

THE COUNCIL
City of New Orleans

JASON ROGERS WILLIAMS
Councilmember-At-Large

HELENA MORENO
Councilmember -At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

JAY H. BANKS
Councilmember District B

KRISTIN GISLESON PALMER
Councilmember District C

JARED C. BROSSETT
Councilmember District D

CYNDI NGUYEN
Councilmember District E

AGENDA

Regular Meeting of the City Council
to be held via video conference
on Thursday, September 3, 2020 at 10:00 A.M.

PRESIDENT
JASON ROGERS WILLIAMS
Councilmember-At-Large



VICE PRESIDENT
HELENA MORENO
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

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VIBRATE DURING COUNCIL PROCEEDINGS.

1. **APPROVAL OF THE MINUTES** - August 3, 2020 (**Special Meeting**),
August 6, 2020 and August 20, 2020.

SPECIAL ORDERS OF BUSINESS

All Special Orders are Temporarily Postponed due to the
COVID-19 Pandemic.

CONSENT AGENDA

1. **COMMUNICATION - FROM THERESA R. BECHER, COUNCIL RESEARCH
OFFICER, NEW ORLEANS CITY COUNCIL**

Brief:

Submitting the recommended agenda items for deferrals for
the September 3, 2020 Regular Council meeting due to the
COVID-19 pandemic.

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.**

2. **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.

Reports:

1. Updated Report on the Accelerated Deployment of Advanced Metering Infrastructure, UD-16-04, submitted by Entergy New Orleans, LLC
2. Fuel Adjustments for the September 2020 billing cycle, UD-18-07, submitted by Entergy New Orleans, LLC
3. Purchased Power Cost Recovery Adjustments for the September 2020 billing cycle, UD-18-07, submitted by Entergy New Orleans, LLC
4. Environmental Adjustments for the September 2020 billing cycle, UD-18-07, submitted by Entergy New Orleans, LLC
5. Purchased Gas Adjustments for the September 2020 billing cycle, submitted in accordance with Resolution R-03-272 by Entergy New Orleans, LLC
6. Advisors' Proposed RCPS Regulations, UD-19-01, submitted by the Council's Utility Advisors

Petition and Letters:

1. Petition for Intervention, UD-20-02 2021 Triennial Integrated Resource Plan, submitted by the Alliance for Affordable Energy
2. Letter regarding the Renewable and Clean Portfolio Standard Rulemaking, UD-19-01, submitted by Energy Future New Orleans
3. Letter regarding Renewable and Clean Portfolio Standard Rulemaking, UD-19-01, submitted by Entergy New Orleans, LLC and Air Products and Chemicals, Inc.

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.**

3. **COMMUNICATION - FROM JESSE EVANS, JR., DIRECTOR, CITY OF NEW ORLEANS EMPLOYEES' RETIREMENT SYSTEM**

Brief:

Submitting in accordance with Section 114-205 of the Code of the City of New Orleans, on or before September 1st in each year, the Board of Trustees for the City of New Orleans Employees' Retirement System filing with the Council its certification of the amount of the appropriation necessary to pay the normal and accrued liability contributions which are creditable to the pension accumulation account for the year and the amount of appropriation required to cover the expenses necessary in connection with the administration and operation of the retirement system. The amount so certified shall be included in the annual budget. During the August meeting of the Board of Trustees, the Board reviewed and certified the recommended rate for 2021 as described in the Annual Valuation Report. The certified rates for payroll deductions are listed below:

Employer Contribution Rate	15.31%
Employee Contributions Rate	6.000%

Annotation:

MAY BE RECEIVED.

4. **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 New Orleans Historic District Landmarks Commission's "**denial**" of an application for retention of work performed for the property located at **934 Congress Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED. (Appeal appears on the regular agenda).

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

Brief:

Transmitting Zoning Docket Numbers 65/20 - Cm. Banks, 66/20 - Cm. Banks and 67/20 - All Cms., Cn. Deadline 11/2/2020.

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED. (Suggested Hearing Date Set For 9/17/20).

6. **CAL. NO. 33,079 - BY: COUNCILMEMBER NGUYEN**

Brief:

An Ordinance to amend and reordain Articles 18, 20 and 26 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 establish a new overlay district to be named the Coronet Court Multi-Family Housing Overlay District within the area generally bounded by Lake Forest Boulevard, Mayo Road, the Interstate 10 Service Road, and the Lawrence Canal in New Orleans East in order to establish standards for the redevelopment of existing, non-conforming multi-family structures; to allow the legal re-establishment of multi-family structures therein; and to promote affordable housing; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 42/20)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Day Deadline 10/14/20)

(Cn. Deadline 10/1/20).

7. CAL. NO. 33,080 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to establish a conditional use to permit dwellings above the ground floor in a C-3 Heavy Commercial District, an ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, and a CT Corridor Transformation Design Overlay District, on Lots E-1 and F-1, Section 39, Gentilly Lands, in the Third Municipal District, bounded by Chef Menteur Highway, Interstate 10, Old Gentilly Road, and Downman Road (Municipal Addresses: **6324-6400 Chef Menteur Highway**); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 51/20)**

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Day Deadline 10/14/20)
(Cn. Deadline 10/1/20).

8. CAL. NO. 33,082 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit a third commercial short term rental unit in an HU-B1 Historic Urban Neighborhood Business District and the Magazine Street Use Restriction Overlay District, on Square 143, Lots 21 and 22, in the Fourth Municipal District, bounded by Sophie Wright Place, Saint Mary Street, Camp Street, Saint Andrew Street (Municipal Addresses: **1901-1907 Sophie Wright Place and 1130 Saint Mary Street**); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 14/20)**

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Day Deadline 10/14/20)
(Cn. Deadline 10/1/20).

9. CAL. NO. 33,083 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to grant an amendment to Ordinance No. 27,600 MCS (Zoning Docket 074/17, which granted a conditional use to permit a standard restaurant) to now authorize the expansion of the restaurant, which is within an HU-B1A Historic Urban Neighborhood Business District, an HU-B1A Use Restriction Overlay District, and HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 450, Lots 22 and 23, in the Second Municipal District, bounded by Bienville Avenue, North Rendon Street, Jefferson Davis Parkway, and Conti Street (Municipal Addresses: **3301-3307 Bienville Avenue and 301-303 North Rendon Street**); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 34/20)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Day Deadline 10/14/20)
(Cn. Deadline 10/1/20).

10. CAL. NO. 33,084 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit a fast food restaurant with drive-thru facilities in a C-2 Auto-Oriented Commercial District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 666, Lots 9, 10, 11, and 12, in the Sixth Municipal District, bounded by South Claiborne Avenue, Louisiana Avenue, Amelia Street, and Willow Street (Municipal Addresses: **3400-3424 South Claiborne Avenue**); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 49/20)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Day Deadline 10/14/20)
(Cn. Deadline 10/1/20).

11. CAL. NO. 33,085 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Article 16, Section 16.2 (Table 16-2) 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 classify "reception facility" as a permitted use in the LI Light Industrial District; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 30/20)**

Annotation:

**ELECTRONICALLY SUBMITTED.
(90 Day Deadline 10/14/20)
(Cn. Deadline 10/1/20).**

12. CAL. NO. 33,087 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to establish a conditional use to permit the retail sale of packaged alcoholic beverages in an MU-1 Medium Intensity Mixed-Use District and an EC Enhancement Corridor Design Overlay District, on Square 2863, Lot 1-A in the Third Municipal District, bounded by Saint Bernard Avenue, Caton Street, Senate Street, and Jumonville Street (Municipal Address: **1328 Senate Street**); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 54/20)**

Annotation:

**ELECTRONICALLY SUBMITTED.
(90 Day Deadline 9/30/20)
(Cn. Deadline 9/17/20).**

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

YEAS:

NAYS:

ABSENT:

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

LAND USE MATTERS

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

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

No ceding of public speaking time is permitted.

1. **HDLC APPEAL - OF KEVIN MCCUSKER, PRODUCTION MANAGER OF KB CONSTRUCTION ON BEHALF OF JAMES HANNAH, PROPERTY OWNER**

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" for the retention of demolition for property located at **934 Congress Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 10/4/20).

(Report received on today's consent agenda).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

2. **HDLC APPEAL - OF HEATHER MCVICAR RUOSS, M.ARCH.**

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" for work to include the renovation of a two-story residential building, moving one existing window and the enclosures of the rear porches for the property located at **3800 Burgundy Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 10/4/20).

(Report received at the meeting of 8/20/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

3. LEGISLATIVE GROUPING

3a. EXTENSION REQUEST - OF MILES L. GRANDERSON, ESQ., SHERMAN STRATEGIES, LLC ON BEHALF OF CLIENT

Brief:

Requesting an extension of one-year from July 20, 2020 to the conditional use in **Calendar No. 32,310 - Ord. No. 27815 M.C.S., ZD NO. 15/18** for property located at 2000 Earhart Boulevard.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks).

3b. MOTION - NO. M-20-271 - BY: COUNCILMEMBER BANKS

Brief:

A motion **granting** the conditional use extension request, originally approved by **Ord. No. 27815 MCS**, for one additional year.

4. LEGISLATIVE GROUPING

4a. ZONING DOCKET NO. 55/20 - CITY COUNCIL MOTION NO. M-20-90

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Section 18.4 ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, to craft a new subpart therein, creating an exception to the requirements of Article 24, to permit the use and retention of existing, non-conforming freestanding pole signs if the sign is securely built, constructed, and erected upon posts that are sunk below the natural surface in a manner that will prevent the sign from overturning, as determined by the Director of Safety and Permits. The proposed text amendment would affect the regulations applied to all existing non-conforming pole signs in the Eastern New Orleans Renaissance Corridor Use Restriction Overlay District. The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

(Cms. Brossett and Nguyen, Cn. Deadline 10/5/20).
DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

4b. MOTION (LYING OVER) - NO. M-20-262 - BY: COUNCILMEMBER NGUYEN

Brief:

A motion overruling the unfavorable recommendation of CPC and **approving** the text amendment as originally provided in M-20-90, as detailed in ZD 55/20.

Annotation:

ELECTRONICALLY SUBMITTED.
DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

5. LEGISLATIVE GROUPING

5a. ZONING DOCKET NO. 57/20 - CITY COUNCIL MOTION NO. M-20-131

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 20.3.V Drive-Through Facility to remove the requirement for a traffic impact analysis. The proposed text changes in Article 20 would affect regulations that are applied to all drive-through facilities in the City. The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**".

Annotation:

(Cms. All, Cn. Deadline 10/5/20).

5b. MOTION (LYING OVER) - NO. M-20-258 - BY: COUNCILMEMBER NGUYEN

Brief:

A motion **approving** the favorable recommendation of the City Planning Commission and granting the text amendment as provided in ZD No. 57/20.

Annotation:

**ELECTRONICALLY SUBMITTED.
WITHDRAWAL REQUESTED.**

5c. SUBSTITUTE MOTION - NO. M-20-258 - BY: COUNCILMEMBER NGUYEN

Brief:

A motion **approving** the favorable recommendation of the City Planning Commission and granting the text amendment as provided in ZD No. 57/20, with the following modification to standard 7:

- 7) **The submission of a Traffic Plan is required. The Traffic Plan shall include the following components: circulation routes for motor vehicles, bicycle and pedestrian transportation modes; ingress and egress locations for each transportation mode; curb side usage; locations and capacity of all off-street parking and loading spaces; traffic control plan during peak hours; crosswalk striping, ADA compliance; and curbside bus and car passenger pick-up locations. The Traffic Plan shall be approved by the City Planning Commission staff and the Department of Public Works.**

Annotation:

ELECTRONICALLY SUBMITTED.

6. LEGISLATIVE GROUPING

6a. ZONING DOCKET NO. 59/20 - 1817 FIRST STREET, LLC

Brief:

Requesting a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 499, Lots E or E-2 and D, in the Seventh Municipal District, bounded by Burdette Street, Lowerline Street, Earhart Boulevard, and Forshey Street (Municipal Addresses: **3207-3211 Burdette Street**). The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

(Cm. Banks, Cn. Deadline 10/5/20).

6b. MOTION - NO. M-20-272 - BY: COUNCILMEMBER BANKS

Brief:

A motion **approving** the zoning change request modified by the Commission, as detailed in ZD 59/20.

Annotation:

ELECTRONICALLY SUBMITTED.

7. **LEGISLATIVE GROUPING**

7a. **ZONING DOCKET NO. 60/20 - SUCCESSION OF PHILIP TRIPOLI LAVALLE**

Brief:

Requesting a Conditional Use to permit a car wash in an MU-1 Medium Intensity Mixed-Use District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on the entirety of Square 2517, in the Third Municipal District, bounded by Gentilly Boulevard, Saint Denis Street, and Touro Street (Municipal Addresses: **2900-2946 Gentilly Boulevard**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to nineteen (19) provisos.

Annotation:

(Cm. Brossett, Cn. Deadline 10/5/20).

7b. **MOTION - NO. M-20-276 - BY: COUNCILMEMBER BROSSETT**

Brief:

A motion **approving** the conditional use request in ZD 60/20, as recommended by the Commission, subject to the nineteen (19) provisos with the following modifications to provisos two (2) and nine (9), and the inclusion of one waiver: finding it satisfies the nine criteria:

WAIVER:

1. The developer shall be granted a waiver of Article 15, Section 15.3.B.1.b of the Comprehensive Zoning Ordinance, requiring a minimum transparency of fifty percent (50%) on the primary street façade, to allow development to have a minimum transparency of twenty percent (20%).

PROVISOS:

* * *

2. Any window signs shall consist of individual letters and numerals without the use of any background.

* * *

9. The applicant shall submit a revised site plan for review and approval by City Planning Commission staff indicating the primary that all ingress and egress access to the site will be located along Gentilly Boulevard and/or Touro Street. Ingress and egress shall be prohibited along St. Denis Street.

* * *

Annotation:
ELECTRONICALLY SUBMITTED.

8. **CAL. NO. 32,930 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)**

Brief:
An Ordinance granting a non-exclusive franchise to McLeodUSA Telecommunications Services, LLC, to construct, maintain and operate an aboveground and/or underground fiber-optic based communications system, to provide for the furnishing of a surety bond, annual payments; and otherwise to provide with respect thereto.

Annotation:
(Council Rule 34. Postponement Deadline 10/30/20).
DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

9. **CAL. NO. 33,005 - BY: COUNCILMEMBER GIARRUSSO**

Brief:
An Ordinance to amend and reordain Sections 154-1522, 154-1523, 154-1524, 154-1561, and 154-1562 of the Code of the City of New Orleans, to provide revised size limitations for trucks traveling on the streets of the city and exceptions thereto, to modify permitting requirements for trucks exceeding size limits, to clarify designated truck routes and enforcement; and otherwise to provide with respect thereto.

Annotation:
ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 10/30/20).
DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

10. CAL. NO. 33,008 - BY: COUNCILMEMBERS BROSSETT AND
GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate federal grant funds from Intergovernmental Transfers to the Mayor's Office of Homeland Security for Federal Emergency Management Agency reimbursement related costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 10/30/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

11. CAL. NO. 33,009 - BY: COUNCILMEMBERS BROSSETT AND
GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020 to appropriate federal grant funds from Intergovernmental Transfers to the Mayor's Office of Homeland Security for Federal Emergency Management Agency reimbursement related costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 10/30/20).

(Technical Correction needed).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

12. LEGISLATIVE GROUPING

12a. CAL. NO. 33,018 - BY: COUNCILMEMBER WILLIAMS

Brief:

An Ordinance to amend and reordain Sections 90-40 and 90-41 of the Code of the City of New Orleans, relative to police, to mandate that NOPD provide an arrestee or their legal counsel prompt access to body-worn and in-car camera footage in connection with the accused's arrest; to provide that NOPD shall disclose and provide an explanation if it determines such footage does not exist; to prohibit NOPD leadership from authorizing deviation from any NOPD policy; to prohibit NOPD from entering into an agreement or Memorandum of Understanding governing a Multi-Agency Task Force that exempts law enforcement officers from any NOPD policy; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 10/30/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

12b. AMENDMENT TO ORDINANCE NO. 33,018 - BY: COUNCILMEMBER WILLIAMS

Brief:

- Creating an exception from the 30-day production requirement for footage that would compromise an investigation or endanger witnesses, pending Court authorization.
- Removes the provision prohibiting NOPD from entering into agreements regarding exceptions to NOPD policy.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

13. LEGISLATIVE GROUPING

13a. CAL. NO. 33,020 - BY: COUNCILMEMBER WILLIAMS

Brief:

An Ordinance to amend and reordain Sections 54-28 and 54-29 of the Code of the City of New Orleans, relative to summons in lieu of arrest and citation for municipal ordinance instead of state law violation, to provide that officers shall issue a summons in lieu of arrest for misdemeanor violations except under certain enumerated circumstances; to limit officer discretion to arrest an individual solely for a misdemeanor violation; to provide that summons or arrest shall be based on the equivalent municipal violation if a misdemeanor offense is punishable under municipal as well as state law; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 10/30/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

13b. AMENDMENT TO ORDINANCE NO. 33,020 - BY: COUNCILMEMBER WILLIAMS

Brief:

- Clarifying that a summons in lieu of arrest is not available if an officer cannot determine a person's identity.
- Requiring NOPD supervisor approval to arrest an individual, if the individual meets the criteria for issuing a summons in lieu of arrest.
- Adding the equivalent municipal offense of Section 102-113 "Prohibited acts" instead of utilizing La. R.S. 40:1023 "Prohibited Acts".
- Clarifying that conduct constituting a felony cannot be legally mandated as a municipal or misdemeanor violation.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

14. LEGISLATIVE GROUPING

14a. CAL. NO. 33,021 - BY: COUNCILMEMBER WILLIAMS

Brief:

An Ordinance to amend and reordain Sections 159-1, 159-2, 159-3, 159-4, 159-5, 159-6, 159-7, 159-8, and 159-9 of the Code of the City of New Orleans, to create regulations pertaining to the City's use of surveillance technology, to ban the use of certain technology; to provide for an approval process and Council oversight of the use of surveillance technology; to limit the collection, use and sharing of personal data; to mandate annual surveillance reporting; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 10/30/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

14b. AMENDMENT TO ORDINANCE NO. 33,021 - BY: COUNCILMEMBER WILLIAMS

Brief:

- Changing the proposed number of the newly ordained chapter from 159 to 147, titled "Surveillance Technology and Data Protection," to conform to the Code's alphabetical structure.
- Adding a definition for predictive policing technology.
- Requiring the number of locations in the surveillance impact report and the type of surveillance in the surveillance use policy.
- Removing training from the surveillance use policy.
- Deleting automatic license plate readers from the prohibition.
- Requiring Council approval of a Surveillance Use Request.

- Modifying the Data Sharing provisions to remove third parties from consideration.
- Providing for an effective date of January 1, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

15. CAL. NO. 33,037 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate state grant funds to the Office of Homeland Security towards preventing acts of terrorism and other catastrophic events; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

16. CAL. NO. 33,038 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate state grant funds to the Office of Homeland Security towards preventing acts of terrorism and other catastrophic events; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

17. CAL. NO. 33,039 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate federal grant funds to the Office of Homeland Security towards increasing emergency management and response capacity; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

18. CAL. NO. 33,040 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate federal grant funds to the Office of Homeland Security towards increasing emergency management and response capacity; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

19. CAL. NO. 33,041 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to establish a budget for the Department of Health in the Simon V. Sickles Legacy Fund; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

20. CAL. NO. 33,042 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to establish a budget for the Department of Health in the Simon V. Sickles Legacy Fund; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

21. CAL. NO. 33,045 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate funds from the LA Department of Treasury to the Office of Homeland Security to be used by the Real Time Crime Center towards the repair and acquisition of security equipment; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

22. CAL. NO. 33,046 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate funds from the LA Department of Treasury to the Office of Homeland Security to be used by the Real Time Crime Center towards the repair and acquisition of security equipment; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

23. CAL. NO. 33,052 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate HUD grant funds not included in the 2020 budget to the Office of Community Development; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

24. CAL. NO. 33,053 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate HUD grant funds not included in the 2020 budget to the Office of Community Development; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 11/13/20).

25. CAL. NO. 33,067 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to transfer the funds budgeted for project management and volunteer supervision services during declared states of emergency from Miscellaneous Programs to the Office of Homeland Security; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 12/4/20).

26. CAL. NO. 33,068 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate additional CARES Act funds allocated by HUD to the Office of Community Development towards addressing housing insecurity caused by the COVID-19 pandemic; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 12/4/20).

27. CAL. NO. 33,069 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate additional CARES Act funds allocated by HUD to the Office of Community Development towards addressing housing insecurity caused by the COVID-19 pandemic; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement Deadline 12/4/20).

28. CAL. NO. 33,081 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve the economic development plan of the New Orleans Tourism and Cultural Fund, as required by La. R.S. 33:9020 et seq. and Ordinance No. 14118 M.C.S., as amended and reordained by Ordinance No. 28341 M.C.S.; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/4/20).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

29. CAL. NO. 33,088 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance to grant a non-exclusive wireless franchise to TORO BLANCO LLC to construct, maintain, operate, and authorize new wireless facilities on and under the public rights-of-way within the corporate limits of the City of New Orleans, with locations subject to the approval of the Grantor, to provide for annual payments, and the furnishing of a surety bond; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/4/20).

(Referred to the Smart Cities Committee).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

30. CAL. NO. 33,089 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance granting a non-exclusive franchise to Toro Blanco LLC, to construct, maintain and operate an aboveground and/or underground fiber-optic based communications system, to provide for the furnishing of a surety bond, annual payments; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/4/20).

(Referred to the Smart Cities Committee).

DEFERRAL REQUESTED TO THE MEETING 9/17/20.

31. CAL. NO. 33,094 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate funds received by the U.S. Department of Transportation to the Mayor's Office of Transportation towards the creation of a data analysis tool to inform policy and decision making pertaining to roadway safety; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 12/18/20).

32. CAL. NO. 33,095 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate funds received by the U.S. Department of Transportation to the Mayor's Office of Transportation towards the creation of a data analysis tool to inform policy and decision-making pertaining to roadway safety; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 12/18/20).

33. CAL. NO. 33,096 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate FEMA grant funds to the Office of Homeland Security towards physically elevating 22 severe repetitive loss and repetitive loss structures throughout the city; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 12/18/20).

34. CAL. NO. 33,097 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to appropriate FEMA grant funds to the Office of Homeland Security towards physically elevating 22 severe repetitive loss and repetitive loss structures throughout the city; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 12/18/20).

35. CAL. NO. 33,098 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to amend and reordain Sections 26-150, 26-156, and 26-160 of the Code of the City of New Orleans, relative to minimum property maintenance standards, to clarify maintenance requirements and expectations relative to undeveloped land and vacant land; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

36. CAL. NO. 33,099 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an eighth amendment to an existing Cooperative Endeavor Agreement (CEA) between the City of New Orleans (the "City") and the State of Louisiana relative to capital improvements at the Behrman Soccer Facility at the Old Brechtel Golf Course Site in the Fifth Municipal District and the renovation of George W. Carver Playground, to update language within the existing CEA to reflect changes in State Law and revised provisions followed by Facility Planning and Control, as more fully set forth in the 8th Amended Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

37. CAL. NO. 33,100 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement (CEA) between the City of New Orleans (the "City") and The Salvation Army for the public purpose of continuing to allow the placement of Salvation Army donation boxes at up to six (6) New Orleans Fire Department firehouses, as more full set forth in the Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

(Technical Correction needed).

38. CAL. NO. 33,102 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to ordain Sections 154-547 and 154-1203 of the Code of the City of New Orleans, relative to establishing neighborhood slow zones; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

(Referred to the Transportation Committee).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

39. CAL. NO. 33,106 - BY: COUNCILMEMBERS BANKS AND WILLIAMS

Brief:

An Ordinance to amend and reordain Section 90-40 of the Code of the City of New Orleans to ban the use of riot control agents by law enforcement officers except under specific circumstances involving a threat of harm to persons; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

(Referred to the Criminal Justice Committee).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

40. CAL. NO. 33,107 - BY: COUNCILMEMBERS GIARRUSSO, NGUYEN AND GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 154-1561 of the Code of the City of New Orleans, relative to clarifying truck routes; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

(Referred to the Public Works Committee).

DEFERRAL REQUESTED TO THE MEETING OF 9/17/20.

41. CAL. NO. 33,108 - BY: COUNCILMEMBER WILLIAMS

Brief:

An Ordinance to amend and reordain Ordinance No. 28,388 M.C.S., relative to the establishment of the Jerome "Big Duck" Smith Justice System Advisory Committee; to increase the advisory committee's membership from eleven to thirteen members; to provide that one of the added members shall be a youth representative and the other shall be a formerly incarcerated person; to provide that these two additional members shall be appointees of the City Council's Criminal Justice Committee Chair; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

42. RESOLUTION (LYING OVER) - NO. R-20-267 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

A RESOLUTION providing for the incurring of debt and the issuance of not exceeding Fifty Million Dollars (\$50,000,000) of Revenue Notes, Series 2020, of the City of New Orleans, Louisiana (the "Notes"); prescribing the form, terms and conditions of said Notes; designating the date, denomination and place of payment of said Notes; providing for the payment thereof in principal and interest; creating and maintaining funds and accounts for the Notes; appointing a Trustee for the Notes; authorizing the execution of an offer to purchase the Notes; and providing for other matters in connection therewith.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/18/20).

43. MOTION - NO. M-20-270 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Re-authorizing the creation of the Fairgrounds Citizen Advisory Committee as provided for in Proviso "6" of Ordinance Number 22,652, M.C.S. and in accordance with the requirements set forth in Section 3-127 of the Home Rule Charter with regard to the Council's creation of Advisory Committees, for a period to expire June 30, 2021 and whose function shall be limited to counsel and advice to the Council.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

44. MOTION - NO. M-20-273 - BY: COUNCILMEMBER BROSSETT

Brief:

Submitting for Council approval the following amendment to the Classified Pay Plan **New Classification (Environmental Enforcement Technician Supervisor (Non-Exempt))** as adopted by the Civil Service Commission at its meeting of July 20, 2020, in accordance with Article X, Section 10 of the Constitution of Louisiana, that the amendment to the Classified Pay Plan are approved to be effective August 9, 2020.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

45. MOTION - NO. M-20-274 - BY: COUNCILMEMBER BROSSETT

Brief:

Submitting for Council approval the following amendments to the Classified Pay Plan **New Job Series: Test Development and Validation: Test Development and Validation Intern (Retitle Psychometrician), Test Development and Validation Associate (Retitle Senior Psychometrician), Test Development and Validation Specialist, Test Development and Validation Administrator**, as adopted by the Civil Service Commission at its meeting of July 20, 2020, in accordance with Article X, Section 10 of the Constitution of Louisiana, that the amendment to the Classified Pay Plan are approved to be effective August 9, 2020.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

46. MOTION - NO. M-20-275 - BY: COUNCILMEMBER WILLIAMS

Brief:

A motion appointing Darrel J. Saizan, Jr. (vice Jeffrey Schwartz), as a member of the Industrial Development Board, for a term ending on January 1, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

47. RESOLUTION - NO. R-20-277 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A resolution approving the completed Louisiana Compliance Questionnaire prepared by the Department of Finance as part of the 2019 annual audit.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

48. MOTION - NO. M-20-278 - BY: COUNCILMEMBER BANKS

Brief:

A **motion** authorizing the Council President to sign an amendment to the Agreement for Professional Services dated March 1, 2016 (City Contract No. K16-609) between the City of New Orleans, through its City Council, and Spears Consulting Group, L.L.C. to:

1. extend the term of the agreement through August 31, 2021,
2. increase the amount of maximum compensation due under the contract by \$185,000, and
3. provide any other provisions deemed necessary or advisable to comply with law and to effectuate the motion.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

49. MOTION - NO. M-20-279 - BY: COUNCILMEMBERS BANKS, GIARRUSSO, GISLESON PALMER, NGUYEN AND BROSSETT

Brief:

A **motion** directing the City Planning Commission to consider amendments to the Comprehensive Zoning Ordinance to clarify and amend the definitions and uses of "Dwelling, Established Multi-Family" and "Dwelling, Established Two-Family", to create factors and requirements for the re-establishment of "established" dwellings, along with the residential zoning districts where these uses should be permitted by-right, and if certain areas of the city surrounding universities should be granted by a conditional use, subject to the following limitations:

- Only properties with a "documented legal history" as a two or multi-family dwelling are eligible;
- Re-establishment by right shall be limited to structures containing no more than four units, and no conversions to increase the historic number of units shall be permitted; and

- A conditional use shall be required to increase the verified footprint or intensity of the structure, and to re-establish more than four units (if more than four historically existed).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

50. RESOLUTION - NO. R-20-280 - BY: COUNCILMEMBER BANKS

Brief:

A RESOLUTION honoring Sidney "Sid" Noel Rideau, the creator and star behind the iconic mad scientist Morgus the Magnificent for more than 60 years.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

51. RESOLUTION - NO. R-20-281 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

A RESOLUTION providing for the incurring of debt and the issuance of an amount not to exceed Fifty Million Dollars (\$50,000,000) of Revenue Notes, Series 2020, for the City of New Orleans, Louisiana (hereafter, the "Notes"); prescribing the form, terms and conditions, designating the date, denomination and place of payment, providing for the payment in principal and interest, creating and maintaining funds and accounts, appointing a Trustee, and authorizing the execution of an offer to purchase said Notes.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

52. RESOLUTION - NO. R-20-282 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A Resolution calling on the United States Department of Agriculture to Extend the Louisiana Department of Agriculture and Forestry's Operation of the Disaster Household Distribution Program in New Orleans

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/1/21).

53. ORDINANCES ON FIRST READING