

# **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, October 3, 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**

**MR. GLENN DAVID ANDREWS**

**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** - September 5, 2019 and September 19, 2019.

**Annotation:**  
**TO BE APPROVED.**

## **SPECIAL ORDERS OF BUSINESS**

1. **FIRST ORDER OF BUSINESS - PRESENTATION - DR. JENNIFER AVENGO, DIRECTOR, HEALTH DEPARTMENT, DR. DENISE ROUBION-JOHNSON, CLINICAL DIRECTOR FOR LOUISIANA BREAST & CERVICAL CANCER; DR. DWIGHT MCKENNA, CORONER, CITY OF NEW ORLEANS; SENATOR DIANA F. BAJOE (RETIRED), FORMER COUNCILMEMBER FOR DISTRICT "B" & COMMUNITY RELATIONS DIRECTOR LSU HEALTH & SCIENCES CENTER; LISA W. PLUNKETT, SUSAN G. KOMEN NEW ORLEANS AFFILIATE; DONYEL BOCAGE, FOUNDER & DIRECTOR SCOTT ELI JACKSON FOUNDATION (ASSISTING SURVIVORS OF BREAST AND PANCREATIC CANCER); LISA MCKENZIE, FOUNDER OF YOU NIGHT (HELPING WOMEN EMBRACE LIFE BEYOND CANCER); NOPD DETECTIVE SHONNDELL FIELDS, 7TH DISTRICT; NOPD POLICE SERGEANT, RETIRED, AND BREAST CANCER SURVIVOR, BECKY BENELLI; AND CHIEF COREY RAYFORD, BLACK FEATHER MARDI GRAS INDIANS**

**BREAST CANCER HONOREES: CM. WILLIAMS - GWENDOLYN RAYFORD WILLIAMS, CM. MORENO - FRAN LOVE, CM. GIARRUSSO - LESLIE MARSH, CM. BANKS - BETH LASKY, CM. GISLESON PALMER - CAROL OSBOURNE, CM. BROSSETT - JUDGE PAULA BROWN AND CM. NGUYEN - CYNTHIA PRATHER**

**Brief:**

Recognition of various medical professionals, support organizations, and service agencies for their community involvement and engagement during Breast Cancer Awareness Month.

**Annotation:**  
**(Cms. All).**  
**TO APPEAR.**

2. SECOND ORDER OF BUSINESS

3. THIRD ORDER OF BUSINESS

**CONSENT AGENDA**

1. COMMUNICATION - FROM LOGAN BURKE, EXECUTIVE DIRECTOR,  
ALLIANCE FOR AFFORDABLE ENERGY

**Brief:**

Submitting an original and two (2) copies of the Alliance  
for Affordable Energy's comments, **In Re: 2018 TRIENNIAL  
INTEGRATED RESOURCE PLAN OF ENTERGY NEW ORLEANS, INC.**  
(Docket No. UD-17-03)

**Annotation:**

MAY BE RECEIVED.

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

**Brief:**

Submitting an original and two (2) copies of the *Utility  
Advisors' Report Submitted Pursuant to City Council  
Resolution No. R-18-536, In Re: Smart & Sustainable Cities  
Initiative for the City of New Orleans.* (CNO Docket No. UD-  
18-01)

**Annotation:**

MAY BE RECEIVED.

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

**Brief:**

Submitting for further handling an original and two copies of Entergy New Orleans, LLC's ("ENO") September 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, pursuant to Council Resolution R-19-78.

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

**Annotation:**

**MAY BE RECEIVED.**

5. **COMMUNICATION - FROM JOHNESE SMITH**

**Brief:**

Requesting to address the Council (majority) regarding homeless outreach in the downtown/sub areas of New Orleans.

**Annotation:**

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

6. COMMUNICATION - FROM ELIZABETH GALANTE, SENIOR VICE  
PRESIDENT OF BUSINESS DEVELOPMENT, POSIGEN, LLC

**Brief:**

Submitting to be filed into the record the Letter Clarifying  
Position from Joint Statement submitted on September 23,  
2019. (*CNO Docket No. UD-19-01*)

**Annotation:**

MAY BE RECEIVED.

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

**Brief:**

Recommending "*modified approval*" of the request to permit a  
Motor Vehicle Operations Facility relative to a change in  
non-conforming use from Light Manufacturing to a Parking  
Structure (Principal Use) for bus storage for property  
located at **414 N. Roman Street (DR #159/19)**

**Annotation:**

MAY BE RECEIVED.

8. REPORT - OF THE EXECUTIVE DIRECTOR OF THE NEW ORLEANS  
HISORIC DISTRICT LANDMARKS COMMISSION|CENTRAL BUSINESS  
DISTRIC HISTORIC DISTRICT LANDMARKS COMMISSION

**Brief:**

Submitting a report detailing an appeal of the New Orleans  
Historic District Landmarks Commission's decision of  
"*denial*" of an application to demolish property located at  
**7508-10 Freret Street.**

**Annotation:**

MAY BE RECEIVED.

9. REPORT - OF THE EXECUTIVE DIRECTOR OF THE NEW ORLEANS  
HISORIC DISTRICT LANDMARKS COMMISSION|CENTRAL BUSINESS  
DISTRIC HISTORIC DISTRICT LANDMARKS COMMISSION

**Brief:**

Submitting a report detailing an appeal of the New Orleans  
Historic District Landmarks Commission's decision of  
"**denial**" of an application to relocate **2916-18 Cadiz Street**.

**Annotation:**

**MAY BE RECEIVED.**

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

**Brief:**

Transmitting Zoning Docket Numbers 75/19 - Gisleson Palmer,  
79/19 - Cms. All, 98/19 - Cm. Banks, 99/19 - Cm. Giarrusso,  
100/19 - Cm. Giarrusso, Cn. Deadline 12/2/19.

**Annotation:**

**MAY BE RECEIVED.** (*Suggested Hearing Date Set For 10/17/19*).

11. 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 #2016-1481, 846 Baronne Street, 846 Baronne St.  
Development LLC

**Annotation:**

**MAY BE RECEIVED.** (*Suggested Hearing Date Set For 10/17/19*).

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

**Brief:**

Transmitting Property Disposition 5/19 - Consideration of the disposition of immovable property by the City consisting of:

- (1) Any right and/or ownership the City may have or claim to have in the Race Street right-of-way between Tchoupitoulas Street and the floodwall in the First Municipal District.<sup>1</sup>
- (2) Any right and/or ownership the City may have or claim to have in South Peters Street right-of-way between Orange Street and Race Street in the First Municipal District. (PD2)

The recommendation of the City Planning Commission being **APPROVAL SUBJECT TO SIX (6) PROVISOS.**

Cm. Banks, Cn. Deadline None

Report provided FOR INFORMATIONAL PURPOSES ONLY.

**Annotation:**

**MAY BE RECEIVED.**

**13. CAL. NO. 32,734 - BY: COUNCILMEMBERS BROSSETT (BY REQUEST)**

**Brief:**

An Ordinance to amend Ordinance No. 27,931 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2019" to appropriate Federal grant funds from Intergovernmental Transfers to the Department of Health, Emergency Medical Services for the 2016 Port Security Grant Program for education training; and otherwise to provide with respect thereto.

**Annotation:**

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

***Technical Correction needed.***

***(Referred to the Budget Committee).***

***(Budget/Audit/Bor Committee recommended approval).***

14. CAL. NO. 32,735 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019 to appropriate Federal grant funds from Intergovernmental Transfers to the Department of Health, Emergency Medical Services for the 2016 Port Security Grant Program for education training; and otherwise to provide with respect thereto.

**Annotation:**

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

*(Referred to the Budget Committee).*

*(Budget/Audit/Bor Committee recommended approval).*

15. CAL. NO. 32,736 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019" to transfer funds within the Department of Health from personal services to other operating for a management study of health related issues; and otherwise to provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

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

*(Referred to the Budget Committee).*

*(Budget/Audit/Bor Committee recommended approval).*



16. CAL. NO. 32,746 - 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 New Orleans Aviation Board funds from Intergovernmental Transfers to the Department of Finance, Bureau of Purchasing, for Personal Services.

**Annotation:**

*(Fiscal Note received).*

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

*(Budget/Audit/Bor Committee recommended approval).*

17. CAL. NO. 32,747 - 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 New Orleans Aviation Board funds from Intergovernmental Transfers to the Department of Finance, Bureau of Purchasing, for Personal Services.

**Annotation:**

*(Fiscal Note received).*

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

*(Budget/Audit/Bor Committee recommended approval).*

**18. CAL. NO. 32,759 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit a neighborhood commercial establishment in a 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); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 48/19)**

**Annotation:**

**(90 Days, Cn. Deadline 11/6/19).**  
**(Cn. Deadline 10/17/19).**

**19. CAL. NO. 32,760 - BY: COUNCILMEMBER GISLESON PALMER**

**Brief:**

An Ordinance to grant 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); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 44/19)**

**Annotation:**

**(90 Days, Cn. Deadline 11/6/19).**  
**(Cn. Deadline 10/17/19).**

**20. CAL. NO. 32,761 - BY: COUNCILMEMBER BANKS**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit a mini-warehouse in a C-2 Auto-Oriented Commercial District and an EC Enhancement Corridor Design Overlay District, on Square 348, Lots A, B, C, B, 13, 9 or 9 and part 13 and an undesignated lot, and part 9 H53 or 8, in the First Municipal District, bounded by Earhart Boulevard, South Liberty Street, Clio Street, and Rev. John Raphael Jr. Way (Municipal Addresses: 2201-2227 Clio Street and 1120-1124 Rev. John Raphael Jr. Way); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 69/19)**

**Annotation:**

**(90 Days, Cn. Deadline 11/20/19).**

**(Cn. Deadline 11/7/19).**

**21. CAL. NO. 32,762 - BY: COUNCILMEMBER BROSSETT**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit a bed and breakfast (accessory) in an HU-RD1 Historic Urban Two-Family Residential District, on Square 232, Lot X or 17, in the Second Municipal District, bounded by Esplanade Avenue, North Prieur Street, North Roman Street, and Bayou Road (Municipal Addresses: 1834-1836 Esplanade Avenue and 1320 North Prieur Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 61/19)**

**Annotation:**

**(90 Days, Cn. Deadline 11/20/19).**

**(Cn. Deadline 11/7/19).**

**22. CAL. NO. 32,764 - BY: COUNCILMEMBER GIARRUSSO**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit a parking lot (principal use) in an HU-B1 Historic Urban Neighborhood District, and the Magazine Street Use Restriction Overlay District, on Square 15, Lots 3 and 4, in the Sixth District, bounded by State Street, Magazine Street, Camp Street, and Webster Street (Municipal Address: 808 State Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 72/19)**

**Annotation:**

***(90 Days, Cn. Deadline 11/20/19).***

***(Cn. Deadline 11/7/19).***

***Technical correction needed.***

**23. CAL. NO. 32,765 - BY: COUNCILMEMBER BANKS**

**Brief:**

An Ordinance to provide for the establishment of a conditional use to permit the retail sale of packaged alcoholic beverages and a bar in a cultural facility (museum) 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 (Municipal Address: 101 Magazine Street); and to otherwise provide with respect thereto. **(ZONING DOCKET NO. 97/19)**

**Annotation:**

***(90 Days, Cn. Deadline 12/4/19).***

***(Cn. Deadline 11/21/19).***

**24. CAL. NO. 32,766 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**

**Brief:**

An Ordinance to amend Ordinance No. 27,931 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2019" to appropriate State Grant funds from Intergovernmental transfers to the Office of Workforce Development for Workforce Innovation and Opportunity Act Title 1B formula funds for the Adult, Dislocated Worker, and Youth Program; and otherwise to provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

*(Council Rule 34. Postponement: 1/17/20).*

*(Budget/Audit/Bor Committee recommended approval).*

**25. CAL. NO. 32,767 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019" to appropriate State Grant funds from Intergovernmental transfers to the Office of Workforce Development for Workforce Innovation and Opportunity Act Title 1B formula funds for the Adult, Dislocated Worker, and Youth Program; and otherwise to provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

*(Council Rule 34. Postponement: 1/17/20).*

*(Budget/Audit/Bor Committee recommended approval).*

26. CAL. NO. 32,768 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,931 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2019" to appropriate funds from Intergovernmental transfers to the Chief Administrative Office, Law Department, and the New Orleans Recreation Development Commission for critical 2019 expenditures; and to otherwise provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

*(Council Rule 34. Postponement: 1/17/20).*

*(Budget/Audit/Bor Committee recommended approval).*

27. CAL. NO. 32,769 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019" to appropriate funds from Intergovernmental transfers to the Chief Administrative Office, Law Department, and the New Orleans Recreation Development Commission for critical 2019 expenditures; and to otherwise provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

*(Council Rule 34. Postponement: 1/17/20).*

*(Budget/Audit/Bor Committee recommended approval).*

28. CAL. NO. 32,771 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

**Brief:**

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

**Annotation:**

*(Fiscal Note received).*

*(Council Rule 34. Postponement: 1/17/20).*

*(Budget/Audit/Bor Committee recommended approval).*

29. MOTION - NO. M-19-374 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

Approving adjustments to the Civil Service Rules **(Amendment to Civil Service Rules): Rule IV, Section 2.5 Merit Pay (g)**, in accordance with Article X, Section 10 of the amendments to the Civil Rules are to be approved effective October 6, 2019 at recent meetings.

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*

*(Budget/Audit/Bor Committee recommended approval).*

30. MOTION - NO. M-19-375 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

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

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).  
(Budget/Audit/Bor Committee recommended approval).*

31. MOTION - NO. M-19-376 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

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

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).  
(Budget/Audit/Bor Committee recommended approval).*



32. MOTION - NO. M-19-377 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

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

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*  
*(Budget/Audit/Bor Committee recommended approval).*

33. MOTION - NO. M-19-378 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

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

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*  
*(Budget/Audit/Bor Committee recommended approval).*

34. MOTION - NO. M-19-379 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

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

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).  
(Budget/Audit/Bor Committee recommended approval).*

35. MOTION - NO. M-19-380 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, GISLESON PALMER AND NGUYEN

**Brief:**

Approving the amendment to the Classified Pay Plan (**EMS SPECIAL RATE OF PAY (Health/Emergency Medical Services) (5)**) in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of July 29, 2019.

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).  
(Budget/Audit/Bor Committee recommended approval).*

36. RESOLUTION - NO. R-19-390 - BY: COUNCILMEMBERS  
MORENO, WILLIAMS, GIARRUSSO, BANKS AND BROSSETT

**Brief:**

**RULEMAKING PROCEEDING TO ESTABLISH RULES FOR COMMUNITY SOLAR  
PROJECTS**

**RESOLUTION AND ORDER APPROVING ENFORCEMENT PROVISIONS OF  
COMMUNITY SOLAR RULES**

**DOCKET NO. UD-18-03**

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*

*(Utility, Cable, Telecommunication and Technology 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

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

1. HDLC APPEAL - OF JUSTIN B. SCHMIDT, PARTNER, BREAZEALE, SACHSE & WILSON, L.L.P., ATTORNEYS AT LAW

**Brief:**

Requesting on behalf of Elder Gwin's (the successive owner), to appeal the New Orleans Historic District Landmarks Commission's decision of "**denial**" of the demolition of a two-story, two-family residential structure for property located at **4436 Perrier Street**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/3/19).*

2. HDLC APPEAL - OF DEVON SWEENEY, PRESIDENT, SWEENEY RESTORATION, LLC

**Brief:**

Requesting to appeal the New Orleans Historic District Landmarks Commission's decision of "**denial**" of the demolition for property located at **7508-10 Freret Street**.

**Annotation:**

*(Cm. Giarrusso, Cn. Deadline 11/3/19).*

*(Report received on today's Consent Agenda).*

3. HDLC APPEAL - OF ANGIE THOMAS

**Brief:**

Requesting to appeal the Historic District Landmarks Commission's decision of "**denial**" of the demolition (moving the house) for property located at **2916 Cadiz Street**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/3/19).*

*(Report received on today's Consent Agenda).*

*(Received letter from applicant requesting to withdraw).*

4. CBDHDLC APPEAL - OF KIRK P. FABACHER, NCARB, TERRELL-FABACHER ARCHITECTS, LLC

**Brief:**

Requesting to appeal the Central Business District Historic District Landmarks Commission's decision of "**denial**" of the renovation of a two-story warehouse building, including addition of four stories facing Baronne Street and new construction of six story infill structure on Girod Street side for property located at **710 Baronne Street**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 10/20/19).*

*(Report received at the meeting of 8/22/19).*

5. LEGISLATIVE GROUPING

5a. NON-CONFORMING USE APPEAL - OF MICHAEL VALENTINO, MEMBER,  
NEW ORLEANS, LLC DBA NEW ORLEANS CITY SIGHTSEEING, LLC

**Brief:**

Requesting a change of Non-Conforming Use for property  
located at **414 N. Roman Street**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 10/20/19).*

5b. REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING  
COMMISSION

**Brief:**

Recommending "***modified approval***" of the request to permit a  
Motor Vehicle Operations Facility relative to a change in  
non-conforming use from Light Manufacturing to a Parking  
Structure (Principal Use) for bus storage for property  
located at **414 N. Roman Street (DR #159/19)**

**Annotation:**

*(Report received on today's Consent Agenda).*

6. ZONING DOCKET NO. 62/19 - LOUISIANA COASTAL DEVELOPMENT, LLC

**Brief:**

Requesting a text amendment to Article 11 of the Comprehensive Zoning Ordinance to classify "country club" as a conditional use in the HU-RS Historic Urban Single-Family Residential District, the HU-RD1 Historic Urban Two-Family Residential District, and the HU-RD2 Historic Urban Two-Family Residential District; and to classify "country club" as a permitted use in the HU-RM1 Historic Urban Multi-Family Residential District and the HU-RM2 Historic Urban Multi-Family Residential District. In addition, a request to add the following use standards, previously outlined in the preliminary staff report for Zoning Docket 62/19, and any other use standards or regulations deemed advisable by City Planning Commission staff:

- a. Country clubs shall have a minimum of twenty-thousand (20,000) square feet of lot area.
- b. Bar area shall not exceed fifteen percent (15%) of the interior floor area.
- c. Fifty percent (50%) of the developed lot area (not including parking lots) shall be maintained as active outdoor recreational facilities.
- d. Alcohol beverage consumption shall be prohibited within recreation area.
- e. No retail sales of packaged alcoholic beverages.

The proposed text amendment would affect Historic Urban Neighborhood Residential Districts citywide. The recommendation of City Planning Commission being **"FOR MODIFIED APPROVAL"**.

**Annotation:**

*(Cms. All, Cn. Deadline 11/18/19).*

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

**Brief:**

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

**Annotation:**

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

8. **ZONING DOCKET NO. 64/19 - 919 JULIA STREET, LLC**

**Brief:**

Requesting a conditional use to permit a hotel in a CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District, on Square 259, Lots 6 and 7 or Pt. 41, in the First Municipal District, bounded by Julia Street, Baronne Street, O'Keefe Avenue, and Girod Street (Municipal Address: **923 Julia Street**). The recommendation of the City Planning commission being **"NO LEGAL MAJORITY"**.

YEAS: Flick, Steeg, Stewart, Witry - 4  
NAYS: Lunn - 1  
ABSENT: Brown, Wedberg - 2

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/4/19).*



9. **ZONING DOCKET NO. 65/19 - WINDSOR S. DENNIS**

**Brief:**

Requesting a conditional use to permit a minor motor vehicle service and repair facility in a C-2 Auto-Oriented Commercial District, and HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 410, Lots 7 and 8, in the Fourth Municipal District, bounded by South Claiborne Avenue, Second Street, Third Street, and South Derbigny Street (Municipal Addresses: **2501-2503 South Claiborne Avenue** and **3000-3012 Second Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to ten (10) provisos.

**Annotation:**

*(Cm Banks, Cn. Deadline 11/18/19).*

10. **ZONING DOCKET NO. 70/19 - NICOLE WEBRE**

**Brief:**

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

The specific amendments to the text are as follows:

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

"Outdoor Live Entertainment - Secondary Use. Any one (1) or more of the following live performances, performed live by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: musical act, theatrical play or act, including stand-up comedy, magic, and disc jockey performances using vinyl records, compact discs, computers, or digital music players when the disc jockey is in verbal communication with the clientele of

the establishment. Outdoor Live Entertainment - secondary use shall be part of a standard restaurant, indoor amusement facility, or outdoor amusement facility, and shall be approved separately. Outdoor Live Entertainment may be approved as a secondary use only when the zoning district indicates that it is a permitted use or conditional use for the zoning district, otherwise it is not permitted. A standard restaurant, indoor amusement facility, or outdoor amusement facility may be open to the public when no live performances are scheduled. Outdoor Live Entertainment - Secondary Use does not include:

- A. Any such activity performed for the practice or private enjoyment of the residents of a dwelling and their guests.
  - B. Any adult uses.
  - C. Periodic entertainment at educational facilities or places of worship, performances at cultural facilities, performances at reception facilities, performances that would otherwise require a special event permit, the playing of recorded music over speakers without a disc jockey, poetry readings, or spoken word performances.
2. To provide use standards and amend Section 20.3.JJ as follows:

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

\*\*\*

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

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

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

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

**Annotation:**

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

**ON DEADLINE.**

*(Received letter from applicant requesting to withdraw).*

**11. ZONING DOCKET NO. 71/19 - LOUISIANA COASTAL DEVELOPMENT, LLC**

**Brief:**

Requesting a zoning change from an OS-N Neighborhood Open Space District and an HU-RD1 Historic Urban Two-Family Residential District to an HU-RM2 Historic Urban Multi-Family Residential District, on Square 612, Lot 612-A, bounded by Palmetto Street, Monroe Street, and Airline Highway, and Square 613, Lot 613-B, bounded by Monroe Street, Palmetto Street, Leonidas Street, and Dixon Street (Municipal Addresses: **8701 Palmetto Street** and **3801-3831 Monroe Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

**Annotation:**

*(Cm. Giarrusso, Cn. Deadline 11/18/19).*

12. ZONING DOCKET NO. 73/19 - MANSON YANCEY GROUP, LLC

**Brief:**

Requesting a conditional uses to permit a gas station with retail sales of packaged alcoholic beverages in an HU-MU Historic Urban Neighborhood Mixed-Use District, an HUC Historic Urban Corridor Use Restriction Overlay District, an AC-1 Arts and Culture Diversity Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 364, Lots 17, 18, 19, 20, and 21, in the Second Municipal District, bounded by Canal Street, North Broad Street, Iberville Street, and North White Street (Municipal Addresses: **2701 Canal Street** and **101-123 North Broad Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to fourteen (14) provisos.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/18/19).*

13. ZONING DOCKET NO. 74/19 - SCHOEN FUSELIER & BALZEBRE, LLC

**Brief:**

Requesting a conditional use to permit a hotel in an HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District and the RIV Riverfront Design Overlay District (RIV-3 Bywater Sub-District), on Square 23, Lot 3, in the Third Municipal District, bounded by Chartres Street, Piety Street/Crescent Park, Louisa Street, and the Mississippi River (Municipal Addresses: **3220 Chartres Street** and **500 Piety Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to nineteen (19) provisos.

**Annotation:**

*(Cm. Gisleson Palmer, Cn. Deadline 11/18/19).*

**14. ZONING DOCKET NO. 78/19 - CITY COUNCIL MOTION NO. M-19-237**

**Brief:**

Requesting a Text amendments to the Comprehensive Zoning Ordinance that will incorporate recommendations and initiatives contained in the 2018 "Small Box Retail Diversity Study" including but not limited to:

- Establish and/or revise definitions of Small Box Variety Store, Fresh or Fresh Frozen Food, and Grocery Store.
- Define and or update applicable use standards for Small Box Variety Store. Small Box Variety Store standards Should include area restrictions and spacing requirements between such stores, as well as trash, litter cleanup, and storage requirements.
- On use tables found in Articles 7 to 17, indicate zoning districts where the following uses are permitted or conditional: Small Box Variety Store, Grocery Store, and Retail Goods Establishment.
- Establish and/or update maximum total floor area for qualifying grocery stores in food desert areas.
- Establish and/or strengthen site design standards applicable to Small Box Variety Store, Grocery Store, and Retail Goods Establishment, to promote neighborhood compatibility.

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

**Annotation:**

**(All Cms., Cn. Deadline 11/4/19).**

**15. ZONING DOCKET NO. 80/19 - CITY COUNCIL MOTION NO. M-19-238**

**Brief:**

Requesting a Text amendment to the Comprehensive Zoning Ordinance to restrict outdoor dining and live entertainment in the HMC-1 Historic Marigny/Tremé/Bywater Commercial District, HMC-2 Historic Marigny/Tremé/Bywater Commercial District, and HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District as follows: Neither outdoor dining nor live entertainment is permitted in any rear yard, front yard, or side yard that abuts a residential district. The proposed text amendment would apply to the HMC-1, HMC-2, and HM-MU Districts and have the potential to impact properties adjacent to these districts. The recommendation of the City Planning Commission being **"NO LEGAL MAJORITY"**.

YEAS: Flick, Lunn, Steeg - 3  
NAYS: Stewart, Witry - 2  
ABSENT: Brown, Wedberg - 2

**Annotation:**

*(All Cms., Cn. Deadline 11/4/19).*

**16. ZONING DOCKET NO. 81/19 - CITY COUNCIL MOTION NO. M-19-243**

**Brief:**

Requesting a Text amendment to the Comprehensive Zoning Ordinance to provide recommendations for the establishment of a Public Market in certain CBD open space zoning districts, specifically considering Duncan Plaza; to provide desired CZO text and map amendments along the following parameters:

- The establishment of a new open space zoning district, OS-CBD; for this district to include Public Market as a conditional use.
- The addition of Public Market as a conditional use in certain open space zoning districts; also considering an overlay to specify certain open space zoning districts within the CBD.

The proposed text change could affect Open-Space Districts in the Central Business District (CBD). The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

**Annotation:**

*(All Cms., Cn. Deadline 11/4/19).*

**17. ZONING DOCKET NO. 82/19 - NOLA FRENCHMEN, LLC AND DOWNTOWN TATTOOS, LLC**

**Brief:**

Requesting a Conditional use to permit a bar in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District and an AC-1 Arts and Culture Diversity Overlay District, on Square 6, Pt. Lot 1 or 24, in the Third Municipal District, bounded by Frenchmen Street, Decatur Street, Chartres Street, and Elysian Fields Avenue (Municipal Addresses: **501-507 Frenchmen Street and 2101 Decatur Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to seven (7) provisos.

**Annotation:**

*(Cm. Gisleson Palmer, Cn. Deadline 11/4/19).*

**18. ZONING DOCKET NO. 84/19 - SALGADO ADGENOR**

**Brief:**

Requesting a conditional use to permit a bar over 3,000 square feet in floor area in an HMC-1 Historic Marigny/Tremé/Bywater Commercial District and an AC-1 Arts and Culture Diversity Overlay District, on Square 6, Lot 4 and Pt. Lots 5 and 6 or Lot 4, the greater portion of Lot 5, and an undesignated lot, in the Third Municipal District, bounded by Chartres Street, Frenchman Street, Decatur Street, and Elysian Fields Avenue (Municipal Addresses: **2100-2108 Chartres Street and 525-535 Frenchmen Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to six (6) provisos.

**Annotation:**

*(Cm. Gisleson Palmer, Cn. Deadline 11/18/19).*

19. ZONING DOCKET NO. 86/19 - NEW ORLEANS BK, LLC

**Brief:**

Requesting an Amendment to conditional use Ordinance No. 25,946 MCS (Zoning Docket 034/14) to permit the modification of an existing fast food restaurant with drive-thru facilities, including the expansion of the drive-thru lane, in a C-2 Auto-Oriented Commercial District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 408, Lot A1, in the Fourth Municipal District, bounded by South Claiborne Avenue, Fourth Street, Washington Avenue, and South Derbigny Street (Municipal Addresses: **2713-2715 South Claiborne Avenue**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/4/19).*

20. ZONING DOCKET NO. 88/19 - 2025 CANAL ST., LLC

**Brief:**

Requesting a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an MU-1 Medium Intensity Mixed-Use District, on Square 246, Lots S, 7, 8, and 9, in the Second Municipal District, bounded by North Prieur Street, North Johnson Street, Iberville Street, and Canal Street (Municipal Addresses: **115 North Prieur Street, 122 North Johnson Street** and **2004-2010 Iberville Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/18/19).*



21. **ZONING DOCKET NO. 90/19 - GUY J. CARPENTER AND HARRIET T. CARPENTER**

**Brief:**

Requesting a conditional use to permit a food processing facility in an MU-1 Medium Intensity Mixed-Use District and an EC Enhancement Corridor Design Overlay District, on Square 90, Lot 13 and 14, in the Sixth Municipal District, bounded by Tchoupitoulas Street, Austerlitz Street, Constantinople Street, and South Front Street (Municipal Addresses: **3950-3952 Tchoupitoulas Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to seven (7) provisos.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/18/19).*

22. **ZONING DOCKET NO. 91/19 - COFFEE CUP INVESTMENTS, LLC**

**Brief:**

Requesting a zoning change for a property within a C-3 Heavy Commercial District, an ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, and a CT Corridor Transformation Design Overlay District. The requested zoning change would remove the CT Corridor Transformation Design Overlay District from the property. The property is Lot 2-C1-A, on a portion of Section 28, Lakratt Tract, in the Third Municipal District, bounded by the Interstate 10 South Service Road, the Gannon Canal, the Vincent Canal, and Eastover Golf Course (Municipal Address **13100 Interstate 10 Service Road**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

**Annotation:**

*(Cm. Nguyen, Cn. Deadline 11/18/19).*

23. ZONING DOCKET NO. 92/19 - SWILLING DESIGN & DEVELOPMENT, LLC

**Brief:**

Requesting a zoning change from an S-RS Suburban Single-Family Residential District to an S-B2 Suburban Pedestrian-Oriented Corridor Business District and a conditional use to permit a commercial child care center in the proposed S-B2 District, on Square 4056, Lots 1, 2, 3 and 4, in the Third Municipal District, bounded by Filmore Avenue, Marigny Street, Elysian Fields Avenue, and Mithra Street (Municipal Address: **2221 Filmore Avenue**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

**Annotation:**

*(Cm. Brossett, Cn. Deadline 11/18/19).*

24. ZONING DOCKET NO. 93/19 - ORANGE LAKE COUNTRY CLUB, INC.

**Brief:**

Requesting a conditional use to permit retail sales of packaged alcoholic beverages in a CBD-1 Core Central Business District, on Square 227, Lots 1, 2, 3, 4, and 5, in the First Municipal District, bounded by Carondelet Street, Common Street, Baronne Street, and Gravier Street (Municipal Addresses: **203-211 Carondelet Street** and **800 Common Street**). The recommendation for the City Planning Commission being **"FOR APPROVAL"**, subject to three (3) provisos.

**Annotation:**

*(Cm. Banks, Cn. Deadline 11/18/19).*

25. ZONING DOCKET NO. 94/19 - 8700 LAKE FOREST, LLC

**Brief:**

Requesting a conditional use to permit a reception facility in a C-1 General Commercial District, an ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, and a CT Corridor Transformation Design Overlay District, on Lot 4A-5C-1A, Lakratt Tract, Section 22, in the Third Municipal District, bounded by Lake Forest Boulevard, Crowder Boulevard, the Benson Canal, and Dwyer Road (Municipal Address: **8700 Lake Forest Boulevard**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and three (3) provisos.

**Annotation:**

*(Cm. Nguyen, Cn. Deadline 11/18/19).*

26. ZONING DOCKET NO. 95/19 - EL-JAOUHARI, LLC

**Brief:**

Requesting a conditional use to permit a bar in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District and an AC-1 Arts and Culture Diversity Overlay District, on Square 3, Lot 19 or 5, in the Third Municipal District, bounded by Esplanade Avenue, Frenchmen Street, Decatur Street, and Elysian Fields Avenue (Municipal Addresses: **437 Esplanade Avenue** and **405-407 Frenchmen Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to seven (7) provisos.

**Annotation:**

*(Cm. Gisleson Palmer, Cn. Deadline 11/18/19).*

**27. ZONING DOCKET NO. 96/19 - CITY COUNCIL MOTION M-19-272**

**Brief:**

Requesting a zoning change from an S-RD Suburban Two-Family Residential District to an S-RM1 Suburban Multi-Family Residential District, on Square 4, Park Brittany, Lot 21, in the Third Municipal District, bounded by East Coronet Court, Interstate 10, and Lake Forest Boulevard (Municipal Address: **6859 East Coronet Court**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

**Annotation:**

*(Cm. Nguyen, Cn. Deadline 11/18/19).*

**28. LEGISLATIVE GROUPING**

**28a. CAL. NO. 32,776 - BY: COUNCILMEMBER WILLIAMS**

**Brief:**

An Ordinance to amend and reordain Section 50-104 of the Code of the City of New Orleans relative to the imposition and collection of fines, to explicitly mandate ability to pay determinations; to rescind Section 50-108 of the City Code relative to release from imprisonment upon payment of sum; and otherwise to provide with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

*(Criminal Justice Committee recommended deferring to the full Council and deferred to 10/17/19 Council meeting).*

**28b. RESOLUTION (LYING OVER) - NO. R-19-370 - BY: COUNCILMEMBER WILLIAMS**

**Brief:**

A RESOLUTION urging municipal and traffic court judges to forgive unconstitutionally assessed criminal justice debt and quash outstanding warrants.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

*(Referred to the Criminal Justice Committee).*

*(Criminal Justice Committee recommended referring to the full Council and deferring to the Council meeting of 10/17/19).*

**29. CAL. NO. 32,593 - BY: COUNCILMEMBER MORENO**

**Brief:**

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

**Annotation:**

*(Council Rule 34. Postponement: 7/12/19 - Postponement continued until 10/3/19).*

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

**Brief:**

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

**Annotation:**

*(Fiscal Note received).  
(Referred to the Budget Committee).  
(Council Rule 34. Postponement: 10/4/19).*

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

**Brief:**

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

**Annotation:**

*(Fiscal Note received).*

*(Referred to the Budget Committee).*

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

32. 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).*

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

**Brief:**

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

**Annotation:**

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

**34. CAL. NO. 32,724 - BY: COUNCILMEMBER BROSSETT**

**Brief:**

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

**Annotation:**

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

***(Referred to the Economic Development Committee).***

***(Economic Development Committee recommended approval, and deferred to October 3, 2019 full Council meeting on the Regular Agenda).***

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

**Brief:**

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

**Annotation:**

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

*(Referred to the Economic Development Committee).*

*(Economic Development Committee recommended approval, and deferred to October 3, 2019 full Council meeting on the Regular Agenda).*

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

**Brief:**

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

**Annotation:**

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

*(Referred to the Economic Development Committee).*

*(Economic Development Committee recommended approval, and deferred to October 3, 2019 full Council meeting on the Regular Agenda).*



**37. CAL. NO. 32,748 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**

**Brief:**

An Ordinance to amend Ordinance No. 27,931 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2019" to appropriate funds from Intergovernmental transfers, Fund Balance, to the Chief Administrative Office and the New Orleans Recreation Development Commission for critical 2019 expenditures; and to otherwise provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

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

*(Budget/Audit/Bor Committee recommended withdrawal).*

**38. CAL. NO. 32,749 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**

**Brief:**

An Ordinance to amend Ordinance No. 27,932 M.C.S., as amended entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2019" to appropriate funds from Intergovernmental transfers, Fund Balance, to the Chief Administrative Office and the New Orleans Recreation Development Commission for critical 2019 expenditures; and to otherwise provide with respect thereto.

**Annotation:**

*(Fiscal Note received).*

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

*(Budget/Audit/Bor Committee recommended withdrawal).*

**39. CAL. NO. 32,770 - BY: COUNCILMEMBER GISLESON PALMER**

**Brief:**

An Ordinance to temporarily waive certain fees, permit fees, and requirements within and around Lemann Playground located within the 600 block of N. Claiborne Avenue, New Orleans, Louisiana in conjunction with Ole and Nu Style Fellas' "Back to School Giveaway" event on Saturday, August 17, 2019, to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**40. CAL. NO. 32,772 - BY: COUNCILMEMBER BANKS (BY REQUEST)**

**Brief:**

An Ordinance to waive certain fees relating to building permits necessary to perform non-structural repair of structures damaged by the severe flooding which occurred throughout the city of New Orleans on July 10, 2019; and to otherwise provide with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**41. CAL. NO. 32,773 - BY: COUNCILMEMBERS GIARRUSSO, MORENO AND WILLIAMS**

**Brief:**

An Ordinance to amend and reordain Sections 26-242 and 26-448 of the Code of the City of New Orleans, relative to city authorization to secure improperly secured pools; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**42. CAL. NO. 32,774 - BY: COUNCILMEMBER NGUYEN (BY REQUEST)**

**Brief:**

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement (the "Agreement") between the Louisiana Department of Natural Resources (the "Department") and the City of New Orleans (the "City") to provide for the multi-year operation of a state and federally approved Parish Local Coastal Management Program ("LCMP") as part of the Louisiana Coastal Resources Program ("LCRP"); and otherwise to provide with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**43. CAL. NO. 32,777 - BY: COUNCILMEMBER GIARRUSSO**

**Brief:**

An Ordinance to temporarily waive certain fees and requirements in conjunction with the Audubon Charter School's Fall Fête on November 9, 2019; to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**44. CALENDAR NO: 32,780 - BY: COUNCILMEMBER WILLIAMS**

**Brief:**

An Ordinance to impose overdose data reporting and mapping requirements through use of a data software platform to assist with adoption of an overdose spike response plan and allocation of public health and educational resources; and to provide otherwise with respect thereto.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**45. MOTION (LYING OVER) - NO. M-19-360 - BY: COUNCILMEMBERS  
NGUYEN AND WILLIAMS**

**Brief:**

Directing the City Planning Commission to conduct a public hearing to consider amendments to 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 2019 "Billboard Study", authorized by Council Motion M-18-319, to specifically provide desired CZO text amendments as follows:

**To implement recommendation "Option 2: [To] provide 'trade' incentives allowing nonconforming billboards to digitize in exchange for removal", along with the following, additional considerations:**

- Conversion of billboards with two sides/faces;
- Conversion of billboards out of residential and historic districts;
- Protections to ensure that there will not be a concentration of digitized billboards in one location/area of the City;
- Illumination standards; and
- Density standards.

**Annotation:**

*(Council Rule 34. Postponement: 1/17/20).*

**46. MOTION - NO. M-19-381 - BY: COUNCILMEMBER BROSSETT**

**Brief:**

Waiving all permit fees relative to the "NORDC Facility Rental Fee" for events and activities that are officially sponsored and sanctioned by "Gentilly Fest 2019", which will take place Friday, October 11, 2019 through Sunday, October 13, 2019 at the Pontchartrain Park Playground. All applicable City Code requirements shall be complied with, and this waiver is contingent upon satisfactory completion of the City's application process, along with securing all required City approvals. The fee waiver authorized by this section shall not include any direct costs to the city.

**Annotation:**

***(Council Rule 34. Postponement: 1/31/20).***

**47. MOTION - NO. M-19-382 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

Waiving all permit fees relative to the "NORDC Facility Rental Fee" for the event associated with the Mystic Krewe of Femme Fatale "Family & Friends Fun Day" event on November 2, 2019 at Joe W. Brown Park; as provided by the City Code, upon the condition that the application processes of the City of New Orleans are completed and approvals are granted. The fee waiver authorized by this section shall not include any direct costs to the city.

**Annotation:**

***(Council Rule 34. Postponement: 1/31/20).***

**48. RESOLUTION - NO. R-19-383 - BY: COUNCILMEMBER GISLESON  
PALMER (BY REQUEST)**

**Brief:**

Submitting the following certified information to the LADOTD for the period of October 1, 2018 through November 15, 2019.

1. That the Parish has performed all interim inspection on all Parish-owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. That all bridges owned or maintained by Parish have been structurally analyzed and rated by the Parish to determine compliance with the safe load capacity requirements in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual for Maintenance Inspection of Bridges.
3. That the Parish has critically reviewed load posting information for all bridges where it has been determined by the LADOTD that the maximum legal load under Louisiana State Law exceeds the load permitted under the AASHTO operating ratings.
4. That the Parish has updated load posting information to reflect all structural changes, any obsolete ratings, or any missing structural ratings.
5. That all Parish-owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the LADOTD Engineer Directives and Standards Manual directive No. 1.1.1.8.; and further, that all LADOTD-supplied load posting information concerning a bridge that has been critically reviewed by the Parish Engineer prior to load posting.
6. When the current list of off-system bridge information is presented to the Parish by the LADOTD and has been reviewed and corrected as necessary, it will be transmitted to the LADOTD within thirty (30) days.

**Annotation:**

**(Council Rule 34. Postponement: 1/31/20).**

**49. MOTION - NO. M-19-384 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

Directing the City Planning Commission to hold a public hearing to consider amendments to a Conditional Use Ordinance No. 27,978 M.C.S. (Zoning Docket 121/18), to consider establishing a planned development and any necessary waivers relative thereto in a S-B2 Suburban Pedestrian-Oriented Corridor Business District, and ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, and a CT Corridor Transformation Design Overlay District on Prairie Lands, Section A, Phase 1 and Phase 2, or Parts 25 and 27, or Parcel 23B and an undesignated lot, bounded by Chef Menteur Highway, Michoud Boulevard, and Alcee Fortier Boulevard (Municipal Addresses: **13707-13733 Chef Menteur Highway**).

**Annotation:**

***(Council Rule 34. Postponement: 1/31/20).***

**50. MOTION - NO. M-19-385 - BY: COUNCILMEMBER BROSSETT**

**Brief:**

Waiving all permit fees relative to the "NORDC Facility Rental Fee" for events and activities that are officially sponsored and sanctioned by St. Raymond and St. Leo the Great Catholic Church's "Annual Family Day Picnic", which will take place on Sunday, September 29, 2019 at the Gatto Playground. All applicable City Code requirements shall be complied with, and this waiver is contingent upon satisfactory completion of the City's application process, along with securing all required City approvals. The fee waiver authorized by this section shall not include any direct costs to the city.

**Annotation:**

***(Council Rule 34. Postponement: 1/31/20).***

**51. MOTION - NO. M-19-386 - BY: COUNCILMEMBER MORENO**

**Brief:**

Establishing an advisory committee to provide recommendations and guiding principles to the Council on the feasibility of a parcel fee for properties exempt from ad valorem taxation pursuant to Article 7 Section 21 of the Louisiana Constitution. The advisory committee (hereafter named the City Council Task Force on Nonprofit Parcel Fees (Task Force)) shall be established as follows:

1. The task force shall consist of 9 members and be appointed as follows: one member will serve as an appointee of the Mayor and one member will serve as an appointee of the Chief Administrative Office. The remaining seven appointees shall be selected by the City Council; each councilmember shall select one appointee; and
2. Each appointee to the Task Force shall represent nonprofit tax exempt organizations from the following types: universities; churches and religious affiliates, schools, hospitals; labor organizations; Mardi Gras and Social Aid and Pleasure clubs; museums, and any other tax exempt philanthropic entity; and
3. All appointees shall be confirmed by Council motion.

**Annotation:**

***(Council Rule 34. Postponement: 1/31/20).***

**52. MOTION - NO. M-19-387 - BY: COUNCILMEMBER BANKS, MORENO, GISLESON PALMER, BROSSETT AND NGUYEN**

**Brief:**

Approving the Neighborhood Housing Advisory Committee's NHIF Recommendations for the 2020 budget, as detailed in the September 4, 2019 City Council Community Development Committee.

**Annotation:**

***(Council Rule 34. Postponement: 1/31/20).***



**53. MOTION - NO. M-19-388 - BY: COUNCILMEMBER BANKS**

**Brief:**

Directing the City Planning Commission to conduct a public hearing to consider amending and reordaining Ordinance No. M.C.S. 4264, as amended by Ordinance No. 26413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 24: "CBD High-Rise Building, Additional Signage. In addition to all other permitted signage, any building above thirty (30) stories in a CBD zoning district shall be permitted one (1) additional wall sign per blockface, with a maximum of one-thousand (1,000) square feet per wall sign, to be located at or near the top of the building. Wall signs erected pursuant to this section may project beyond the top of the building by a maximum of twenty percent (20%) of the overall height of the sign.

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*

**54. RESOLUTION - NO. R-19-389 - COUNCILMEMBER NGUYEN**

**Brief:**

Approving the following grants for funding by City Council/Cox Communications Louisiana's Community Grant Program funds, subject to the organization's continued eligibility pursuant to the aforementioned guidelines:

**District "E": (Nguyen)**

<u>Organization</u>	<u>Amount</u>
Reaching For The Stars	\$2,000.00
Community Legion Southeast LA, Inc.	<u>\$1,000.00</u>
<b>TOTAL</b>	<b>\$3,000.00</b>

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*

**55. RESOLUTION - NO. R-19-391 - BY: COUNCILMEMBER NGUYEN**

**Brief:**

**A RESOLUTION** opposing the Army Corps of Engineers' plans to replace the Industrial Canal lock, commonly referred to as the Inner Harbor Navigation Canal Lock Replacement.

**Annotation:**

*(Council Rule 34. Postponement: 1/31/20).*

**56. ORDINANCES ON FIRST READING**