

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, October 1, 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** - September 3, 2020 and September 17, 2020.

Annotation:
MAY BE APPROVED.

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 October 1, 2020 Regular Council meeting due to the COVID-19 pandemic.

Annotation:
ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.

2. **COMMUNICATION - FROM ALYSSA WERNET, DIRECTOR OF OPERATIONS, THE DEMO DIVA, LLC**

Brief:
Requesting to appeal the Historic District Landmarks Commission's decision of denial for demolition for the property located at **2326 Robert Street.**

Annotation:
MAY BE RECEIVED. (Suggested Hearing Date Set For 10/15/20).

3. **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 submitted by Entergy New Orleans, LLC ("ENO")

1. Fuel Adjustments for the October 2020 billing cycle, UD-18-07
2. Purchased Power Cost Recovery Adjustments for the October 2020 billing cycle, UD-18-07
3. Environmental Adjustments for the October 2020 billing cycle, UD-18-07, submitted by Entergy New Orleans, LLC
4. Purchased Gas Adjustments for the October 2020 billing cycle, submitted in accordance with Resolution R-03-272 by Entergy New Orleans, LLC
5. New Orleans Power Station Pollutant Reports submitted to the Louisiana Department of Environmental Quality, submitted pursuant to Resolution R-19-78

Motions

1. Motion to Delay 2020 Formula Rate Plan Filing, UD-18-07, submitted by ENO
2. Motion to Approve Agreement in Principle to Revise the Formula Rate Plan Filing Dates and to Implement Other Provisions Contained Therein, UD-18-07, submitted by ENO

Comments

1. Advisors Comments on ENO Reporting Requirements, UD-20-01
2. ENO Comments on ENO Reporting Requirements, UD-20-01
3. Air Products and Chemicals, Inc. Comments on Proposed Renewable and Clean Portfolio Standard Regulations, UD-19-01

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.**

4. **COMMUNICATION - FROM JASON A. RIGGS, MANAGING MEMBER,
HISTORIC PRO NOLA, L.L.C.**

Brief:

Requesting a one-year extension to Ordinance No. 027869 MCS, granting a Conditional Use to permit an established multi-family dwelling for the property located at 3417-3423 and 3417A-3423A South Liberty Street (ZD 75/18).

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED. (Suggested Hearing Date Set For 11/5/20).

5. **COMMUNICATION - FROM EDWARD FLEMING, ARCHITECT**

Brief:

Requesting to withdrawal the Demolition Permit application for the property located at 3030 First Street.

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED.

6. **COMMUNICATION - FROM LISA M. HUDSON, PERSONNEL DIRECTOR,
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

Brief:

Submitting for Council approval **Amendment to the Classified Pay Plan (Sewerage and Water Board) Item 1: Pilot Special Rate of Pay - Meter Reading Incentive Pay Program** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of September 21, 2020.

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED AND REFERRED TO THE BUDGET COMMITTEE.

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

Brief:

Transmitting Zoning Docket Numbers 64/20 - Cms. All, 68/20 - Cm. Gisleson Palmer, 70/20 - Cm. Banks, 71/20 - Cm. Banks, 73/20 - Cm. Nguyen, 74/20 - Cm. Giarrusso, 75/20 - Cm. Brossett, Cn. Deadline 11/30/20.

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED. (*Suggested Hearing Date Set For 10/15/20*).

8. **CAL. NO. 33,110 - BY: COUNCILMEMBER NGUYEN**

Brief:

An Ordinance to amend and reordain Article 8 - Rural Development Districts, Section 8.2 Uses, Table 8-1, Permitted and Conditional Uses 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 allow "bars" as a "Commercial Use", by-right, in the M-MU (Maritime Mixed-Use District) zoning district, subject to the applicable use standards provided for this use in the Comprehensive Zoning Ordinance, and would affect properties citywide located in the M-MU Maritime Mixed-Use District; and otherwise to provide with respect thereto.
(*ZONING Docket Number 56/20*)

Annotation:

ELECTRONICALLY SUBMITTED.

(*90 Days, Cn. Deadline 11/18/20*).

(*Cn. Deadline 11/5/20*).

9. CAL. NO. 33,111 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to effect a zoning change from a C-1 General Commercial District to an LI Light Industrial District for the properties located at: 14100 Chef Menteur Highway, 14200 Chef Menteur Highway, and 14300 Chef Menteur Highway; for the following properties shall be re-designated on the official zoning map as LI:

- Square 0, Lots 12A, 4, 6, 8 and 10, in the Third Municipal District, bounded by Chef Menteur Highway, Old Gentilly Road, and Michoud Boulevard (Municipal Address: 14100 Chef Menteur Highway).
- Square 1, Lots 14A, 16, 18, 20, 22 and 24A, in the Third Municipal District, bounded by Chef Menteur Highway, Old Gentilly Road, and Michoud Boulevard (Municipal Address: 14200 Chef Menteur Highway).
- Square 0, Lots 26A, 28 and 30, in the Third Municipal District, bounded by Chef Menteur Highway, Old Gentilly Road, and Michoud Boulevard (Municipal Address: 14300 Chef Menteur Highway); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 58/20**)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 11/18/20).
(Cn. Deadline 11/5/20).

10. CAL. NO. 33,112 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to establish a conditional use to permit a food processing facility in an M-MU Maritime Mixed-Use District, on New Orleans East Tract I, Lots 86, 88, and 90, in the Third Municipal District, bounded by Chef Menteur Highway, the Venetian Waterway, Ridgeway Boulevard, and Victory Road (Municipal Address: 19597 Chef Menteur Highway); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 62/20)**

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 11/18/20).
(Cn. Deadline 11/5/20).

11. CAL. NO. 33,114 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to effect a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-RM1 Historic Urban Multi-Family Residential District, on Square 267, Lot B or 18 or 31, in the Second Municipal District, bounded by Dumaine Street, North Galvez Street, Saint Ann Street, and North Johnson Street (Municipal Address: 2118 Dumaine Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 19/20)**

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 11/18/20).
(Cn. Deadline 11/5/20).

12. CAL. NO. 33,115 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to grant an amendment to Ordinance No. 24,294 MCS (Zoning Docket 109/10, which granted a conditional use to permit the retail sale of beer only at a gas station) to now also permit the retail sale of high-content packaged alcoholic beverages in an S-B1 Suburban Business District and a CT Corridor Transformation Design Overlay District on Square 17, Lot 31-C, in the Third Municipal District, bounded by Robert E. Lee Boulevard, Paris Avenue, Chatham Drive, and Burbank Drive (Municipal Address: 1600 Robert E. Lee Boulevard); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 61/20)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 11/18/20).

(Cn. Deadline 11/5/20).

13. CAL. NO. 33,116 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to amend and reordain Article 20, Section 20.3.V, 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 amend **Article 20.3.V Drive-Through Facility** to remove the requirement for a traffic impact analysis for all drive-through facilities, Citywide, and require in lieu thereof a Traffic Plan; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 57/20)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 12/2/20).

(Cn. Deadline 11/19/20).

14. MOTION (LYING OVER) - NO. M-20-290 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A motion **approving** the Mayor's appointment of Matthew Rufo (vice Deborah Harkins), as a member of the Board of Zoning Adjustments for a term ending on June 30, 2025.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/15/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

15. MOTION (LYING OVER) - NO. M-20-292 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A motion **approving** the Mayor's appointment of Colleen Holly Callia (vice James Brown), the nominee of the University of New Orleans, as a member of the New Orleans Ethics Review Board, for a term ending on June 30, 2026.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/15/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

16. MOTION (LYING OVER) - NO. M-20-296 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion **approving** the appointment Lynell Desdunes, Sr. (nominee of the councilmember for District D), as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending on July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/15/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

17. MOTION - NO. M-20-313 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

A motion confirming the appointment of Emily Vuxton, as a member of the Audubon Commission, for a term ending on June 30, 2026.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

18. MOTION - NO. M-20-314 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A motion confirming the appointment of Jermaine L. Smith, as a member of the Audubon Commission, for a term ending on June 30, 2026.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

19. MOTION - NO. M-20-315 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

A motion confirming the reappointment of John Robert Sawyer Jr., as a member of the Board of Building Standards and Appeals, for a term ending on June 30, 2024.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

20. MOTION - NO. M-20-316 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A motion confirming the appointment of Bryne Sherwood, as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

21. MOTION - NO. M-20-317 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

A motion confirming the reappointment of Damien Serauskas, as a member of the Board of Building Standards and Appeals, for a term ending on June 30, 2025.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

22. MOTION - NO. M-20-318 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A motion confirming the appointment of Dante Bidwell, as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

23. MOTION - NO. M-20-319 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A motion confirming the appointment of Denise Chandler, as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

24. MOTION - NO. M-20-320 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

A motion confirming the reappointment of Jason Robinson-King, representing the Parkview Historic District as a member of the Historic District Landmarks Commission, for a term ending June 30, 2024.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

25. MOTION - NO. M-20-321 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

A motion confirming the reappointment of Jesse E. LeBlanc II, representing the Lower Garden Historic District as a member of the Historic District Landmarks Commission, for a term ending June 30, 2024.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

26. MOTION - NO. M-20-322 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion confirming the appointment of Nakita Shavers, as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

27. MOTION - NO. M-20-323 - BY: COUNCILMEMBER WILLIAMS

Brief:

A motion confirming the appointment of Robert Jones, as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

28. MOTION - NO. M-20-324 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

A motion confirming the reappointment of Robert Steeg, as a member of the City Planning Commission, for a term ending June 30, 2029.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

29. MOTION - NO. M-20-325 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

A motion confirming the appointment of Kathleen Coverick, as a member of the New Orleans Public Library Board, for a term ending June 30, 2023.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received. Governmental Affairs Committee Recommended Approval).

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

YEAS:

NAYS:

ABSENT:

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

1. LEGISLATIVE GROUPING

1a. REPORT - OF COUNCILMANIC DISTRICT "E"

Brief:

Submitting the Mayor's Office of Economic Development's recommendation of "**approval**" of the Restoration Tax Abatement request for:

- RTA #2017-0221, 817 Gordon Street, Gordon Redevelopment LLC

Annotation:

ELECTRONICALLY SUBMITTED.

(Report received at the meeting of 9/17/20).

1b. RESOLUTION - NO. R-20-335 - BY: COUNCILMEMBER NGUYEN

Brief:

A resolution **approving** participation of municipal address **817 Gordon Street** owned by Gordon Redevelopment, LLC (application number **RTA #2017-0221**), in the Property Tax Abatement Program.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

LAND USE MATTERS

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

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

No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. DEMOLITION REQUEST - OF TIFFANY FRANCOIS

Brief:

Requesting demolition of the property located at 2724 Pauger Street.

Annotation:

*(Cm Brossett, Cn. Deadline 11/30/20).
Application request received at the meeting of 9/17/20*

1b. MOTION - NO. M-20-327 - BY: COUNCILMEMBER BROSSETT

Brief:

Approving a demolition permit for the property located at 2724 Pauger Street.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 1/29/21).

2. DEMOLITION REQUEST - OF ALYSSA WERNET

Brief:

Requesting demolition of the property located at **3030 First Street.**

Annotation:

(Cm Banks, Cn. Deadline 11/30/20).

Application request received at the meeting of 9/17/20.
WITHDRAWN.

3. LEGISLATIVE GROUPING

3a. DEMOLITION REQUEST - OF KJXXIII LLC

Brief:

Requesting demolition of the property located at **1426 Elysian Fields Avenue.**

Annotation:

(Cm Palmer, Cn. Deadline 11/30/20).

Application request received at the meeting of 9/17/20.

3b. MOTION - NO. M-20-330 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Denying a demolition permit for the property located at **1426 Elysian Fields Avenue.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

4. LEGISLATIVE GROUPING

4a. DEMOLITION REQUEST - OF JON ANDERSEN

Brief:

Requesting demolition of the property located at **1818 N. Derbigny Street.**

Annotation:

*(Cm Brossett, Cn. Deadline 11/30/20).
Request received at the meeting of 9/17/20.*

4b. MOTION - NO. M-20-328 - BY: COUNCILMEMBER BROSSETT

Brief:

Approving a demolition permit for the property located at **1818 N. Derbigny Street.**

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 1/29/21).

5. LEGISLATIVE GROUPING

5a. DEMOLITION REQUEST - OF STUDIO BKA LLC

Brief:

Requesting demolition of the property located at **1536 St. Roch Street.**

Annotation:

*(Cm Palmer, Cn. Deadline 11/30/20).
Request received at the meeting of 9/17/20.*

5b. MOTION - NO. M-20-339 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion granting the demolition, in part, and denying the demolition, in part, as follows:

- The **rear demolition** for the construction of a camelback is hereby **approved**.
- **The demolition of the front façade is denied.** Retention of any demolition already completed is not permitted, except the owner may retain the demolition of the concrete stoops. All other materials including the windows, columns, and doors must be restored to the structure's original condition (at the time of demolition permit application), working in consultation with the Historic District Landmarks Commission staff.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 1/29/21).

6. DEMOLITION REQUEST - OF GLORIA HOLMES

Brief:

Requesting demolition of the property located at 3118 Second Street.

Annotation:

(Cm Banks, Cn. Deadline 11/30/20).
Request received at the meeting of 9/17/20.
DEFER TO 10/15/20.

7. LEGISLATIVE GROUPING

7a. DEMOLITION REQUEST - OF LOUIS E LIVERS, JR

Brief:

Requesting demolition of the property located at 4930 Drexel Drive.

Annotation:

(Cm Banks, Cn. Deadline 11/30/20).
Request received at the meeting of 9/17/20.

7b. MOTION - NO. M-20-336 - BY: COUNCILMEMBER BANKS

Brief:

Approving a demolition permit for the property located at 4930 Drexel Drive.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 1/29/21).

8. LEGISLATIVE GROUPING

8a. DEMOLITION REQUEST - OF KELLY JOHNSON

Brief:

Requesting demolition of the property located at **4539 St. Claude Avenue.**

Annotation:

*(Cm Brossett, Cn. Deadline 11/30/20).
Request received at the meeting of 9/17/20.*

8b. MOTION - NO. M-20-329 - BY: COUNCILMEMBER BROSSETT

Brief:

Approving a demolition permit for the property located at **4539 St. Claude Avenue.**

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 1/29/21).

9. LEGISLATIVE GROUPING

9a. 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 9/17/20).

ON DEADLINE.

9b. MOTION - NO. M-20-341 - BY: COUNCILMEMBER BANKS

Brief:

A motion **overruling HDLC and granting the appeal in part, and upholding the HDLC and denying the appeal in part**, as follows:

- Granting the appeal to raise the sill height of the existing window to accommodate an interior countertop, in accordance with HDLC staff supplied specifications.
- Denying the appeal for the enclosure of the rear porch.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

10. LEGISLATIVE GROUPING

10a. HDLC APPEAL - OF SCOTT AND ANNA DUNBAR

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of the application of demolition for property located at **465 Audubon Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, Cn. Deadline 11/1/20).

(Report needed from HDLC).

10b. MOTION - NO. M-20-333 - BY: COUNCILMEMBER GIARRUSSO

Brief:

A motion overruling HDLC's "denial" of the application for demolition of **465 Audubon Street**, granting the applicant's appeal and approving the demolition, subject to one proviso:

1. Any and all historic features, including but not limited to doors and windows, shall be donated to historic preservation entities or non-profits.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

11. LEGISLATIVE GROUPING

11a. HDLC APPEAL - OF JUSTIN B. SCHMIDT, BREAZEALE, SACHSE & WILSON, L.L.P., ATTORNEYS AT LAW

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of the application of demolition of a contributing two-story, single-family residential building to grade for property located at **1230 Webster Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, Cn. Deadline 11/1/20).

(Report needed from HDLC).

11b. MOTION - NO. M-20-334 - BY: COUNCILMEMBER GIARRUSSO

Brief:

A motion upholding HDLC's "**denial**" of the application for demolition of **1230 Webster Street**, denying the applicant's appeal and the demolition request.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

12. LEGISLATIVE GROUPING

12a. 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).
ON DEADLINE.

12b. 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.

13. LEGISLATIVE GROUPING

13a. ZONING DOCKET NO. 65/20 - MAJOR CONSUMERS, LLC

Brief:

Requesting a Conditional use to permit an established multi-family dwelling in an HU-RD2 Historic Urban Two-Family Residential District, on Square 7, Lots 15 and 16, Marly, in the Sixth Municipal District, bounded by Broadway Street, Forshey Street, Olive Street, and Pine Street (Municipal Addresses: **3318-3320 Broadway Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to four (4) provisos.

Annotation:

(Cm. Banks, Cn. Deadline 11/2/20).

13b. MOTION - NO. M-20-337 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving the favorable recommendation of the City Planning Commission, granting the conditional use, subject to four (4) provisos as provided in ZD 65/20, with the addition of three (3) provisos, for a total of seven (7) provisos, to read as follows:

5. No short-term rentals shall be permitted at the property.
6. The developer is required to maintain seven (7) off-street parking spaces on the property.
7. The developer shall maintain landscaping and open space as indicated on landscape plans included in City Planning Commission staff report. No additional impermeable paving is permitted.

Annotation:

ELECTRONICALLY SUBMITTED.

14. ZONING DOCKET NO. 66/20 - 700 ST. JOSEPH LANE, LLC

Brief:

Requesting a Conditional use to permit a motor vehicle service and repair facility (minor) in an MU-1 Medium Intensity Mixed-Use District and an HUC Historic Urban Corridor Use Restriction Overlay District, on Square 653, Lot 14A, in the First Municipal District, bounded by D'Hemecourt Street, Tulane Avenue, South Lopez Street, South Salcedo Street, and Baudin Street (Municipal Addresses: **3125 Tulane Avenue or 3125 D'Hemecourt Street and 518 South Lopez Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to thirteen (13) provisos.

Annotation:

(Cm. Banks, Cn. Deadline 11/2/20).
DEFER TO 10/15/20.

15. ZONING DOCKET NO. 67/20 - JEREMIAH AND REBECCA GRISWOLD

Brief:

Requesting a text amendment to Article 12, Section 12.3.A.1 (Table 12-2) of the Comprehensive Zoning Ordinance to classify "tattoo parlor" as a permitted use in the HU-B1A Historic Urban Neighborhood Business District. The proposed text amendment would affect regulations that are applied to all HU-B1A Historic Urban Neighborhood Business Districts in the city. These districts are generally located in residential areas on corner parcels that have historically functioned as neighborhood-serving commercial uses. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

(Cms. All, Cn. Deadline 11/2/20).
DEFER TO 10/15/20.

16. 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).
DEFER TO 10/15/20.**

17. CAL. NO. 32,932 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and Entergy New Orleans, LLC (the "Contractor") to allow the Contractor to fund and implement a Smart City Pilot, developed through consultation with the City, as more fully set forth in the Cooperative Endeavor Agreement attached hereto and made a part hereof; and otherwise provided with respect thereto.

Annotation:

**(Council Rule 34. Postponement Deadline 10/30/20).
DEFER TO 10/15/20.**

18. CAL. NO. 32,982 - BY: COUNCILMEMBERS GISLESON PALMER AND BANKS

Brief:

An Ordinance to amend and reordain Sections 146-493, 154-2, 154-1401, 154-1409, 154-1421, and 154-1423 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:

(Council Rule 34. Postponement Deadline 10/30/20).
DEFER TO 10/15/20.

19. 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).
DEFER TO 10/15/20.

20. 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).

DEFER TO 10/15/20.

21. LEGISLATIVE GROUPING

21a. 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).

DEFER TO 10/15/20.

21b. 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).

DEFER TO 10/15/20.

22. LEGISLATIVE GROUPING

22a. 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).
DEFER TO 10/15/20.

**22b. SUBSTITUTE 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: 1/15/21).
Defer TO 10/15/20.

23. LEGISLATIVE GROUPING

23a. 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).

DEFER TO 10/15/20.

23b. 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.
- Prohibiting surveillance technology by third parties on the public rights of way and 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).

DEFER TO 10/15/20.

- 24. 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).

DEFER TO 10/15/20.

- 25. 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).

DEFER TO 10/15/20.

26. 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).

DEFER TO 10/15/20.

27. CAL. NO. 33,113 - BY: COUNCILMEMBERS BANKS AND WILLIAMS

Brief:

An Ordinance to grant a request for a map amendment to apply the Mandatory Inclusionary Zoning Regulations established by Ordinance No. 28,036 MCS by designating certain Inclusionary Zoning Districts on the Official Zoning Map, as recommended in the 2019 "New Orleans Inclusionary Zoning Study" from HR & A Advisors, Inc. The proposed map amendment would impact properties within the core and strong market areas as shown on the map within the City Planning Commission report dated April 24, 2020; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 31/20)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 11/18/20).

(Cn. Deadline 11/5/20).

DEFER TO 10/15/20.

28. CAL. NO. 33,119 - 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 from Intergovernmental Transfers to the Department of Police for the 2020 COPS Hiring Program to provide funding to hire and/or rehire career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note Received).

(Council Rule 34. Postponement: 1/15/21).

DEFER TO 10/15/20 & REFER TO THE BUDGET COMMITTEE.

29. CAL. NO. 33,120 - 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 from Intergovernmental Transfers to the Department of Police for the 2020 COPS Hiring Program to provide funding to hire and/or rehire career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note Received).

(Council Rule 34. Postponement: 1/15/21).

DEFER TO 10/15/20 & REFER TO THE BUDGET COMMITTEE.

30. CAL. NO. 33,126 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance to ordain Section 70-415.298 of the Code of the City of New Orleans to create the City Cemetery and Maintenance Fund and; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/15/21).

DEFER TO 10/15/20.

31. CAL. NO. 33,127 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Section 2-263 and to ordain Section 2-264 of the Code of the City of New Orleans, to update the composition of the New Orleans Children and Youth Planning Board, and to establish a subgroup therein titled the *Youth Advisory Board*; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/15/21).

(The Governmental Affairs Committee Recommended Approval).

32. CAL. NO. 33,129 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an Amendment to a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and The Helis Foundation to amend a previously executed Cooperative Endeavor Agreement between the same parties relative to the duration of the Original Cooperative Endeavor Agreement, as more fully set forth in the Amendment No. 3 to 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: 1/15/21).

33. CAL. NO. 33,130 - 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 between the City of New Orleans (the "City") and the Downtown Development District for the City of New Orleans ("DDD") to allow and facilitate improvement and enhancement of infrastructure in the Downtown Development District, as more fully set forth in the Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/15/21).

34. MOTION - NO. M-20-309 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion directing the City Planning Commission to conduct a public hearing to consider a conditional use to permit an Established Multi-Family Dwelling in a HU-RD2 Two-Family Residential District on Square 1206, Lot B, in the Third Municipal District, bounded by North Tonti Street, Pauger Street, North Rocheblave Street, and Saint Anthony Street (Municipal Address: **2053-59 North Tonti Street**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

35. MOTION - NO. M-20-310 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion directing the City Planning Commission to conduct a public hearing to consider a conditional use to permit an Established Multi-Family Dwelling in a HU-RD2 Two-Family Residential District on Square 1206, Lot 5 or 18, in the Third Municipal District, bounded by Saint Anthony Street, North Tonti Street, Pauger Street, and North Rocheblave Street (Municipal Address: **2311 Saint Anthony Street**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

36. RESOLUTION - NO. R-20-311 - BY: COUNCILMEMBER WILLIAMS

Brief:

A RESOLUTION, expressing support for breast cancer awareness and saluting those who have been affected by the disease.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

37. RESOLUTION - NO. R-20-312 - BY: COUNCILMEMBERS MORENO, WILLIAMS, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A RESOLUTION recognizing the passing of a champion of justice, a legal scholar, an American icon, and a crusader for women's rights, Justice Ruth Bader Ginsburg, who served on the United States Supreme Court for twenty seven years and was the co-founder of the Women's Rights Project at the American Civil Liberties Union.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

38. MOTION - NO. M-20-326 - BY: COUNCILMEMBER GIARRUSSO

Brief:

A motion directing City Planning Commission to conduct a public hearing on amendments to the Comprehensive Zoning Ordinance of the City of New Orleans (CZO), in Article 4, Section 4.8, relative to the applications and approvals for Zoning Appeals, to clarify the appeals that may be filed concerning decisions of the Director of the Department of Safety and Permits regarding the CZO, and the applicable time limits to appeal these decision.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

39. MOTION - NO. M-20-331 - BY: COUNCILMEMBERS WILLIAMS, MORENO, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A motion approving the appointment of Ruth White Davis, nominee of Dillard University, to the New Orleans Civil Service Commission, for a term ending on August 6, 2026.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received).

40. RESOLUTION - NO. R-20-332 - BY: COUNCILMEMBER MORENO

Brief:

A Resolution recognizing October as Domestic Violence Awareness Month and acknowledging the many service providers, organizations, and advocates across the country working to bring greater awareness of domestic violence resources and the patterns of physical, emotional, psychological, sexual, and economic coercion leveraged by perpetrators to control intimate partners.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

This item is scheduled for 2:00.

41. MOTION - NO. M-20-338 - BY: COUNCILMEMBER BANKS

Brief:

A motion appointing Sade Dumas (nominee of the District B councilmember), as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, for a term ending on July 31, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

(Questionnaire received).

42. MOTION - NO. M-20-340 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion suspending City Council Rule 15 requiring G.A. committee approval for the appointment of Sade Dumas to the Jerome "Big Duck" Smith Justice System Advisory Committee.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 1/29/21).

Must be considered prior to Motion M-20-338.

43. ORDINANCES ON FIRST READING