

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

MINUTES
Regular City Council Meeting
held in City Hall Council Chamber
on Thursday, September 1, 2022 at 10:07 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
JP MORRELL
Councilmember-At-Large

1. ROLL CALL - LORA W. JOHNSON - CLERK OF COUNCIL

On calling the roll, the following members answered to their names:

PRESENT: Giarrusso, Green, Harris, King, Moreno, Morrell - 6

ABSENT: Thomas - 1

SIX MEMBERS PRESENT, CONSTITUTING A QUORUM.

Councilmember Thomas - (Arrived later in the meeting).

2. **INVOCATION - REV. JOSEPH RECASNER, PASTOR "GOD OUR FATHER" BAPTIST CHURCH**
3. **PLEDGE OF ALLEGIANCE - CHASE TAYLOR - DR. MARTIN LUTHER KING JR. CHARTER HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY STUDENT COUNCIL**
4. **NATIONAL ANTHEM - DR. MARTIN LUTHER KING JR. CHARTER HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY BAND**
5. PUBLIC E-COMMENT FORMS, RULES AND INFORMATION ARE AVAILABLE AT <https://council.nola.gov/home/>
- A. PLEASE TURN ALL CELL PHONES AND BEEPERS EITHER OFF OR ON VIBRATE DURING COUNCIL PROCEEDINGS.
1. **APPROVAL OF THE MINUTES – August 4, 2022 and August 18, 2022.**

Annotation:

APPROVED.

MOVED BY: Moreno
SECONDED BY: Giarrusso
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

- B. **SPECIAL ORDERS OF BUSINESS**
1. **FIRST ORDER OF BUSINESS – PRESENTATION – WWL-TV ANNIVERSARY PRESIDENT AND GENERAL MANAGER - TOD SMITH**

Brief:

Recognizing WWL-TV station's role in our city's history and celebrating its 65th anniversary of broadcasting news and programming to the City of New Orleans and the people of Southeast Louisiana.

Attendees:

- * Tod Smith – President and General Manager
- * Lourdes Kieffer – Director of Sales
- * Johnny Moore – Director of Technology
- * Keith Esparros – Executive News Director
- * Patti Cazeaux – Finance Officer
- * Chandra Smith – Program Director
- * Ben Bates - Marketing Director (interim)
- * Eric Paulsen – News Anchor

- * Sheba Turk – News Anchor
- * Leslie Spoon – News Anchor
- * Payton Malone – Meteorologist
- * April Dupre – Traffic Anchor

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. King).
APPEARED.

2. SECOND ORDER OF BUSINESS

POINT OF PERSONAL PRIVILEGE - VICTIMS OF CRIME SPEAKS OUT:

SPEAKER CARDS:

George Mahdi - Info. Only

Chui Clark - Oppose

Michael Burnside - Info. Only

3. THIRD ORDER OF BUSINESS

C. 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 September 1, 2022:

Erin Spears - 2022-08-29 MEMO Electric Gas Communications

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

1. Revisions to the Energy Smart Program Application for Approval of the Implementation Plan for Program Years 13-15, Dockets UD-20-02 and UD-08-02

Entergy - Lacresha Wilkerson

2. Energy Smart Midyear Report for Program Year 12, submitted pursuant to Resolutions R-11-52, R-20-51, and R-21-153, Dockets UD-17-03 and UD-08-02

Entergy - Courtney R. Nicholson - 2022-08-22 Energy Smart Program Year 12 Midyear Report

3. Renewable and Clean Portfolio Standard Compliance Plan for 2023-2025, UD-19-01

Entergy - Keith D. Wood - 2022-08-19 Entergy New Orleans RCPS filing

E. Communications from the Council's Utility Advisors

1. Report of Finding Regarding the Application of ENO and Louisiana Utilities Restoration Corporation for Authority to Fund and Finance Storm Recovery Reserves and Related Relief, UD-22-01

Entergy - Jay Beatmann - 8.19.22 Trans Ltr. to Lora Johnson re Advisors Report UD-22-01 1 of 2

Entergy - Jay Beatmann - UD-22-01 Advisor Securitization Report 8-19-22 FINAL 2 of 2

2. Administrative Record Chart, UD-22-01

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

SPEAKER CARD:

Michael Burnside

Entergy - Jay Beatmann - 22.08.25 Trans Ltr. to Lora Johnson re Administrative Record Chart UD-22-01 - 1 of 2

Entergy - Jay Beatmann - UD-22-01 (Final Administrative Record Chart)jab 2 of 2

2. REPORT – OF THE DEPUTY DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION | CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report regarding an appeal of the Historic District Landmarks Commission's (HDLC) decision to deny an application to demolish the Non-contributing-rated structure for the property located at 3600 St. Charles Avenue without approved redevelopment plans.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

Report - 3600 St. Charles Avenue City Council Appeal Report

3. REPORT – OF THE DEPUTY DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION | CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report regarding an appeal of the Historic District Landmarks Commission's (HDLC) decision to deny the retention of the removal of three masonry chimneys for the property located at 1903 Dauphine Street.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

Report - 1903 Dauphine Street City Council Appeal Report4. CAL. NO. 33,827 - BY: COUNCILMEMBER HARRIS**Brief:**

An Ordinance to amend and reordain Article 22, Section 22.11.B.2 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 authorize the Director of the Department of Public Works to permit curb cuts wider than twenty-four (24) feet for two-way circulation, and twelve (12) feet for one-way circulation, provided that circumstances require wider curb cuts for turning efficiency and safety; and otherwise to provide with respect thereto. (ZONING DOCKET NO. 42/22)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 10/19/22).
(Cn. Deadline 10/6/22).
ADOPTED.

33827 - 29148 M.C.S.

5. CAL. NO. 33,828 - BY: COUNCILMEMBER HARRIS**Brief:**

An Ordinance to effect a zoning change from an HU-RM1 Historic Urban Multi-Family Residential District to an HU-B1A Historic Urban Neighborhood Business District, on Square 248, Lots C and D or 12 and 13, in the Sixth Municipal District, bounded by Washington Avenue, Baronne Street, Fourth Street, and Carondelet Street (Municipal Addresses: 1735-1737 Washington Avenue); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 43/22)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 10/19/22).
(Cn. Deadline 10/6/22).
ADOPTED.

33828 - 29149 M.C.S.

6. CAL. NO. 33,829 - BY: COUNCILMEMBER HARRIS**Brief:**

An Ordinance to establish a conditional use to permit a minor motor vehicle service and repair facility in an MU-1 Medium Intensity Mixed-Use District, a HUC Historic Urban Corridor Use Restriction Overlay District, and a Small Multi-Family Affordable Short Term Rental Interim Zoning District, on Square 703, Lots 7, 8, 9, O, N, and M, in the First Municipal District, bounded by Tulane Avenue, South Clark Street, d'Hemecourt Street, and South

Genois Street (Municipal Addresses: 3501-3511 Tulane Avenue and 601-633 South Clark Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 45/22)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 10/19/22).

(Cn. Deadline 10/6/22).

ADOPTED.

33829 - 29150 M.C.S.

7. CAL. NO. 33,830 - BY: COUNCILMEMBER HARRIS

Brief:

An Ordinance to establish a conditional use to permit a tire retail shop under a minor motor vehicle service and repair use in an MU-1 Medium Intensity Mixed-Use District, a HUC Historic Urban Corridor Use Restriction Overlay District, an AC-1 Arts and Culture Diversity Overlay District, an EC Enhancement Corridor Design Overlay District, and a Small Multi-Family Affordable Short Term Rental Interim Zoning District, on Square 584, Lot X, in the First Municipal District, bounded by Tulane Avenue, South Broad Street, Banks Street, and Manasses Alley (Municipal Addresses: 2655-2657 Tulane Avenue); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 47/22)

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Cn. Deadline 10/20/22).

ADOPTED.

33830 - 29151 M.C.S.

8. CAL. NO. 33,831 - BY: COUNCILMEMBER HARRIS

Brief:

An Ordinance to establish a conditional use to permit a standard restaurant over 5,000 square feet in an HU-B1 Historic Urban Neighborhood Business District and the Magazine Street Use Restriction Overlay District, on Square 123, Lot A, in the Fourth Municipal District, bounded by Magazine Street, Pleasant Street, Constance Street, and Harmony Street (Municipal Addresses: 3224-3226 Magazine Street and 1033 Pleasant Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 35/22)

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Cn. Deadline 10/20/22).

ADOPTED.

SPEAKER CARD:

Michael Burnside - Info. Only

33831 - 29152 M.C.S.

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

MOVED BY: Moreno
SECONDED BY: Morrell
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, Moreno, Morrell, Thomas - 6
NAYS: 0
ABSTAIN: 0
ABSENT: King - 1
RECUSED: 0
AND THE MOTION PASSED.

G. AND THE CONSENT AGENDA WAS ADOPTED.

H. REGULAR AGENDA

I. LAND USE MATTERS

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

K. 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.

L. No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. HDLC APPEAL - OF GEORGE CHIN, MANAGING PARTNER, DYNASTY PROPERTIES, LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "approval" to postpone the demolition permit until the final redevelopment plans are reviewed and approved by the HDLC for properties located at 3600-3602 St. Charles Avenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, Cn. Deadline 10/2/22).

(Report received on today's Consent Agenda).

HEARING HELD.

SPEAKER CARDS:

Daniel Kattan - Info. Only

George Chin

George Chin - 3600 St. Charles Ave1b. MOTION – NO. M-22-387 – BY: COUNCILMEMBER HARRIS**Brief:**

Denying the applicant's HDLC appeal to demolish the property located at 3600 St. Charles Avenue. M

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-387

MOVED BY: Harris
SECONDED BY: King
ACTION: Adopt
YEAS: Green, Harris, King, Moreno, Morrell - 5
NAYS: 0
ABSTAIN: 0
ABSENT: Giarrusso, Thomas - 2
RECUSED: 0
AND THE MOTION PASSED.

2. HDLC APPEAL - OF KIRK P. FABACHER, NCARB, TERRELL-FABACHER ARCHITECTS, L.L.C.**Brief:**

Requesting to appeal the Central Business District Historic Districts Landmarks Commission's decision of "denial" Architecture Review Committee's recommendation to remove or adjust two garage doors on the primary façade of an 81,000 SF new construction for properties located at 823-843 Camp Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Harris, Cn. Deadline 10/2/22).

(Report received at the meeting of 8/18/22).

CONTINUED TO THE MEETING OF 9/15/22.

Kirk P. Fabacher, NCARB - 823-843 Camp Street

3. LEGISLATIVE GROUPING3a. HDLC APPEAL - OF EMILY C. RICHARD AND MICHAEL P. DOYLE**Brief:**

Requesting to appeal the Historic District Landmarks Commission's decision of "denial" for demolition of a Contributing rated, one-story, single-family residential building to grade for property located at 1015 Evelina Street.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. King, Cn. Deadline 10/2/22).
(Report received at the meeting of 8/18/22).
HEARING HELD.

SPEAKER CARD:
Michael P. Doyle - In Support

Emily C. Richard and Michael P. Doyle - 1015 Evelina Street

3b. MOTION - NO. M-22-394 - BY: COUNCILMEMBER KING

Brief:

Overruling HDLC's decision of denial and granting the applicant's request for property located at 1015 Evelina Street.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 12/30/22).

M-22-394

MOVED BY: King
SECONDED BY: Morrell
ACTION: Adopt
YEAS: Green, Harris, King, Morrell, Thomas - 5
NAYS: 0
ABSTAIN: 0
ABSENT: Giarrusso, Moreno - 2
RECUSED: 0
AND THE MOTION PASSED.

4. LEGISLATIVE GROUPING

4a. HDLC APPEAL - OF ZACHARY SMITH, OWNER ' ZACH SMITH CONSULTING ON BEHLAF OF NEAL MANALLA

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "denial" of the retention of removal of three (3) new masonry chimneys from roof of a Significant rated, 1½-story, single-family residential building, without a Certificate of Appropriateness for property located at 1903 Dauphine Street.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. King, Cn. Deadline 10/2/22).
(Report received on today's Consent Agenda).
HEARING HELD.

SPEAKER CARD:
Neal Manalla - In Support

Zarchary Smith - 1903 Dauphine St.4b. MOTION – NO. M-22-395 – BY: COUNCILMEMBER KING**Brief:**

Overruling HDLC's decision of denial and granting the applicant's request for property located at 1903 Dauphine Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-395

MOVED BY: King
SECONDED BY: Green
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Morrell - 5
NAYS: 0
ABSTAIN: 0
ABSENT: Moreno, Thomas - 2
RECUSED: 0
AND THE MOTION PASSED.

5. LEGISLATIVE GROUPING5a. VCC APPEAL – OF ERIKA GATES, GATES PRESERVATION, LLC**Brief:**

Requesting to appeal the Vieux Carré Commission's decision of "denial" to retain work completed without benefit of VCC review and approval, per application & materials received 02/07/2022. (Notice of violation sent 07/30/2018) for property located at 700 Bourbon Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, Cn. Deadline 9/18/22).

(Report received at the meeting of 8/4/22).

HEARING HELD.

SPEAKER CARDS:

Robert Ellis - In Support

Erika Gates - In Support

Erika Gates 700 Bourbon St VCC5b. MOTION – NO. M-22-396 – BY: COUNCILMEMBER KING**Brief:**

Overruling VCC's decision of denial and granting the applicant's request for property located at 700 Bourbon Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-396**MOVED BY: King****SECONDED BY: Morrell****ACTION: Adopt****YEAS: Giarrusso, Green, Harris, King, Morrell - 5****NAYS: 0****ABSTAIN: 0****ABSENT: Moreno, Thomas - 2****RECUSED: 0****AND THE MOTION PASSED.**6. LEGISLATIVE GROUPING6a. VCC APPEAL – OF ERIKA GATES, GATES PRESERVATION, LLC**Brief:**

Requesting to appeal the Vieux Carré Commission's decision of "denial" to retain work completed without benefit of VCC review and approval, per application & materials received 02/07/2022. (Notice of violation sent 07/31/2018) for property located at 706 Bourbon Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, Cn. Deadline 9/18/22).

(Report received at the meeting of 8/4/22).

HEARING HELD.

SPEAKER CARDS:

Robert Ellis - In Support

Erika Gates - In Support

Erika Gates 706 Bourbon St VCC6b. MOTION – NO. M-22-397 – BY: COUNCILMEMBER KING**Brief:**

Overruling VCC's decision of denial and granting the applicant's request for property located at 706 Bourbon Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-397**MOVED BY: King****SECONDED BY: Green****ACTION: Adopt**

YEAS: Giarrusso, Green, King, Moreno, Morrell - 5
NAYS: 0
ABSTAIN: 0
ABSENT: Harris, Thomas - 2
RECUSED: 0
AND THE MOTION PASSED.

7. ZONING DOCKET NO. 50/22 – KREWE OF RED BEANS

Brief:

Requesting a Conditional Use to permit a cultural facility with a bar and live entertainment (secondary use) in an HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District, on Square 139, Lots A, A2, an undesignated lot, B, and 1, in the First Municipal District, bounded by Piety Street, Royal Street, Chartres Street, and Desire Street (Municipal Addresses: 3300 Royal Street and 633 Piety Street). The recommendation of the City Planning Commission being “NO LEGAL MAJORITY”.

YEAS: Brown, Lunn, Steeg, Stewart - 4
NAYS: Flick, Jordan, Witry - 3
ABSENT: None

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. King, Cn. Deadline 10/17/22).
CONTINUED TO THE MEETING OF 10/6/22.

ZD NO 50-22 Final Part 1

ZD NO 50-22 Final Part 2

ZD NO 50 and ZD51-22 Public Comments Combined

8. ZONING DOCKET NO. 51/22 – KREWE OF RED BEANS

Brief:

Requesting an Amendment to the text of the Comprehensive Zoning Ordinance to amend Article 20, Section 20.3.JJ and Article 26, Section 26.6 to enable live entertainment (secondary use) to be a secondary element to a cultural facility. The proposed text amendment would have citywide impact. The recommendation of the City Planning Commission being “NO LEGAL MAJORITY”.

YEAS: Brown, Steeg, Stewart, Witry – 4
NAYS: Flick, Jordan, Lunn – 3
ABSENT: Alexander - 1

Annotation:

ELECTRONICALLY SUBMITTED.
(All Cms., All District, Cn. Deadline 10/17/22).
CONTINUED TO THE MEETING OF 9/15/22.

ZD NO 51-22 Final Staff Report

9. ZONING DOCKET NO. 52/22 – CITY COUNCIL MOTION NO. M-22-214

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to create a new temporary use category for a Food Pop Up Vendor Host within Article 21, Section 21.8 Temporary Uses, and to make recommendations for any other amendments deemed necessary. Location is Citywide. The recommendation of the City Planning Commission being “FOR MODIFIED APPROVAL”.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Cms. Cn. Deadline 10/3/22).

CONTINUED TO THE MEETING OF 9/15/22.

ZD NO 52-22 Final with attachments

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 57/22 – TRIRIVER INVESTMENT, LLC

Brief:

Requesting a Conditional Use to permit a drive-thru facility associated with a fast-food restaurant in a C-3 Heavy Commercial District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an SC Suburban Corridor Design Overlay District, the petitioned property is located on Square I or 206, Lots 12 through 17 in the Fifth Municipal District, bounded by General De Gaulle Drive, Holiday Drive, and Behrman Place (Municipal Address: 3825 General De Gaulle Drive). The recommendation of the City Planning Commission being “FOR APPROVAL”, with eleven (11) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. King, Cn. Deadline 10/17/22).

HEARING HELD.

ZD NO 57-22 Final Report

10b. MOTION – NO. M-22-398 – BY: COUNCILMEMBER KING

Brief:

Granting the applicant’s conditional use request, subject to eleven (11) provisos approved by the City Planning Commission, on ZD NO. 57/22.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-398

MOVED BY: King
SECONDED BY: Harris

ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Thomas - 1
RECUSED: 0
AND THE MOTION PASSED.

11. LEGISLATIVE GROUPING

11a. ZONING DOCKET NO. 58/22 – PEJIC PROPERTIES, LLC

Brief:

Requesting a Conditional Use for a standard restaurant with on-site alcohol consumption within the Magazine Street Use Overlay District, the CPC Character Design Overlay District and the Small Multi-Family Affordable Short Term Rental Interim Zoning District, the petitioned property is located on Square 211, Lot 11, in the Sixth Municipal District, bounded by Magazine Street, Amelia Street, Antonine Street, and Constance Street (Municipal Addresses: 3642-3644 Magazine Street). The recommendation of the City Planning Commission being “FOR APPROVAL”, with four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
 (Cm. Harris, Cn. Deadline 10/17/22).
 HEARING HELD.

SPEAKER CARD:

Nicholas Pejic - In Support

ZD NO 58-22final

11b. MOTION – NO. M-22-388 – BY: COUNCILMEMBER HARRIS

Brief:

Granting the applicant’s conditional use request, subject to four (4) provisos set forth by the City Planning Commission, on ZD NO. 58/22.

Annotation:

ELECTRONICALLY SUBMITTED.
 (Council Rule 34. Postponement Deadline 12/30/22).

SPEAKER CARD:

Michael Burnside - Info. Only

M-22-388

MOVED BY: Harris
SECONDED BY: King
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell - 6
NAYS: 0
ABSTAIN: 0

ABSENT: Thomas - 1
RECUSED: 0
AND THE MOTION PASSED.

12. ZONING DOCKET NO. 59/22 – ORLEANS PARISH SCHOOL BOARD

Brief:

Requesting an amendment to Ordinance No. 23,103 MCS (which effectuated approval of Zoning Docket 016/08) to permit the expansion of an existing primary educational facility (Langston Hughes Academy) to include the adjacent Lot 51, which is to be developed with a new structure. The subject property is located in an HU-RS Historic Urban Single-Family Residential District A portion of Lot 13, Bayou St. John Subdivision (existing Langston Hughes Academy site) and Lot 51, Square A, Desaix Place (expansion site), in the Third Municipal District, bounded by Trafalgar Street, Desaix Boulevard, and Gentilly Boulevard (Municipal Addresses: 3519 Trafalgar Street (existing Langston Hughes Academy site) and 3244 Desaix Boulevard (expansion site)). The recommendation of the City Planning Commission being “FOR APPROVAL”, with eighteen (18) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. Giarrusso, Cn. Deadline 10/17/22).
CONTINUED TO THE MEETING OF 9/15/22.

ZD NO 59-22 FINAL

13. LEGISLATIVE GROUPING

13a. ZONING DOCKET NO. 60/22 – AA PROPERTY INVESTMENTS, LLC

Brief:

Requesting a Conditional Use to permit a standard restaurant in a HU-B1 Historic Urban Neighborhood Business District and the Magazine Street Use Restriction Overlay District, located on Square 155, Lot C, in the Fourth Municipal District, bounded by Magazine Street, Camp Street, Eighth Street, and Ninth Street (Municipal Addresses: 3109-3111 Magazine Street). The recommendation of the City Planning Commission being “FOR APPROVAL”, with five (5) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. Harris, Cn. Deadline 10/17/22).
HEARING HELD.

SPEAKER CARD:

Jill Gautreaux - In Support

ZD NO 60-22 Final Staff Report

13b. MOTION - NO. M-22-390 - BY: COUNCILMEMBER HARRIS

Brief:

Approving the applicant's conditional use request on ZD NO. 60/22 modified, subject to the five (5) provisos set forth by the City Planning Commission, excepting proviso 5(f), and the additional thirteen (13) provisos as following and renumber accordingly:

M-22-390

- 1) Tenant/Operator, when operating a full-service restaurant on the Restricted Property, shall maintain daily the sidewalk area in front and on the sides and rear of the Tenant/Operator's portion of the Restricted Property free from trash, debris, and obstruction, which maintenance shall include washing sidewalks as necessary to keep the sidewalks clean and free of odors.
- 2) Tenant/Operator shall not seek a video poker license and shall not allow the operation of video poker or other wagering, gaming, or gambling operations or equipment on the Restricted Property at any time.
- 3) When operating a restaurant selling alcoholic beverages on the Restricted Property, during all hours of operation, Tenant/Operator shall operate using a full restaurant menu.
- 4) While operating a restaurant selling alcoholic beverages on the Restricted Property, Tenant/Operator shall maintain at least 75% of the interior restaurant floor space of the Restricted Property as table seating for the restaurant. Any outside tables shall be used for food service in conjunction with alcoholic beverage service and shall not be used as a holding bar.
- 5) Tenant/Operator shall serve alcoholic beverages only in conjunction with table service of meals or service of "to-go" meal orders so long as the service of alcoholic beverages in connection with "to-go" orders is permitted by applicable State law and City ordinances. Any disposable cups used for the service of alcoholic beverages shall bear the name and/or logo of the Tenant/Operator.
- 6) Tenant/Operator shall not play, or allow to be played, any recorded music or excessive noise that will be audible outside of the building and there shall be no live (amplified) music allowed at any time.
- 7) Tenant/Operator agrees that all signage visible from the exterior of the building will not be backlit, illuminated or of a neon nature, and that promotional signage will not be visible from the sidewalk through the windows or any facade of the building, except for the non-illuminated posting of menus and signs advertising hours of operation. Tenant/Operator further agrees that all exterior signage must meet with the approval of the Historic District Landmarks Commission, be appropriately scaled for the Magazine Street corridor, comply with the New Orleans Comprehensive Zoning Ordinance, and not use the words "bar" or "tavern", or any other word that connotes a bar-like atmosphere.
- 8) Hours of operation for any full-service restaurant offering alcoholic beverages located on the Restricted Property shall be limited to 10:00 am until 10:00 pm Sunday through Thursday and 10:00 am until 11:00 pm on Friday and Saturday. The closing time referenced in the

preceding sentence shall be the time at which the door is closed to new patrons and last call is taken for food and beverage.

- 9) If the Restricted Property is used for a full-service restaurant, the sale of all food, dessert and non-alcoholic beverages shall constitute at least sixty percent (60%) of Tenant/Operator's revenue from the Restricted Property. If requested, Tenant/Operator agrees to submit a report to any member of the City Council of New Orleans and/or the Zoning Administrator of the City of New Orleans, demonstrating compliance with the foregoing limitation on sales of alcoholic beverages.
- 10) While operating a restaurant selling alcoholic beverages on the Restricted Property, only the ground floor of the Restricted Property may be used in connection with Tenant/Operator's use of the Restricted Property as a full-service restaurant. Nothing contained herein shall prohibit other uses of the Restricted Property that are permitted pursuant to the New Orleans Comprehensive Zoning Ordinance and approved by the City of New Orleans.
- 11) Tenant/Operator agrees that the Restricted Property shall not be used as a reception hall or for any other purpose other than a full-service restaurant or uses permitted by the New Orleans Comprehensive Zoning Ordinance and approved by the City of New Orleans.
- 12) Tenant/Operator shall provide trash pickup and litter abatement program, including the removal of trash from the sidewalk fronting the Restricted Property. Trash bins after pickup shall be placed in the rear or side of the property and located out of sight of Magazine Street. Trash bins may be placed on Magazine Street after closing on the day before trash pickup. The Tenant/Operator shall prevent, at any time, overflowing or visible trash, vermin, or noxious odors. If a grease trap is placed on the Restricted Property outside the building, it shall also be screened completely by an opaque fence, and Tenant/Operator shall provide grease trap emptying as necessary to prevent any overflowing grease, vermin, or noxious odors.
- 13) If outdoor sidewalk seating is provided, the Tenant/Operator shall secure a franchise agreement from the Department of Finance. Outdoor sidewalk seating shall be limited to not more than three (3) tables.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

SPEAKER CARD:

Michael Burnside - Info. Only

MOVED BY: Harris
SECONDED BY: Giarrusso
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Thomas - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Morrell - 1
RECUSED: 0
AND THE MOTION PASSED.

14. CAL. NO. 33,745 - BY: COUNCILMEMBERS HARRIS, GIARRUSSO AND MORENO

Brief:

An Ordinance to amend and reordain Sections 146-493, 154-2, 154-1401, 154-1409, 154-1421, and 154-1423, and to ordain Sections 154-1751, 154-1752, and 154-1753 of the Code of the City of New Orleans, to distinguish bicycles and electric scooters, and to provide for prohibitions and regulation relative to electric scooters; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/16/22).

(Referred to the Transportation and Airport Committee).

CONTINUED TO THE MEETING OF 9/15/22.

33745

15. CAL. NO. 33,814 - 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 funds awarded by the Department of Homeland Security to New Orleans Homeland Security - NOHSEP (DHS-STC GRANT for FY 2021 (roll over) funds) to purchase Radiological and Nuclear detection equipment for the region and to pay salaries to the employees working the grant; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 11/18/22).

(Fiscal Note received).

(Referred to the Budget Committee).

(Budget Committee recommended approval).

SPEAKER CARD:

Michael Burnside - Info. Only

33814 - 29140 M.C.S.

MOVED BY: Giarrusso

SECONDED BY: King

ACTION: Adopt

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

NAYS: 0

ABSTAIN: 0

ABSENT: Morrell - 1

RECUSED: 0

AND THE MOTION PASSED.

16. CAL. NO. 33,815 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST).

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2022"; to appropriate Federal funds awarded by the Department of Homeland Security to New Orleans Homeland Security - NOHSEP (DHS-STC GRANT for FY 2020 (roll over) funds) to purchase Radiological and Nuclear detection equipment for the region and to pay salaries to the employees working the grant; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 11/18/22).

(Fiscal Note received).

(Referred to the Budget Committee).

(Budget Committee recommended approval).

33815 - 29141 M.C.S.

MOVED BY: Giarrusso

SECONDED BY: Thomas

ACTION: Adopt

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

NAYS: 0

ABSTAIN: 0

ABSENT: Morrell - 1

RECUSED: 0

AND THE MOTION PASSED.

17. CAL. NO. 33,816 - 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 funds awarded by the Department of Homeland Security to New Orleans Homeland Security - NOHSEP (DHS-STC GRANT for FY 2021 (roll over) funds) to purchase Radiological and Nuclear detection equipment for the region and to pay salaries to the employees working the grant; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 11/18/22).

(Fiscal Note received).

(Referred to the Budget Committee).

(Budget Committee recommended approval).

33816 - 29142 M.C.S.

MOVED BY: Giarrusso

SECONDED BY: Moreno

ACTION: Adopt

YEAS: Giarrusso, Green, Harris, Moreno, Thomas - 5
NAYS: 0
ABSTAIN: 0
ABSENT: King, Morrell - 2
RECUSED: 0
AND THE MOTION PASSED.

18. CAL. NO. 33,817 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST).

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2022"; to appropriate Federal funds awarded by the Department of Homeland Security to New Orleans Homeland Security - NOHSEP (DHS-STC GRANT for FY 2021 (roll over) funds) to purchase Radiological and Nuclear detection equipment for the region and to pay salaries to the employees working the grant; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 11/18/22).
(Fiscal Note received).
(Referred to the Budget Committee).
(Budget Committee recommended approval).

33817 - 29143 M.C.S.

MOVED BY: Giarrusso
SECONDED BY: Moreno
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, Moreno, Thomas - 5
NAYS: 0
ABSTAIN: 0
ABSENT: King, Morrell - 2
RECUSED: 0
AND THE MOTION PASSED.

19. CAL. NO. 33,819 - 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 State Funds (Act 119 of 2021) that will be used as a reimbursement for an early childhood education program called City Seats; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 11/18/22).
(Fiscal Note received).
(Referred to the Budget Committee).
(Budget Committee recommended approval).

33819 - 29144 M.C.S.

MOVED BY: Giarrusso
SECONDED BY: Moreno
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

20. CAL. NO. 33,820 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST).

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2022" to appropriate State funds (Act 119 of 2021) that will be used as a reimbursement for an early childhood education program called City Seats; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 11/18/22).
(Fiscal Note received).
(Referred to the Budget Committee).
(Budget Committee recommended approval).

33820 - 29145 M.C.S.

MOVED BY: Giarrusso
SECONDED BY: Morrell
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

21. CAL. NO. 33,824 - 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 State Funds awarded to the City of New Orleans for the Office of Community Development to fund the City's activities under the CDBG Disaster Recovery Long Term Community Recovery Program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 11/18/22).
(Fiscal Note received).
(Referred to the Budget Committee).
(Budget Committee recommended approval).

33824 - 29146 M.C.S.

MOVED BY: Giarrusso
SECONDED BY: Morrell
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

22. CAL. NO. 33,825 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST).

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2022" to appropriate State Funds awarded to the City of New Orleans for the Office of Community Development to fund the City's activities under the CDBG Disaster Recovery Long Term Community Recovery Program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 11/18/22).
(Fiscal Note received).
(Referred to the Budget Committee).
(Budget Committee recommended approval).

33825 - 29147 M.C.S.

MOVED BY: Giarrusso
SECONDED BY: Harris
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

23. CAL. NO. 33,833 - BY: COUNCILMEMBER THOMAS

Brief:

An Ordinance to amend Chapter 162 of the Code of the City of New Orleans by amending Section 162-745 to include an additional \$1.00 gasoline surcharge for each completed trip as authorized from passage of this Ordinance until December 31, 2022; and otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Date 12/2/22).

33833 - 29154 M.C.S.

MOVED BY: Thomas
SECONDED BY: Giarrusso
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

24. CAL. NO. 33,834 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST).

Brief:

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2022"; to transfer funding from the Office of Youth and Families to the New Orleans Health Department to support the alternative dispatch program, these funds were allocated by the Louisiana Legislature to the City of New Orleans in the 2021 legislative session to be used on economic development, educational, housing and public safety initiatives; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Date 12/2/22).

(Fiscal Note received).

(Budget Committee recommended approval).

33834 - 29155 M.C.S.

MOVED BY: Giarrusso
SECONDED BY: Morrell
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

25. CAL. NO. 33,844 - BY: COUNCILMEMBERS MORENO, GREEN, KING, MORRELL AND THOMAS (BY REQUEST).

Brief:

An Ordinance authorizing 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 BioDistrict New

Orleans (the “District”), for a term greater than one year, for the public purpose of using incremental increases in undedicated taxes collected within the boundaries of the District to induce economic development and other activities necessary or convenient thereto for the enhancement of bioscience and health products, including but not limited to projects as more particularly identified in R.S. 33:9039.72 of the Louisiana Revised Statutes, within the District in the City of New Orleans, as more fully detailed in the Cooperative Endeavor Agreement form attached hereto as Exhibit “A”; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Date 12/16/22).

WITHDRAWN.

SPEAKER CARD:

Michael Burnside - Info. Only

33844

26. CAL. NO. 33,845 - BY: COUNCILMEMBER KING

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements within and around Washington Square Park located at 700 Elysian Fields Avenue in conjunction with the Silence the Violence Youth Talent Show and Festival event on Saturday, September 3, 2022 from 8:00 a.m. to 7:00 p.m., to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Date 12/16/22).

SPEAKER CARD:

Michael Burnside - Info. Only

33845 - 29156 M.C.S.

33845 Amendment

MOVED BY: King
SECONDED BY: Morrell
ACTION: Amendment
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

MOVED BY: King
SECONDED BY: Morrell
ACTION: As Amended
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0

ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

27. CAL. NO. 33,832 - BY: COUNCILMEMBERS MORENO, MORRELL, HARRIS, KING, GREEN AND THOMAS

Brief:

An Ordinance to ordain Chapter 159 and Sections 159-1 through 159-3 to establish the billing procedures for the Sewerage and Water Board of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED. (Council Rule 34. Postponement Date 12/2/22). (Climate/Utilities and SWBNO Advisory Committees recommended approval).

33832 - 29153 M.C.S.

MOVED BY: Moreno
SECONDED BY: Morrell
ACTION: Receive
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

SUS/RULES RECEIVE

MOVED BY: Moreno
SECONDED BY: Morrell
ACTION: Add
YEAS: Giarrusso, Green, King, Moreno, Morrell, Thomas - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Harris - 1
RECUSED: 0
AND THE MOTION PASSED.

CAL. NO. 33,832

27. CAL. NO. 33,832 - BY: COUNCILMEMBERS MORENO, MORRELL, HARRIS, KING, GREEN, THOMAS AND GIARRUSSO

Brief:

An Ordinance to ordain Chapter 159 and Sections 159-1 through 159-3 to establish the billing procedures for the Sewerage and Water Board of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Date 12/2/22).
(Climate/Utilities and SWBNO Advisory Committees recommended approval).

MOVED BY: Morrell
SECONDED BY: Giarrusso
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

28. MOTION - NO. M-22-383 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 12/30/22).
CONTINUED TO THE MEETING OF 9/15/22.

M-22-383

29. MOTION - NO. M-22-384 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 12/30/22).
CONTINUED TO THE MEETING OF 9/15/22.

M-22-384

30. MOTION - NO. M-22-385 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

Approving the Amendments to the Classified Pay Plan (Service Wide Increases): as adopted by the Civil Service Commission at its meeting of August 12, 2022, to be effective as described in this Motion (first full payroll periods in 2023, 2024 and 2025), in accordance with

Article X, Section 10 of the Constitution of Louisiana.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-385

MOVED BY: Giarrusso

SECONDED BY: Moreno

ACTION: Adopt

YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

31. MOTION - NO. M-22-386 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

Approving the Amendment to the Classified Pay Plan (Cost of Living Adjustment): as adopted by the Civil Service Commission at its meeting of August 12, 2022, to be effective September 4, 2022, or to “be determined” by the City Council, but to be effective no later than December 31, 2022, as described in this Motion, in accordance with Article X, Section 10 of the Constitution of Louisiana.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-386

MOVED BY: Giarrusso

SECONDED BY: Moreno

ACTION: Adopt

YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

32. MOTION - NO. M-22-389 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, MORRELL, GREEN AND THOMAS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

M-22-389**MOVED BY: Moreno****SECONDED BY: Thomas****ACTION: Adopt****YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7****NAYS: 0****ABSTAIN: 0****ABSENT: 0****RECUSED: 0****AND THE MOTION PASSED.**33. RESOLUTION - NO. R-22-391 - BY: COUNCILMEMBER KING**Brief:**

Stating that notwithstanding any authorization in Section 146-36 or any other provision of law to the contrary, no portion of the public roadway consisting of Newton Street between Elmira Avenue and Behrman Avenue, and of MacArthur Boulevard between General De Gaulle Drive and Woodland Drive shall be reserved or dedicated exclusively to use by bicycles or other non-motorized vehicles.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

WITHDRAWN.

ON-LINE SPEAKERS:

Philip Kiefer

Boyce Upholt

Dan Wiet

Kyle Strobel

Brad Ott

Sandy Clark

R-22-39134. RESOLUTION - NO. R-22-392 - BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS**Brief:**

IN RE: RULEMAKING PROCEEDING TO ESTABLISH RENEWABLE PORTFOLIO STANDARDS DOCKET NO. UD-19-01 RESOLUTION AND ORDER ESTABLISHING PROCEDURAL SCHEDULE REGARDING ENTERGY NEW ORLEANS LLC RCPS COMPLIANCE PLAN COVERING COMPLIANCE YEARS 2023-2025

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

(Utility Cable Telecommunications and Technology and Climate Change and Sustainability

Committee recommended approval).

R-22-392

MOVED BY: Morrell
SECONDED BY: Moreno
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

35. RESOLUTION - NO. R-22-393 - BY: COUNCILMEMBERS MORENO, MORRELL, GIARRUSSO, HARRIS, KING, GREEN AND THOMAS

Brief:

RESOLUTION AND ORDER PROVIDING GUIDANCE AND ESTABLISHING PROCEDURAL DEADLINES WITH RESPECT TO PROPOSED PUBLIC DIRECT CURRENT FAST CHARGING STATION PROJECT
DOCKET UD-18-01 and DOCKET UD-18-07

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/30/22).

(Utility Cable Telecommunications and Technology and Climate Change and Sustainability Committee recommended approval).

R-22-393

MOVED BY: Morrell
SECONDED BY: Thomas
ACTION: Adopt
YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

36. MOTION TO SUSPEND THE RULES TO INTRODUCE ORDINANCES ON FIRST READING.

MOVED BY: Moreno
SECONDED BY: Thomas
ACTION: Adopt
YEAS: Giarrusso, Green, King, Moreno, Morrell, Thomas - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Harris - 1
RECUSED: 0

AND THE MOTION PASSED.**37. ORDINANCES ON FIRST READING****CALENDAR NUMBERS 33,847 THRU 33,858.****INTRODUCED AND LAID OVER AS REQUIRED BY LAW.****37a. CAL. NO. 33,847 - BY: COUNCILMEMBER KING****Brief:**

An Ordinance to amend Ordinance No. 28,862 M.C.S., as amended, to adjust budgets for the New Orleans Police Department, Department of Public Works, Chief Administrative Office and Department of Public Safety in the French Quarter Economic Development District Trust Fund; and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 12/30/22).***33847**37b. CAL. NO. 33,848 - BY: COUNCILMEMBER KING (BY REQUEST)****Brief:**

An Ordinance authorizing the Mayor of the City of New Orleans to enter into Amendment No. 4 to the Cooperative Endeavor Agreement by and between the City of New Orleans (the "City" or "Grantee"), and the State of Louisiana, Division of Administration, Office of Community Development (the "State OCD") for a term greater than one year, in which the State of Louisiana authorizes the City to continue recovery efforts from Hurricane Katrina and Rita-damaged public facilities and infrastructures, as more fully detailed in the Amendment No. 4 to the Cooperative Endeavor Agreement attached hereto as Exhibit A; and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 12/30/22).***33848**37c. CAL. NO. 33,849 - BY: COUNCILMEMBER THOMAS****Brief:**

An Ordinance to establish a conditional use to permit a small childcare center in an S-RD Suburban Two-Family Residential District, on Section 8, Lots 1 and 2 in the Third Municipal District, bounded by Flake and Lane Avenues, Grant and Leeds Streets (**Municipal Address: 4600 Flake Avenue**); and otherwise to provide with respect thereto. (**ZONING DOKCET NO. 32/22**)

Annotation:**ELECTRONICALLY SUBMITTED.**

(90 Days, Cn. Deadline 11/16/22).
(Cn. Deadline 11/3/22).

33849

37d. CAL. NO. 33,850 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to grant an amendment to Ordinance No. 28,666 MCS (Zoning Docket 12/21) to now authorize a two-way curb cut along Lafitte Street through a waiver of Article 18, Section 18.17.C.3., on Square 360, Lot 3-A, in the Second Municipal District, bounded by North Broad Street, Lafitte Street, Toulouse Street, and North White Street (**Municipal Addresses: 601?615 North Broad Street, 2701-2707 Lafitte Street, and 2716 Toulouse Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 44/22**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 11/16/22).
(Cn. Deadline 11/3/22).

33850

37e. CAL. NO. 33,851 - BY: COUNCILMEMBER KING

Brief:

An Ordinance to establish a conditional use to permit a bar in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District, an EC Enhancement Corridor Design Overlay District, an HUC Historic Urban Corridor Use Restriction Overlay District and a Small Multi-Family Affordable Short Term Rental Interim Zoning District, on Square 394, Lot 1, in the Third Municipal District, bounded by Saint Claude Avenue, Saint Roch Street, Marais Street, and Music Street (**Municipal Addresses: 2401-2403 Saint Claude Avenue**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 49/22**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 11/16/22).
(Cn. Deadline 11/3/22).

33851

37f. CAL. NO. 33,852 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to establish a conditional use to permit a neighborhood commercial establishment for an artist studio in an HU-RD2 Historic Urban Two-Family Residential District and an HUC Historic Urban Corridor Use Restriction Overlay District, located on Square 816, Lot A-1, in the First Municipal District, bounded by Palmyra, South Murat, Banks, and South Olympia Streets (**Municipal Address: 4516 Palmyra Street and abuts 4518 Palmyra Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 53/22**)

Annotation:

ELECTRONICALLY SUBMITTED.***(90 Days, Cn. Deadline 11/16/22).******(Cn. Deadline 11/3/22).***33852**37g. CAL. NO. 33,853 - BY: COUNCILMEMBER GIARRUSSO****Brief:**

An Ordinance to establish a conditional use to permit a neighborhood commercial establishment for an art gallery in an HU-RD2 Historic Urban Two-Family Residential District and an HUC Historic Urban Corridor Use Restriction Overlay District, on Square 816, Lot 33, in the First Municipal District, bounded by Palmyra, South Murat, Banks, and South Olympia Streets (**Municipal Address: 4518 Palmyra Street and abuts 4516 Palmyra Street**); and otherwise to provide with respect thereto. (***ZONING DOCKET NO. Zoning Docket Number 54/22***)

Annotation:**ELECTRONICALLY SUBMITTED.*****(90 Days, Cn. Deadline 11/16/22).******(Cn. Deadline 11/3/22).***33853**37h. CAL. NO. 33,854 - BY: COUNCILMEMBER KING****Brief:**

An Ordinance to prohibit that portion of the public roadway consisting of Newton Street between Elmira Avenue and Behrman Avenue, and of MacArthur Boulevard between General De Gaulle Drive and Woodland Drive from containing bollards or similar traffic control features for the exclusive use by bicycles or other non-motorized vehicles and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 12/30/22).***33854**37i. CAL. NO. 33,855 - BY: COUNCILMEMBER MORRELL****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 funds to the New Orleans City Council to fund the New Orleans Recreation and Culture Fund, a merit-based grant program to fund not-for-profit community organizations, youth recreation organizations, and select culture bearers that contribute substantially to the well-being, development, and growth of the New Orleans community; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.***(Council Rule 34. Postponement Deadline 12/30/22).***33855**37j. CAL. NO. 33,856 - BY: COUNCILMEMBER MORRELL****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 funds to the New Orleans City Council to fund the New Orleans Recreation and Culture Fund, a merit-based grant program to fund not-for-profit community organizations, youth recreation organizations, and select culture bearers that contribute substantially to the well-being, development, and growth of the New Orleans community; and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 12/30/22).***33856**37k. CAL. NO. 33,857 - BY: COUNCILMEMBERS THOMAS, GREEN AND KING****Brief:**

An Ordinance to amend and reordain Sections 66-282 and 66-283 of the Code of the City of New Orleans to increase penalties for littering and dumping, to establish a reward for littering and increase the amount of the reward for littering and dumping; and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 12/30/22).***33857**37l. CAL. NO 33,858 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, GREEN AND THOMAS (BY REQUEST)****Brief:**

An Ordinance to amend Ordinance No. 28,863 M.C.S., as amended, to adjust General Fund appropriations to various departments, offices, and agencies; and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 12/30/22).***33858**38. MOTION FOR ADJOURNMENT @ 1:15 p.m.**

MOVED BY: Giarrusso
SECONDED BY: King
ACTION: Adjourn
YEAS: Giarrusso, Green, King, Moreno, Morrell, Thomas - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Harris - 1
RECUSED: 0
AND THE MOTION PASSED.