

THE COUNCIL
City of New Orleans

DONNA M. GLAPION
Councilmember-At-Large

HELENA MORENO
Councilmember -At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

JAY H. BANKS
Councilmember District B

KRISTIN GISLESON PALMER
Councilmember District C

JARED C. BROSSETT
Councilmember District D

CYNDI NGUYEN
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held via video conference
on Thursday, April 8, 2021 at 10:05 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
DONNA M. GLAPION
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

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VIBRATE DURING COUNCIL PROCEEDINGS.

1. **APPROVAL OF THE MINUTES** - March 11, 2021 and March 25, 2021.

Annotation:
APPROVED.

SPECIAL ORDERS OF BUSINESS

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

CONSENT AGENDA

1. **COMMUNICATION - FROM PAUL HARANG, INTERIM CHIEF OF STAFF**

Brief:

Submitting the recommended agenda items for deferrals for the **April 8, 2021** Regular Council meeting due to the COVID-19 pandemic.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

2. **COMMUNICATION - FROM ERIN SPEARS - CHIEF OF STAFF & COUNSEL, COUNCIL UTILITIES REGULATORY OFFICE**

Brief:

Submitting the transmittal document for communications related to electric and gas utility matters to be received by the Council of the City of New Orleans at its meeting on **April 8, 2021:**

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

1. Quarterly Report on Rough Production Cost Equalization Adjustment, submitted pursuant to R-13-162
2. Purchased Power Cost Recovery (PPCR) Adjustments for the April 2021 billing cycle, submitted pursuant to R-20-67, UD-18-07
3. Purchased Gas Adjustments for the April 2021 billing cycle, submitted pursuant to R-03-272
4. Environmental Adjustments for the April 2021 billing cycle, UD-18-07
5. Fuel Adjustments for the April 2021 billing cycle, submitted pursuant to R-20-67, UD-18-07
6. 2020 Reliability Plan Project Status Report, submitted pursuant to R-18-98, UD-17-04
7. Bi-monthly Report of ENO on New Orleans Power Station Expenditures, submitted pursuant to Resolution R-19-78
8. Reports related to the New Orleans Power Station submitted to the Louisiana Department of Environmental Quality, submitted pursuant to R-19-78, UD-16-02
9. 1st Quarter Report Detailing Regulated Utilities' Proportionate Share of Entergy's Assets, Operating and Maintenance Expenses, submitted pursuant to the Rule 53 Settlement Agreement and Resolution R-98-187

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

3. **COMMUNICATION - FROM AMY B. TREPAGNIER, PERSONNEL DIRECTOR,
CITY OF NEW ORLEANS, DEPARTMENT OF CIVIL SERVICE**

Brief:

Submitting for Council approval **Amendment to the Classified Pay Plan (Health) New Classification: (Health Project & Planning Senior Administrator (Exempt))** in accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of March 22, 2021.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

4. **COMMUNICATION - FROM MELISSA QUIGLEY, ASSISTANT CITY
ATTORNEY, CITY OF NEW ORLEANS, DEPARTMENT OF LAW**

Brief:

Notifying the Council that the transmittals from Safety and Permits that were received at the March 25, 2021 Council Meeting were transmitted in error, and that Council approval is not required pursuant to the Code of the City of New Orleans for the following properties (as they are outside applicable historic districts) and should be withdrawn from the agenda:

- **4215 S. Claiborne Avenue, 20-42954-DEMO - Council District "B"**
- **4227 S. Claiborne Avenue, 20-42951-DEMO - Council District "B"**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

5. COMMUNICATION - FROM TIFFANY JACKSON, DEPUTY DIRECTOR, NEW ORLEANS TOURISM & CULTURAL FUND

Brief:

Submitting the New Orleans Tourism and Cultural Fund's 2020 Annual Report, as presented to the New Orleans Tourism and Cultural Fund Board, on March 18, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

6. 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 Historic District Landmarks Commission's decision to fine the applicant \$10,000 for demolishing in excess of what was authorized in the approved drawings for property located at **6322 Annunciation Street**.

Annotation:

ELECTRONICALLY SUBMITTED.
(Communication received at the meeting of 1/28/21).
RECEIVED. *(Hearing Date Set For Today's Meeting).*

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

Brief:

Transmitting Zoning Docket Numbers 17/21 - Cms. All, 25/21 - Cm. Gisleson Palmer, Cn. Deadline 6/7/21.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED. *(Hearing Date Set For 4/22/21).*

8. REPORT - OF THERESA R. BECHER, COUNCIL RESEARCH OFFICER,
NEW ORLEANS CITY COUNCIL

Brief:

Transmitting a demolition report for the following property:

- 2605 N. Villere St.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

9. CAL. NO. 33,265 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to establish a conditional use to permit a three unit multi-family residence in an HMR-3 Historic Marigny/Tremé/Bywater Residential District and an RDO-1 Residential Diversity Overlay District, on Square 257, Lots 20 and 21 or Part of Lot 221 or an undesignated lot, in the Third Municipal District, bounded by Burgundy Street, Saint Roch Avenue, Spain Street, and Dauphine Street (Municipal Addresses: **2458-2460 Burgundy Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 6/21**)

Annotation:

**ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 5/26/21).
(Cn. Deadline 5/20/21).
ADOPTED. ORD. NO. 28643 M.C.S.**

10. CAL. NO. 33,268 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit a wine shop in an HU-B1 Historic Urban Neighborhood Business District, a CPC Character Preservation Corridor Design Overlay District, and the Magazine Street Use Restriction Overlay District, on Square 204, Lot 14A, in the Sixth Municipal District, bounded by Magazine Street, Constance Street, General Pershing Street, and Milan Street (Municipal Address: 4210-4214 Magazine Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 8/21)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 6/9/21).
(Cn. Deadline 6/3/21).
(Technical Correction needed).
ADOPTED. ORD. NO. 28644 M.C.S.

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

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

NAYS: 0

ABSENT: 0

AND THE CONSENT AGENDA WAS ADOPTED.

1. **EXECUTIVE SESSION**

Brief:

PURSUANT TO LOUISIANA REVISED STATUTES 42:16 AND 42:17(A)(2), THE COUNCIL OF THE CITY OF NEW ORLEANS MAY CONVENE IN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE FOLLOWING LITIGATION:

- The City of New Orleans v. 1031 Canal Development, L.L.C., et al., Docket No. 2020-7214, Division C, Section 10, Civil District Court for the Parish of Orleans, State of Louisiana.
- United States of America v. The City of New Orleans, Civil Action No. 12-CV-01924, Section E, Division 2, United States District Court for the Eastern District of Louisiana.
- Lashawn Jones, et al versus Marlin Gusman, et al., Civil Action No. 12-859 Section I, Division 1, United States District Court for the Eastern District of Louisiana.
- Lafaye v. City of New Orleans, Civil Action No. 20-41, Section E, Division 2, United States District Court of the Eastern District of Louisiana.

Annotation:

**ELECTRONICALLY SUBMITTED.
SESSION HELD.**

REGULAR AGENDA

LAND USE MATTERS

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

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

No ceding of public speaking time is permitted.

1. DEMOLITION REQUEST - OF ROY FARRIS, JR.

Brief:

Requesting a demolition permit for the following properties:

2129-2131 Fourth Street

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 4/25/21).

(Report and application materials received at the meeting of 3/11/21).

CONTINUED TO THE MEETING OF 4/22/21.

2. DEMOLITION REQUEST - OF SEAN KILLEEN, ON BEHALF OF THE OWNER JOSEPH ALUISE

Brief:

Requesting a demolition permit for the following property:

5217 S. Derbigny Street

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 4/25/21).

(Report and application materials received at the meeting of 3/11/21).

CONTINUED TO THE MEETING OF 4/22/21.

3. DEMOLITION REQUEST - OF JACKSON KEIONE

Brief:

Transmitting the application documents for demolition permit requiring City Council review and approval for the following property:

- 2605 N. Villere Street, 21-00709-DEMO - Council District "C"

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 5/24/21).

(Report received on Today's Consent Agenda).

CONTINUED TO THE MEETING OF 4/22/21.

4. DEMOLITION REQUEST - OF SEAN C. TURNER

Brief:

Transmitting the application documents for demolition permit requiring City Council review and approval for the following property:

- 4215 S. Claiborne Avenue, 20-42954-DEMO - Council District "B"

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/24/21).

WITHDRAWN - see Consent Agenda item No. 4.

5. **DEMOLITION APPEAL - OF SEAN C. TURNER**

Brief:

Transmitting the application documents for demolition permit requiring City Council review and approval for the following property:

- **4227 S. Claiborne Avenue, 20-42951-DEMO - Council District "B"**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/24/21).

WITHDRAWN - see Consent Agenda item No. 4.

6. **LEGISLATIVE GROUPING**

6a. **HDLC APPEAL - OF CRAIG SCOTT, PSG, LLC**

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of a \$10,000 fine for the deviation of the certificate of appropriateness for renovation for property located at **6322 Annunciation Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, Cn. Deadline 5/9/21).

Report received on today's Consent Agenda.

HEARING HELD.

6b. **MOTION - NO. M-21-128 - BY: COUNCILMEMBER GIARRUSSO**

Brief:

Motion denying the appeal of a \$10,000 fine for the deviation of the certificate of appropriateness for renovation for the property located at **6322 Annunciation Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

7. LEGISLATIVE GROUPING

7a. ZONING DOCKET NO. 3/21 - CITY COUNCIL MOTION NO. M-20-400

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to establish the Algiers Riverfront Overlay District, to ensure that certain uses and designs are compatible with and preserve the character and integrity of Algiers, applying to all lots, except for those zoned Neighborhood Open Space (OS-N), within the following boundaries: the Mississippi River at the Crescent City Connection to Brooklyn Avenue, continuing along Brooklyn Avenue, including Brooklyn Avenue becoming Powder Street, continuing along Power Street to Pelican Avenue, continuing along Pelican Avenue to Bouny Street, continuing along Bouny Street to Delaronde Street, continuing along Delaronde Street to Seguin Street, continuing along Seguin Street to Morgan Street, continuing along Morgan Street until it becomes Patterson Road, continuing along Patterson Road to Hendee Street, and from Hendee Street north to the Mississippi River.

The review of the proposed amendment shall include the following considerations:

1. Regardless of any law to the contrary, the height shall be limited to 40 feet and no more than three stories; and
2. In the MU-1 and MU-2 base zoning districts, the design standards shall be as provided in the HU-MU District.
3. The option of downzoning the base zoning within the entirety of the proposed overlay or any part thereof, in order to achieve limited use and design restrictions. Any downzoning proposal is subject to a maximum base height of forty (40) feet and three (3) stories.
4. The option of amending the existing Riverfront Overlay RIV-2 Algiers Sub-District Standards (Section 18.13.G of the Comprehensive Zoning Code) to eliminate or modify the height limit increase so

that only a maximum of five (5) feet beyond the height limit of the underlying zoning district is permitted. The intent of this possible revision is to consider allowing only the minimum height bonus necessary to achieve a view of the river from the upper story or stories of a three-floor development. If no such height bonus is necessary to achieve this view, the intent is to remove the option of any height bonus under the RIV-2.

5. In conjunction with (5) above, the option of amending the existing Riverfront Overlay RIV-2 Algiers Sub-District Standards (Section 18.13.G of the Comprehensive Zoning Code) to add a possible parking bonus, as a replacement for the current height limit increase or supplement to a reduced height limit increase. The intent of this possible revision is to establish an affordable housing incentive that is more compatible with the neighborhood than the current height limit increase.

All lots, except for the those zoned Neighborhood Open Space(OS-N), within the following boundaries: the Mississippi River at the Crescent City Connection to Brooklyn Avenue, continuing along Brooklyn Avenue, including Brooklyn Avenue becoming Powder Street, continuing along Powder Street to Pelican Avenue, continuing along Pelican Avenue to Bouny Street, continuing along Bouny Street to Delaronde Street, continuing along Delaronde Street to Seguin Street, continuing along Seguin Street to Morgan Street, continuing along Morgan Street until it becomes Patterson Road, continuing along Patterson Road to Hendee Street, and from Hendee Street north to the Mississippi River.

The recommendation of the City Planning Commission being **"Modified Approval"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 4/12/21).

ON DEADLINE.

HEARING HELD.

7b. MOTION - NO. M-21-125 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Motion approving the favorable recommendation of the City Planning Commission of Zoning Docket No. 3/21, with additional modification to the height limitations in Section 18.25.C, which shall read as follows:

"Section 18.28 Algiers Riverfront Use and Height Restriction Overlay

* * *

18.28.C. Building Design Limitations

The following building design standards and requirements shall apply to any new structure, major renovation, or expansion use within the boundaries of the Algiers Riverfront Use and Height Overlay District, without regard to its use:

- a. Except as provided in Subsection b, the height shall be limited to sixty (60) feet and no more than five (5) stories, and the density as provided in the base zoning district, unless the building meets the standards described in Article 18, Section 18.13.G.

- b. For properties with street frontage located along Brooklyn Avenue between Opelousas Avenue and Socrates Street, including lots that front the following streets that intersect with Brooklyn Avenue: Opelousas, Slidell Street, Homer, Newton, Diana, LaMarque, Socrates, Ptolemy, and Lawrence Streets - the height shall be limited to forty (40) feet and no more than three (3) stories, and the density as provided in the base zoning district, unless the building meets the standards described in Article 18, Section 18.13.G.
 1. Such properties are permitted a maximum building height of forty (40) feet with a maximum height of three (3) stories along the Brooklyn Avenue frontage.

 2. Any additional height above forty (40) feet, obtained through the height bonus provided in Section 18.13.G, shall be set back from the front property line at Brooklyn Avenue at a minimum distance of one (1) foot for every one (1) foot in

height, up to a maximum of sixty (60) feet and five (5) stories.

- c. Flat roofed structures shall provide an adequately-sized parapet in order to mitigate the sight of rooftop equipment.
- d. Where provided as accessory flat roof features, open spaces located on roofs shall be excluded from the calculation of building height and gross floor area in accordance with Section 21.6.0.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

8. ZONING DOCKET NO. 9/21 - TRINITY CHURCH

Brief:

Requesting an Amendment to Ordinance No. 20,902 MCS (Zoning Docket 57/02) and Ordinance No. 24,295 MCS (Zoning Docket 104/10) for a conditional use to permit the expansion of an existing educational facility in an HU-RD1 Historic Urban Two-Family Residential District and an HU-RD2 Historic Urban Two-Family Residential District, on Lot 16-A on Square 203; Lots 13, 14, 15, and 1-A on Square 178; Lot Y-2 on Squares 178 and 171; Lots A, Pt. B or B, B or an undesignated lot, C, D, A, 11 or an undesignated lot, and X-2 on Square 171; and the former Chestnut Street right-of-way between Squares 171 and 178, in the Fourth Municipal District, bounded by Jackson Avenue, Prytania Street, Josephine Street, Chestnut Street, Saint Andrew Street, and Camp Street (Municipal Addresses: **1207, 1227-1329, and 1401-1425 Jackson Avenue; 2112 and 2119-2125 Coliseum Street; 1200-1326 and 1227-1233 Josephine Street; and 2117-2129 Camp Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to two (2) waivers and twenty (20) proviso.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/10/21)

CONTINUED TO THE MEETING OF 4/22/21.

9. ZONING DOCKET NO. 11/21 - NICOLE WEBRE

Brief:

Requesting a Text amendment to Article 20 of the Comprehensive Zoning Ordinance relative to the virtual sales of vehicles and other articles as deemed necessary by the staff of the City Planning Commission.

First, to amend Use Standards Section 20.3.MM(5) Motor Vehicle Service and Repair, Minor and Major as follows:

"5. The handling of virtual sales of used automobiles may be permitted with the following Conditions:

a.) The storage of used vehicles for sale on premise is prohibited; and

- b.) Vehicles shall be located off-premise at the vehicle owner's property or at a property zoned and
- c.) The business shall hold a valid license with the Louisiana Used Motor Vehicle Commission.

Second, the City Planning Commission staff shall have the authority to amend the above and make recommendations for additional amendments, **Citywide**.

The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(All Cms., Cn. Deadline 4/26/21).

CONTINUED TO THE MEETING OF 4/22/21.

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 13/21 - 634 ORANGE STREET, LLC

Brief:

Requesting a Conditional use to permit the retail sale of packaged alcoholic beverages in an MU-2 High Intensity Mixed-Use District, on Square 82, Lot 82-C-1, in the First Municipal District, bounded by Orange Street, Saint Thomas Street, Religious Street, and Richard Street (Municipal Address: **634 Orange Street, Suite A**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/10/21)

HEARING HELD.

10b. MOTION (LYING OVER) - NO. M-21-118 - BY: COUNCILMEMBER BANKS

Brief:

Approving the Conditional Use subject to two (2) provisos as provided in the City Planning report, with the addition of six (6) provisos, for a total of eight (8) provisos.

* * *

3. Signage advertising the sale of alcoholic beverages shall not be visible from the public right-of-way.
4. The applicant shall provide to the City Planning Commission staff a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles and the clearing of all litter from the sidewalks and periodic hosing of the street right-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation. In no case shall trash be stored so that it is visible from the public right-of-way.
5. The sale of alcoholic beverages shall be restricted to those for consumption off premises only.
6. The consumption of alcoholic beverages and loitering in front of the structure or in the adjacent rights-of-way

shall be prohibited.

7. The single serve of alcoholic beverages, including but not limited to any alcoholic beverage packaged and sold individually as a single serving, as well as bottles or containers of wine or distilled spirits less than 750 ml shall be prohibited.
8. Hours of operation shall be limited to 7am to 10pm Monday through Sunday.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

WITHDRAWN.

10c. SUBSTITUTE MOTION - NO. M-21-118 - BY: COUNCILMEMBER BANKS

Brief:

Approving the Conditional Use subject to two (2) provisos as provided in the City Planning report, with the addition of six (6) provisos, for a total of eight (8) provisos.

* * *

3. Signage advertising the sale of alcoholic beverages shall not be visible from the public right-of-way.
4. The applicant shall provide to the City Planning Commission staff a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles and the clearing of all litter from the sidewalks and periodic hosing of the street right-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation. In no case shall trash be stored so that it is visible from the public right-of-way.
5. The sale of alcoholic beverages shall be restricted to those for consumption off premises only.
6. The consumption of alcoholic beverages and loitering in front of the structure or in the adjacent rights-of-way shall be prohibited.

7. The single serve of alcoholic beverages, including but not limited to any alcoholic beverage packaged and sold individually as a single serving, as well as bottles or containers of wine or distilled spirits less than 750 ml shall be prohibited, unless purchased in conjunction with food.
8. Hours of operation shall be limited to 7am to 10pm Monday through Sunday.

* * *

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

ADOPTED.

11. ZONING DOCKET NO. 14/21 - POYDRAS PROPERTIES II, LLC

Brief:

Requesting an amendment to Ordinance No. 26,335 MCS (Zoning Docket 12/15) for a conditional use to permit a fast food restaurant in a CBD-4 Exposition District, on Square 307A, Lot Z-4, in the First Municipal District, bounded by Poydras Street, Loyola Avenue, Girod Street, and La Salle Street (Municipal Addresses: **1200 Poydras Street** and **501 Loyola Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) waivers and twenty-three (23) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/24/21).

CONTINUED TO THE MEETING OF 4/22/21.

12. LEGISLATIVE GROUPING

12a. ZONING DOCKET NO. 15/21 - PMAT ALGIERS PLAZA, LLC

Brief:

Requesting an amendment to Ordinance No. 24,812 MCS (Zoning Docket 120/11) to permit a fast food restaurant with drive-thru facilities in a C-3 Heavy Commercial District, an SC Suburban Corridor Use Restriction Overlay District, and CT Corridor Transformation Design Overlay District, on Square H-D, Lot 1, in the Fifth Municipal District, bounded by General De Gaulle Drive, Holiday Drive, MacArthur Boulevard, and Rue Parc Fontaine (Municipal Addresses: **4100-4150 General De Gaulle Drive** and **3008-3070 (except 3014) Holiday Drive**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to eleven (11) waivers and thirty-three (33) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 5/24/21).

HEARING HELD.

12b. MOTION - NO. M-21-123 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Motion approving the favorable recommendation of the City Planning Commission on Zoning Docket No. 15/21, subject to two (2) waivers and eleven (11) provisos, with an amendment to Waiver No. 2, the inclusion of three additional waivers, and amendments to provisos two and four - as provided as follows - for a total of five (5) waivers and eleven (11) provisos:

**** * ***

Waivers only applicable to the drive through fast-food restaurant (Chick-Fil-A) and Building B:

*** * ***

2. The applicant shall be granted a waiver of Article 24, Section 24.11.F. Wall Sign of the Comprehensive Zoning Ordinance, which allow one wall sign on the front elevation to permit **four (4) wall signs, one per building elevation.**
3. The applicant shall be granted a waiver of Article 15, Section 15.3.B Building Design Standards, Subsection 15.3.B.1.a of the Comprehensive Zoning

Ordinance, which requires the primary entrance to be oriented to the street, to allow the primary entrance to be oriented towards "Building B" and the interior of the shopping center.

4. The applicant shall be granted a waiver of Article 15, Section 15.3.B Building Design Standards, Subsection 15.3.B.1.b of the Comprehensive Zoning Ordinance, which requires the newly constructed building to contain a minimum transparency of fifty percent (50%) on the primary street, to allow for the elevation facing "Building B" and the interior of the shopping center to contain a minimum transparency of fifty percent (50%).
5. The applicant shall be granted a waiver of Article 23, Section 23.6.B Front Landscape Yard of the Comprehensive Zoning Ordinance, which requires a front landscape yard a minimum of ten (10) feet in width along the front lot line, for the portion of the site in front of the newly constructed building and "Building B", to allow for the existing landscaping buffer to be maintained outside of the property line.

Provisos only applicable to the drive through fast-food restaurant (Chick-Fil-A) and Building B:

* * *

2. The applicant shall submit final plans showing Compliance with all design standards listed in Article 15, Section 15.3.B of the CZO, **with the exception of any waivers specifically granted herein.** Additionally, design of the fast food restaurant and the "Building B" retail structure shall be complementary to the existing structures along General De Gaulle Drive.

This shall be accomplished through the following, subject to the review and approval of City Planning Commission staff:

- a. The materials and color scheme of the fast food restaurant and "Building B" retail structure shall be consistent with the existing structures facing General De Gaulle Drive.

- b. Pedestrian walkways shall be provided that connect the fast food restaurant and Building B with each other, as well as the adjacent structures along General De Gaulle Drive. The new pedestrian walkways shall be similar to the existing brick pattern stamped concrete walkways.

* * *

- 4. The applicant shall submit a landscape plan that complies with Article 23 of the Comprehensive Zoning Ordinance, subject to review and approval of the Department of Parks and Parkways. The landscape plan shall be prepared by a licensed Louisiana landscape architect and indicate the following:
 - a. the genus, species, size, location, quantity, and irrigation of all existing and proposed plant materials within both the common areas and the street rights-of-way within the site, with applicable remarks and details.
 - b. an above ground sun lit parking lot stormwater detention BMP shall be worked into the interior or the perimeter of every parking facility to capture, filter, infiltrate and store the first flush (<1.25") coming off of the parking surface area pursuant to Article 23, Section 23.7.A.6.
 - c. Interior parking lot landscaping, including parking lot islands and/or landscaped areas in accordance with Article 23, Section 23.7.C.
 - d. Parkway trees in accordance with Article 23, Section 23.11.

* * *"

Annotation:
ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 8/6/21).
ADOPTED.

13. ZONING DOCKET NO. 16/21 - CITY COUNCIL MOTION M-20-450

Brief:

Requesting a Text amendment to the Comprehensive Zoning Ordinance to consider amendments to the definition of "winery" and to consider the addition of such to use tables in appropriate districts. In the course of review, City Planning Commission staff should consider this use in the context of similar uses such as "breweries" and "distilleries." Staff should also review use tables and provide recommendations to establish consistency among "breweries" and "distilleries" in appropriate zoning districts. Planning staff should review applicable State regulations to guide potential amendments. This text amendment will impact all zoning districts that permit micro-breweries, micro-distilleries, breweries and distilleries either by-right or through conditional use. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cms. All, Cn. Deadline 5/10/21).

CONTINUED TO THE MEETING OF 4/22/21.

14. LEGISLATIVE GROUPING

14a. ZONING DOCKET NO. 21/21 - KENNETH C. JACKSON, MELANIE A. PAINIA, DOMINIQUE GUSMAN, AND JAMES SPEARS

Brief:

Requesting a Conditional use to permit a hotel with live entertainment (secondary use) in an HU-B1 Historic Urban Neighborhood Business District, the LAS La Salle Street Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 333, Lots 2 and 3, in the Fourth Municipal District, bounded by La Salle Street, Washington Avenue, Sixth Street, and South Liberty Street (Municipal Addresses: **2836-2842 La Salle Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and ten (10) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
(Cm. Banks, Cn. Deadline 5/10/21).
HEARING HELD.

14b. MOTION - NO. M-21-130 - BY: COUNCILMEMBER BANKS

Brief:

Motion approving the City Planning Commission's recommendation, approving the Conditional Use subject to one (1) waiver and ten (10) provisos in the CPC report, with the addition of one (1) proviso, for a total of one (1) waiver and eleven (11) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 8/6/21).
ADOPTED.

15. ZONING DOCKET NO. 22/21 - PLATINUM HOLDING GROUP, LLC

Brief:

Requesting a Conditional use to permit a four-family multiple-family residence in an HMR-3 Historic Marigny/Tremé/Bywater Residential District, on Square 364, Lot N, in the Third Municipal District, bounded by Montegut Street, North Rampart Street, Saint Claude Avenue, and Press Street (Municipal Address: **1032 Montegut Street**). The recommendation of the City Planning Commission being "**FOR DENIAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 5/10/21).

CONTINUED TO THE MEETING OF 4/22/21.

16. ZONING DOCKET NO. 23/21 - CITY COUNCIL MOTION M-21-19

Brief:

Requesting a text amendment to establish the French Market Overlay District, the purpose of which is to recognize the unique geographic configuration of the French Market District, as opposed to the remainder of the French Quarter, through use and design restrictions that (1) allow for expanded hours of operation in the Public Market, and (2) permit a unified package of pedestrian scaled signage to guide visitors through the linear market. The area generally bounded by the riverside of Decatur Street, the downriver side of St. Peter Street (and its direct extension to the Mississippi River), the Mississippi River, and the upriver side of Barracks Street (and its direct extension to the Mississippi River). The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 5/24/21).

CONTINUED TO THE MEETING OF 4/22/21.

17. ZONING DOCKET NO. 24/21 - IMAD HAMDAN

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend **Article 12, Section 12.2** to classify "motor vehicle service and repair, minor" and "car wash" as conditional uses in HU-MU Neighborhood Mixed-Used Districts. The proposed text change would affect properties citywide located in the HU-MU Neighborhood Mixed-Used Districts. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

(All Cms., Cn. Deadline 5/24/21).
CONTINUED TO THE MEETING OF 4/22/21.

18. LEGISLATIVE GROUPING

18a. DESIGN REVIEW NO. 12/21 - WILLIAMS ARCHITECTS

Brief:

Requesting a demolition of an existing car wash structure located in the Central Business District, as required by Section 26-2 of the Municipal Code of Ordinances, on Square 255, Lot 15-A, in the First Municipal District, bounded by Baronne Street, Calliope Street, Dryades Street, and Howard Avenue (Municipal Addresses: **1019-25 Baronne Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

Annotation:

(Cm. Banks, Cn. Deadline None).
HEARING HELD.

18b. MOTION - NO. M-21-129 - BY: COUNCILMEMBER BANKS

Brief:

Motion approving the City Planning recommendation on Design Review No. 12/21 for the property located at **1019-25 Baronne Street**).

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 8/6/21).
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:

CONTINUED TO THE MEETING OF 6/3/21.

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 6/3/21.**

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 6/3/21.**

21. 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.

(Council Rule 34. Postponement Deadline 3/19/21).

CONTINUED TO THE MEETING OF 6/3/21.

22. CAL. NO. 33,263 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a lease agreement with the successful bidder for at least the minimum price set by appraisal for a certain portion of ground together with all buildings and improvements thereon situated in the Parish of Orleans, Fifth Municipal District, Square 5, Part 9 or Lot A (as part of a subdivision of Arpents 14 and 15), as more fully shown on the attached surveys and site plans attached as Exhibit A to the lease agreement, formerly known as the Touro Shakspeare Home, and which improvements bear the municipal address of 2621 General Meyer Avenue, New Orleans, Louisiana 70114 (hereinafter, "the Leased Premises"); to fix the terms and conditions of said lease agreement; to declare that such property to be leased is no longer needed for public purposes; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

ADOPTED. ORD. NO. 28642 M.C.S.

23. CAL. NO. 33,267 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance revoking the street dedication and authorizing the sale at public auction for a minimum price to be set by appraisal of a **certain portion of ground together with all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, situated in the Sixth Municipal District of the City of New Orleans, in Square 89, bounded by S. Front Street or Leake Avenue, Marengo Street, Tchoupitoulas Street, and Constantinople Street; designated as a portion of S. Front Street or Leake Avenue as shown on a plan of survey and resubdivision by the Office of Gandolfo Kuhn LLC, dated April 10, 2020; last revised June 3, 2020 (the "Portion of S. Front Street")** which is no longer needed for public purposes; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

CONTINUED TO THE MEETING OF 4/22/21.

24. CAL. NO. 33,272 - BY: COUNCILMEMBERS NGUYEN (BY REQUEST),
MORENO AND BROSSETT

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 Sankofa Community Development Corporation ("Sankofa"), for a term greater than one year, for the public purpose of completing and maintaining a green infrastructure project to be located on the following described property belonging to the City: a portion of ground measuring approximately 40 acres, in the Third Municipal District, which ground is bounded by Florida Avenue, Dubriel Street, the Southern Railroad, and Tennessee Street, and which lies more or less between the curb of Florida Avenue Right-of-Way and the Railroad Right-of-Way, adjacent to Squares 1443 through 1459; as more fully detailed in the cooperative endeavor agreement attached hereto as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 7/23/21).

ADOPTED. ORD. NO. 28645 M.C.S.

25. CAL. NO. 33,273 - 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 federal grant funds from Intergovernmental Transfers to the Mayor's Office of Criminal Justice Coordination for the FY2020 Coronavirus Emergency Supplemental Fund (CESF) and the FY2020 Justice Assistance Grant (JAG) grant programs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

26. CAL. NO. 33,274 - 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 federal grant funds from Intergovernmental Transfers to the Mayor's Office of Criminal Justice Coordination for the FY2020 Coronavirus Emergency Supplemental Fund (CESF) and the FY2020 Justice Assistance Grant (JAG) grant programs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

27. CAL. NO. 33,275 - 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 Federal and State grant funds to the Office of Homeland Security to assist public safety personnel with exercises and training to enhance preparedness for responses to emergencies and disasters, along with administrative, equipment and supply costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

28. CAL. NO. 33,276 - 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 Federal and State grant funds to the Office of Homeland Security to assist public safety personnel with exercises and training to enhance preparedness for responses to emergencies and disasters, along with administrative, equipment and supply costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

29. CAL. NO. 33,277 - 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 state grant funds to the Office of Homeland Security from the FY2020 State Homeland Security Program for training and equipment for public safety personnel in relation to disasters and emergencies; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

30. CAL. NO. 33,278 - 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 state grant funds to the Office of Homeland Security from the FY2020 State Homeland Security Program for training and equipment for public safety personnel in relation to disasters and emergencies; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

31. CAL. NO. 33,279 - 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 private grant funds from the John D. and Catherine T. MacArthur Foundation from Intergovernmental Transfers to the Mayor's Office of Criminal Justice Coordination for the Safety and Justice Challenge grant program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

32. CAL. NO. 33,280 - 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 private grant funds from the John D. and Catherine T. MacArthur Foundation from Intergovernmental Transfers to the Mayor's Office of Criminal Justice Coordination for the Safety and Justice Challenge grant program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

33. CAL. NO. 33,281 - 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 Special Revenue and Trust funds from Intergovernmental Transfers to the Coroner's Office, Department of Public Works, Department of Police, New Orleans Recreation Development Commission, Department of Property Management, and the Vieux Carré Commission to provide funding for non-personnel related expenditures such as supplies, equipment and other related items; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

34. CAL. NO. 33,282 - 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 Special Revenue and Trust funds from Intergovernmental Transfers to the Coroner's Office, Department of Public Works, Department of Police, New Orleans Recreation Development Commission, Department of Property Management, and the Vieux Carré Commission to provide funding for non-personnel related expenditures such as supplies, equipment and other related items; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

(Council Rule 34. Postponement: 7/23/21).

CONTINUED TO THE MEETING OF 4/22/21 AND REFERRED TO THE BUDGET COMMITTEE.

35. CAL. NO. 33,283 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement (CEA) between the City of New Orleans and the State of Louisiana (Office of Facility Planning and Control), relative to allowing and facilitating the rehabilitation of the Old New Orleans VA Building, as more fully detailed in the Cooperative Endeavor Agreement attached hereto as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 7/23/21).

ADOPTED. ORD. NO. 28646 M.C.S.

36. LEGISLATIVE GROUPING

36a. MOTION (LYING OVER) - NO. M-21-90 - BY: COUNCILMEMBER MORENO

Brief:

A motion to amend the New Orleans City Council's Rules to add Rule 55 regarding the City Council's Vehicle Policy.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/9/21).

(Suggested hearing date 3/25/21 - This Rule must be advertised prior to Council consideration).

ADOPTED, AS AMENDED.

36b. AMENDMENT TO MOTION (LYING OVER) - NO. M-21-90 - BY: COUNCILMEMBER MORENO

Brief:

Amending the motion as follows:

1. In Exhibit A, on the second line of the fourth paragraph in Section C, replace the words "(see Section M)" with "(see Section K)".
2. In Exhibit A, following after the fourth bullet point in Section J, insert the following as the fifth bullet point:

"Any event resulting in immediate or automatic termination of driving privileges under Section C"
3. In Exhibit A, at the end of the second line in Section I, insert the following:

"In the event of an accident, the operator of a Council vehicle shall call 9-1-1 to request the dispatch of a police officer and, unless otherwise advised, remain at the scene of the accident until police arrive and complete a report."
4. In Exhibit A, replace the second paragraph in Section K with the following:

"The foregoing indemnity obligation shall not apply to liability incurred as a result of intentional, willful or wanton misconduct, from conduct that would result in the immediate termination of driving privileges, or from liability incurred as a result of conduct that exceeds the allowable incidental personal use set forth in Section D.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 8/6/21).

ADOPTED.

37. LEGISLATIVE GROUPING

**37a. SUBSTITUTE RESOLUTION (LYING OVER) - NO. R-21-92 - BY:
COUNCILMEMBER GISLESON PALMER**

Brief:

A resolution to support federal and global action to address disproportionate health outcomes in communities of color and to take action to preserve our local environment and economy by opposing the construction of Formosa Plastics and any industrial or petrochemical plant that significantly adds to the existing toxic emissions in Cancer Alley.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

WITHDRAWN.

**37b. SUBSTITUTE RESOLUTION - NO. R-21-92 - BY: COUNCILMEMBERS
GISLESON PALMER, NGUYEN AND BANKS**

Brief:

A resolution to support international action to address disproportionate health outcomes in communities of color and hereby take action to preserve our local environment and economy by opposing the construction of The Sunshine Project, and any petrochemical plant that significantly adds to the existing toxic emissions in Cancer Alley.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

38. MOTION - NO. M-21-120 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a request to rescind Ordinance No. 28341 M.C.S. (ZD 28/20), establishing a conditional use to permit an established multi-family dwelling in an HU-RD2 Historic Urban Two-Family Residential District, on Square 516, Lot E, in the Seventh Municipal District, bounded by Forshey, Olive, Hamilton, and Mistletoe Streets (Municipal Address: **9118 Olive Street**), based upon a request by the owner to rescind the conditional use.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

WITHDRAWN.

39. MOTION - 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.

(Council Rule 34. Postponement: 8/6/21).

(Suggested hearing date 4/22/21 - This Rule must be advertised prior to Council consideration).

CONTINUED TO THE MEETING OF 4/22/21.

40. MOTION - NO. M-21-122 - BY: COUNCILMEMBERS GISLESON PALMER AND NGUYEN

Brief:

Directing the City Planning Commission to conduct a public hearing to consider amending and re-ordaining Ordinance No. M.C.S. 4264, as amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to consider amending the Permitted and Conditional Use Table in Article 12, Table 12-1, to provide that the commercial use of "**Grocery Store**" in the HU-MU zoning district above 10,000 Square Feet (SF) can be granted via a Conditional Use ("C"); and to amend Section 12.2.B.1 *Commercial Use Floor Area Limitation*, to revise the correlating prohibition therein.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

41. RESOLUTION - NO. R-21-124 - BY: COUNCILMEMBERS MORENO, GLAPION, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A RESOLUTION in support of HB 243, filed by Louisiana State Representative Candace N. Newell which provides for the decriminalization of marijuana possession and distribution.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

42. RESOLUTION - NO. R-21-126 - BY: COUNCILMEMBERS GISLESON PALMER, BANKS, NGUYEN, MORENO, GIARRUSSO, BROSSETT AND GLAPION

Brief:

The Council recognizes and applauds the tremendous efforts of Second Harvest Food Bank throughout the COVID-19 pandemic to keep its doors open and food flowing to those most in need and stand ready to assist Second Harvest in any way necessary moving forward, including fundraising and volunteer support, to ensure that its mission can continue while recovery from the pandemic is still underway.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

43. RESOLUTION - NO. R-21-127 - BY: COUNCILMEMBER BANKS

Brief:

Supporting the Baronne Lofts Development's Affordable Housing Program application to the Federal Home Loan Bank of Dallas for subsidy to develop affordable housing on land awarded in a competitive Request for Proposals. The governing authority of the Parish of Orleans supports and adopts by resolution this revitalization plan.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 8/6/21).

ADOPTED.

44. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 33,286 THRU 33,295.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.