

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, July 11, 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
REV. DR. EMANUEL SMITH, JR., PASTOR
ISRAELITE BAPTIST CHURCH

PLEDGE OF ALLEGIANCE TO THE FLAG
KRISTIN GISLESON PALMER
COUNCILMEMBER DISTRICT "C"

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.

1. **APPROVAL OF THE MINUTES** - June 6, 2019 and June 20, 2019.

Annotation:
TO BE APPROVED.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER OF BUSINESS - PRESENTATION - SAM JOFFRAY,
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 - LISA ROMACK,
EXECUTIVE DIRECTOR, NATIONAL ALLIANCE ON MENTAL ILLNESS
(NAMI)**

Brief:
Briefing the Council on Minority Mental Health Awareness
Month.

Annotation:
(*Cm. Giarrusso*).
TO APPEAR.

3. **THIRD ORDER OF BUSINESS - PRESENTATION -**

CONSENT AGENDA

1. COMMUNICATION - FROM 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.

District:

E

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:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 7/25/19*).

2. COMMUNICATION - FROM 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:

9013-15 Peach St.

District:

B

The property owner is requesting a fee reduction of the post demolition fee \$750.00 which is 15% of the building value of \$5,000.00.

NCDAC recommended a Motion to Approve that the fee be reduced.

Motion Passed - it is recommended that the fee reduction be reduced to \$110.00 fee.

Annotation:

MAY BE RECEIVED. (Suggested Hearing Date Set For 7/25/19).

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

Brief:

Submitting an original and two (2) copies of the *Final Administrative Record Chart, 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:

MAY BE RECEIVED.

4. 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") June 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:

MAY BE RECEIVED.

5. **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 documents and a CD containing corrections that were recited by the respective ENO witnesses at the hearing on the merits in this matter, **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.

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

Brief:

Submitting for Council approval amendments to the Classified Pay Plan **(Sewerage and Water Board) New Classification (Utility Continuous Improvement Administrator (Exempt) and Utility Strategic Planning Administrator (Exempt)** as adopted by the Civil Service Commission at its meeting of June 17, 2019, in accordance with Article X, Section 10 of the Constitution of Louisiana.

Annotation:

MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.

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

Brief:

Submitting for Council approval **Amendments to Civil Service Rules** in accordance with Article X, Section 10 of the Constitution of Louisiana, submitting for approval the following adjustments to the Civil Service Rules as adopted by the Civil Service Commission at recent meetings and are outlined below:

Rule IV, Section 2.5 Merit Pay (Changes are underlined and bolded)

(g) Any authorized merit increase an employee received in a classification as a result of the application of this Rule shall be cumulative above his/her base rate as long as it does exceed the maximum pay rate for the job classification.

Annotation:

MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.

8. **COMMUNICATION - FROM JAY BEATMANN, COUNSEL, DENTONS US LLP**

Brief:

Submitting an original and two (2) copies of the *Final Administrative Record Chart (As Corrected)* **In Re:**
Application of ENO for 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:

MAY BE RECEIVED.

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

Brief:

Submitting an original and two copies of Entergy New Orleans, LLC's ("ENO") Objections to the Alliance for Affordable Energy's First Set of Requests for Information, **Re: Resolution & Order Establishing a Docket and Opening Rulemaking Proceeding to Establish Renewable Portfolio Standard.** (Council Docket No. UD-19-01)

Annotation:

MAY BE RECEIVED.

10. **COMMUNICATION - FROM JAY BEATMANN, COUNSEL, DENTON US LLP**

Brief:

Submitting an original and two (2) copies of the *List of Proposed Relevant Issues Submitted by the Advisors to the Council for the City of New Orleans*, **In Re: Smart & Sustainable Cities Initiative for the City of New Orleans.** (CNO Docket No. UD-18-01)

Annotation:

MAY BE RECEIVED.

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

Brief:

Submitting an original and two copies of the Order on Compliance issued by the Federal Energy Regulatory Commission ("FERC" or "Commission") in Docket No. EL01-88-021, as required by La. Pub. Serv. Comm'n v. Entergy Servs., Inc., Opinion No. 561, 163 FERC ¶ 61.116 (2018). This filing provides the final calculation of refunds to Entergy New Orleans, LLC with a principal amount of \$2,899,000 and interest of \$1,681,681 for a total refund amount of \$4,580,681.

Annotation:

MAY BE RECEIVED.

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

Brief:

Submitting pursuant to Council Resolution R-18-353 and the June 3, 2019 Order of the Honorable Jeffrey S. Gulin for further handling an original and two copies of the Stipulated Settlement Term Sheet signed by the parties, in **Re: Application of Entergy New Orleans, LLC for Approval of Renewables Portfolio and Request for Cost Recovery and Related Relief.** (CNO Docket No.: UD-18-06)

Annotation:

MAY BE RECEIVED.

13. **COMMUNICATION - FROM LOGAN A. BURKE, EXECUTIVE DIRECTOR, ALLIANCE FOR AFFORDABLE ENERGY**

Brief:

Submitting an original and two (2) copies of the Alliance for Affordable Energy's List of Relevant Issues, **In Re: INFORMATION GATHERING IN CONNECTION WITH AN INQUIRY INTO REGULATORY AND RELATED MATTERS CONCERNING ELECTRIC VEHICLES AND ELECTRIC VEHICLE CHARGING FACILITIES.** (DOCKET NO. UD-18-01)

Annotation:

MAY BE RECEIVED.

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

Brief:

Submitting on behalf of Air Products and Chemicals, Inc. an original and two copies of the Motion to Extend Deadline for Reply Comments and a Proposed Order, **RE: Resolution and Order Establishing a Docket and Opening a Rulemaking Proceeding to Establish Renewable Portfolio Standards.** (CNO Docket No. UD-19-01)

Annotation:

MAY BE RECEIVED.

15. **COMMUNICATION - FROM JEFFREY D. CANTIN, EV LOUISIANA**

Brief:

Submitting an original and three copies of EV Louisiana's filing in **Re: Docket UD-18-01: Resolution and Order Opening an Inquiry into Establishing a Smart Cities Initiative for the City of New Orleans and Directing Entergy New Orleans LLC to Report with Respect to Matters Related to Grid Modernization.**

Annotation:

MAY BE RECEIVED.

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

Brief:

Submitting for further handling an original and two copies of Entergy New Orleans, LLC's ("ENO") Rebuttal Comments in Response to the Advisors' Comments on ENO's Response to ENO Filing in Prudence Investigation, including the Rebuttal Testimony of Melonie P. Stewart and Tad S. Patella, P.E., with exhibits on CD, **Re: Resolution Directing Entergy New Orleans, Inc. 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.

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

Brief:

Submitting pursuant to Council Resolution R-15-140 an original and two copies of Entergy New Orleans, LLC's ("ENO") calculation of the Lost Contribution to Fixed Costs and Utility Performance Incentive related to Program Year 8 of Energy Smart. **(Resolution R-15-140; Docket No. UD-08-02, UD-17-03)**

Annotation:

MAY BE RECEIVED.

**18. COMMUNICATION - FROM ALAN J. YACOUBIAN, GENERAL COUNSEL,
LOUISIANA RESTAURANT ASSOCIATION**

Brief:

Submitting a correspondence as a formal public comment on behalf of the Louisiana Restaurant Association, Inc. in regards to the Utility, Cable, Telecommunications and Technology Committee ("UCTTC") call for public comments on the proposed Rulemaking Proceeding to Establish Renewable Portfolio Standards, **Re: Our Client: Louisiana Restaurant Association, Inc. Comment to City Council-Renewable Portfolio Standard, . (Docket No. UD-19-01)**

Annotation:

MAY BE RECEIVED.

**19. COMMUNICATION - FROM J. STEPHEN PERRY, PRESIDENT AND CHIEF
EXECUTIVE OFFICER, NEW ORLEANS & COMPANY**

Brief:

Submitting a letter regarding Docket No. UD-19-01 dated March 28, 2019 pursuant to City Council Resolution No. R-19-109 regarding the Council's decision to open a rulemaking docket relative to Renewable Portfolio Standards (RPS) and the concerns that it causes to the Hospitality and Tourism industry. **(Docket No. UD-19-01)**

Annotation:

MAY BE RECEIVED.

**20. COMMUNICATION - FROM MARJORIANNA WILLMAN, HOUSING PROGRAM
DIRECTOR, OFFICE OF THE MAYOR**

Brief:

Submitting a copy of the approved 2020 Budget for Neighborhood Housing Improvement Fund (NHIF) as approved by the Neighborhood Housing Advisory Committee (NHAC) on June 25, 2019 required by Section 70-415.3 of city ordinance 027968 adopted on December 20, 2018, which require that a public hearing be convened and that recommendations for the following year be developed by the advisory committee be submitted to the Mayor, CAO and the Clerk of Council on or before July 1st of each year.

Annotation:

MAY BE RECEIVED.

21. COMMUNICATION - FROM 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:

1304-1306 Deslonde St.

District:

E

This property is seeking approval to renovate the front façade.

NCDAC recommended a Motion to approve the renovation of the façade.

Motion Passed - it is recommended that the property may renovate the front façade.

Annotation:

MAY BE RECEIVED.

22. COMMUNICATION - FROM 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:

1423-25 Lamanche St.

District:

E

Annotation:

MAY BE RECEIVED.

23. COMMUNICATION - FROM 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:

Address:

2139 Painters St.

District:

D

Annotation:

MAY BE RECEIVED. (*Suggested Hearing Date Set For 7/25/19*).

24. COMMUNICATION - FROM BRIAN L. GUILLOT, VICE PRSIDENT, REGULATORY AFFAIRS, ENTERGY NEW ORLEANS, LLC

Brief:

Submitting an original and two copies of the report detailing the Regulated Utilities' proportionate share of the consolidated total Entergy's assets, operating and maintenance expenses" for the quarter ended March 31, 2018, applicable to Entergy's Non-Regulated Investments dated April 10, 1998 and filed with the Securities and Exchange Commission, **RE: Council Resolution R-98-187; Rule 53 Settlement Agreement.**

Annotation:

MAY BE RECEIVED.

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

Brief:

Submitting pursuant to Council Resolution R-13-162, Entergy New Orleans, LLC's ("ENO") quarterly accounting report to the City Council listing the receipt, accrued interest and monthly balance of funds related to the annual Rough Production Cost Equalization Adjustment ("RPCEA") filings required by FERC Opinion Nos. 480 and 480-A. This report has been revised to include data from all RPCEA funds held by ENO, including funds associated with FERC Remand calculations.

Annotation:

MAY BE RECEIVED.

**26. REPORT - OF THE EXECUTIVE DIRECTOR OF THE NEW ORLEANS CITY
PLANNING COMMISSION**

Brief:

Recommending "**denial**" of the appeal for a Short Term Rental Interim Zoning District for property located at **1805 Hollygrove Street. (DR NO. 55/19)**

Annotation:

**MAY BE RECEIVED. (Suggested Hearing Date Set For 7/25/19).
(Need letter from applicant).**

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

Brief:

Transmitting Zoning Docket Numbers 53/19 - Cm. Gisleson Palmer, 59/19 - Cm. Banks, 60/19 - Cm. Brossett, Cm. Deadline 9/9/19 and 2019 SHORT TERM RENTAL STUDY - Request by City Council Motion M-19-6 for the City Planning Commission to conduct a public hearing and study on possibility of special programs or conditions that would allow for the issuance of two or more Residential Short Term

Rental licenses to a single license holder to incentivize economic development in certain areas of the city, without imposing secondary effects relative to its residential fabric. The CPC will consider and recommend the following provisions including but not limited to:

- The creation of an Economic Development Incentive STR Zone, possibly to be created as an overlay zoning district;
- The size of any such zone;
- The cap on the total number of Residential STR licenses within any such zone;
- The cap on the number of Residential STR licenses per owner within any such zone; and
- The possibility of a "grandfather" provision to allow any existing or prior Temporary or Commercial license holders whose license lapsed during the Short Term Rental Interim Zoning District effectiveness to regain one or more licenses for use in the Economic Development Incentive STR Zone. The City Planning Commission APPROVED transmittal of the Study to the City Council. (Cn. Deadline N/A)

Annotation:

MAY BE RECEIVED. *(Suggested Hearing Date Set For 7/25/19).*

28. **CAL. NO. 32,662 - BY: COUNCILMEMBERS BROSSETT, NGUYEN AND WILLIAMS (BY REQUEST)**

Brief:

An Ordinance to rename the Youth Study Center, located at 1100 Milton Street, the Juvenile Justice Intervention Center; and otherwise to provide with respect thereto.

Annotation:

*(Council Rule 34. Postponement: 9/6/19).
(Referred to the Criminal Justice Committee).
(Criminal Justice Committee recommended approval).*

29. CAL. NO. 32,680 - 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 transfer state grant funds received by the Department Health to the Mosquito, Termite, & Rodent Control Board for the Enhanced Laboratory Capacity Grant to increase the capacity of the City of New Orleans to prevent and respond to Zika virus transmission; and otherwise to provide with respect thereto.

Annotation:

(Fiscal Note received).

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

(Technical Correction Needed).

(Referred to the Budget Committee).

(Budget/Audit/Bor Committee recommended approval).

30. CAL. NO. 32,683 - 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 funds from the state to purchase security devices for the Real Time Crime Monitoring Center.

Annotation:

(Fiscal Note received).

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

(Referred to the Budget Committee).

(Budget/Audit/Bor Committee recommended approval).

31. CAL. NO. 32,684 - 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 funds from the state to purchase security devices for the Real Time Crime Monitoring Center.

Annotation:

(Fiscal Note received).

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

(Referred to the Budget Committee).

(Budget/Audit/Bor Committee recommended approval).

32. 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).

33. CAL. NO. 32,690 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to effect a zoning change from an S-RS Suburban Single-Family Residential District to an S-RD Suburban Two-Family Residential District, on Square J-2, Lot 20, Victory Plaza Annex, in the Fifth Municipal District, bounded by Jo Ann Place, Lawrence Street, Southlawn Boulevard, and Magellan Street (Municipal Addresses: 1612-1614 Jo Ann Place); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 42/19)**

Annotation:

(90 Days, Cn. Deadline 8/21/19).
(Cn. Deadline 8/8/19).

34. CAL. NO. 32,695 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to effect a zoning change from an HMR-3 Historic Marigny/Tremé/Bywater Residential District to an HMC-1 Historic Marigny/Tremé/Bywater Commercial District, on portion of Square 131, in the Third Municipal District, bounded by Chartres Street, France Street, Mazant Street, and Royal Street (Municipal Addresses: 4100-4114 Royal Street, 601-621 Mazant Street, and 600-620 France Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 31/19)**

Annotation:

(90 Days, Cn. Deadline 8/21/19).
(Cn. Deadline 8/8/19).

35. CAL. NO. 32,696 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to provide for the establishment of a Conditional Use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 733, portion of Lots 4 and 5, in the Third Municipal District, bounded by Louisa Street, North Claiborne Avenue, Clouet Street, and North Derbigny Street (Municipal Addresses: 1600-1602 Louisa Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 43/19)**

Annotation:

*(90 Days, Cn. Deadline 8/21/19).
(Cn. Deadline 8/8/19).*

36. CAL. NO. 32,697 - 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 Housing and Environment Improvement Proprietary Funds from Intergovernmental Transfers to the Law Department, Adjudication Program and the Office of Communication, Code Enforcement Revolving Fund Program.

Annotation:

**(Council Rule 34. Postponement: 10/18/19).
(Budget/Audit/Bor Committee recommended approval).**

37. CAL. NO. 32,698 - 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 Housing and Environment Improvement Proprietary Funds from Intergovernmental Transfers to the Law Department, Adjudication Program and the Office of Communication, Code Enforcement Revolving Fund Program.

Annotation:

*(Council Rule 34. Postponement: 10/18/19).
(Budget/Audit/Bor Committee recommended approval).*

38. CAL. NO. 32,699 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend Ordinance No. 23,206 MCS (Zoning Docket 47/08, which established a Residential Planned Community (RPC) District to permit a mixed-use development including multiple dwellings and commercial space), to remove the subject property from the RPC District. The applicant also requests a new conditional use to allow the subject property to be used as an off-site parking lot providing off-street parking spaces required by Ordinance No. 22,714 MCS (Zoning Docket 20/07) for an existing medical clinic/hospital at 1701-1717 Saint Charles Avenue. The subject property is located in an HU-RM2 Historic Urban Multi-Family Residential District, on Square 207, Lot AB-3, in the First Municipal District, bounded by Robert C. Blakes, Sr. Drive, Polymnia Street, Felicity Street, and Saint Charles Avenue (Municipal Addresses: 1734-1750 Robert C. Blakes, Sr. Drive, 1632-1642 Polymnia Street, and 1637 Felicity Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 36/19)**

Annotation:

*(90 Days, Cn. Deadline 9/4/19).
(Cn. Deadline 8/22/19).*

39. CAL. NO. 32,703 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to effect a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-RM2 Historic Urban Multi-Family Residential District, on Square 646, portion of an undesignated lot (elsewhere identified as Lots 6, 7, and 13 or Lots 5, 6, and 7), in the Third Municipal District, bounded by North Robertson Street, Franklin Avenue, Painters Street, North Claiborne Avenue, and Arts Street (Municipal Addresses: 2515 North Robertson Street, 1525 Arts Street, and 2518 North Claiborne Avenue). The approximate area to be rezoned is designated as: A certain piece or portion of ground, together with all the building and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of Orleans, third district, square 646, bounded by North Robertson Street, Arts Street, North Claiborne Avenue, Painters Street and Franklin Avenue, and more fully described as follows: Begin at the intersection of the northerly right-of-way line of North Robertson Street and the easterly right-of-way line of Arts Street; measure thence along said easterly line in a northerly direction on an interior angle of 89°59'00" a distance of 159 feet, 11 inches, 2 lines to a point; measure thence in an easterly direction on an interior angle of 90°00'30" a distance of 145 feet, 5 inches, 1 line to a point; measure thence in a southerly direction on an interior angle of 89°59'30" a distance of 159 feet, 11 inches, 0 lines to a point on the northerly right of way line of North Robertson Street; measure thence along said northerly line in a westerly direction on an interior angle of 90°01'00" a distance of 145 feet, 5 inches, 1 line to a point on the easterly right-of-way line of Arts Street, the point of beginning; and otherwise to provide with respect thereto. **(ZONING DOCKET NO 37/19)**

Annotation:

(90 Days, Cn. Deadline 8/7/19).

(Cn. Deadline 7/25/19).

40. MOTION - NO. M-19-257 - BY: COUNCILMEMBERS BROSETT,
MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

Brief:

Approving the amendment to the Classified Pay Plan (**Sewerage and Water Board**), **New Classification: Utility Human Resources Administrator (Exempt)** as adopted by the Civil Service Commission at its meeting on May 31, 2019 in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective July 11, 2019.

Annotation:

*(Council Rule 34. Postponement: 11/8/19).
(Budget/Audit/Bor Committee recommended approval).*

41. MOTION - NO. M-19-258 - BY: COUNCILMEMBERS BROSETT,
MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

Brief:

Approving the amendments to the Classified Pay Plan (**Safety and Permits**), **Construction Classifications Hiring Rates** and **Taxicab Classifications Hiring Rates** as adopted by the Civil Service Commission at its meeting on May 31, 2019 in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective July 11, 2019.

Annotation:

*(Council Rule 34. Postponement: 11/8/19).
(Budget/Audit/Bor Committee recommended approval).*

42. MOTION - NO. M-19-259 - BY: COUNCILMEMBERS BROSETT,
MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

Brief:

Approving the amendment to the Classified Pay Plan (**Chief Administrative Office**), **Special Rate Pay (Innovation Stipend)** as adopted by the Civil Service Commission at its meeting on May 31, 2019 in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective July 11, 2019.

Annotation:

*(Council Rule 34. Postponement: 11/8/19).
(Budget/Audit/Bor Committee recommended approval).*

43. MOTION - M-19-262 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Zhen (Stanley) Su (representing the Asian Chamber of Commerce), as a member of the Economic Development Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on December 31, 2019.

Annotation:

*(Council Rule 34. Postponement 11/8/19).
(Governmental Affairs Committee recommended approval).*

44. MOTION - M-19-263 - BY: COUNCILMEMBER MORENO

Brief:

Ratifying, confirming and approving the appointment of F. Clayton Latimer, nominee of the Council President, 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:

*(Council Rule 34. Postponement 11/8/19).
(Governmental Affairs Committee recommended approval).*

45. MOTION - M-19-264 - BY: COUNCILMEMBER BROSSETT

Brief:

Ratifying, confirming and approving the appointment of Tonia Moore, as a member of the Felicia Kahn Equal Pay Advisory Committee representing District D, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

*(Council Rule 34. Postponement 11/8/19).
(Governmental Affairs Committee recommended approval).*

46. MOTION - M-19-265 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Stephen Namisnak (fulfilling a vacancy), as a member of the Neighborhood Housing Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on December 31, 2019.

Annotation:

*(Council Rule 34. Postponement 11/8/19).
(Governmental Affairs Committee recommended approval).*

47. MOTION - M-19-266 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Delisha Boyd (nominated by Senator Troy Carter, representing District C, vice Tyrone Jefferson, Jr., term ending June 11, 2019), as a member of the New Orleans Redevelopment Authority Board of Commissioners, effective upon approval by the Council of the City of New Orleans, for a term ending on June 11, 2024.

Annotation:

*(Council Rule 34. Postponement 11/8/19).
(Governmental Affairs Committee recommended approval).*

48. MOTION - M-19-267 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Mary A. Sheehan (the nominee of Representative Jimmy Harris, representing Louisiana House District 99, fulfilling the unexpired term of Nicole Heyman, initial term ending on June 30, 2021), as a member of the New Orleans Redevelopment Authority Board of Commissioners, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2021.

Annotation:

(Council Rule 34. Postponement 11/8/19).

(Governmental Affairs 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 #2016-1883; 313-321 Magazine Street, Urban Magazine Street Hotel, LLC

Annotation:

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

1b. RESOLUTION - NO. R-19-260 - COUNCILMEMBER BANKKS

Brief:

Approving the participation of municipal address **313-321 Magazine Street** owned by **Urban Magazine Street Hotel LLC**, in the Property Tax Abatement Program. **(RTA #2016-1883)**

Annotation:

(Council Rule 34. Postponement 11/8/19).

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

1. **NCDAC APPEAL - FROM 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.

District:

B

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).

2. **HDLC APPEAL - FROM JOSEPHINE CANGELOSI**

Brief:

Requesting to appeal the New Orleans Historic District Landmarks Commission's decision of "**denial**" for demolition of the property located at **1547 Leda Street**.

Annotation:

(Cm. Giarrusso, Cn. Deadline 8/4/19).

3. **VCC APPEAL – FROM BRIAN M. BÉGUÉ, BRIAN OR MAX BÉGUÉ, CARETAKERS PROPERTIES**

Brief:

Requesting to appeal the Vieux Carré Commission's (VCC) decision of "**denial**" of replacing wooden siding with hardy plank for the property located at **835-37 Orleans Avenue**.

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline 7/21/19).
ON DEADLINE.

4. **ZONING DOCKET 41/19 – CITY COUNCIL MOTION NO. M-19-73**

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 18, including Sections 18.13.B.3 "RIV-3 Bywater Sub-District", 18.13.H.2 "Building Heights", 18.13.H.4 "Density Bonus and Height Limit Increase", 18.13.I.2 "Building Heights", and 18.13.I.4 "Density Bonus and Height Limit Increase", to be modified as follows:

18.13.B.3 – RIV-3 Bywater Sub-District

The RIV-3 Bywater Sub-District applies to all lots, excluding those developed with single-family or two-family dwellings, in the area bounded by the Mississippi River, the Inner Harbor Navigation Canal, a line extending from the centerline of Chartres Street between Poland Avenue and the center of the Inner Harbor Navigation Canal, Chartres Street, Montegut Street, Dauphine Street, the center line of Homer Plessy Way, and a line from Homer Plessy Way to the Mississippi River.

18.13.H.2 – Building Heights

a. Stepbacks

i. Properties with street frontage located along Chartres Street between Press Street and Desire Street are permitted a maximum building height of forty (40) feet with a maximum of three (3) stories along that street frontage. Any additional height above forty (40) feet shall be setback from the front property line at

Chartres Street at a minimum distance of two (2) feet for every one (1) foot above forty (40) feet.

- ii. A property that qualifies for the density bonus and height limit increase of Article 18, Section 18.13.H.4 may extend the height of the building up to seventy-five (75) feet and 6 stories, but the additional height shall be setback from the Chartres Street frontage a minimum distance of two (2) feet for every one (1) foot in height.
- iii. Development sites with more than one-hundred (100) feet of frontage along Chartres Street may increase a portion (up to thirty-five percent (35%) of its primary street frontage) of their building height, to a maximum of fifty-five (55) feet with a maximum four (4) stories.
- b. Flat roofed structures should provide an adequately-sized parapet in order to mitigate the sight of rooftop equipment.
- c. Where provided as accessory flat roof features, open spaces located on roofs shall be excluded from the calculation of building height and gross floor area in accordance with Section 21.6.0.

18.13.H.4 - Density Bonus and Height Limit Increase

Eligible projects incorporating the following elements may qualify for consideration of an increase in height and/or density. Qualifying developments shall be entitled to the following: (i) an increase in the height limit up to two (2) stories, up to a maximum height of seventy-five (75) feet, (ii) an increase of an additional 1.0 FAR above the maximum FAR permitted in the underlying zoning district, and (iii) the elimination of any Minimum Lot Area per dwelling unit requirement applicable in an underlying zoning district.

To be eligible for consideration, developments must include all of the following:

- a. At least ten percent (10%) of dwelling units shall be reserved as affordable for households with incomes equal to or below eighty percent (80%) of area median income (AMI), with at least half of such affordable dwelling units containing two (2) or more bedrooms. The

development shall maintain the reserved affordable dwelling units for a period of at least fifty (50) years. The affordable dwelling units shall be located within the same structure as the market-rate dwelling units in the development, shall be comparable to market-rate dwelling units in the development in terms of exterior design and finishes, and shall not be concentrated in any one area of the development.

- b. All applications requesting a development bonus for providing affordable housing shall include an Affordable Housing Impact Statement (AHIS) with the application. The AHIS shall provide the following information:
 - i. The number of units added at the Area Medium Income Levels (AMI) at or below 80%, 50%, and 30%.
 - ii. The number of units removed at the Area Medium Income Levels at or below 80%, 50%, and 30%.
 - iii. The bedroom mix of the units to be added or removed (1, 2, 3, 4, etc. bedrooms).
 - iv. The total number of units added and total number of units removed.

18.13.I.2 - Building Heights

- a. Stepbacks
 - i. Properties with street frontage located along Decatur Street between Elysian Fields Avenue and Saint Ferdinand Street, and street frontage on Chartres Street between Saint Ferdinand and Press Street, are permitted a maximum building height of forty (40) feet with a maximum of three (3) stories along the Decatur Street or Chartres Street frontage. Any additional height above forty (40) feet shall be setback from the front property line at Decatur Street or Chartres Street at a minimum distance of fifty (50) feet.
 - ii. A property that qualifies for the density bonus and height limit increase of Article 18, Section 18.13.I.4 may extend the height of the building up

to seventy-five (75) feet and 6 stories, but the additional height shall be setback a minimum distance of fifty (50) feet from the Decatur Street or Chartres Street frontage. The sixth story of all buildings in this sub district shall also be setback from all public right of ways a minimum of one (1) foot for every one (1) foot in height.

- iii. Development sites with more than one-hundred (100) feet of frontage along Decatur Street or Chartres Street may increase a portion (up to thirty-five percent (35%) of its primary street frontage) of their building height, to a maximum of fifty-five (55) feet with a maximum four (4) stories.
- b. Flat roofed structures should provide an adequately-sized parapet in order to mitigate the sight of rooftop equipment.
- c. Where provided as accessory flat roof features, open spaces located on roofs shall be excluded from the calculation of building height and gross floor area in accordance with Section 21.6.0.

18.13.I.4 - Density Bonus and Height Limit Increase

Eligible projects incorporating the following elements may qualify for consideration of an increase in height and/or density. Qualifying developments shall be entitled to the following: (i) an increase in the height limit up to two (2) stories, up to a maximum height of seventy-five (75) feet, (ii) an increase of an additional 1.0 FAR above the maximum FAR permitted in the underlying zoning district, and (iii) the elimination of any Minimum Lot Area per dwelling unit requirement applicable in an underlying zoning district.

To be eligible for consideration, developments must include all of the following:

- a. At least ten percent (10%) of dwelling units shall be reserved as affordable for households with incomes equal to or below eighty percent (80%) of area median income (AMI), with at least half of such affordable dwelling units containing two (2) or more bedrooms. The development shall maintain the reserved affordable dwelling units for a period of at least fifty (50) years. The affordable dwelling units shall be located

within the same structure as the market-rate dwelling units in the development, shall be comparable to market-rate dwelling units in the development in terms of exterior design and finishes, and shall not be concentrated in any one area of the development.

- b. All applications requesting a development bonus for providing affordable housing shall include an Affordable Housing Impact Statement (AHIS) with the application. The AHIS shall provide the following information:
 - i. The number of units added at the Area Medium Income Levels (AMI) at or below 80%, 50%, and 30%.
 - ii. The number of units removed at the Area Medium Income Levels at or below 80%, 50%, and 30%.
 - iii. The bedroom mix of the units to be added or removed (1, 2, 3, 4, etc. bedrooms).
 - iv. The total number of units added and total number of units removed.

The proposed text changes would apply to the applicable areas outlined within the RIV Riverfront Design Overlay District. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline (8/5/19)).

5. **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).

6. **ZONING DOCKET 47/19 - ROBYN C. HALVORSON**

Brief:

Requesting a text amendment to Article 10, Section 10.2.A (Table 10-1) of the Comprehensive Zoning Ordinance to classify "tattoo parlor" as a permitted use in the HMC-2 Historic Marigny/Tremé/Bywater Commercial District. The proposed text amendment would affect regulations that are applied to all HMC-2 Historic Marigny/Tremé/Bywater Commercial Districts. The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

Annotation:

(Cms. Gisleson Palmer and Brossett, Cn. Deadline 8/19/19).

7. **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).

8. **ZONING DOCKET 49/19 - CITY COUNCIL MOTION NO M-19-115**

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to reflect certain recommendations stemming from the HR&A New Orleans Housing Study, completed in connection with Zoning Docket 112/18, to contemplate enforcement, and the following relative to the City's Affordable Housing initiatives:

- Density Bonuses;
- Parking Reduction; and
- Payments in Lieu of Compliance

The proposal includes text changes that would apply to all properties located within a designated MIZ Mandatory Inclusionary Zoning (MIZ) District. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

(All Cms., Cn. Deadline (8/5/19)).

9. 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)).

10. ZONING DOCKET 51/19 – MINH V. NGUYEN

Brief:

Requesting a conditional use to permit the retail sale of packaged 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**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to two (2) provisos.

Annotation:

(Cm. Banks, Cn. Deadline (8/5/19)).

11. ZONING DOCKET 52/19 - MILTON J. GAUTREAUX AND MARIO C. MARTINEZ

Brief:

Requesting a conditional use to permit a standard restaurant in an 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**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to nine (9) provisos.

Annotation:

(Cm. Banks, Cn. Deadline (8/5/19)).

12. ZONING DOCKET 54/19 - JGG LUCAS FAMILY, LLC

Brief:

Requesting a conditional use to permit a community facility in an HMR-2 Historic Marigny/Tremé/Bywater Residential District and an RDO-2 Residential Diversity Overlay District, on Square 638, Lot 2 or C, in the Third Municipal District, bounded by Touro Street, North Claiborne Avenue, North Robertson Street, and Frenchmen Street (Municipal Address: **1511 Touro Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to ten (10) provisos.

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline (8/5/19)).

13. ZONING DOCKET 58/19 - CITY COUNCIL MOTION NO. M-19-151

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to:

- Reclassify "Stormwater Management (Principal Use)" from a conditional use to a permitted use in the following districts:
 - R-RE Rural Residential Estate District - Article 8, Section 8.2 "Uses - Table 8-1 Permitted and Conditional Uses";
 - HMC-1, HMC-2 and HU-MU Historic Marigny/Treme/Bywater Commercial and Mixed-Use Districts - Article 10, Section 10.2 "Uses - Table 10-1 Permitted and Conditional Uses";
 - HU-RS, HU-RD-1, HU-RD2, HU-RM1 and HU-RM2 Historic Urban Neighborhood Residential Districts - Article 11, Section 11.2 "Uses - Table 11-1 Permitted and Conditional Uses";
 - HU-B1A, HU-B1 and HU-MU Historic Urban Neighborhood Non-Residential Districts - Article 12, Section 12.2 "Uses - Table 12-1 Permitted and Conditional Uses";
 - S-RS, S-RD, S-RM1, S-RM2, S-LRS1, S-LRS2, S-LRS3, S-LRD1, S-LRD2, S-LRM1 and S-LRM2 Suburban Neighborhood Residential Districts - Article 13, Section 13.2 "Uses - Table 13-1 Permitted and Conditional Uses";
 - S-B1, S-B2, S-LB1, S-LB2, S-LC, S-LP, S-MU Suburban Neighborhood Non-Residential Districts - Article 14, Section 14.2 "Uses - Table 14-1 Permitted and Conditional Uses";
 - C-1, C-2, C-3, MU-1, MU-2, EC, MC, MS, LS Commercial Center and Campus Districts - Article 15, Section 15.2 "Uses - Table 15-1 Permitted and Conditional Uses";
 - LI, HI, MI, BIP Centers for Industry Districts -

Article 16, Section 16.2 "Uses - Table 16-1 Permitted and Conditional Uses";

- Classify "Stormwater Management (Principal Use)" as a permitted use in the following districts, where currently not authorized:
 - o OS-N Neighborhood Open Space District - Article 7, Section 7.2 "Uses - Table 7-1 Permitted and Conditional Uses"; and
 - o S-LM Lake Area Marina District - Article 14, Section 14.2 "Uses - Table 14-1 Permitted and Conditional Uses";
- and to otherwise provide for with respect thereto.

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

Annotation:
(Cms. All, Cn. Deadline 8/19/19).

14. 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).
(Council Rule 34. Postponement: 10/4/19).
(Referred to the Budget Committee).

15. 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).

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

(Referred to the Budget Committee).

16. CAL. NO. 32,686 - BY: COUNCILMEMBER GISLESON PALMER AND GIARRUSSO

Brief:

An Ordinance to extend the effectiveness of Ordinance No. 27,898 M.C.S., establishing the "Short Term Rental Interim Zoning District," which temporarily prohibits the issuance or renewal of certain types of Short Term Rental permits or licenses while the City Planning Commission and City Council consider revisions to the existing Short Term Rental provisions of the Comprehensive Zoning Ordinance of the City of New Orleans; and to otherwise provide with respect thereto.

Annotation:

Technical Correction Needed.

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

17. CAL. NO. 32,688 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve and authorize the Mayor of the City of New Orleans ("City"), acting by and through the New Orleans Aviation Board ("NOAB"), to enter into two (2) Right-of-Way servitudes with Entergy Louisiana, LLC ("Contractor"); and otherwise to provide with respect thereto.

Annotation:

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

18. CAL. NO. 32,689 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve and authorize the Mayor of the City of New Orleans ("City"), acting by and through the New Orleans Aviation Board ("NOAB"), to enter into a Lease Amendment at Louis Armstrong New Orleans International Airport, with Sure Logix, LLC; and otherwise to provide with respect thereto.

Annotation:

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

19. 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).

20. CAL. NO. 32,692 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to establish the Ferry Advisory Committee to provide advice, feedback, guiding principles, policies, and subject matter expertise to the Council of the City of New Orleans on matters relating to ongoing operations and proposed improvements to the New Orleans Regional Transit Authority's ferry boats and terminals; and otherwise to provide with respect thereto.

Annotation:

*(Council Rule 34. Postponement: 10/4/19).
(Referred to the Transportation and Airport Committee).
(Transportation and Airport Committee recommended approval).*

21. 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).

22. CAL. NO. 32,701 - BY: COUNCILMEMBERS BROSSETT, BANKS, 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:

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

23. CAL. NO. 32,704 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance to amend and reordain Article XIII of Chapter 30 of the Code of Ordinances of the City of New Orleans, to establish regulations and requirements for operation of Nursing Homes, as defined by state law, in preparation for and during an emergency; to establish licenses, requirements, fees, fines, and penalties relative thereto; and to otherwise provide with respect thereto.

Annotation:

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

24. 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.**

25. MOTION (LYING OVER) - NO. M-19-244 - BY: COUNCILMEMBER WILLIAMS

Brief:

Requesting and authorizing the President of the Council to sign an amendment to the Agreement extending the term of the Agreement for one year, authorizing up to One Hundred Seventy Thousand (\$170,000.00) Dollars in compensation during the renewal term, providing for the assignment of the Agreement, and containing such other provisions as may be necessary or desirable to accomplish the purposes of this Motion.

Annotation:

**(Referred to the Criminal Justice Committee).
(Council Rule 34. Postponement: 10/4/19).**

Per Rule 10, Note B, given that the vote was not unanimous, being:

Councilmember Williams:	Yea
Councilmember Moreno:	Yea
Councilmember Nguyen:	Nay
Councilmember Banks:	Absent
Councilmember Gisleson Palmer:	Absent

Yea: 2, Nay: 1

This item is to be placed on the Regular Agenda, with the votes noted, as required by Rule 38 A (6)

26. MOTION - NO. M-19-255 - BY: COUNCILMEMBER BANKS

Brief:

Approving the following disbursement, pursuant to the lease agreement of the Jazz Casino Company, LLC, with the City of New Orleans, subject to the availability of the funds:

OPSB

Therapeutic Programs	\$	1,207,507
Truancy Prevention	\$	1,067,844
Services for Court-Involved Youth	\$	1,012,500
Total August Allocation	\$	3,287,851

Annotation:

(Council Rule 34. Postponement: 11/8/19).

27. MOTION - NO. M-19-256 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Reauthorizing the Environmental Advisory Committee from September 6, 2019 through December 31, 2019.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

28. MOTION - NO. M-19-261 - BY: COUNCILMEMBERS GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

Nominating and electing Councilmember Jay H. Banks to service as acting Chairperson of the Council until the return of the President or Vice President of the Council in accordance with Rule 4 of the Council Rules and Regulations.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

29. **MOTION - NO. M-19-268 - BY: COUNCILMEMBERS BANKS, NGUYEN AND BROSSETT (BY REQUEST)**

Brief:

Announcing the Council's intention to consider at its meeting to be held in the Council Chamber, City Hall, 1300 Perdido Street, New Orleans, Louisiana, beginning at 10:00 a.m., Thursday, **August 8, 2019**, adoption of a resolution authorizing the calling of an election at which the voters of the City of New Orleans will be asked to authorize the levy of an occupancy tax on short term rentals of overnight lodging in the City; pursuant to Louisiana Revised Statute 42:19.1, as amended.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

30. **MOTION - NO. M-19-269 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN**

Brief:

Reauthorizing the Neighborhood Conservation District Advisory Committee for an additional year commencing July 1, 2019 through June 30, 2020.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

31. **MOTION - NO. M-19-270 - BY: COUNCILMEMBER NGUYEN**

Brief:

Waiving all permit partial fees relative to the "NORDC Facility Rental Fee" for the event associated with the Community Development Corporation's "Annual Back to School Drive" on Saturday, July 20, 2019 at DiBendetto Playground; 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: 11/8/19).

32. RESOLUTION - NO. R-19-271 - BY: COUNCILMEMBER NGUYEN

Brief:

Condemning the immigration policies of the Trump Administration relative to the inhumane detention of migrants and, in particular, the separation and isolation of migrant children.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

33. MOTION - NO. M-19-272 - BY: COUNCILMEMBER NGUYEN

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a map amendment to Ordinance No. M.C.S. 4264, as amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, from an S-RD two-family residential district to an S-RM1 multi-family zoning district, on square 4, lot 21, and granting the flexibility to make all appropriate changes to the proposed regulations and any existing corresponding regulations in the Comprehensive Zoning Ordinance to establish consistency and continuity with the format of the existing zoning code, to add references as customary, needed and or appropriate, to make the appropriate adjustments to clarify any ambiguities or mistakes, and make adjustments deemed necessary in light public testimony resulting from this review, municipal address being **6859 E. Coronet Court.**

Annotation:

(Council Rule 34. Postponement: 11/8/19).

34. MOTION - NO. M-19-273 - BY: COUNCILMEMBERS MORENO AND GIARRUSSO

Brief:

Determining that the Competitive Selection process is exempted, pursuant to Rule 42, finding an exception exists with regard to the retainer of legal services to appeal the July 3 Judgment in *The Southern Center for Environmental Justice, Inc., et al. v. The Council of the City of New Orleans, et al.*, C.D.C. Case No. 18-3843.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

35. MOTION - NO. M-19-274 - BY: COUNCILMEMBER BANKS

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a conditional use for the retail sale of packaged alcoholic beverages and for a bar in a cultural facility (museum) located in a CBD-2 Zoning District, on Square 169, Lot CC, in the First Municipal District, bounded by Canal Street, Magazine Street, Camp Street, and Common Street and granting the flexibility to make all appropriate changes relative to the request to ensure consistency and continuity and to make needed and/or appropriate adjustments deemed necessary. The municipal address being **101 Magazine Street**. The NPP requirements associated with this application are waived. Fees associated with this application are not waived.

Annotation:

(Council Rule 34. Postponement: 11/8/19).

36. ORDINANCES ON FIRST READING