

THE COUNCIL
City of New Orleans

HELENA MORENO
Councilmember-At-Large

DONNA M. GLAPION
Councilmember -At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

JAY H. BANKS
Councilmember District B

KRISTIN GISLESON PALMER
Councilmember District C

JARED C. BROSSETT
Councilmember District D

CYNDI NGUYEN
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held in City Hall Council Chamber
on Thursday, September 23, 2021 at 10:00 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
DONNA M. GLAPION
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

INVOCATION
PASTOR BRANDON BOUTIN
UNITED FELLOWSHIP FULL GOSPEL BAPTIST CHURCH

PLEDGE OF ALLEGIANCE
JARED C. BROSSETT
COUNCILMEMBER DISTRICT "D"

NATIONAL ANTHEM
DESTINY C. WHITE

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

1. **APPROVAL OF THE MINUTES** - August 5, 2021 and August 19, 2021.

Annotation:
APPROVED.

SPECIAL ORDERS OF BUSINESS

1. **FIRST ORDER OF BUSINESS - PRESENTATION - SECOND HARVEST FOOD BANK, NATALIE JAYROE AND LINDSAY HENDRIX AND WORLD CENTRAL KITCHEN, DAN ABRAMS**

Brief:

Second Harvest Food Bank and World Central Kitchen's post -
Ida relief efforts.

Annotation:
(Cm. Gisleson Palmer).
APPEARED.

2. **SECOND ORDER OF BUSINESS - PRESENTATION - DAMON BURNS, PRESIDENT AND CEO, FINANCE NEW ORLEANS (FINANCE NOLA)**

Brief:

A presentation providing a general organizational update regarding the Strategic Direction and presentation on the new Green Mortgage offering Plan For Building a More Resilient Community.

Annotation:
(Cm. Glapion).
APPEARED.

3. **THIRD ORDER OF BUSINESS - PRESENTATION - FAMILY AND FRIENDS
OF DJ ACTION JACKSON**

Brief:

A presentation honoring the late Charles M. Jackson Jr., better known as DJ Action Jackson, WWOZ radio host and the voice of New Orleans' second-line culture.

Annotation:

(Cm. Banks).

CONTINUED TO A FUTURE MEETING.

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 23, 2021:**

Communications Submitted by Entergy New Orleans, LLC ("ENO")

1. Report on Customer Interruptions for the Year 2020, submitted pursuant to Resolution R-17-427, UD-17-04
2. 2021 Reliability Plan, UD-17-04
3. New Orleans Power Station ("NOPS") Usage Report for the Second Quarter of 2021, submitted pursuant to Resolution R-21-153
4. NOPS Operation and Maintenance Expenditures for the Period January 1, 2021 through June 30, 2021, submitted pursuant to Resolutions R-19-78 and R-21-153
5. Purchased Power Cost Recovery Adjustments for the September 2021 Billing Cycle, submitted pursuant to Resolution R-20-67, UD-18-07
6. Purchased Gas Adjustments for the September 2021 Billing Cycle, submitted pursuant to Resolution R-03-272
7. Fuel Adjustments for the September 2021 Billing Cycle, UD-18-07
8. Environmental Adjustments for the September 2021 Billing Cycle, UD-18-07
9. Initial Renewable and Clean Portfolio Standard Compliance Plan for 2022, UD-19-01

Other Communications

1. Motion for Intervention and Inclusion on Service List, submitted by Air Products and Chemicals, Inc., UD-21-02
2. Motion for Investigation of the Failures of ENO, Motion for Independent Management Audit, and Second

Motion to Institute Prudence Review, submitted by the Alliance for Affordable Energy, the Deep South Center for Environmental Justice, and the Sierra Club, Dockets UD-16-02 and UD-18-07

Annotation:
ELECTRONICALLY SUBMITTED.
RECEIVED.

2. COMMUNICATION - FROM HONORABLE LATOYA CANTRELL, MAYOR, CITY OF NEW ORLEANS

Brief:
Submitting a letter at the request of the Council President and in accordance with the authority under La. Rev. Stat. § 29:727(f) and the Mayoral Proclamation of Emergency issued on August 27, 2021 (Civil District Court Docket No. 2021-7266), suspending any regulatory deadline for City Council action (including, without limitation, deadlines arising under the Comprehensive Zoning Ordinance or City Code) that might occur between the date of this letter and the date on which the next regular Council meeting occurs. This suspension also applies to any deadlines imposed on any Charter-created board or commission until their next regular meetings occur. This suspension order shall become effective, as it relates to action by the City Council, until October 7, 2021.

Annotation:
ELECTRONICALLY SUBMITTED.
RECEIVED.

3. **COMMUNICATION - FROM PATRICIA TROSCLAIR, POWER OF ATTORNEY (POA) ON BEHALF OF FLORIS M. CAIRO**

Brief:

Requesting to appeal a non-conforming use application for property located at **841 Bourbon Street**.

Annotation:

RECEIVED AND REFERRED TO BZA.

4. **COMMUNICATION - FROM TRACY DAVID MADISON, SECRETARY, BOARD OF LIQUIDATION, CITY DEBT**

Brief:

Informing the Council that on August 18, 2021, the Board of Liquidation, City Debt, received the following bids for the purchase of \$285,000,000.00 Public Improvement Bonds, Series 2021A:

| | | |
|----------------------------------|-----|-----------|
| Jefferies LLC | TIC | 3.026761% |
| BofA Securities | TIC | 3.030129% |
| J.P. Morgan Securities, LLC | TIC | 3.043667% |
| Wells Fargo Bank, National Assn. | TIC | 3.075007% |
| Citigroup Global Markets Inc. | TIC | 3.148173% |

The Public Improvement Bonds, Series 2021A were awarded to Jefferies LLC, which offered the bid with the lowest True Interest Cost of 3.026761%. A copy of the final Official Statement will be forthcoming.

Annotation:

RECEIVED.

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

Brief:

Informing the Council that on August 18, 2021, the Board of Liquidation, City Debt, received the following bids for the purchase of \$15,000,000.00 Taxable Public Improvement Bonds, Series 2021B:

| | | |
|----------------------------------|-----|-----------|
| Morgan Stanley & Co. LLC | TIC | 0.226084% |
| J.P. Morgan Securities, LLC | TIC | 0.432837% |
| FHN Financial Capital Markets | TIC | 0.693884% |
| Wells Fargo Bank, National Assn. | TIC | 0.777777% |

The Taxable Public Improvement Bonds, Series 2021B were awarded to Morgan Stanley & Co. LLC, which offered the bid with the lowest True Interest Cost of 0.226084%. A copy of the final Official Statement will be forthcoming.

Annotation:

RECEIVED.

6. **COMMUNICATION - FROM ARTHUR A. MORRELL, CLERK OF CRIMINAL DISTRICT COURT**

Brief:

Submitting a permanent polling relocation for Wards/Precincts 10/03, 10/06 & 11/03 from Household of Faith, 630 Jackson Avenue to Renew Sci Tech Academy @ Laurel Site, 820 Jackson Avenue, pursuant to La. R.S. 18:534 (B) (1).

Annotation:

RECEIVED.

7. **COMMUNICATION - FROM ARTHUR A. MORRELL, CLERK OF CRIMINAL DISTRICT COURT**

Brief:

Submitting a temporary Polling relocation for Wards/Precincts 13/01, 13/02, 13/03, 13/04, 13/05 and 13/06 from St. Katherine Drexel Prep School, 5116 Magazine St. to Former 2nd District Police Station, 4317 Magazine; and 15/02 & 15/06, from International School of Louisiana @ Holy Name of Mary, 502 Olivier St. to Algiers Courthouse, 225 Morgan St., pursuant to La. R.S. 18:534 (B)(1).

Annotation:

RECEIVED.

8. **COMMUNICATION - FROM DANE S. CIOLINO, EXECUTIVE ADMINISTRATOR AND GENERAL COUNSEL, NEW ORLEANS ETHICS REVIEW BOARD**

Brief:

Requesting on behalf of the Ethics Review Board ("ERB") that the City of New Orleans consider amending the Code of Ordinances to regulate campaign contributions from utilities regulated by City Council. The ERB unanimously adopted Item 1 at its last meeting.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED AND REFERRED TO THE UTILITY, CABLE, TELECOMMUNICATIONS AND TECHNOLOGY COMMITTEE.

9. REPORT - OF THE EXECUTIVE 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 of denial a proposal to install tinted glass at the six-story tower portion for the property located at **710 Baronne Street**.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

10. REPORT - OF THE EXECUTIVE 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 of denial of an application to retain a visually obtrusive HVAC mini-split system installed without a Certificate of Appropriateness for the property located at **4016 Royal Street**.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

11. REPORT - OF THE EXECUTIVE 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 of denial of an application to retain the removal on one chimney without a Certificate of Appropriateness for the property located at **339 Pelican Avenue.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

12. REPORT - OF THE EXECUTIVE 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 approve the construction of a two-story, single family residence at **825 St. Roch Avenue.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

**13. REPORT - OF THE EXECUTIVE 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 allow the retention of a cooling tower installed in deviation of the Historic District Landmark Commission approved drawings for the property located at **3500 St. Claude Avenue.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

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

Brief:

Transmitting Zoning Dockets 57/21 - Cm. Giarrusso and 68/21 - Cm. Banks, Cn. Deadline 11/22/21.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (*Hearing Date Set For 10/7/21*).**

15. CAL. NO. 33,412 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021"; to appropriate funds from the Ethics Review Board Personal Services to the Other Operating to cover credit card expenses; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 11/12/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28781 M.C.S.

16. CAL. NO. 33,416 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, BANKS, NGUYEN, BROSSETT, GISLESON PALMER AND GLAPION

Brief:

An Ordinance to amend and reordain Article 4 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 modify the Neighborhood Participation Program (NPP) requirements therein, to authorize teleconferencing, virtual, or other remote meeting formats to satisfy NPP requirements during a declared emergency by the Governor or Mayor, when in-person meetings are not an available option; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 46/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 10/13/21).

(Cn. Deadline 10/7/21).

ADOPTED. ORD. NO. 28782 M.C.S.

17. CAL. NO. 33,417 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to amend and reordain Articles 13 and 20 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 modify the use permissions and standards for child care centers in the S-RS Suburban Single-Family Residential District and S-RD Suburban Two-Family Residential Districts (Municipal Addresses: all districts - citywide); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 45/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 10/13/21).

(Cn. Deadline 10/7/21).

ADOPTED. ORD. NO. 28783 M.C.S.

18. CAL. NO. 33,424 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to repeal Ordinance No. 28,672 M.C.S., an ordinance to transfer funds from the French Quarter Improvement Fund to the Department of Police to fund a Sergeant position and purchase vehicles to expand patrols within the Department of Police, 8th District; and to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021," to transfer funds from the French Quarter Improvement Fund to the Department of Police to fund a Sergeant position and purchase vehicles to expand patrols within the Department of Police, 8th District; to correct an error in Ordinance No. 28,672 M.C.S. and appropriate the funds as intended; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Budget Committee recommended approval).

(Council Rule 34. Postponement Deadline 12/17/21).

ADOPTED. ORD. NO. 28787 M.C.S.

19. MOTION - NO. M-21-331 - BY: COUNCILMEMBER MORENO

Brief:

Directing the Council Utilities Regulatory Office ("CURO") to issue and advertise a request for qualifications and proposals for legal and technical consultants, in accordance with Council Rule 42.

Annotation:

ELECTRONICALLY SUBMITTED.

(Utility, Cable, Telecommunications and Technology Committee recommended approval).

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

20. RESOLUTION - NO. R-21-336 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

A **RESOLUTION** approving the issuance of not exceeding Forty Million Dollars (\$40,000,000) of City of New Orleans Limited Tax Bonds (Audubon Commission Projects).

Annotation:

ELECTRONICALLY SUBMITTED.

(Budget Committee recommended approval).

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

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

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

NAYS: 0

ABSENT: 0

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

1. LEGISLATIVE GROUPING - RTA TAX ABATEMENT

1a. COMMUNICATION - FROM TERRI C. GUERIN, CHIEF OF STAFF -
COUNCILMEMBER CYNDI NGUYEN

Brief:

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

- RTA Application #2017-0222, 819 Gordon Street, Gordon Redevelopment LLC

Annotation:

ELECTRONICALLY SUBMITTED.

(Communication received at the meeting of 8/19/21).

HEARING HELD.

1b. RESOLUTION - NO. R-21-332 - BY: COUNCILMEMBER NGUYEN

Brief:

A resolution Approving RTA Application #20170222 for 819 Gordon Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

LAND USE MATTERS

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

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

No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. HDLC APPEAL - OF JOHN C. WILLIAMS, AIA, MANAGER, WILLIAMS ARCHITECTS, LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of the application for demolition of more than 50% of the roof structure of a significant rated two-story, single-family residential building for a third-floor addition for property located at **1331 First Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 9/15/21).

(Report received at the meeting of 8/19/21).

(Deadline Extended to 10/7/21 by Mayoral Order).

HEARING HELD.

1b. MOTION - NO. M-21-322 - BY: COUNCILMEMBER BANKS

Brief:

Overruling the HDLC's denial and granting the applicant's appeal subject to adherence to the revised plans and incorporated herein by reference for the property located at **1331 First Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED, AS AMENDED.

2. CBDHDLA APPEAL - OF KIRK P. FABACHER, NCARB, TERRELL-FABACHER ARCHITECTS, L.L.C.

Brief:

Requesting to appeal the Central Business District Historic District Landmarks Commission's decision of "no action" for the installation of tinted glass for new construction of a four-story addition facing Baronne Street and new construction of a six-story infill structure on Girod Street side for the property located at **710 Baronne Street**.

Annotation:

(Cm. Banks, Cn. Deadline 10/3/21).

(Report received on today's Consent Agenda).

(Deadline Extended to 10/7/21 by Mayoral Order).

CONTINUED TO THE MEETING OF 10/7/21.

**3. HDLC APPEAL - OF GREG MACLEAN, OWNER OF MACLEAN'S AIR
CONDITIONING & HEATING**

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "denial" for the retention of the wall mounted mini-split system and conduit on the right-side elevation without a Certificate of Appropriateness for the property located at **4016 Royal Street**.

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline 10/3/21).
(Report received on today's Consent Agenda).
(Deadline Extended to 10/7/21 by Mayoral Order).
CONTINUED TO THE MEETING OF 10/7/21.

4. LEGISLATIVE GROUPING

4a. HDLC APPEAL - OF ADAM TRAINQUE

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "denial" for the retention of removal of the historic brick chimney for the property located at **339 Pelican Avenue**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 10/3/21).

(Report received on today's Consent Agenda).

(Deadline Extended to 10/7/21 by Mayoral Order).

HEARING HELD.

4b. MOTION - NO. M-21-350 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Approving the retention of removal of the historic brick chimney and overruling the decision of the HDLC for the property located at **339 Pelican Avenue**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

5. LEGISLATIVE GROUPING

5a. HDLC APPEAL - OF SCOTT MARTIN, MD

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "conceptual approval" for a two-story single-family dwelling to be located at **825 St. Roch Avenue**, which will sit directly behind my home located at **2508 Burgundy Street**.

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline 10/3/21).
(Report received on today's Consent Agenda).
(Deadline Extended to 10/7/21 by Mayoral Order).
HEARING HELD.

5b. MOTION - NO. M-21-349 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Denying the "conceptual approval" for a two story single-family dwelling and upholding the decision of the HDLC for the property located at **825 St. Roch Avenue**.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 1/21/22).
ADOPTED.

6. HDLC APPEAL - OF ERIK WAHL

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of "conceptual approval" for the retention of modifications to the cooling tower in deviation without a Certificate of Appropriateness for property located at **3500 St. Claude Avenue**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 10/3/21).

(Report received on today's Consent Agenda).

(Deadline Extended to 10/7/21 by Mayoral Order).

CONTINUED TO THE MEETING OF 10/7/21.

7. **ZONING DOCKET NO. 44/21 - CITY COUNCIL MOTION NO. M-21-102**

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 18 *Overlay Zoning Districts* to establish a new overlay district named the University Area Off-Street Parking Overlay, the intent of which is to require off-street vehicular parking for any increase in the number of existing bedrooms, for all properties located in the area generally bounded by: Cecil Street, a straight line connecting Cecil Street to Monticello Avenue, Monticello Avenue, to Leake Avenue, to River Drive to Riverview Drive, to East Drive, to Tchoupitoulas Street, turning north on Nashville Avenue, turning west on South Claiborne Avenue, connecting to South Carrollton Avenue, turning east on Tulane Avenue/Airline Highway connecting to Palmetto Street, to Northline Street, to Monticello Avenue, to Cecil Street. The proposed text changes would affect properties generally bounded by Cecil Street, a straight line connecting Cecil Street to Monticello Avenue, Monticello Avenue, to Leake Avenue, to River Drive, to Riverview Drive, to East Drive, to Tchoupitoulas Street, turning north on Nashville Avenue, turning west on South Claiborne Avenue, connecting to South Carrollton Avenue, turning east on Tulane Avenue/Airline Highway connecting to Palmetto Street, to Northline Street, to Monticello Avenue, to Cecil Street. The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(District A, Cm. Giarrusso, Cn. Deadline 10/4/21).

(Deadline Extended to 10/7/21 by Mayoral Order).

CONTINUED TO THE MEETING OF 10/7/21.

8. ZONING DOCKET NO. 49/21 - RICHARD T. LOTHIAN

Brief:

Requesting a conditional use to permit a bar in a LI Light Industrial District within the Eastern New Orleans Renaissance Corridor Overlay District and a CT Corridor Transformation Design District, on Lot L-6 on an undesignated square, Lakratt Tract, in the Third Municipal District, bounded by Hayne Boulevard, Downman Road, Morrison Road, and the Industrial Canal (Municipal Addresses: **5746-5750 Hayne Boulevard**). The recommendation of City Planning Commission being "**FOR APPROVAL**", subject to five (5) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District D, Cm. Brossett, Cn. Deadline 10/4/21).

(Deadline Extended to 10/7/21 by Mayoral Order).

CONTINUED TO THE MEETING OF 10/7/21.

9. LEGISLATIVE GROUPING

9a. ZONING DOCKET NO. 51/21 - JOSEPHINE PROPCO, LLC

Brief:

Requesting a Planned Development to allow the adaptive reuse and expansion of an existing structure to contain a health club, bar, and live entertainment (secondary use) with a combined floor area over 10,000 square feet in an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 107, Lots A, U, and 75, bounded by Josephine Street, Rousseau Street, Tchoupitoulas Street and Jackson Avenue in the Second Municipal District (Municipal Addresses: **460-462 Josephine Street and 2120 Rousseau Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) exceptions and eighteen (18) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
(District B, Cm. Banks, Cn. Deadline 9/13/21).
(Deadline Extended to 10/7/21 by Mayoral Order).
HEARING HELD.

9b. MOTION - NO. M-21-335 - BY: COUNCILMEMBER BANKS

Brief:

Granting the Planned Development subject to two (2) exceptions and eighteen (18) provisos as provided in the City Planning report, with amendments to Provisos 1 and 2, as follows, for a total of two (2) exceptions and eighteen (18) provisos:

* * *

1. In accordance with Article 12, Section 12.3.A.1 (Table 12-2), the applicant shall submit revised architectural drawings for review and approval by City Planning Commission staff indicating the minimum permeable open space of the lot area is at least ~~10~~7%.
2. In accordance with Article 12, Section 12.3.B.1, the applicant shall submit revised architectural documents, including but not limited to plans, elevations, and sections, for review and approval by City Planning

Commission staff indicating compliance with the following building design standards:

- a. Having clearly identifiable pedestrian, bicycle, and vehicular entries from all public sidewalks the site abuts, including at the front (primary street) elevations for each building.
- b. Having a minimum transparency of fifty percent (50%) **for the newly constructed commercial buildings** on the primary street façade along Rousseau Street and to the extent possible on Josephine Street. The windows shall be constructed of transparent glass. Opaque, highly tinted, or reflective glass is prohibited. Transparency into the building shall be maintained. Any window signs shall consist of individual letters and numerals without the use of any background.

* * *

Annotation:
ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 1/21/22).
ADOPTED.

10. ZONING DOCKET NO. 52/21 - 1152 MAGAZINE ST. LLC

Brief:

Requesting an amendment to Ordinance No. 27,943 MCS (Zoning Docket 90/18, which granted a conditional use approval to permit an indoor amusement facility with standard restaurant, bar, and live entertainment (secondary use) components over 10,000 square feet in floor area) to now grant a conditional use to permit a wine shop, in an HU-MU Historic Urban Neighborhood Mixed-Use District and a CPC Character Preservation Corridor Design Overlay District, on Square 139, Lots A-1 in the First Municipal District, bounded by Magazine Street, Erato Street, Calliope Street and Constance Street (Municipal Address: **1152 Magazine Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to eight (8) new provisos that apply solely to area containing the wine bar and nineteen (19) existing provisos that apply to the remainder of the property.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline 10/4/21).

(Deadline Extended to 10/7/21 by Mayoral Order).

CONTINUED TO THE MEETING OF 10/7/21.

11. **ZONING DOCKET NO. 54/21 - SOPHIA DIETZEL AND KHALIL TAKROORI**

Brief:

Requesting a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District and an HUC Historic Urban Corridor Use Restriction Overlay District, located on Square 656, Lot 1 or A1, in the First Municipal District, bounded by Cleveland Avenue, South Lopez Street, Palmyra Street, and South Salcedo Street (Municipal Addresses: **3120-3122 Cleveland Avenue and 202 S. Lopez Street**). The recommendation of City Planning Commission being "**FOR APPROVAL**", subject to four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline 10/4/21).

(Deadline Extended to 10/7/21 by Mayoral Order).

CONTINUED TO THE MEETING OF 10/7/21.

12. **ZONING DOCKET NO. 55/21 - CITY COUNCIL MOTION NO. M-21-154**

Brief:

Requesting a conditional use to permit a principal bed and breakfast in an HU-RM1 Historic Urban Multi-Family Residential District, on Square 32, Lot 1 and 2, in the Fifth Municipal District, bounded by Olivier Street, Pelican Avenue, Valette Street, and Alix Street (Municipal Addresses: **300-302 Olivier Street and 603-609 Pelican Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to ten (10) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District C, Cm. Gisleson Palmer, Cn. Deadline 10/18/21).

CONTINUED TO THE MEETING OF 10/7/21.

13. LEGISLATIVE GROUPING

13a. ZONING DOCKET NO. 58/21 - DIONNE F. BRISTER AND DARRYL S. BRISTER

Brief:

Requesting a conditional use to permit a reception facility in an HU-MU Historic Urban Neighborhood Mixed-Use District and an EC Enhancement Corridor Design Overlay District, on Square 339, Lot 23, in the Second Municipal District, bounded by Orleans Avenue, North Broad Street, North Dorgenois Street, and Saint Ann Street (Municipal Address: **2631 Orleans Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and three (3) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District D, Cm. Brossett, Cn. Deadline 10/18/21).

HEARING HELD.

13b. MOTION - NO. M-21-357 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion **approving** the conditional use request by the Commission in ZD 58/21, subject to one (1) waiver and three (3) provisos contained in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

AOPTED.

14. ZONING DOCKET 59/21 - TIP'S DEVELOPMENT, LLC

Brief:

Requesting a conditional use to permit a specialty restaurant and bar with live entertainment (secondary use) in an HU-MU Historic Urban Mixed-Use District, and an EC Enhancement Corridor Design Overlay District, on Square 115, Lot 3, in the Sixth Municipal District, bounded by Tchoupitoulas Street, General Pershing Street, Annunciation Street, and Napoleon Avenue (Municipal Addresses: **4329-4331 Tchoupitoulas Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to eight (8) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline 10/18/21).

CONTINUED TO THE MEETING OF 10/7/21.

15. ZONING DOCKET NO. 60/21 - BARCELO & WEBB, LLC

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 14, Section 14.2, to classify "public market" as a permitted use in the S-B1 Suburban Business District. The proposed text change would affect properties **citywide** located in the S-B1 Suburban Business District. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(All Districts, Cn. Deadline 10/18/21).

CONTINUED TO THE MEETING OF 10/7/21.

16. ZONING DOCKET NO. 61/21 - BARCELO & WEBB, LLC

Brief:

Requesting a zoning change from an S-RD Suburban Two-Family Residential District to an S-B1 Suburban Business District, on Square 2258, Lots 12 and 13, in the Third Municipal District, bounded by Piety Street, Alja Meyers Place, Pleasure Street, and Louisa Street (Municipal Addresses: **3440-3446 Piety Street**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(District D, Cm. Brossett, Cn. Deadline 10/18/21).

CONTINUED TO THE MEETING OF 10/7/21.

17. ZONING DOCKET 62/21 - KELLY BRYSON

Brief:

Requesting a zoning change from an HMR-3 Historic Marigny/Tremé/Bywater Residential District to an HMC-1 Historic Marigny/Tremé/Bywater Commercial District, on Square 249, Lot B, in the Third Municipal District, bounded by Louisa Street, Dauphine Street, Burgundy Street, and Piety Street (Municipal Addresses: **805-807 Louisa Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(District C, Cm. Gisleson Palmer, Cn. Deadline 10/18/21).

CONTINUED TO THE MEETING OF 10/7/21.

18. LEGISLATIVE GROUPING

18a. DESIGN REVIEW - NO. 24/21 - HAJARI BARONNE, LLC

Brief:

Requesting demolition of one (1) three-story structure located in the Central Business District, as required by Section 26-2 of the Municipal Code of Ordinances, on Square 263 Lot A or 2, in the First Municipal District, bounded by Baronne Street, Union Street, O'Keefe Avenue, and Gravier Street (Municipal Address: **309 Baronne Street**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline None).

HEARING HELD.

18b. MOTION - NO. M-21-355 - BY: COUNCILMEMBER BANKS

Brief:

Approving the request to demolish one (1) three-story structure located in the Central Business District, as required by Section 26-2 of the Municipal Code of Ordinances, on Square 263 Lot A or 2, in the First Municipal District, bounded by Baronne Street, Union Street, O'Keefe Avenue, and Gravier Street (Municipal Address: **309 Baronne Street**), be, and the same is hereby approved and the request is granted, subject to the following conditions:

- Any and all historic features or usable materials, including but not limited to doors, windows, and flooring, shall be salvaged and either used on site or donated to historic preservation non-profit organizations

- No permit shall be issued unless and until the applicant provides to the Department of Safety and Permits a duly recorded deed restriction prohibiting use of the property as a surface parking lot

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

19. **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:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 10/21/21.

20. LEGISLATIVE GROUPING

20a. 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.
CONTINUED TO THE MEETING OF 10/21/21.**

20b. AMENDMENTS 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.
CONTINUED TO THE MEETING OF 10/21/21.**

21. CAL. NO. 33,147 - BY: COUNCILMEMBERS WILLIAMS AND GISLESON PALMER

Brief:

An Ordinance to amend and reordain Section 26-15 of the Code of the City of New Orleans, relative to peer review of structural design and inspection by engineers of record during construction, to specify where such reviews and inspections are required, how and by whom they are to be performed; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 10/7/21.

22. CAL. NO. 33,183 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance granting a non-exclusive franchise to Telepak Networks, Inc. to construct, maintain, and operate an aboveground and/or underground Wireline Telecommunications System, to provide for the furnishing of a surety bond, annual payments, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 10/21/21.

23. CAL. NO. 33,349 - BY: COUNCILMEMBER BANKS (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 as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/1/21).

CONTINUED TO THE MEETING OF 10/7/21.

24. LEGISLATIVE GROUPING

24a. CAL. NO. 33,351 - BY: COUNCILMEMBERS BROSSETT AND GISLESON PALMER

Brief:

An Ordinance to amend and reordain Sections 70-415.288 through 70-415.292, in Division 44 of Chapter 70 of the Code of the City of New Orleans; to clarify that the City of New Orleans' Interim Short Term Rental Fund is no longer interim, and to provide that the fund shall be used for Short Term Rental enforcement; and otherwise to provide with respect thereto

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/1/21).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 10/7/21.

24b. AMENDMENT TO CAL. NO. 33,351 - BY: COUNCILMEMBERS GISLESON PALMER AND BROSSETT

Brief:

An amendment to Section 1 on page 1, to remove the phrase "All fees received" on line 13 and to insert in lieu thereof, "Except for fees collected pursuant to Section 26-616(c), all fees received".

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 10/7/21.

25. CAL. NO. 33,355 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Section 70-415.1, in Division 17 of Chapter 70 of the Code of the City of New Orleans, to clarify the revenues collected relative to the nightly occupancy of short term rentals that shall be deposited into the fund; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/15/21).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 10/7/21.

26. LEGISLATIVE GROUPING

26a. CAL. NO. 33,393 - BY: COUNCILMEMBERS BROSSETT, MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER AND NGUYEN

Brief:

An Ordinance to mandate a one-time suspension of monthly sanitation charges imposed pursuant to Section 138-57(a) of the Code of the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/29/21).

(No recommendation from the Budget Committee).

ADOPTED, AS AMENDED ORD. NO. 28780 M.C.S.

26b. AMENDMENT TO CAL. NO. 33,393 - BY: COUNCILMEMBER BROSSETT

Brief:

- 1) On page 1, Section 1, line 3, replace the word "August" with the word "November."
- 2) On page 1, Section 1, at the end of line 3, insert the following: "The suspension imposed hereby shall be reflected as a credit on the November water bill sent by the Sewerage and Water Board. If circumstances render the imposition of a credit on the November bill impracticable, the Sewerage and Water Board shall implement the credit on the next water bill thereafter."

Annotation:

ELECTRONICALLY SUBMITTED.

ADOPTED.

26. CAL. NO. 33,419 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to authorize New Orleans Building Corporation ("NOBC") to execute and deliver the Lease Agreement, substantially in accordance with the document attached hereto as Exhibit "A" (the "UPT/US90 Parking Lease"), pursuant to which NOBC will lease the following surface parking lots located in New Orleans, Louisiana to Premium Parking Services, L.L.C., ("Lessee") for Lessee's operation of the surface parking lots: lot P250 located at 1001 Loyola Avenue, lot P251 located at 2000 Loyola Avenue, lot P252 located at 1100 Oretha Castle Haley Boulevard, lot P253 located at 1074 Baronne Street, lot P254 located at 1100 Carondelet Street, and lot P255 located at 1001 Loyola Avenue (the "Premises"); and to otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

ADOPTED. ORD. NO. 28784 M.C.S.

27. CAL. NO. 33,420 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to authorize New Orleans Building Corporation ("NOBC") to execute and deliver the Lease Agreement, substantially in accordance with the document attached hereto as Exhibit "A" (the "Piazza Parking Lease"), pursuant to which NOBC will lease the surface parking lots numbered P151 and P152 located at or near the Piazza D'Italia in New Orleans, Louisiana, as more particularly described in the Lease (the "Premises"), to Premium Parking Services, L.L.C., ("Lessee"), for Lessee's operation of the surface parking lots; and to otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

ADOPTED. ORD. NO. 28785 M.C.S.

28. CAL. NO. 33,421 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to approve the Second Amendment to Lease attached hereto as Exhibit "A" (the "Second Amendment to Lease"), and to ratify the New Orleans Building Corporation's ("NOBC") execution and delivery thereof, which Second Amendment to Lease amends the Lease (as defined below), pursuant to which NOBC (as successor-by-merger to Canal Street Development Corporation) leases the property located at 841 Iberville Street, New Orleans, Louisiana 70112, as more particularly described in the Lease (the "Premises"), to Chifici Enterprises, Inc., ("Tenant"), to operate a restaurant and related amenities, and other uses as more particularly described in the Lease; and to otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

ADOPTED. ORD. NO. 28786 M.C.S.

29. CAL. NO. 33,423 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to amend and reordain Section 146-7 and to ordain Article XIII of Chapter 146 of the Code of the City of New Orleans, to reserve Section 146-7 and to create applications, procedures, fees, and requirements regarding encroachments onto, over, or upon City property; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/17/21).

CONTINUED TO THE MEETING OF 10/7/21.

30. CAL. NO. 33,425 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve and authorize the Mayor of the City of New Orleans ("City"), acting by and through the New Orleans Aviation Board ("NOAB"), to enter into lease agreements with signatory airlines operating at the Louis Armstrong New Orleans International Airport (the "Airport"), under circumstances in which a solicitation and selection process is not required by law; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/17/21).

ADOPTED. ORD. NO. 28788 M.C.S.

31. CAL. NO. 33,426 - BY: COUNCILMEMBERS BANKS AND BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 34-24 of Chapter 34 of the Code of the City of New Orleans, to require complete enclosure of the ends and corners of each unit of a tandem float immediately adjacent to the connecting hitch of all tandem floats in all carnival parades, to amend the safety precautions required for tandem floats; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/17/21).

ADOPTED. ORD. NO. 28789 M.C.S.

32. CAL. NO. 33,427 - BY: COUNCILMEMBERS BANKS AND MORENO (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 New Orleans Redevelopment Authority ("NORA"), for a term greater than one year, for the valuable public purpose of redeveloping City-owned properties 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 Deadline 12/17/21).

ADOPTED. ORD. NO. 28790 M.C.S.

33. CAL. NO. 33,428 - BY: COUNCILMEMBERS BANKS AND MORENO (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans (the "City") to execute a lease with the New Orleans Redevelopment Authority ("NORA") for the property located at 2600 South Broad Street, New Orleans, LA 70125 (the "Property"); wherein said property will be leased for a period of ninety-nine years and the rent will be derived by establishing the fair market value of the Property, which will be provided to the City in equal or greater value through the development of affordable housing, redevelopment of City-owned property, and economic development (collectively, the "Public Benefit"); and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/17/21).

ADOPTED. ORD. NO. 28791 M.C.S.

34. CAL. NO. 33,429 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to establish a conditional use to permit the retail sale of packaged alcoholic beverages at an existing gas station in an HU-MU Historic Urban Neighborhood Mixed-Use District, an AC-1 Arts and Culture Diversity Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 359, Lot 21-A or Lots 21 through 31, in the Second Municipal District, bounded by North Broad Street, Toulouse Street, Saint Peter Street, and North White Street, (Municipal Addresses: 617 North Broad Street and 2735 Toulouse Street); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 40/21**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/29/21).

(Cn. Deadline 9/16/21).

CONTINUED TO THE MEETING OF 10/7/21.

35. CAL. NO. 33,430 - BY: COUNCILMEMBERS BANKS AND MORENO (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans (the "City") to execute a lease with the New Orleans Redevelopment Authority ("NORA") for the property located at 2314 Louisiana Avenue, New Orleans, LA 70115 (the "Property"); wherein said property will be leased for a period of ninety-nine years and the rent will be derived by establishing the fair market value of the Property, which will be provided to the City in equal or greater value through the development of affordable housing, redevelopment of City-owned property, and economic development (collectively, the "Public Benefit"); and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/17/21).

ADOPTED. ORD. NO. 28792 M.C.S.

36. CAL. NO. 33,440 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,550 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021"; to appropriate American Rescue Plan Act (ARPA) funds provided to the City of New Orleans and Orleans Parish in direct assistance from the United States Department of Treasury to support the ongoing pandemic response and economic recovery, which will be used to restore government services impacted by a reduction in revenue; this ordinance covers the first tranche allocation for Orleans Parish in the amount of \$37,890,449.00; and the second tranche allocation in the amount of \$155,871,075.50; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/31/21).

WITHDRAWN.

37. CAL. NO. 33,441 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021"; to appropriate American Rescue Plan Act (ARPA) funds provided to the City of New Orleans and Orleans Parish in direct assistance from the United States Department of Treasury to support the ongoing pandemic response and economic recovery, which will be used to restore government services impacted by a reduction in revenue; this ordinance covers the first tranche allocation for Orleans Parish in the amount of \$37,890,449.00; and the second tranche allocation in the amount of \$155,871,075.50; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/31/21).

WITHDRAWN.

38. CAL. NO. 33,442 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,550 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021"; to appropriate American Rescue Plan Act (ARPA) funds to restore government services impacted by a reduction in revenue; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/31/21).

WITHDRAWN.

39. MOTION (LYING OVER) - NO. M-21-121 - BY: COUNCILMEMBER MORENO

Brief:

Amending City Council Rule 10, Note B, in its entirety, regarding the City Council's Consent Agenda and procedures relative thereto, and replacing it as provided in "Exhibit A".

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 10/7/21.

40. MOTION (LYING OVER) - NO. M-21-297 - BY: COUNCILMEMBER MORENO

Brief:

Requesting and authorizing the President of the Council to sign an amendment to the professional services agreement between the City of New Orleans and AH Datalytics, LLC (the assignee of Jeff Asher Consulting, LLC) extending the term of the agreement for one year and authorizing up to seventy-five thousand dollars (\$75,000) in compensation during the renewal term, and containing such other provisions as may be necessary or desirable to accomplish the purposes of this Motion.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

CONTINUED TO THE MEETING OF 10/7/21.

41. MOTION - NO. M-21-323 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Establishing the following emergency temporary polling location change as the official polling place for the specified precincts within the Parish of Orleans for the upcoming November 13 Open Primary/Orleans Municipal Parochial Primary/State Representative, District 16 and 102 Special Primary/State Senate, District 27 Special Primary Election, and the December 11 Open General/Orleans Municipal Parochial General Election:

Ward/

| <u>Precinct:</u> | <u>Original Site:</u> | <u>Permanent New Site:</u> |
|-------------------------|------------------------------------------------------------------------------|-----------------------------------------|
| 15/02 | International School of Louisiana at Holy Name of Mary 502 Olivier Street | Algiers Courthouse 225 Morgan Street |
| 15/06 | International School of Louisiana at Holy Name of Mary 502 Olivier Street | Algiers Courthouse 225 Morgan Street |

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

42. MOTION - NO. M-21-324 - BY: COUNCILMEMBER NGUYEN (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Justin Ross-Hillard (vice Anna Nguyen, initial term ending June 30, 2029), as a member of the New Orleans Public Library Board, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2029.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received).

(Council Rule 34. Postponement Deadline 1/21/22).

(Consideration is subject to suspension of Rule 15.1).

ADOPTED.

43. MOTION - NO. M-21-325 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the appointment of Shelbi Flynn (serving as a representative of the Chief Administrative Office), as a member of the Jerome "Big Duck" Smith Justice System Advisory Committee, effective upon approval by the Council of the City of New Orleans, for a term ending on July 31, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received).

(Council Rule 34. Postponement Deadline 1/21/22).

(Consideration is subject to suspension of Rule 15.1)

ADOPTED.

44. MOTION - NO. M-21-326 - BY: COUNCILMEMBER BROSSETT

Brief:

Directing City Planning Commission to conduct a public hearing to consider a request to rescind Ordinance No. 8,072 M.C.S. (Zoning Docket 069/08 - establishing a conditional use to permit a Day Care Center in a RS-2, Single Family Residential District) as the conditional use is obsolete and should be removed from the Official Zoning Map, on LOT 1-A, Square 2332 in the Third Municipal District, bounded by Elysian Fields Avenue, Lafreniere, Sere, and Marigny Streets (Municipal Address: **3515 Elysian Fields Avenue**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

45. MOTION - NO. M-21-327 - BY: COUNCILMEMBER BROSSETT

Brief:

Waiving all permit fees relative to the "NORDC Facility Rental Fee" events and activities that are officially sponsored and sanctioned by Project Detour to host the "Project Detour: CAN Resource Fair and Basketball 300 for At-Risk Youth" event, to take place on July 25th, from 11:00 a.m. - 7:00 p.m., at Stallings Gentilly Playground located at 2700 Lapeyrouse Street, New Orleans, Louisiana 70119. All applicable City Code requirements shall be complied with, and that this waiver is contingent upon satisfactory completion of the City's application processes, along with securing all required City approvals, including compliance with the City's COVID requirements. The fee waiver authorized by this section shall not include any direct costs to the city.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

46. MOTION - NO. M-21-328 - BY: COUNCILMEMBER BROSSETT

Brief:

Directing City Planning Commission to conduct a public hearing to consider amending and re-ordaining the Comprehensive Zoning Ordinance (Ordinance No. M.C.S. 4264, as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to create a new use category of "Boat Dock" for the purpose of allowing boat rental facilities and to designate said use as a conditional use in the M-MU Maritime Mixed-Use District; S-LM Lake Area Marina District; S-LP Lake Area Park District; OS-R Open Space Regional District; OS-N Open Space Neighborhood District; and NA Natural Area District.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

CONTINUED TO THE MEETING OF 10/7/21.

47. MOTION - NO. M-21-329 - BY: COUNCILMEMBER BROSSETT

Brief:

Directing City Planning Commission to conduct a public hearing to consider amending and re-ordaining Section 18.9.B.2 of the Comprehensive Zoning Ordinance (Ordinance No. M.C.S. 4264, as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to add "Outdoor Amphitheater" as a conditional use in the AC-1 Arts and Culture Diversity Overlay District.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

CONTINUED TO THE MEETING OF 10/7/21.

48. MOTION - NO. M-21-330 - BY: COUNCILMEMBER BROSSETT

Brief:

Directing City Planning Commission to conduct a public hearing to consider a conditional use to permit an Outdoor Amphitheater in the AC-1 Arts and Culture Diversity Overlay District on Square 336, Lots 1, 2, 3, 4, 5, 6, 7 or 7A and 7B, 8, 9, and 10, in the Second Municipal District, bounded by North Broad Street, Lafitte Street, North Dorgenois Street, and Toulouse Street (municipal addresses are **600 North Broad Street, 2619-2633 Toulouse Street, 2622-2626 Toulouse Street, 2633 Lafitte Avenue, and 2634-2658 Toulouse Street**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

CONTINUED TO THE MEETING OF 10/7/21.

49. MOTION - NO. M-21-333 - BY: COUNCILMEMBER BANKS

Brief:

Establishing the following polling place relocations shown on the "Change To" list below are the official permanent polling places for the precincts specified therein for the City of New Orleans, Parish of Orleans.

| <u>Ward/ Precinct:</u> | <u>From:</u> | <u>Change To:</u> |
|-----------------------------------|------------------------------------------|---------------------------------------------------------------|
| 10/03 | Household of Faith 630 Jackson Avenue | Renew Sci Tech Academy @ Laurel Site 820 Jackson Avenue |
| 10/06 | Household of Faith 630 Jackson Avenue | Renew Sci Tech Academy @ Laurel Site 820 Jackson Avenue |
| 11/03 | Household of Faith 630 Jackson Avenue | Renew Sci Tech Academy @ Laurel Site 820 Jackson Avenue |

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

50. MOTION - NO. M-21-334 - BY: COUNCILMEMBER BANKS

Brief:

Establishing the following emergency temporary polling location change as the official polling place for the specified precincts within the Parish of Orleans for the upcoming November 13 Open Primary/Orleans Municipal Parochial Primary/State Representative, District 16 and 102 Special Primary/State Senate, District 27 Special Primary Election, and the December 11 Open General/Orleans Municipal Parochial General Election:

| Ward/ Precinct: | From: | To: |
|----------------------------|-------------------------------------------------------------|---------------------------------------------------------------------------|
| 13/01 | St. Katherine Drexel Prep School 5116 Magazine Street | Former 2 nd District Police Station 4317 Magazine Street |
| 13/02 | St. Katherine Drexel Prep School 5116 Magazine Street | Former 2 nd District Police Station 4317 Magazine Street |
| 13/03 | St. Katherine Drexel Prep School 5116 Magazine Street | Former 2 nd District Police Station 4317 Magazine Street |
| 13/04 | St. Katherine Drexel Prep School 5116 Magazine Street | Former 2 nd District Police Station 4317 Magazine Street |
| 13/05 | St. Katherine Drexel Prep School 5116 Magazine Street | Former 2 nd District Police Station 4317 Magazine Street |
| 13/06 | St. Katherine Drexel Prep School 5116 Magazine Street | Former 2 nd District Police Station 4317 Magazine Street |

Annotation:
ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 1/21/22).
ADOPTED.

51. MOTION NO. M-21-339 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

Ratifying, confirming and approving the appointment of Monique Moss, as a member of the New Orleans Tourism and Cultural Fund, effective upon approval by the Council of the City of New Orleans, for a term ending on September 23, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received).

(Council Rule 34. Postponement Deadline 1/21/22).

(Consideration is subject to suspension of Rule 15.1).

CONTINUED TO THE MEETING OF 10/7/21.

52. MOTION NO. M-21-338 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

Ratifying, confirming and approving the appointment of Dow Michael Edwards, as a member of the New Orleans Tourism and Cultural Fund, effective upon approval by the Council of the City of New Orleans, for a term ending on September 23, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received).

(Council Rule 34. Postponement Deadline 1/21/22).

(Consideration is subject to suspension of Rule 15.1).

CONTINUED TO THE MEETING OF 10/7/21.

**53. RESOLUTION NO. R-21-340 - BY: COUNCILMEMBERS GISLESON
PALMER, BROSSETT AND NGUYEN**

Brief:

Resolution stating that the Council does not support directly billing Entergy New Orleans ratepayers for any and all storm recovery costs the Council will only consider rate increases tied to storm recovery costs, including for Hurricane Ida, after a careful evaluation of proposed increases, to ensure such costs are reasonable and prudent, and not a result of any failure of Entergy New Orleans to adequately maintain and strengthen the utility infrastructure, to better guard New Orleans ratepayers against such future increases, while protecting their interest in a stable, dependable power utility service, the Council strongly urges the City and State's Congressional delegation and President Joe Biden to dedicate federal funding to the full restoration of transmission lines, substations, and distribution poles and lines serving the City, additionally requesting federal resources to modernize and diversify its energy infrastructure - including through solar panels, batteries, and microgrids - to power the City amid extreme weather conditions that this instrument shall not be construed either to initiate a new docket or to address an existing docket with respect to Entergy New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

54. MOTION NO. M-21-341 - BY: COUNCILMEMBERS MORENO, GLAPION,
GIARRUSSO, BANKS AND BROSSETT

Brief:

In accordance with Council Rule 42, the Council Utilities Regulatory Office ("CURO") is directed to issue and advertise a request for qualifications and proposals for a consultant to develop a report detailing the options and opportunities available to the Council and customers to change or reform the current configuration of utility ownership in Orleans Parish.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

55. MOTION NO. M-21-342 - BY: COUNCILMEMBERS MORENO, GLAPION,
GIARRUSSO, BANKS AND BROSSETT

Brief:

Directing the Council Utilities Regulatory Office ("CURO") to work with the Parties to develop the scope for a request for qualifications and proposals for a consultant to conduct a management audit.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

56. RESOLUTION NO. R-21-343 - BY: COUNCILMEMBERS MORENO,
GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

RESOLUTION AND ORDER DIRECTING THE COUNCIL'S UTILITY
ADVISORS TO CONDUCT AN AFTER-INCIDENT REVIEW OF ENTERGY NEW
ORLEANS, LLC RELATIVE TO ITS PREPARATION AND RESPONSE TO
HURRICANE IDA

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).
ADOPTED, AS AMENDED.

57. RESOLUTION NO. R-21-344 - BY: COUNCILMEMBERS MORENO,
GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

RESOLUTION REQUESTING THE LOUISIANA PUBLIC SERVICE
COMMISSION TO INVESTIGATE ELECTRIC TRANSMISSION FAILURES
RESULTING FROM HURRICANE IDA AND PLEDGING NEW ORLEANS CITY
COUNCIL SUPPORT AND ASSISTANCE

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).
ADOPTED.

58. RESOLUTION NO. R-21-345 - BY: COUNCILMEMBERS MORENO,
GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

RESOLUTION REQUESTING THE FEDERAL ENERGY REGULATORY
COMMISSION TO INVESTIGATE ELECTRIC TRANSMISSION FAILURES
RESULTING FROM HURRICANE IDA AND PLEDGING NEW ORLEANS CITY
COUNCIL COOPERATION

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

59. RESOLUTION NO. R-21-346 - BY: COUNCILMEMBERS MORENO,
GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

IN RE: ENTERGY NEW ORLEANS, LLC LOAD SHED PROTOCOLS AND
ALL EVENTS AND DECISIONS RELATED TO THE FEBRUARY 2021
WINTER STORM URI EVENT

UD-21-01

RESOLUTION AND ORDER AMENDING THE PROCEDURAL SCHEDULE

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

60. RESOLUTION NO. R-21-347 - BY: COUNCILMEMBERS MORENO,
GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

RESOLUTION AND ORDER ESTABLISHING A THIRTY DAY COMMENT PERIOD ON ENTERGY NEW ORLEANS, LLC'S RENEWABLE AND CLEAN PORTFOLIO STANDARD COMPLIANCE PLAN COVERING COMPLIANCE YEAR 2022

DOCKET NO. UD-19-01

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

61. RESOLUTION NO. R-21-351 - BY: COUNCILMEMBER GISLESON
PALMER

Brief:

Requesting Mayor LaToya Cantrell and the City of New Orleans Law Department to send written notice to Metro of its failure to perform, if this has not yet occurred, if the City has already notified Metro of its failure to perform, the Council then requests that the City declare Metro in default, pursuant to ITB, Attachment B, Section 29, and seek full recovery of all damages, the Council strongly urges Mayor Cantrell and the City of New Orleans Law Department to analyze whether termination for cause and a rebid of the contract would be appropriate, including a determination of whether other waste collection contractors have the capacity to take on Metro's service area.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

62. MOTION - NO. M-21-352 - BY: COUNCILMEMBER MORENO

Brief:

A motion suspending Rule 1 of the Rules and Regulations of the City Council and establishing the Regular Council Meeting schedule for the year 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

63. MOTION - NO. M-21-353 - BY: COUNCILMEMBER MORENO

Brief:

Requesting and authorized the Council President to sign a cooperative endeavor agreement with the Orleans Parish Sheriff's Office for the provision of security services for the City Council, for the period of January 1, 2021 through December 31, 2021, for a maximum compensation amount not to exceed \$46,399.63 per month or \$556,795.56 for twelve (12) months.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

64. MOTION - NO. M-21-354 - BY: COUNCILMEMBERS GISLESON PALMER AND BROSSETT

Brief:

Motion suspending Rules 1, 2, 3, 10 - Note A, 10 - Note B, 10 - Note C, 15, 15.1, 28, 39, and 50 in their entirety by the version of these Rules hereto as "Exhibit A" and that Council Research Division is directed and granted the flexibility to make all appropriate formatting and numbering changes to the attached and existing rules to accommodate these changes.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 10/7/21.

65. RESOLUTION NO. R-21-356 - BY: COUNCILMEMBERS BANKS, GISLESON PALMER AND MORENO

Brief:

Resolution urging State Legislature to pass updated and consistent regulations relating to Residential Care Facilities' emergency preparedness systems.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 1/21/22).

ADOPTED.

66. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 33,437 THRU 33,439 AND 33,447 THRU 33,448, 33,451 AND 33,454 THRU 33,468.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.