity performed for the practice or private enjoyment of the residents of a dwelling and their guests.
- B. Any adult uses.
- C. Periodic entertainment at educational facilities or places of worship, performances at cultural facilities, performances at reception facilities, performances that would otherwise require a

special event permit, the playing of recorded music over speakers without a disc jockey, poetry readings, or spoken word performances.

2. To provide use standards and amend Section 20.3.JJ as follows:

"2. Live entertainment - secondary use and live performances venues shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other appropriate City agencies, which shall address the intended use of amplification, noise levels, and need for soundproofing. ~~Outdoor live entertainment areas located within thirty (30) feet of a residential district shall be a conditional use.~~

\*\*\*

9. The standards set forth in this section apply for outdoor live entertainment - secondary use except outdoor live entertainment may only be established when allowed within a zoning district and in conjunction with a standard restaurant, indoor amusement facility, or outdoor amusement facility."

3. To amend Table 15-1 under Section 15.2.A to add "Outdoor Live Entertainment - Secondary Use" as a permitted use under Commercial Uses in the MU-2 High Intensity Mixed-Use District.

To provide any modifications as deemed appropriate by the staff of City Planning Commission.

The request would affect the regulations for all MU-2 High Intensity Mixed-Use Districts. The recommendation of the City Planning Commission being **"FOR DENIAL"**.

**Annotation:**

**(Cms. All, Cn. Deadline 10/7/19),**

12. ZONING DOCKET 72/19 - EIGHT-O-EIGHT STATE, LLC

**Brief:**

Requesting a conditional use to permit a parking lot (principal use) in an HU-B1 Historic Urban Neighborhood Business District and the Magazine Street Use Restriction Overlay District, on Square 15, Lots 3 and 4, in the Sixth District, bounded by State Street, Magazine Street, Camp Street, and Webster Street (Municipal Address: **808 Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to six (6) provisos.

**Annotation:**

*(Cm. Giarrusso, Cn. Deadline (10/7/19)).*

13. 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).*

14. 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).*

15. 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).*

16. 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).*

17. 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).*

18. 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).*

19. CAL. NO. 32,728 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

**Brief:**

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an agreement to grant a servitude to an adjacent property owner for encroachments on/over portions of public right-of-way located at the municipal address **1115 St. Anthony Street**; to fix the minimum price and terms of said servitude agreement; to declare that such use as granted in the servitude agreement will incorporate space that is neither needed for public purposes nor shall such use interfere with the use of the public right-of-way; to set forth the reasons for said servitude agreement; and otherwise to provide with respect thereto.

**Annotation:**

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

20. CAL. NO. 32,730 - 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 foundation grant funds on behalf of the Mayor's Office of Youth & Families to improve life outcomes of children, and otherwise to provide with respect thereto.

**Annotation:**

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



21. CAL. NO. 32,731 - 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 foundation grant funds on behalf of the Mayor's Office of Youth & Families to improve life outcomes of children, and otherwise to provide with respect thereto.

**Annotation:**

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

22. CAL. NO. 32,734 - BY: COUNCILMEMBERS 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 from Intergovernmental Transfers to the Department of Health, Emergency Medical Services for the 2016 Port Security Grant Program for education training; and otherwise to provide with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement 12/6/19).  
Technical Correction needed.*

23. CAL. NO. 32,735 - 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 from Intergovernmental Transfers to the Department of Health, Emergency Medical Services for the 2016 Port Security Grant Program for education training; and otherwise to provide with respect thereto.

**Annotation:**

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

24. CAL. NO. 32,736 - 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 transfer funds within the Department of Health from personal services to other operating for a management study of health related issues; and otherwise to provide with respect thereto.

**Annotation:**

***Fiscal Note received.***

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

25. CAL. NO. 32,737 - 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 transfer funds from Intergovernmental Transfers to Miscellaneous Programs, Office of Police Secondary Employment (OPSE) to increase the spending capacity of OPSE to enable them to meet the demand for reserve officer details, and otherwise to provide with respect thereto.

**Annotation:**

***Fiscal Note received.***

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

26. CAL. NO. 32,738 - 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 transfer funds from Intergovernmental Transfers to Miscellaneous Programs, Office of Police Secondary Employment (OPSE) to increase the spending capacity of OPSE to enable them to meet the demand for reserve officer details, and otherwise to provide with respect thereto.

**Annotation:**

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

27. CAL. NO. 32,741 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

**Brief:**

An Ordinance to amend and reordain Sections 154-2 and 154-1425 through 154-1435 of the Code of the City of New Orleans, relative to defining electric-assisted bicycles and creating general provisions for their operation; and otherwise to provide with respect thereto.

**Annotation:**

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

28. CAL. NO. 32,744 - BY: COUNCILMEMBER BANKS (BY REQUEST)

**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(g) of the Home Rule Charter of the City of New Orleans to establish the Unclassified positions of Chief Customer Service Officer (U-3020), Chief Financial Officer (U-3021), Chief Administrative Officer (U-3022) and Chief of Staff (U-3023) within the Sewerage and Water Board and establish the salary ranges allowable within the Unclassified Pay Plan; and to otherwise provide with respect thereto.

**Annotation:**

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

29. CAL. NO. 32,745 - BY: COUNCILMEMBERS BROSSETT AND NGUYEN

**Brief:**

An Ordinance to ordain Section 2-14 of the Code of the City of New Orleans; to prohibit the City of New Orleans from inquiring into the salary history from any person applying for a classified or unclassified position with the City of New Orleans; to prohibit the City of New Orleans from relying upon the salary histories of applicants for City positions to determine starting salaries; to provide for limited exceptions from these prohibitions; to provide for enforcement of these prohibitions; and to otherwise provide with respect thereto.

**Annotation:**

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

30. MOTION - NO. M-19-321 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

**Brief:**

Requesting and authorizing the President of the Council to sign a contract amendment with The Spears Group, L.L.C. extending the March 1, 2016 contract for an additional year, and setting the maximum annual compensation under such contract extension to not exceed One Hundred Sixty Thousand Dollars (\$160,000.00), which shall include the hourly rates of compensation.

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

31. **MOTION - NO. M-19-332 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT, AND NGUYEN**

**Brief:**

Ratifying, confirming and approving the reappointment of Brittney Richardson, the nominee of Tulane University, to the New Orleans Civil Service Commission, which will expire on June 30, 2025, in accordance with Article 10, Section 4 of the Louisiana Constitution.

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

32. **MOTION - NO. M-19-334 - BY: COUNCILMEMBERS MORENO, WILLIAMS AND GIARRUSSO**

**Brief:**

Requesting and authorizing the President of the Council to negotiate and sign an agreement retaining Sher Garner Cahill Richter Klein and Hilbert, L.L.C. ("Sher Garner") as special counsel to represent the City in *The Southern Center for Environmental Justice, Inc. v. The Council of the City of New Orleans, et al., C.D.C. Case No. 18-2843* and containing such other provisions as may necessary or desirable to accomplish the purposes of this Motion.

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

33. **MOTION - NO. M-19-335 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

Waiving all permit fees relative to the "NORDC Facility Rental Fee" for the event associated with the Reaching For The Stars "Family Fitness Warrior 2019" event on August 10, 2019 at Joe W. Brown Park; 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: 12/20/19).*

**34. MOTION - NO. M-19-336 - BY: COUNCILMEMBER GIARRUSSO**

**Brief:**

Directing the City Planning Commission to hold a public hearing to consider a zoning change from HU-RD2 Historic Urban Two-Family Residential District to HU-B1 Historic Neighborhood Business District and a Conditional Use for a reception facility and any necessary waivers relative thereto; for property located on Lot U, Square 580 in the Second Municipal District, bounded by Canal Street, N. Murat Street, Iberville Street and N. Alexander Street (municipal address **4439 Canal Street**).

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

**35. RESOLUTION - NO. R-19-337 - BY: COUNCILMEMBERS GIARRUSSO AND WILLIAMS**

**Brief:**

A **RESOLUTION** recognizing the annual event of remembrance held by the Katrina Memorial Foundation in partnership with the City of New Orleans, held at the Katrina Memorial on Canal Street, as the official City of New Orleans memorial event recognizing those who lost their lives to Hurricane Katrina.

**Annotation:**

*(Council Rule 34. Postponement: 12/20/19).*

**36. ORDINANCES ON FIRST READING**