

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, November 3, 2022, at 10:35 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
JP MORRELL
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

INVOCATION
PASTOR BRANDON BOUTIN
UNITED FELLOWSHIP FULL GOSPEL BAPTIST CHURCH

PLEDGE OF ALLEGIANCE
EUGENE J. GREEN, JR.
COUNCILMEMBER DISTRICT "D"

NATIONAL ANTHEM

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

1. **APPROVAL OF THE MINUTES** – October 6, 2022, October 20, 2022 and October 25, 2022 (Special Meeting).

Annotation:
APPROVED.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER OF BUSINESS**
2. **SECOND ORDER OF BUSINESS**
3. **THIRD ORDER OF BUSINESS**

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 **November 3, 2022:**

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

1. Purchased Gas Adjustments for the November 2022 billing cycle, submitted pursuant to Resolution R-03-272, UD-18-07
2. Purchased Power Cost Recovery Adjustments for the November 2022 billing cycle, submitted pursuant to Resolution R-20-67, UD-18-07
3. Fuel Adjustments for the November 2022 billing cycle, submitted pursuant to Resolution R-20-67, UD-18-07
4. Environmental Adjustments for the November 2022 billing cycle, UD-18-07

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

2. COMMUNICATION - FROM ALEX D. LAMBERT AND NOLAN P. LAMBERT, LAMBERT & LAMBERT, A LAW CORPORATION ON BEHALF OF MERCIER REALTY & INVESTMENT CO.

Brief:

Requesting to appeal the Vieux Carrè Commission's decision of "**denial**" to install new wood framing and stucco at the rear enclosure for the properties located at **532-534 N. Rampart Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (Hearing Date Set For 11/17/22).**

3. **COMMUNICATION – FROM AMY B. TREPAGNIER, PERSONNEL DIRECTOR,
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

Brief:

Submitting for Council approval **Amendment to the Classified Pay Plan (Police)** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of October 17, 2022.

New Classification:

Class Code	New Classification	Grade	Grade/ Step Annual Minimum	Grade/ Step Hiring Rate	Grade/ Step Annual Maximum
C7154	Chief Operation Officer (Police) (Exempt)	104	104/01 \$90,567	104/9 \$100,030	104/41 \$149,857

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.

4. **REPORT – OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION**

Brief:

Transmitting Zoning Docket Numbers 76/22 – Cm. Giarrusso, 78/22 – Cm. King, 79/22 – Cm. King, 80/22 – Cm. Harris, 81/22 – Cm. Harris, 82/22 – Cm. King, Cn. Deadline 1/2/23. Street Name Change 2/22 – Consideration of renaming the entirety of Higgins Boulevard between Almonaster Avenue and Alvar Street as Carver Rams Way. The City Planning Commission recommended **MODIFIED APPROVAL** (Cm. Green, Cn. Deadline N/A). Street Name Change 3/22 – Consideration of renaming a portion of Cadillac Street between Harrison Avenue and Foy Street as Roneagle Way. The City Planning Commission recommended **DENIAL** (Cm. Green, Cn. Deadline N/A). For Information Only: 2023-2027 Capital Improvement Plan – Consideration of the plan for recommended capital expenditures for the five-year period from 2023 through 2027. The City Planning Commission recommended **N/A** (Cms. All, Cn. Deadline 12/1/22).

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 11/17/22)

5. CAL. NO. 33,902 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to amend and reordain Articles 21 and 26 of the Comprehensive Zoning Ordinance (Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to create a new temporary use category for a Food Pop Up Vendor Host within Article 21, Section 21.8 Temporary Uses, and to make recommendations for any other amendments deemed necessary; and otherwise to provide with respect thereto. (*ZONING DOCKET NO. 52/22*)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 12/14/22).

(Cn. Deadline 12/1/22).

ADOPTED. ORD. NO. 29243 M.C.S.

6. CAL. NO. 33,903 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to grant an amendment to Ordinance No. 23,103 MCS (Zoning Docket 16/08) to permit the expansion of an existing primary educational facility (Langston Hughes Academy) to include the adjacent Lot 51, which is to be developed with a new structure. The subject property is located in an HU-RS Historic Urban Single-Family Residential District A portion of Lot 13, Bayou St. John Subdivision (existing Langston Hughes Academy site) and Lot 51, Square A, Desaix Place, in the Third Municipal District, bounded by Trafalgar Street, Desaix Boulevard, and Gentilly Boulevard (Municipal Addresses: 3519 Trafalgar Street and 3244 Desaix Boulevard); and otherwise to provide with respect thereto. (*ZONING DOCKET NO. 59/22*)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 12/14/22).

(Cn. Deadline 12/1/22).

ADOPTED. ORD. NO. 29244 M.C.S.

7. MOTION - NO. M-22-478 - BY: COUNCILMEMBERS HARRIS AND MORENO

Brief:

Ratifying, confirming and approving the appointment of John Milazzo, Jr. (vice Charles Brown), nominee of the District B councilmember, as a member of the Finance Authority of New Orleans, effective upon approval by the Council of the City of New Orleans, for a term that will expire on November 3, 2025.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

(Questionnaire received. Governmental Affairs Committee recommended approval).

ADOPTED.

8. MOTION - NO. M-22-479 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's reappointment of Charles Richard, as a member of the Delgado Albania Plantation Commission, effective upon approval by the Council of the City of New Orleans, for a term that will expire on June 30, 2026.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

(Questionnaire received. Governmental Affairs Committee recommended approval).

ADOPTED.

9. RESOLUTION - NO. R-22-482 - BY: COUNCILMEMBERS MORRELL,
MORENO, GIARRUSSO, KING AND THOMAS

Brief:

RESOLUTION AND ORDER ESTABLISHING A DOCKET AND
PROCEDURAL SCHEDULE WITH RESPECT TO THE APPLICATION
OF ENTERGY NEW ORLEANS, LLC FOR CERTIFICATION OF COSTS
RELATED TO HURRICANE IDA

DOCKET UD-22-05

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

*(Utility, Cable, Telecommunications and Technology Committee
recommended approval).*

ADOPTED.

10. RESOLUTION - NO. R-22-483 - BY: COUNCILMEMBERS MORENO,
MORRELL, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

RESOLUTION AND ORDER ESTABLISHING A DOCKET AND PROCEDURAL
SCHEDULE WITH RESPECT TO THE APPLICATION OF ENTERGY NEW ORLEANS,
LLC FOR A BATTERY STORAGE DEMAND RESPONSE PILOT PROGRAM

DOCKET UD-22-03

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

*(Utility, Cable, Telecommunications and Technology Committee
recommended approval).*

ADOPTED.

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

YEAS: Giarrusso, Green, King, Moreno, Morrell, Thomas - 6

NAYS: 0

ABSENT: Harris - 1

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. HDLC APPEAL - OF MICHAEL SHERMAN, SHERMAN STRATEGIES,
LLC, ON BEHALF OF PATRICK MELANCON

Brief:

Requesting to appeal the Historic District Landmarks
Commission's decision of "**denial**" of demolition (through
elevation) of an existing Contributing rated 1-1/2 story,
single-family raised basement residential building to
preserve habitable square footage as part of a renovation of
an existing residential building at **5919 Freret Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, District A, Cn. Deadline 12/4/22).

(Report received at the meeting of 10/20/22).

CONTINUED TO THE MEETING OF 11/17/22.

2. VCC APEAL - OF RAPLH H. LONG

Brief:

Requesting to appeal the Vieux Carrè Commission's decision of "**denial**" to install a new gallery for the property located at **440 Bourbon Street**.

Annotation:

(Cn. King, District C, Cn. Deadline 11/20/22).

(Report received at the meeting of 10/6/22).

CONTINUED TO THE MEETING OF 11/17/22.

3. ZONING DOCKET NO. 56/22 - LA VANG PEARL, INC.

Brief:

Requesting a Conditional Use to permit a Neighborhood Commercial Establishment in an HU-RD1 Historic Urban Two-Family Residential District, located on Square 77, Lot 15-A, in the Seventh Municipal District, bounded by St. Charles Avenue, Cherokee Street, Hampson Street, and Lowerline Street (**Municipal Address: 7457 St. Charles Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to six (6) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, District A, Cn. Deadline 11/14/22).

ON DEADLINE.

CONTINUED TO THE MEETING OF 11/17/22.

4. ZONING DOCKET NO. 63/22 - CITY COUNCIL MOTION M-22-253

Brief:

Requesting a Text Amendment to Article 17, Section 17.3.A of the Comprehensive Zoning Ordinance to prohibit new hotels and motels and to allow Commercial Short Term Rentals as a permitted use in the CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District. The proposed text amendment would affect properties within the CBD-5 District. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 12/19/22).

CONTINUED TO THE MEETING OF 11/17/22.

5. ZONING DOCKET NO. 64/22 - ERNEST N. MORIAL NEW ORLEANS EXHIBITION HALL AUTHORITY AND CITY COUNCIL MOTION M-22-255

Brief:

Requesting a Text Amendment to Article 18, Section 18.24 Convention Center Height Overlay District of the Comprehensive Zoning Ordinance. The proposed text amendment and overlay district would apply to the area bounded by Convention Center Boulevard, The Pontchartrain Expressway, Thalia Street, Annunciation Street, Euterpe Street, Tchoupitoulas Street, Celeste Street, The Mississippi River Floodwall, and Henderson Street; excluding Lot MF-1 on Block RP-5X. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 12/5/22).

CONTINUED TO THE MEETING OF 11/17/22.

6. **ZONING DOCKET NO. 72/22 - 201 NORTH RAMPART LLC**

Brief:

Requesting a Conditional Use to permit a hotel over 10,000 square feet in floor area in an HMC-2 Historic Marigny/Tremé Commercial District, an EC Enhancement Corridor Design Overlay District and the Small Multi-Family Affordable Short Term Rental Interim Zoning District, located on Square 153, Lots 7, 2, and 1 through 5, in the Third Municipal District, bounded by Chartres, Royal, and Frenchmen Streets and Elysian Fields Avenue (**Municipal Addresses: 2121-2127 Chartres Street and 616 Elysian Fields Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and six (6) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, District C, Cn. Deadline 12/5/22).

CONTINUED TO THE MEETING OF 11/17/22.

7. **ZONING DOCKET NO. 73/22 - CITY COUNCIL MOTION M-22-313**

Brief:

Requesting an Amendment to the text of the Comprehensive Zoning Ordinance to amend Article 24, Section 24.14.B.2b to exempt the area between I-510 and Downman Road and to make recommendations for any other amendments necessary. The proposed text amendments would have impacts on properties located in C-2 Auto-Oriented Commercial District, C-3 Heavy Commercial District, LI Light Industrial District and HI Heavy Industrial District that are also within a design overlay district along the stretch of I-10 between I-510 and Downman Road. The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cms. Green and Thomas, Districts D and E, Cn. Deadline 12/5/22).

CONTINUED TO THE MEETING OF 12/1/22.

8. **ZONING DOCKET NO. 74/22 - FADHILL TWO LLC**

Brief:

Requesting a Conditional Use to permit the retail sale of packaged alcoholic beverages at an existing gas station in a C-1 General Commercial District, an HUC Historic Urban Use Restriction Overlay and an EC Enhancement Corridor Design Overlay District, on Square 709, Lots 1, 2, 3, 4, and 5, in the Third Municipal District, bounded by North Claiborne Avenue, Lizardi Street, North Derbigny Street, and Eganina Street (**Municipal Address: 5201 N. Claiborne Avenue**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to two (2) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Thomas, District E, Cn. Deadline 12/19/22).

CONTINUED TO THE MEETING OF 11/17/22.

9. ZONING DOCKET NO. 75/22 - IRON SKILLET, LLC

Brief:

Requesting a Conditional Use to permit the expansion of an existing standard restaurant in an HU-B1A Historic Urban Neighborhood Business District and an HU-B1A Use Restriction Overlay District, located on Square 160, Lot 7, in the Sixth Municipal District, bounded by Louisiana Avenue, Laurel Street, Toledano Street, and Constance Street (**Municipal Addresses: 901-903 Louisiana Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 12/19/22).

CONTINUED TO THE MEETING OF 11/17/22.

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 77/22 - AMERICAN FEDERATION OF MUSICIANS
LOCAL 174-496

Brief:

Requesting a Zoning Change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-B1A Historic Urban Neighborhood Business District. The parcel is also in an RDO-2 Residential Diversity Overlay District; Small Multi-Family Affordable Short Term Rental Interim Zoning District, located on Square 320, Lot M or Lots 56, 57, 2, and two undesignated lots, in the Second Municipal District, bounded by Ursulines Avenue, North Dorgenois Street, Governor Nicholls Street, and North Rocheblave Street (**Municipal Addresses: 2553-2555 Ursulines Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline 12/19/22).

HEARING HELD.

10b. MOTION - NO. M-22-481 - BY: COUNCILMEMBER GREEN

Brief:

Granting the applicant's Zoning Change request on **ZD NO. 77/22.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

ADOPTED.

11. CAL. NO. 33,671 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to limit the power of the Mayor to suspend Article X of Chapter 2 of the Code of the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 12/1/22.

12. CAL. NO. 33,866 - BY: COUNCILMEMBER GREEN

Brief:

An Ordinance to ordain Section 54-507 of the Code of the City of New Orleans to prohibit operation of all-terrain vehicles (ATVs) on public streets; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

CONTINUED TO THE MEETING OF 11/17/22.

13. CAL. NO. 33,885 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,862 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2022," to appropriate federal grant funds to the Mayor's Office of Homeland Security and Emergency Preparedness for Federal Emergency Management Agency reimbursable costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

(Fiscal Note received).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 11/17/22.

14. CAL. NO. 33,886 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for Year 2022," to appropriate federal grant funds to the Mayor's Office of Homeland Security and Emergency Preparedness for Federal Emergency Management Agency reimbursable costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

(Fiscal Note received).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 11/17/22.

15. CAL. NO. 33,893 - BY: COUNCILMEMBER HARRIS

Brief:

An Ordinance to ordain Section 70-10 of the Code of the City of New Orleans to establish reporting requirements applicable to the Department of Finance, including both a statement to be issued alongside each payment the City of New Orleans provides to a security and improvement district, and an annual financial report to be transmitted to the City Council, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

CONTINUED TO THE MEETING OF 11/17/22.

16. CAL. NO. 33,897 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to establish the Gordon Plaza Environmental Equity Relocation Assistance Fund as Division 48 of Article III in Section 70 of the Code of the City of New Orleans; to ordain Sections 70-415.1 through 70-415.4 of the Code of the City of New Orleans within said Division; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

ADOPTED. ORD. NO. 29238 M.C.S.

17. CAL. NO. 33,898 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to ordain Article XIII of Chapter 26 of the Code of the City of New Orleans, to establish a healthy homes program, requiring the registration of rental housing property, and inspections, enforcement, fees, penalties and adjudications relative thereto; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

(Governmental Affairs Committee recommended approval).

ADOPTED, AS AMENDED. ORD. NO. 29239 M.C.S.

(Cm. Green voting "RECUSED").

18. CAL. NO. 33,899 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2022," to reduce the 2022 General Fund appropriation to the Department of Police and increase the appropriation to the Department of Sanitation in order to fund additional Sanitation expenses in 2022; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

(Fiscal Note received).

(Referred to the Budget Committee).

YEAS: Giarrusso, Green, Thomas - 3

NAYS: King, Moreno, Morrell - 3

ABSENT: Harris - 1

FAILED.

19. CAL. NO. 33,900 - BY: COUNCILMEMBERS MORRELL AND KING

Brief:

An Ordinance to ordain Section 146-36(g)(7) establishing minimum neighborhood meeting and public hearing requirements by the Department of Public Works prior to installation of new bike lanes; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/13/23).

ADOPTED, AS AMENDED. ORD. NO. 29241 M.C.S.

20. CAL. NO. 33,901 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to establish the Renter Anti-Displacement Fund as Division 48 of Article III in Section 70 of the Code of the City of New Orleans; to ordain Sections 70-415.308 through 70-415.311 of the Code of the City of New Orleans within said Division; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/3/23).

ADOPTED. ORD. NO. 29242 M.C.S.

21. CAL. NO. 33,906 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to amend and reordain Chapter 154 - Traffic and Vehicles, Section 154-2; to ordain Chapter 154 - Traffic and Vehicles, Sections 154-13 and 154-14 of the Code of the City of New Orleans, to prohibit personal delivery devices on the public right-of-way; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/3/23).

ADOPTED, AS AMENDED. ORD. NO. 29245 M.C.S.

22. CAL. NO. 33,907 - BY: COUNCILMEMBER THOMAS (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 90-121 of the Code of the City of New Orleans, relative to the payment of police officers through the Office of Police Secondary Employment for secondary employment opportunities or private detail work, to amend officer pay schedules for time-based jobs, to amend the administrative fee schedule, to include the Juneteenth Holiday as a specified holiday; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/3/23).

ADOPTED. ORD. NO. 29246 M.C.S.

23. LEGISLATIVE GROUPING

23a. CAL. NO. 33,908 - BY: COUNCILMEMBERS THOMAS, MORENO AND GREEN

Brief:

An Ordinance to establish "Article XIV. - Shopping Carts" within Chapter 146 of the Code of the City of New Orleans, to establish provisions governing the use, control, and abandonment of shopping carts within the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/3/23).

**(No recommendations made via vote from the Economic Development & Special Development Projects Committee.
ADOPTED, AS AMENDED. ORD. NO. 29247 M.C.S.**

23b. AMENDMENT TO CAL. NO. 33,908 - BY: COUNCILMEMBER THOMAS

Brief:

- (1) On page 1, within the preamble, after the words "AN ORDINANCE to establish" delete the words " "Article XIV. - Shopping Carts" within Chapter 146" and add the words " "Article VII. - Shopping Carts" within Chapter 66"
- (2) On page 1, line 2, delete the number "146" and add the number "66"
- (3) On page 1, lines 3-4, delete " "Article XIV. - Shopping Carts" and consisting of sections 146-800 through 146-807" and add " "Article VII.- Shopping Carts" and consisting of sections 66-409 through 66-416"
- (4) On page 1, line 5, delete "Article XIV. - Shopping Carts" and add "Article VII.- Shopping Carts"
- (5) On page 1, line 6, delete "146-800" and add "66-409"
- (6) On page 1, delete lines 9-11

- (7) On page 2, line 34, delete the language "and sidewalks adjacent to a business establishment" and add the words "on the property of the business establishment," after the words "pedestrian areas"
- (8) On page 3, lines 41 and 42, add the words "a shopping cart equipped with an electric motor and navigational controls" after the words "The Term includes..."
- (9) On page 3, line 50, delete "146-801" and add "66-410"
- (10) On page 3, line 56, delete "146-802" and add "66-411"
- (11) On page 4, line 61, delete "146-803" and add "66-412"
- (12) On page 4, delete lines 70-72
- (13) On page 4, line 73, delete "146-804" and add "66-413"
- (14) On page 5, line 80, delete "146-805" and add "66-414"
- (15) On page 6, line 109, delete "146-806" and add "66-415"
- (16) On page 6, line 117, delete "146-807" and add "66-416"
- (17) On page 7, line 130, delete "impound" and add "dispose of"
- (18) On page 7, line 136, delete "impound" and add "dispose of"

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

ADOPTED.

24. CAL. NO. 33,913 - BY: COUNCILMEMBERS MORRELL AND GREEN

Brief:

An Ordinance to amend Sections 114-126, 114-135 and 114-204 of the Code of the City of New Orleans relative to the Employees' Retirement System of the City of New Orleans, to lower the retirement system funded ratio threshold required to permit the retirement board of trustees to provide one or more cost-of-living increases or bonuses for members who have retired and increase the employer contribution to the retirement system; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/3/23).

(Governmental Affairs Committee recommended approval).

ADOPTED, AS AMENDED. ORD. NO. 29248 M.C.S.

25. CAL. NO. 33,937 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend and reordain Chapter 159, Sections 159-2 and 159-3, and ordain Sections 159-4 and 159-5 to establish the billing dispute and appeals procedures for the Sewerage and Water Board of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/3/23).

(SWBNO Billing Advisory Committee recommended approval).

CONTINUED TO THE MEETING OF 11/17/22.

26. CAL. NO. 33,938 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to mandate that reserve police officers injured in the line of duty receive City-funded worker's compensation coverage; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/17/23).

ADOPTED. ORD. NO. 29249 M.C.S.

27. CAL. NO. 33,946 - BY: COUNCILMEMBER THOMAS (BY REQUEST)

Brief:

An Ordinance to amend and reordain Ordinance Calendar Number 30,240 (M.C.S. 26,139) and amend the "Mow to Own" Program for the sale of tax adjudicated properties to adjoining property owners who have maintained such properties for at least one year; to provide policies and procedures for said program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/17/23).

ADOPTED. ORD. NO. 29250 M.C.S.

28. CAL. NO. 33,947 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to ordain Section 70-10 of the Code of the City of New Orleans relative to the approval and execution of City of New Orleans contracts valued at more than one million dollars (\$1,000,000) or having a term of more than one (1) year by the City Council; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/17/23).

CONTINUED TO THE MEETING OF 11/17/22.

29. CAL. NO. 33,948 - BY: COUNCILMEMBER HARRIS (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into Amendment No. 1 to a previously-executed Cooperative Endeavor Agreement ("the CEA") between the City of New Orleans (the "City") and Odyssey House Louisiana, Inc. ("Odyssey House"), for the valuable public purpose of referrals by the City's Health Care for the Homeless program for rehabilitative services and transitional housing, to modify the provisions thereof and extend the term thereof for four (4) years, as more fully set forth in the Amendment No. 1 form attached hereto as Exhibit "1" and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/17/23).

CONTINUED TO THE MEETING OF 11/17/22.

30. CAL. NO. 33,949 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend sections 26-616 and 26-617 of the Code of the City of New Orleans relative to standards for short-term rentals, to remove the residential short-term rental permit type; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/17/23).

CONTINUED TO THE MEETING OF 11/17/22.

31. CAL. NO. 33,950 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to ordain section 2-1122 of the Code of the City of New Orleans to provide for subpoena and investigatory responsibilities of the Orleans Independent Police Monitor; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/17/23).

CONTINUED TO THE MEETING OF 11/17/22.

32. CAL. NO. 33,951 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to rescind all short-term rental partial-unit residential owner permits, short-term rental small residential owner permits, and short-term rental large residential owner permits issued under City Code 26-613, *et seq.*; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 2/17/23).
WITHDRAWN.**

33. CAL. NO. 33,952 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2023 in accordance with Sections 3-116, 4-206(1)(f), and 6-102 of the Home Rule Charter of the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

**(Council Rule 34. Postponement Deadline 2/22/23).
CONTINUED TO THE MEETING OF 11/17/22.**

34. CAL. NO. 33,953 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2023 in accordance with Sections 3-115, 4-206(1)(f), and 6-102(3) of the Home Rule Charter of the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

**(Council Rule 34. Postponement Deadline 2/22/23).
CONTINUED TO THE MEETING OF 11/17/22.**

35. CAL. NO. 33,955 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance to adopt the Downtown Development District's 2023 Plan to provide additional capital and special services, facilities and/or improvements for the Downtown Development District ("District") of the City of New Orleans ("City") for the year 2023; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 2/22/23).
CONTINUED TO THE MEETING OF 11/17/22.

36. CAL. NO. 33,957 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance to adopt the New Orleans Tourism and Cultural Fund's "Tourism and Cultural Economy Program", "Proposed Grant Scoring Matrix", and budget for the year 2023, to be administered by New Orleans Tourism and Cultural Fund to: (1) provide services and financial support to the culture-bearers and cultural economy of New Orleans, including, without limitation, the people, enterprises, and communities that transform cultural skills, knowledge, and ideas into economically productive goods, services, and places, and (2) enhance tourism in New Orleans by strengthening the cultural economy, which attracts tourists to New Orleans, supporting events and festivals, for the year 2023; and to provide otherwise with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 2/22/23).
CONTINUED TO THE MEETING OF 11/17/22.

37. CAL. NO. 33,959 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance providing a Capital Budget for the year 2023 in accordance with the provisions of Section 3-117 and 4-206(1)(f) of the Home Rule Charter of the City of New Orleans ("Charter"); and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 2/22/23).
CONTINUED TO THE MEETING OF 11/17/22.

38. MOTION (LYING OVER) - NO. M-22-383 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

Approving the **Amendment to the Classified Pay Plan, S&WB: (Utility Human Resources Administrator)**, as adopted by the Civil Service Commission at its meeting of July 18, 2022, to be effective September 4, 2022, in accordance with Article X, Section 10 of the Constitution of Louisiana.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 12/30/22).
(Budget Committee made no recommendation).
CONTINUED TO THE MEETING OF 11/17/22.

39. MOTION (LYING OVER) - NO. M-22-384 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

Approving the **Amendment to the Classified Pay Plan, Sewerage and Water Board: (Chief Audit Executive (S&WB))**, as adopted by the Civil Service Commission at its meeting of October 21, 2019, to be effective September 4, 2022, in accordance with Article X, Section 10 of the Constitution of Louisiana.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 12/30/22).
(Budget Committee made no recommendation).
CONTINUED TO THE MEETING OF 11/17/22.

40. MOTION - NO. M-22-477 - BY: COUNCILMEMBER HARRIS

Brief:

Directing the City Planning Commission to conduct a public hearing to consider an Affordable Housing Planned Development in an HU-RD2 Historic Urban Two-Family Residential District and an HUC Historic Urban Corridor Use Restriction Overlay District to allow the adaptive re-use of an existing institutional structure as a multiple-family residence, on Square 682, Lots 16-19, in the First Municipal District, bounded by South Rendon Street, Cleveland Avenue, Palmyra Street and Norman C. Francis Parkway (**Municipal Addresses: 217 S Rendon Street and 3300 Cleveland Avenue**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).
CONTINUED TO THE MEETING OF 11/17/22.

41. MOTION - NO. M-22-480 - BY: COUNCILMEMBER KING

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a zoning change from HU-RM2 Historic Urban Multi-Family Residential District to HU-MU Historic Urban Neighborhood Mixed-Use District on Square 124, Lots 1, 2, 2 or an undesignated lot, and 5-D in the Second Municipal District, bounded by Iberville Street, Crozat Street, Bienville Street, and Basin Street (**Municipal Addresses: 235 Basin Street, 237 Basin Street, 1208 Bienville Street and 1216 Bienville Street**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).
ADOPTED.

42. MOTION - NO. M-22-484 - BY: COUNCILMEMBERS MORENO AND MORRELL

Brief:

Authorizing and directing the president of the Council to sign an amendment to the Agreement between the City of New Orleans, through its City Council, and Granicus, Inc. extending the term of the Agreement for an additional one year, and including any other provisions deemed necessary or advisable to comply with law and to effectuate the intent of this motion.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

ADOPTED.

43. MOTION - NO. M-22-485 - BY: COUNCILMEMBERS MORRELL, MORENO AND HARRIS

Brief:

Directing the City Planning Commission to conduct a public hearing to consider amendments to Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. (as amended from time to time, the "Comprehensive Zoning Ordinance") to update any and all relevant Articles governing the zoning and use standards for short-term rentals (both commercial and residential) in a manner that is both compliant with the holding of the U.S. Court of Appeals for the Fifth Circuit in *Hignell-Stark v. City of New Orleans*, Case No. 21-30643, and continues to safeguard the City's health, safety, and welfare. In the course of this study, the City Planning Commission is directed to consider the Council's desire to continue its efforts to prevent nuisances, promote affordable housing, and protect neighborhoods' residential character, which were recognized as legitimate local purposes by the courts, while removing any distinctions regarding the ability to operate an STR based on a property's homestead exemption status.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

ADOPTED, AS AMENDED.

**44. MOTION - NO. M-22-486 - BY: COUNCILMEMBERS MORRELL,
GIARRUSSO AND GREEN**

Brief:

Directing the Office of Code Enforcement and the Department of Safety and Permits to work together on a proposal to create new full-time staff employee positions under the Office of Business and External Services to administer and perform inspections pursuant to Ord. Cal. No. 33,898, also known as the Healthy Homes ordinance, within 30 days of the passage of the ordinance.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/3/23).

ADOPTED.

45. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 33,960 THRU 33,968

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.