

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"

COMPLETED AGENDA

Regular Meeting of the City Council
held in City Hall Council Chamber
on Thursday, September 5, 2019 at 10:10 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
JOSEPH I. GIARRUSSO III
COUNCILMEMBER DISTRICT "A"

NATIONAL ANTHEM

REV. DR. EMANUEL SMITH, JR., PASTOR

CITY COUNCIL CHAPLAIN

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

1. **APPROVAL OF THE MINUTES** - August 8, 2019 and August 22, 2019.

Annotation:
APPROVED.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER OF BUSINESS - PRESENTATION - SWARM ENTERPRISES, AUDREY VOELKER, MULLADY VOELKER, ANNIE IRVIN AND ALI CARLISLE**

Brief:

Swarm Enterprises, a female-owned company, aims to restore New Orleans as a boxing town, while remaining fighter-forward in their approach by shining a spotlight on the passion and dedication of men and women in the ring. On September 6th they will be hosting an event titled "The Sting Ring" which will be located at the Sugar Mill. The goal is to introduce even more New Orleans citizens to the world of boxing and highlight the hardwork and dedication athletes put into this historic sport.

Annotation:
(Cm. Williams).
APPEARED.

2. **SECOND ORDER OF BUSINESS - PRESENTATION - BYRON "DJ MANNIE FRESH" THOMAS**

Brief:

The New Orleans City Council will recognize the work of the great producer and music mogul Byron "DJ Mannie Fresh" Thomas.

Annotation:
(Cm. Williams).
WITHDRAWN.

3. **THIRD ORDER OF BUSINESS**

CONSENT AGENDA

1. **COMMUNICATION - FROM SOPHIE ZAKEN, ADMINISTRATIVE AND PROGRAM DIRECTOR, ALLIANCE FOR AFFORDABLE ENERGY**

Brief:

Submitting an original of the Alliance for Affordable Energy's Comments regarding **RE: Entergy New Orleans, LLC Settlement with the Hawthorn Group.**

Annotation:

RECEIVED.

2. **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") August 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, **re: Reliability of Electric Service, Submitted Pursuant to Council Resolution R-19-78.**

Annotation:

RECEIVED.

3. **COMMUNICATION - FROM MICHAEL VALENTINO, MEMBER, iNEWORLEANS, LLC DBA NEW ORLEANS CITY SIGHTSEEING, LLC**

Brief:

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

Annotation:

RECEIVED. (*Hearing Date Set For 9/19/19*).

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

Brief:

Submitting respectfully an original and two copies of Entergy New Orleans, LLC's September 11, 2019 Public Technical Meeting Materials, **In Re: 2018 Triennial Integrated Resource Plan of Entergy New Orleans, LLC (Docket No. UD-17-03)**.

Annotation:

RECEIVED.

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

Brief:

Submitting for further handling an original and two copies of Entergy New Orleans, LLC's ("ENO") Implementation Plan for the Council of the City of New Orleans' Community Solar Rules and Exhibits, **Re: Rulemaking Proceeding to Establish Rules for Community Solar Projects (CNO Docket No. UD-18-03)**.

Annotation:

RECEIVED.

6. **COMMUNICATION - FROM VEDISIA GREEN, BOARD MEMBER, HOLLYGROVE NEIGHBORS ASSOCIATION, INC.**

Brief:

Submitting an original and three copies of the organization's letter regarding the Renewable Portfolio Standards. **(Docket No. UD-19-01)**

Annotation:

RECEIVED.

7. **COMMUNICATION - FROM 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:

RECEIVED. (Hearing Date Set For 9/19/19).

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

Brief:

Transmitting Zoning Docket Numbers 64/19 - Cm. Banks, 66/19 - Cm. Nguyen, 78/19 - Cms. All, 80/19 - Cms. All, 81/19 - Cms. All, 82/19 - Cm. Gisleson Palmer, 83/19 - Cm. Brossett, 86/19 - Cm. Banks, 87/19 - Cm. Giarrusso, Cn. Deadline 11/4/19.

Annotation:

RECEIVED. (Hearing Date Set For 9/19/19).

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

Brief:

Transmitting Zoning Docket Numbers *97/19 - Cm. Banks, Cn. Deadline 11/4/19.

Annotation:

RECEIVED. *(Heard at today's meeting).

10. CAL. NO. 32,729 - BY: COUNCILMEMBER WILLIAMS

Brief:

An Ordinance to amend and reordain Articles 7, 8, 10, 11, 12, 13, 14, 15, 16, and 17 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to:

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

- o LI, HI, MI, BIP Centers for Industry Districts - Article 16, Section 16.2 "Uses - Table 16-1 Permitted and Conditional Uses"; and
- o CBD-1 through CBD-7 Article 17, Section 17.3.A, "Table 17-1 Permitted and Conditional Uses".
- Classify "Stormwater Management (Principal Use)" as a permitted use in the following districts, where currently not authorized:
 - o OS-N Neighborhood Open Space District - Article 7, Section 7.2 "Uses - Table 7-1 Permitted and Conditional Uses"; and
 - o S-LM Lake Area Marina District - Article 14, Section 14.2 "Uses - Table 14-1 Permitted and Conditional Uses".

These changes apply Citywide; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 58/19)**

Annotation:

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

(Cn. Deadline 10/3/19).

ADOPTED. ORD. NO. 28176 M.C.S.

11. CAL. NO. 32,732 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Article 18 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, including Sections 18.13.B.3 "RIV-3 Bywater Sub-District", 18.13.H.1 "Design Standards", 18.13.H.2 "Building Heights", and 18.13.I.2 "Building Heights"; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 41/19)**

Annotation:

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

(Cn. Deadline 10/3/19).

ADOPTED. ORD. NO. 28177 M.C.S.

12. CAL. NO. 32,739 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Articles 4, 5, 9, 10, 11, 12, 13, 14, 15, 17 and 28 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to reflect certain recommendations stemming from the HR&A New Orleans Housing Study, completed in connection with Zoning Docket 112/18, to contemplate enforcement, and the following relative to the City's Affordable Housing initiatives: 1) Density Bonuses; 2) Parking Reduction; and 3) Payments in Lieu of Compliance - these text changes apply Citywide; and otherwise to provide with respect thereto.
(ZONING DOCKET NO. 49/19)

Annotation:

(90 Days, Cn. Deadline 10/16/19).
(Cn. Deadline 10/3/19).
ADOPTED. ORD. NO. 28178 M.C.S.

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

Brief:

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

Annotation:

(Council Rule 34. Postponement 12/6/19).
(Referred to the Transportation and Airport Committee).
(Transportation and Airport Committee recommended approval).
ADOPTED. ORD. NO. 28180 M.C.S.

14. MOTION - NO. M-19-338 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Seamus McGuire (representing the New Orleans Chapter of the American Institute of Architects, vice James Amdal, initial term ending June 30, 2018), as a member of the Central Business District Historic District Landmarks Commission, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

15. MOTION - NO. M-19-339 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Sue Mobley (fulfilling the unexpired term of Walter Isaacson, initial term ending June 30, 2023), as a member of the City Planning Commission, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2023.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

16. MOTION - NO. M-19-340 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Nolan A. Marshall, III (fulfilling the unexpired term of Jason Hughes, initial term ending June 30, 2021), as a member of the City Planning Commission, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2021.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

17. MOTION - NO. M-19-341 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Ratifying, confirming and approving the appointment of Erika Zucker, nominee of the District A councilmember, as a member of the Felicia Kahn Equal Pay Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

18. MOTION - NO. M-19-342 - BY: COUNCILMEMBER MORENO

Brief:

Ratifying, confirming and approving the appointment of Linda Marchand, nominee of the Council President, as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

19. MOTION - NO. M-19-343 - BY: COUNCILMEMBER WILLIAMS

Brief:

Ratifying, confirming and approving the appointment of Melissa Lee, nominee of the Council Vice President, as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

20. MOTION - NO. M-19-344 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Ratifying, confirming and approving the appointment of Helen Jones, nominee of the District A councilmember, as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

21. MOTION - NO. M-19-345 - BY: COUNCILMEMBER BANKS

Brief:

Ratifying, confirming and approving the appointment of Caitrin Gladow, nominee of the District B councilmember, as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

22. MOTION - NO. M-19-346 - BY: COUNCILMEMBER BROSSETT

Brief:

Ratifying, confirming and approving the appointment of Michele Fontenot, nominee of the District D councilmember, as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

23. MOTION - NO. M-19-347 - BY: COUNCILMEMBER NGUYEN

Brief:

Ratifying, confirming and approving the appointment of Rashida Ferdinand, nominee of the District E councilmember, as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

24. MOTION - NO. M-19-348 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's reappointment of Lee Bressler (initial term ending June 30, 2016), as a member of the Neighborhood Conservation District Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2020.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

25. MOTION - NO. M-19-349 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Neil Abramson (fulfilling the unexpired term of Michael Smith, initial term ending June 30, 2022), as a member of the New Orleans Aviation Board, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

26. **MOTION - NO. M-19-350 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**

Brief:

Ratifying, confirming and approving the Mayor's appointment of Keely Thibodeaux (at-large member, vice Patricia Denechaud, initial term ending June 30, 2018), as a member of the Vieux Carre Commission, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

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

YEAS: Banks, Brossett, Giarrusso, Gisleson Palmer, Moreno, Nguyen, Williams - 7

NAYS: 0

ABSENT: 0

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

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

Brief:

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

Annotation:

(Report received at the meeting of 8/22/19).
CONTINUED TO THE MEETING OF 9/19/19.

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

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

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to:

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

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

Annotation:

(Cms. All, Cn. Deadline 10/7/19).
APPROVED. See Motion No. M-19-354.

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

Brief:

Requesting conditional uses to permit a brewery and bar with live entertainment (secondary use) in a C-1 General Commercial District, an HU-MU Historic Urban Neighborhood Mixed-Use District, an EC Enhancement Corridor Design Overlay District, and a Residential District Preservation Interim Zoning District, on Square 482-A (also known as Square 482), Lots 9, 10, 11, 12, and 13, and part of Lot 23, in the First Municipal District, bounded by Thalia Street, South Broad Street, Martin Luther King, Jr. Boulevard, and South Dorgenois Street (Municipal Addresses: **3940 Thalia Street and 3935-3943 Martin Luther King, Jr. Boulevard**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and fifteen (15) provisos.

Annotation:

(Cm. Banks, Cn. Deadline 10/7/19).
APPROVED. See Motion No. M-19-355.

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

Brief:

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

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

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline (9/9/19)).
ON DEADLINE.
DENIED. See Motion No. M-19-356.

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

Brief:

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

Annotation:

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

ON DEADLINE.

Cm. Brossett offered motion for DENIAL:

YEAS: Brossett - 1

NAYS: Banks, Giarrusso, Gisleson Palmer, Moreno, Nguyen,
Williams - 6

ABSENT: 0

AND THE MOTION FAILED.

Cm. Moreno offered motion for APPROVAL:

YEAS: Banks, Giarrusso, Gisleson Palmer, Moreno, Nguyen,
Williams - 6

NAYS: Brossett - 1

ABSENT: 0

AND THE MOTION WAS APPROVED. See Motion No. M-19-357.

5. **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).
CONTINUED TO THE MEETING OF 9/19/19.

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

Brief:

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

Annotation:

(Cm. Brossett, Cn. Deadline (10/7/19)).
DENIAL WAS OVERRULED: APPROVED. See Motion No. M-19-358.

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

Brief:

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

The specific amendments to the text are as follows:

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

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

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

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

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

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

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

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

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

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

Annotation:

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

CONTINUED TO THE MEETING OF 9/19/19.

8. ZONING DOCKET NO. 97/19 - CITY COUNCIL MOTION M-19-274

Brief:

Requesting Conditional Uses to permit the retail sale of packaged alcoholic beverages and a bar in a cultural facility (museum) located in a CBD-2 Historic Commercial and Mixed-Use District, on Square 169, Lot CC, in the First Municipal District, bounded by Magazine Street, Canal Street, Camp Street, and Common Street (Municipal Address: **101 Magazine Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to three (3) provisos.

Annotation:

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

APPROVED. See Motion No. M-19-359.

9. 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).

CONTINUED TO THE MEETING OF 9/19/19.

10. 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).

CONTINUED TO THE MEETING OF 9/19/19.

11. 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).

CONTINUED TO THE MEETING OF 9/19/19.

12. 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).

CONTINUED TO THE MEETING OF 9/19/19.

13. CAL. NO. 32,740 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to provide for the establishment of a conditional use to permit a medical clinic over 5,000 square feet in floor area in an HU-MU Historic Urban Neighborhood Mixed-Use District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 450, Lot 16-A, in the Second Municipal District, bounded by Bienville Avenue, North Jefferson Davis Parkway, Conti Street and North Rendon Street (Municipal Address: 3333 Bienville Avenue); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 59/19)**

Annotation:

(90 Days, Cn. Deadline 10/23/19).

(Cn. Deadline 10/17/19).

ADOPTED, AS AMENDED. ORD. NO. 28179 M.C.S.

14. CAL. NO. 32,742 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve and authorize the Mayor of the City of New Orleans ("City"), acting by and through the New Orleans Aviation Board ("NOAB"), to enter into lease agreement with Federal Express Corporation for the East Air Cargo Facility Building No. 1 at the Louis Armstrong New Orleans International Airport (the "Airport"); and to provide otherwise with respect thereto.

Annotation:

(Council Rule 34. Postponement 12/6/19).
ADOPTED. ORD. NO. 28181 M.C.S.

15. CAL. NO. 32,743 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve and authorize the Mayor of the City of New Orleans ("City"), acting by and through the New Orleans Aviation Board ("NOAB"), to enter into an Amended and Restated Lease agreement with General Aviation, L.L.C. d/b/a Atlantic New Orleans for Hangars 10 and 30 and 10,000 square feet of apron at the Louis Armstrong New Orleans International Airport (the "Airport"); and to otherwise provide with respect thereto

Annotation:

(Council Rule 34. Postponement 12/6/19).
(Technical Correction Needed).
ADOPTED. ORD. NO. 28182 M.C.S.

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

Brief:

An Ordinance to amend and reordain the Unclassified Pay Plan for officers and employees in the unclassified service of the City of New Orleans in accordance with Section 3-118 and 4-206(g) of the Home Rule Charter of the City of New Orleans to establish the Unclassified positions of Chief Customer Service Officer (U-3020), Chief Financial Officer (U-3021), Chief Administrative Officer (U-3022) and Chief of Staff (U-3023) within the Sewerage and Water Board and establish the salary ranges allowable within the Unclassified Pay Plan; and to otherwise provide with respect thereto.

Annotation:

(Council Rule 34. Postponement 12/6/19).
ADOPTED. ORD. NO. 28183 M.C.S.

17. 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 and Special Development Projects Committee).
CONTINUED TO THE MEETING OF 9/19/19.

18. 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).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 10/3/19.

19. 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).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 10/3/19.

20. 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).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 10/3/19.

21. 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).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 10/3/19.

22. CAL. NO. 32,751 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to repeal Ordinance No. 28,060, M.C.S. and to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and the State of Louisiana to allow and facilitate the planning and construction of and renovations to the West Bank Ferry Terminal, as more fully set forth in the Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

(Fiscal Note received).

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

ADOPTED. ORD. NO. 28184 M.C.S.

23. CAL. NO. 32,754 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a First Amendment to the Cooperative Endeavor Agreement (the "**Amendment**") to amend the Cooperative Endeavor Agreement ("**Wharves CEA**") between the City of New Orleans (the "**City**") and Audubon Commission ("**Audubon**") to modify the terms or conditions and to extend certain deadlines; and otherwise to provide with respect thereto.

Annotation:

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

ADOPTED. ORD. NO. 28185 M.C.S.

24. CAL. NO. 32,755 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 154-404 of the Code of Ordinances of the City of New Orleans, to establish additional regulations relative to operating a motor vehicle on streets, roadways, highways, or bridges that have been designated as closed due to flooding or other impairment; and to otherwise provide with respect thereto.

Annotation:

(Council Rule 34. Postponement 12/20/19).
ADOPTED. ORD. NO. 28186 M.C.S.

25. CAL. NO. 32,757 - BY: COUNCILMEMBERS WILLIAMS, BANKS, MORENO, GIARRUSSO, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

An Ordinance to amend and reordain Section 26-15 of the Code of the City of New Orleans, relative to Stormwater Management requirements and paved surface parking, to require all surface non-residential off-street parking spaces to be permeable and establish associated standards; to rescind Section 26-482 of the City Code relative to paving of surface parking lots in the central business district; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement 12/20/19).
ADOPTED. ORD. NO. 28187 M.C.S.

26. RESOLUTION - NO. R-19-351 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND 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:

At-Large 1: (Moreno) :

<u>Organization</u>	<u>Amount</u>
Girls on the Run	\$ 3,000.00
Son of a Saint	\$ 10,000.00
NORD	\$ 5,000.00
Le Sanctuary	\$ 1,000.00
Health and Education Alliance for Louisiana	\$ 1,000.00
TOTAL	\$ 20,000.00

At-Large 2: (Williams)

<u>Organization</u>	<u>Amount</u>
Louisiana Center for Children's Rights	\$ 3,000.00
Johnny Jackson Jr. Foundation	\$ 1,000.00
Le Sanctuary	\$ 1,000.00
Health and Education Alliance for Louisiana	\$ 1,000.00
Historic Fauborg Treme Association	\$ 1,000.00
Upturn Arts	\$ 1,000.00
Reconcile New Orleans	\$ 1,000.00
Louis Armstrong Family Services	\$ 1,000.00
House of Faith Non-Denomination Ministries	\$ 1,000.00
Children's Bureau of New Orleans	\$ 8,000.00
New Orleans Delta Foundation	\$ 1,000.00
TOTAL	\$ 20,000.00

DISTRICT "A": (Giarrusso)

<u>Organization</u>	<u>Amount</u>
Celebrate Life Transformation Community Center	\$ 5,000.00
Girls on the Run	\$ 2,000.00
Grow Dat Youth Farm	\$ 1,000.00
Hollygrove Dixon	\$ 1,000.00
Lake Pontchartrain	\$ 1,000.00
Le Sanctuary	\$ 1,000.00
Lighthouse Louisiana	\$ 4,000.00
NORD Foundation	\$ 5,000.00
TOTAL	\$ 20,000.00

District "B": (Banks)

<u>Organization</u>	<u>Amount</u>
College Track	\$ 500.00
Health and Education Alliance for Louisiana	\$ 1000.00
Dibia DREAM	\$ 500.00
Ellis Marsalis Center for Music, Inc.	\$ 1000.00
Grow Dat Youth Farm	\$ 1000.00

Historic Faubourg Treme' Association	\$ 500.00
House of Faith Non-Denomination Ministries	\$ 500.00
KIPP New Orleans Schools	\$ 500.00
Lake Pontchartrain Basin (dba Light House Louisiana)	\$ 500.00
Le Sanctuary	\$ 500.00
Legacy Donor Foundation	\$ 1500.00
Lighthouse for the Blind (dba Lighthouse Louisiana)	\$ 1000.00
Louis Armstrong Family Services	\$ 500.00
Louisiana Center for Children's Rights	\$ 1000.00
Louisiana Philharmonic Orchestra	\$ 500.00
New Orleans Junior Journalism Program	\$ 500.00
New Orleans Recreation Development Foundation (NORDF)	\$ 500.00
Press Street (dba Antenna)	\$ 500.00
Raphael Academy	\$ 1500.00
Reconcile New Orleans, Inc.	\$ 1000.00
Son of a Saint	\$ 500.00
Sprout NOLA Farm	\$ 500.00
St. Ann's Episcopal Church	\$ 500.00
St. Michael Special School	\$ 500.00
The NOLA Project	\$ 500.00
Upturn Arts	\$ 500.00
Children's Bureau of New Orleans	\$ 500.00
New Orleans Delta Foundation	\$ 1,500.00
TOTAL	\$ 20,000.00

District "C": (Gisleson Palmer)

<u>Organization</u>	<u>Amount</u>
St. Ann's Episcopal Church, New Orleans	\$ 2,000.00
New Orleans Recreation Development Foundation (NORDF)	\$ 2,000.00
Historic Faubourg Treme' Association	\$ 1,000.00
Son of a Saint	\$ 2,000.00
The NOLA Project	\$ 2,000.00
Sprout NOLA Project	\$ 2,000.00
College Track	\$ 2,000.00
Ellis Marsalis Center Music, Inc.	\$ 2,000.00
Grow Dat Youth Farm	\$ 2,000.00
Lighthouse for the Blind (dba Lighthouse Louisiana)	\$ 1,000.00
Children's Bureau of New Orleans	\$ 2,000.00
TOTAL	\$ 20,000.00

District "D": (Brossett)

<u>Organization</u>	<u>Amount</u>
St. Michael Special School	\$ 2,500.00
The Childhood and Family Learning Foundation (dba The Health and Education Alliance of Louisiana)	\$ 2,000.00
Dibia DREAM	\$ 2,500.00
Johnny Jackson Jr. Foundation	\$ 2,000.00
Guardian Institute	\$ 2,000.00
Teaching Responsible Earth Education (T.R.E.E.)	\$ 2,000.00
Ellis Marsalis Center for Music	\$ 2,000.00
New Orleans Delta Foundation	\$ 2,500.00
TOTAL	\$ 20,000.00

District "E": (Nguyen)

<u>Organization</u>	<u>Amount</u>
Health and Education Alliance of Louisia	\$ 2,000.00
IGL Foundation	\$ 2,000.00
Mildred Osborne Charter School (ARISE Schools)	\$ 2,000.00
Lighthouse for the Blind (dba Lighthouse Louisiana)	\$ 2,000.00
New Orleans Recreation Development Foundation (NORDF)	\$ 2,000.00
Lake Pontchartrain Basin Foundation (LPBF)	\$ 2,000.00
College Track	\$ 1,000.00
Ellis Marsalis Center For Music, Inc.	\$ 1,000.00
Louis Armstrong Family	\$ 1,000.00
Louisiana Center for Children's Rights	\$ 1,000.00
New Orleans Delta Foundation	\$ 1,000.00
TOTAL	\$ 17,000.00

Annotation:

**(Council Rule 34. Postponement: 1/3/20).
ADOPTED.**

27. MOTION - NO. M-19-352 - BY: COUNCILMEMBER BANKS

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a conditional use to permit a hotel in a CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District, for a property located on Square 180, Lot 5A, in the First Municipal District, bounded by St. Charles Avenue, Girod Street, Church Street, and Julia Street. The municipal address is **744 St. Charles Avenue.**

Annotation:

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

28. RESOLUTION - NO. R-19-353 - BY: COUNCILMEMBERS WILLIAMS AND GISLESON PALMER

Brief:

A RESOLUTION proclaiming the month of September, 2019 as Neonatal Intensive Care Awareness Month in the City of New Orleans.

Annotation:

(Council Rule 34. Postponement: 1/3/20).

ADOPTED.

29. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 32,759 THRU 32,765.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.