

THE COUNCIL City of New Orleans

HELENA MORENO
Councilmember-At-Large

JP MORRELL
Councilmember-At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

LESLI D. HARRIS
Councilmember District B

FREDDIE KING III
Councilmember District C

EUGENE J. GREEN, JR.
Councilmember District D

OLIVER M. THOMAS, JR.
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held in City Hall Council Chamber
on Thursday, December 15, 2022 at 11:35 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
JP MORRELL
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

INVOCATION
LIEUTENANT COMMANDER JOSHUA OKWORI
CHAPLAIN UNITED STATES NAVY

PRESENTATION OF COLORS
JOINT COLOR GUARD

PLEDGE OF ALLEGIANCE
LIEUTENANT PHILLIP VANDERWEIT
UNITED STATES COAST GUARD

NATIONAL ANTHEM
MARINE CORPS BAND
STAFF SERGEANT DANIEL PAXTON, BAND LEADER

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

1. **APPROVAL OF THE MINUTES** - November 3, 2022, November 17, 2022 and November 29, 2022 (Special Meeting).

Annotation:
APPROVED.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER OF BUSINESS - PRESENTATION - MAJOR GENERAL DAVID MIZE, USMC RET., CHAIRMAN OF THE MAYOR'S MILITARY ADVISORY COMMITTEE**

Brief:

Presenting Military Appreciation Day in the City of New Orleans. Celebrating the Military and acknowledging its service to our Country.

Annotation:
(Cm. Moreno).
APPEARED.

2. **SECOND ORDER OF BUSINESS**

3. **THIRD ORDER OF BUSINESS**

CONSENT AGENDA

1. COMMUNICATION – FROM ERIN SPEARS – CHIEF OF STAFF & COUNSEL, COUNCIL UTILITIES REGULATORY OFFICE

Brief:

Submitting the transmittal document for communications related to electric and gas utility matters to be received by the Council of the City of New Orleans at its meeting on **December 15, 2022:**

Communications from Entergy New Orleans, LLC (“ENO”)

1. Environmental Adjustments for the December 2022 Billing Cycle, UD-18-07
2. Purchased Gas Adjustments for the December 2022 Billing Cycle, UD-18-07
3. Purchased Power Cost Recovery Adjustments for the December 2022 Billing Cycle, UD-18-07
4. Fuel Adjustments for the December 2022 Billing Cycle, UD-18-07
5. Comments, UD-22-02
6. Reply Comments, UD-21-03
7. Customer Interruptions Report for Q3 2022, submitted pursuant to Resolutions R-17-427, R-18-98, and R-21-153
8. Reliability Plan Project Status Report for Q3 2022, submitted pursuant to Resolution R-18-98

Other Communications

1. Motion for Late Intervention, submitted by Air Products, UD-22-05
2. Comments, submitted by the Alliance for Affordable Energy, UD-22-02
3. Reply Comments, submitted by the Alliance for Affordable Energy, UD-21-03
4. Petition for Late Intervention, submitted by the Coalition for Community Solar Access, UD-18-03
5. Comments, submitted by Coalition for Community Solar Access, UD-18-03

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

2. COMMUNICATION – FROM JENNIFER AVEGNO, MD, DIRECTOR OF HEALTH, CITY OF NEW ORLEANS

Brief:

Submitting the November 2022 documentation of all encampment clean-up efforts as required by Section 82-703.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

3. COMMUNICATION – FROM TABITHA DORNER, EXECUTIVE ASSISTANT TO THE PRESIDENT & CEO, AUDUBON NATURE INSTITUTE

Brief:

Submitting in accordance with Section 2-87 of the Municipal Code, the Audubon Commission 2022 Attendance Record.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

4. COMMUNICATION – FROM L. RONALD FORMAN, PRESIDENT & CEO, AUDUBON NATURE INSTITUTE

Brief:

Submitting in accordance with the Home Rule Charter a copy of the 2023 Budgets for facilities managed by Audubon Nature Institute on behalf of the Audubon Commission.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

5. **COMMUNICATION – FROM TRACY DAVID MADISON, SECRETARY, BOARD OF LIQUIDATION, CITY DEBT**

Brief:

Informing the Council that on November 2, 2022, the Board of Liquidation, City Debt, received the following bids for the purchase of \$45,000,000 Drainage System Limited Tax Bonds, Series 2022:

Bank of America	Interest Rate	4.10%
Capital One Public Funding	Interest Rate	4.94%
First Horizon Bank	Interest Rate	4.43%
JP Morgan Chase Bank	Interest Rate	4.02%
Key Government Finance, Inc.	Interest Rate	4.29%

On November 16, 2022, the Board of Liquidation, City Debt, awarded JP Morgan Chase Bank, N.A., \$45,000,000 Drainage System Limited Tax Bonds, Series 2022 of the Sewerage and Water Board of New Orleans and of the City of New Orleans, Louisiana, at 4.02% interest rate. The bonds will be delivered on December 7, 2022.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

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

Brief:

Submitting the Monthly raw data relative to current staffing, hiring, and applications to the New Orleans Police Department as required by City Council Ordinance No. 29130.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

7. COMMUNICATION - FROM SHARON JASPER, SECTION 8 RESIDENT COUNCIL PRESIDENT

Brief:

Requesting a hearing to appeal her dismissal under Revised Statute 40:537(2).

Annotation:

RECEIVED. (Hearing Date to be Determined).

8. COMMUNICATION - FROM GILBERT MONTAÑO, CHIEF ADMINISTRATIVE OFFICER, CITY OF NEW ORLEANS

Brief:

Submitting documents that identify the fuel economy for each vehicle owned or leased by the City, pursuant to Chapter 2, Article IX, Section 2-904 of the City Code.

Annotation:

RECEIVED

9. COMMUNICATION - FROM TAYLOR SCOTT, CONCORDIA

Brief:

Requesting a second extension of a Conditional Use approval for Zoning Docket 74/19 - Ordinance No. 28,282 MCS, the proposed Crescent Hotel project at **500 Piety Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 1/5/23).

10. REPORT - OF THE DIRECTOR OF THE VIEUX CARRÉ COMMISSION

Brief:

Submitting the report regarding an appeal of Vieux Carré Commission's (VCC) decision of denial to install a new wood framing and stucco at the rear enclosure at the property located at **532-534 N. Rampart Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED.

11. CAL. NO. 33,969 - BY: COUNCILMEMBERS GREEN AND THOMAS

Brief:

An Ordinance to effect a zoning change from a HU-RD2 Historic Urban Two-Family Residential District to a HU-B1A Historic Urban Neighborhood Business District in a RDO-2 Residential Diversity Overlay District and a Small Multi-Family Affordable Short Term Rental Interim Zoning District, on Square 320, Lot M or Lots 56, 57, 2, and two undesignated lots, in the Second Municipal District, bounded by Ursulines Avenue, North Dorgenois Street, Governor Nicholls Street, and North Rocheblave Street (**Municipal Addresses: 2553-2555 Ursulines Avenue**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 77/22**)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 2/1/23).
(Cn. Deadline 1/19/23).
ADOPTED. ORD. NO. 29279 M.C.S.

12. CAL. NO. 33,973 - BY: COUNCILMEMBERS GREEN AND THOMAS

Brief:

An Ordinance to amend Section 162-842 of the Code of the City of New Orleans to increase the maximum airport shuttle fares; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 3/17/23).
(Transportation Committee recommended approval).
ADOPTED. ORD. NO. 29281 M.C.S.

13. RESOLUTION - NO. R-22-523 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

IN RE: 2021 TRIENNIAL INTEGRATED RESOURCE PLAN OF ENTERGY NEW ORLEANS, INC.

DOCKET NO. UD-20-02

RESOLUTION AND ORDER APPROVING IMPLEMENTATION PLANS FOR ENERGY SMART PROGRAM YEARS 13 THROUGH 14 WITH RESERVED APPROVAL OF ENERGY SMART PROGRAM YEAR 15

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

(Telecommunications, and Technology Committee and Public Works, Sanitation and Environment Committee recommended approval).

ADOPTED.

14. MOTION - NO. M-22-524 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

Authorizing the President of the Council to sign contracts with Jeffrey Gulin and Calvin Johnson for a one-year period beginning January 1, 2023, with maximum compensation amounts of \$35,000.00.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

(Telecommunications, and Technology Committee and Public Works, Sanitation and Environment Committee recommended approval).

ADOPTED.

15. MOTION - NO. M-22-526 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

Authorizing the President of the Council to sign a contract with Dentons US LLP to provide electric and/or natural gas regulatory consulting services to the Council in electric and gas utility regulatory matters beginning January 1, 2023, for a maximum compensation of \$3,537,500.00 for said year.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

(Telecommunications, and Technology Committee and Public Works, Sanitation and Environment Committee recommended approval).

ADOPTED.

16. MOTION - NO. M-22-527 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

Authorizing the President of the Council to sign a contract with Legend Consulting Group to provide consulting services to the Council in electric and gas utility regulatory matters beginning January 1, 2023, for maximum compensation of \$2,237,500 for said year.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

(Telecommunications, and Technology Committee and Public Works, Sanitation and Environment Committee recommended approval).

ADOPTED.

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

YEAS: Giarrusso, Harris, King, Moreno, Thomas - 5

NAYS: 0

ABSENT: Green, Morrell - 2

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

1. LEGISLATIVE GROUPING

1a. COMMUNICATION – FROM WINSTON FIORE, DIRECTOR OF LAND USE & CONSTITUENT AFFAIRS LIAISON, COUNCILMEMBER FREDDIE KING III, DISTRICT “C”

Brief:

Transmitting the Mayor’s Office of Economic Development’s recommendation of **disapproval**, and requesting the scheduling of a public hearing, for the following Restoration Tax Abatement application:

- RTA Application #2020-0060, 928 St. Ann Street, Aura LLC

Annotation:

ELECTRONICALLY SUBMITTED.

(Communication received at the meeting of 11/17/22).

HEARING HELD.

1b. RESOLUTION (LYING OVER) – NO. R-22-509 – BY: COUNCILMEMBER KING

Brief:

A resolution Approving RTA Application #2020-0060, for 928 St. Ann Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

ADOPTED.

LAND USE MATTERS

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

*All public comments on land use items are subject to City Council
Rule 10.1B, whereby each land use matter is limited to a maximum
public comment period of 20 minutes, with speakers being limited
to two minutes, per item.*

No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. HDLC APPEAL - OF CARLOS S. GUILLEN

Brief:

Requesting to appeal the Historic District Landmarks
Commission's decision of "denial" for the retention of
shutter dog hardware and ornate metal handrails installed at
the entry stairs without a Certificate of Appropriateness
for the property located at **709 Touro Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, District C, Cn. Deadline 1/1/23).

(Report received at the meeting of 12/1/22).

HEARING HELD.

1b. MOTION - NO. M-22-531 - BY: COUNCILMEMBER KING

Brief:

Granting the applicant's request for the property located at
709 Touro Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

2. VCC APEAL - OF RAPLH H. LONG

Brief:

Requesting to appeal the Vieux Carrè Commission's decision to "**defer**" adding a two-story addition at the property located at **440 Bourbon Street**.

Annotation:

(Cm. King, District C, Cn. Deadline 1/15/23).

(Report received at the meeting of 12/1/22).

CONTINUED TO THE MEETING OF 1/5/23.

3. LEGISLATIVE GROUPING

3a. VCC APPEAL - OF ALEX D. LAMBERT AND NOLAN P. LAMBERT,
LAMBERT & LAMBERT, A LAW CORPORATION ON BEHALF OF MERCIER
REALTY & INVESTMENT CO.

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, District C, Cn. Deadline 12/18/22).

(Report received on today's Consent Agenda).

ON DEADLINE.

HEARING HELD.

3b. MOTION - NO. M-22-532 - BY: COUNCILMEMBER KING

Brief:

Granting the applicant's request for the property located at **532-534 N. Rampart Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

PAST DEADLINE.

PETITION DIES.

5. LEGISLATIVE GROUPING

5a. ZONING DOCKET NO. 81/22 - HADRIAN PROPERTIES LLC

Brief:

Requesting a Conditional Use to permit a commercial short-term rental in a CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District and the rescission of Ordinance No. 17,249 (Zoning Docket 061/95), on Square 257, Lot 88 or 2 or 11 and Lot 87 or 81, in the First Municipal District, bounded by Julia Street, Baronne Street, Girod Street, and O'Keefe Avenue (**Municipal Addresses: 933-939 Julia Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to five (5) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 1/2/23).

HEARING HELD.

5b. MOTION (LYING OVER) - NO. M-22-491 - BY: COUNCILMEMBER HARRIS

Brief:

Denying the applicant's Conditional Use request on ZD NO. 81/22.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/17/23).

WITHDRAWN.

5c. MOTION - NO. M-22-536 - BY: COUNCILMEMBER HARRIS

Brief:

Granting the applicant's Conditional Use request on ZD NO. 81/22.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

6. **LEGISLATIVE GROUPING**

6a. **ZONING DOCKET NO. 85/22 - ELITE SOUTHERN SOLUTIONS, LLC**

Brief:

Requesting a Zoning Change from an HU-RD2 Historic Urban Two-Family Residential District to an HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District Overlay zoning district(s): Small Multi-Family Affordable Short Term Rental Interim Zoning District; Residential Short Term Rental Interim Zoning District, the petitioned site is located on Square 1065, Lot A, in the Third Municipal District, bounded by Franklin Avenue, North Miro Street, Painters Street, and North Tonti Street (**Municipal Addresses: 2200-2202 Franklin Avenue**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline 1/16/23).

HEARING HELD.

6b. **MOTION (LYING OVER) - NO. M-22-508 - BY: COUNCILMEMBER GREEN**

Brief:

Overruling and granting the applicant's request for the properties located at **2200-2202 Franklin Avenue** on **ZD NO. 85/22**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

WITHDRAWN.

6c. **MOTION - NO. M-22-535 - BY: COUNCILMEMBERS GREEN AND THOMAS**

Brief:

Overruling and granting the applicant's request for the properties located at **2200-2202 Franklin Avenue** on **ZD NO. 85/22**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

7. LEGISLATIVE GROUPING

7a. ZONING DOCKET NO. 88/22 - ATELIER CAMELBACK, LLC

Brief:

Requesting a Conditional Use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 101, Lot 1, in the Sixth Municipal District, bounded by Chippewa Street, Toledano Street, Annunciation Street, and Louisiana Avenue **(Municipal Addresses: 3301 Chippewa Street and 700-712 Toledano Street)**. The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to seven (7) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 1/30/23).
HEARING HELD.

7b. MOTION - NO. M-22-519 - BY: COUNCILMEMBER HARRIS

Brief:

Approving the applicant's request on **ZD NO. 88/22**, subject to the seven (7) provisos set forth by the City Planning Commission.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).
ADOPTED.

8. LEGISLATIVE GROUPING

8a. ZONING DOCKET NO. 89/22 - SF-NOLA OPPORTUNITY FUND 2, LLC

Brief:

Requesting an Affordable Housing Planned Development in a C-1 General Commercial District and a Residential Short Term Rental Interim Zoning Overlay District, on Square 420, Lots 7, A or 6, B or 5, C or 4, 3, Pt. 8, and 9, in the First Municipal District, bounded by Martin Luther King, Jr. Boulevard, Willow Street, Clara Street, and Thalia Street **(Municipal Addresses: 2809-2829 Martin Luther King, Jr. Boulevard and 1412-1416 Willow Street)**. The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to four (4) exceptions and ten (10) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, District B, Cn. Deadline 1/30/23).

HEARING HELD.

8b. MOTION - NO. M-22-520 - BY: COUNCILMEMBER HARRIS

Brief:

Approving the applicant's request on **ZD NO. 89/22**, subject to the ten (10) provisos and four (4) exceptions set forth by the City Planning Commission.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

9. ZONING DOCKET NO. 90/22 - OC DEVELOPMENT, LLC

Brief:

Requesting a Zoning Change from an HU-RD2 Historic Urban Two-Family District to an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 1345, Lots 9, 10, and W-2 or Lots W and Pt. 8, in the Third Municipal District, bounded by North Dorgenois Street, Columbus Street, Kerlerec Street, and North Rocheblave Street **(Municipal Addresses: 2431-2441**

Kerlerec Street). The recommendation of the City Planning Commission being **"NO RECOMMENDATION"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline 1/30/23).

CONTINUED TO THE MEETING OF 1/5/23.

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 91/22 - KHOOBEHI PROPERTIES, LLC

Brief:

Requesting a Conditional Use for a hotel over 10,000 square feet located within the HMC-2 Historic Marigny/Tremé/Bywater Commercial District, the EC Enhancement Corridor Design Overlay District, the AC-4 Arts and Culture Diversity Overlay District, the Small Multi-Family Affordable Short Term Rental Interim Zoning District, and the Residential Short Term Rental Interim Zoning District, on Square 379, Lot X, in the Third Municipal District, bounded by North Rampart Street, Kerlerec Street, Henriette Delille Street and Columbus Street (**Municipal Addresses: 1441-1451 North Rampart Street, 1104 Columbus Street, and 1115 Kerlerec Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to five (5) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, District C, Cn. Deadline 1/30/23).

CONTINUED TO THE MEETING OF 1/5/23.

10b. MOTION - NO. M-22-533 - BY: COUNCILMEMBER KING

Brief:

Approving the applicant's request on **ZD NO. 91/22**, subject to the five (5) provisos set forth in the City Planning Commission's report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

CONTINUED TO THE MEETING OF 1/5/23.

11. LEGISLATIVE GROUPING

11a. ZONING DOCKET NO. 92/22 - RONALD MCDONALD HOUSE CHARITIES OF SOUTH LOUISIANA, INC.

Brief:

Requesting a Conditional Use to permit a commercial space over 5,000 square feet in floor area in an HU-B1 Historic Urban Neighborhood Business District, on Square 580, Lots 1 and 2, in the Second Municipal District, bounded by Canal Street, North Alexander Street, Iberville Street, and North Murat Street (**Municipal Address: 4403 Canal Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, District A, Cn. Deadline 1/30/23).

HEARING HELD.

11b. MOTION - NO. M-22-522 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Approving the applicant's request on **ZD NO. 92/22**, subject to the four (4) provisos approved by the City Planning Commission.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

12. STREET NAME CHANGE NO. 2/22 - CARVER RAMS WAY

Brief:

Requesting the consideration of renaming the entirety of Higgins Boulevard between Almonaster Avenue and Alvar Street as Carver Rams Way. The City Planning Commission recommended "**MODIFIED APPROVAL**" with a waiver of criteria number 1.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline N/A).

CONTINUED TO THE MEETING OF 1/5/23.

13. STREET NAME CHANGE 3/22 - RONEAGLE WAY

Brief:

Requesting the consideration of renaming Cadillac Street between Harrison Avenue and Foy Street as Roneagle Way. The recommendation of the City Planning Commission being for "**DENIAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline N/A).

WITHDRAWN.

14. STREET NAME CHANGE 5/22 - SUNO KNIGHTS DRIVE

Brief:

Requesting the consideration of renaming a portion of Press Drive between Leon C. Simon Drive and Emmett W. Bashful Boulevard as SUNO Knights Drive. The recommendation of the City Planning Commission being for "**APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Green, District D, Cn. Deadline N/A).

CONTINUED TO THE MEETING OF 1/5/23.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 1/5/23.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Fiscal Note received).

(Referred to the Budget Committee).

WITHDRAWN.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Fiscal Note received).

(Referred to the Budget Committee).

WITHDRAWN.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 1/5/23.

19. LEGISLATIVE GROUPING

19a. CAL. NO. 33,937 - BY: COUNCILMEMBER MORRELL

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

(SWBNO Billing Advisory Committee recommended approval).

(Referred to the Public Works Committee).

ADOPTED, AS AMENDED. ORD. NO. 29278 M.C.S.

**19b. AMENDMENT TO ORDINANCE CALENDAR NO. 33,937 - BY:
COUNCILMEMBERS MORRELL AND GIARRUSSO**

Brief:

- 1) On page 1, Section 1, line 15, after the word "amount" and before "is" insert "for water usage"
- 2) On page 1, Section 1, line 16, after the word "meter" and before "for" insert "by a meter reader".
- 3) On page 2, Section 1 line 23, delete the word "an" and insert "a third-party" in lieu thereof.
- 4) On page 2, in Section 1, at the beginning of line 39, insert "A." before "SWBNO".
- 5) On page 2, in Section 1, line 39, after the word "monthly" and before "." insert "pursuant to established billing cycles".
- 6) On page 2, in Section 1, line 39, after the word "to" delete "send bills" and insert "bill customers" before the word "for".
- 7) On page 2, in Section 1, after line 41, insert a line break before Section 2, and insert the following:

"B. Should SWBNO elect to send an estimated bill instead of an actual bill, the billed amount shall equal the average of the last three uncontested actual billed amounts. SWBNO forfeits the right to collect the amount of an estimated bill if not properly calculated."
- 8) On page 2, Section 2, line 9, after the word "service" and before "." insert "via phone, email, at an office location, by mail, or by fax".
- 9) On page 3, at the end of line 20, insert a line break and the following text, and relabel the subsections accordingly:

"B. Payment during dispute process - While a bill is in dispute as described in section 159-4A, a customer shall only be required to pay the amount of the last uncontested bill."

- 10) On page 3, Section 2 line 25, after the word "customer" and before the word "with" insert ", including those enrolled in paperless billing,".
- 11) On page 3, Section 2 line 26, after the word "file" delete "and by posting at the service location".
- 12) On page 3, Section 2 line 38, after the word "customer" and before the word "of" insert "7 days in advance".
- 13) On page 3, Section 2 line 39, after the word "assessment" and before "." insert ", and that the customer has the right to refuse the inspection".
- 14) On page 4, Section 2 line 50, after the word "within" delete "45" and insert "90" in lieu thereof.
- 15) On page 4, Section 2 line 66, after the "." insert the following:

"In the event the customer requests a rehearing pursuant to Louisiana Revised Statutes Section 49:959(A), the 45-day period to appeal the hearing officer's decision to the Council shall toll until the rehearing process has concluded."

- 16) On page 4, line 67, replace "third party" with "third-party".
- 17) On page 5, Section 2 line 79, after the "." and before the closed quotation mark insert the following:

"In accordance with Louisiana Revised Statutes Section 49:964(B), a decision by the Council shall be treated as final and the customer shall have 30 days from the transmission of the notice of the final decision to appeal that decision to district court."

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

WITHDRAWN.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 1/5/23.

21. CAL. NO. 33,971 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to amend and reordain Article 20 of the Comprehensive Zoning Ordinance (Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to clarify use standards with respect to Outdoor Live Entertainment-Secondary Use; and otherwise to provide with respect thereto. *(ZONING DOCKET NO. 30/22)*

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 11/2/22).

(Cn. Deadline 10/20/22).

ADOPTED. ORD. NO. 29280 M.C.S.

22. CAL. NO. 33,974 - BY: COUNCILMEMBER GREEN (BY REQUEST)

Brief:

An Ordinance to amend and reordain Sections 146-760, 146-761, 146-763, and 146-765 of the Code of the City of New Orleans relative to honorary street dedications to clarify that non-profit organizations can be recognized by honorary street names; to clarify the boundaries of the Vieux Carré for the purposes of the honorary street dedications; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

CONTINUED TO THE MEETING OF 1/5/23.

23. CAL. NO. 33,975 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend and reordain Sections 2-476 and 2-477 of the Code of the City of New Orleans to require the Chief Administrative Office to maintain a current organizational charter for the Executive Branch, to report appointments for positions subject to Council confirmation pursuant to Section 4-106(4) of the Home Rule Charter; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

ADOPTED. ORD. NO. 29282 M.C.S.

24. CAL. NO. 33,983 - BY: COUNCILMEMBER MORRELL

Brief:

An Ordinance to amend Section 26-236 to establish additional definitions for what may be declared a blight and public nuisance; and otherwise, to provide with respect thereto

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

CONTINUED TO THE MEETING OF 1/5/23.

25. LEGISLATIVE GROUPING

25a. MOTION (LYING OVER) - NO. M-22-507 - BY: COUNCILMEMBER MORRELL

Brief:

Repealing and superseding the current Rule 56 (Temporary COVID-19 Meeting Procedures) in its entirety with Rule 56 (Confirmation of Executive Branch Appointments).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

ADOPTED, AS AMENDED.

25b. AMENDMENT TO MOTION NO. M-22-507 - BY: COUNCILMEMBERS MORENO AND MORRELL

Brief:

1. On Exhibit A, delete subsection F on pages 1-2 in its entirety and insert the following in lieu thereof:

F. A motion to approve or disapprove an appointment governed by this Rule, or to extend the term of an interim appointment pursuant to Section 4-106(5) of the Home Rule Charter, shall appear on the agenda of the next regular

meeting of the Council following consideration by the Governmental Affairs Committee. The committee members voting in the majority with respect to a recommendation of approval or disapproval, or the extension of an interim appointment, shall be listed as sponsors. Motions approving an appointment or extending the term of an interim appointment shall be designated as "by request."

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

WITHDRAWN.

26. MOTION (LYING OVER) - NO. M-22-516 - BY: COUNCILMEMBER MORRELL

Brief:

Authorizing the creation of committee as an advisory committee, to be known as the City of New Orleans Home Rule Charter Review Committee, to review, opine on and make non-binding recommendations to the New Orleans City Council regarding potential changes to the Home Rule Charter, pursuant Section 3-127 of the City of New Orleans Home Rule Charter.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 3/31/23).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 1/5/23.

27. RESOLUTION - NO. R-22-521 - BY: COUNCILMEMBER MORRELL

Brief:

Directing the City Attorney, Chief Administrative Officer and Director of Purchasing to review existing City contracts for compliance with City Code, CAO policy and all other applicable requirements for procurement and issuance of contracts; and that the City Attorney is directed to take appropriate steps to have any agreement that has exceeded the term of the original bid, or that is not otherwise in compliance with applicable mandates, annulled and reprocured in accordance with appropriate rules.

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 4/14/23).
ADOPTED, AS AMENDED.**

**17. RESOLUTION - NO. R-22-525 - BY: COUNCILMEMBERS MORENO,
MORRELL, HARRIS, GREEN AND THOMAS**

Brief:

RULEMAKING PROCEEDING
TO ESTABLISH RENEWABLE PORTFOLIO STANDARDS

RESOLUTION AND ORDER APPROVING
ENTERGY NEW ORLEANS, LLC'S RCPS COMPLIANCE PLAN
COVERING COMPLIANCE YEARS 2023 - 2025

DOCKET NO. UD-19-01

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 4/14/23).
(Telecommunications, and Technology Committee and Public
Works, Sanitation and Environment Committee recommended
approval).
ADOPTED.**

28. MOTION - NO. M-22-528 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Approving the Operating Budget of the Orleans Parish Communication District for the year 2023, as herein below specified:

ORLEANS PARISH COMMUNICATION DISTRICT
OPERATING BUDGET FOR THE YEAR 2023

ANTICIPATED REVENUES

Intergovernmental Transfer	\$13,924,035
Dedicated Taxes	6,157,400

TOTAL REVENUES	\$20,081,435
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ANTICIPATED EXPENDITURES

Personal Services	\$10,944,348
Other Operating	9,137,087

TOTAL EXPENDITURES	\$20,081,435
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Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 4/14/23).
ADOPTED.**

29. RESOLUTION - NO. R-22-529 - BY: COUNCILMEMBERS GIARRUSSO AND THOMAS (BY REQUEST)

Brief:

Requesting that the below organization to receive Wisner grant funds and the amount to be awarded:

New Orleans Police and Justice Foundation, Inc. \$1,000,000

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 4/14/23).
CONTINUED TO THE MEETING OF 1/5/23.**

30. RESOLUTION - NO. R-22-530 - BY: COUNCILMEMBER MORRELL

Brief:

Directing the Department of Civil Service to submit its July 2022 Police Pay Plan to the Civil Service Commission for consideration and implementation and to report back to the City Council regarding the feasibility of the July 2022 Police Pay Plan proposal and a plan for implementation.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

CONTINUED TO THE MEETING OF 1/5/23.

31. MOTION - NO. M-22-534 - BY: COUNCILMEMBER KING

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a zoning change from HU-RD1 Historic Urban Two-Family Residential District to HU-B1 Historic Urban Neighborhood Business District and a conditional use to permit a Reception Facility on Square 15, Lots 14, 70, 71 and 72, in the Fifth Municipal District, bounded by Pace, Wall and Elizardi Boulevards and the Magellan Canal
(Municipal Address: 1784 Pace Boulevard).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

ADOPTED.

32. MOTION - NO. M-22-537 - BY: COUNCILMEMBERS MORRELL AND MORENO

Brief:

Creating rules (Rule 57 - Contract Approval) governing the review and approval of contracts governed by Section 70-10.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/14/23).

CONTINUED TO THE MEETING OF 1/5/23.

33. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 33,984 THRU 34,005

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.