

THE COUNCIL
City of New Orleans

JASON ROGERS WILLIAMS
Councilmember-At-Large

HELENA MORENO
Councilmember -At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

JAY H. BANKS
Councilmember District B

KRISTIN GISLESON PALMER
Councilmember District C

JARED C. BROSSETT
Councilmember District D

CYNDI NGUYEN
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held via video conference
on Thursday, December 17, 2020 at 10:05 A.M.

PRESIDENT
JASON ROGERS WILLIAMS
Councilmember-At-Large



VICE PRESIDENT
HELENA MORENO
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

**PUBLIC E-COMMENT FORMS, RULES AND INFORMATION FOR THIS VIDEO
CONFERENCE MEETING ARE AVAILABLE AT**

<https://council.nola.gov/home/>

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

SPECIAL ORDERS OF BUSINESS

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

CONSENT AGENDA

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

Brief:

Submitting the recommended agenda items for deferrals for the December 17, 2020 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 December 17, 2020:

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

1. December 7th City Council Cares Program, submitted pursuant to Resolution R-20-146
2. Comments on CURO Recommendations, UD-20-01
3. Letter from ENO and other organizations in support of a renewable and clean portfolio standard, UD-19-01

Other Communications

1. Motion to Institute Prudence Review, submitted by the Alliance for Affordable Energy and the Sierra Club
2. Letter from the National Audubon Society and other organizations in support of Alliance for Affordable Energy and Sierra Club's Motion to Institute Prudence Review, submitted by the National Audubon Society

Annotation:
ELECTRONICALLY SUBMITTED.
RECEIVED.

3. COMMUNICATION - FROM JENNIFER AVEGNO, MD, DIRECTOR OF HEALTH, CITY OF NEW ORLEANS

Brief:

Submitting the Department of Health, City of New Orleans November 2020 Monthly Report documentation of all encampment clean-up efforts as required by Section 82-703.

Annotation:
ELECTRONICALLY SUBMITTED.
RECEIVED.

4. COMMUNICATION - FROM DAVID W. GERNHAUSER, SECRETARY, BOARD OF LIQUIDATION, CITY DEBT

Brief:

Informing the Council that on November 18, 2020, the Board of Liquidation, City Debt, sold \$64,750,000 Sewerage Service Revenue Bonds, Series 2020B of the Sewerage & Water Board of New Orleans and of the City of New Orleans as follows:

The Sewerage Service Revenue Bonds, Series 2020B were sold to J.P. Morgan Securities LLC as senior book running manager with a True Interest Cost (TIC) of 2.8712%. Co-manager included Loop Capital Markets and Ramirez and Co., Inc. delivered December 8, 2020.

Annotation:
ELECTRONICALLY SUBMITTED.
RECEIVED.

5. COMMUNICATION - FROM JASPER POWELL

Brief:

Requesting to appeal a non-conforming use application for property located at **8540 Hickory Street, New Orleans, LA 70118.**

Annotation:

**REQUEST RECEIVED AND REFERRED TO BZA.
WITHDRAWN. (At the applicant's request, no letter needed).**

6. COMMUNICATION - FROM ELIZABETH BALLARD, DEPARTMENT OF SAFETY AND PERMITS

Brief:

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

- 1400 Baronne Street - Council District "B"

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (Hearing Date Set For Today's Meeting).**

7. COMMUNICATION - FROM ELIZABETH BALLARD, DEPARTMENT OF SAFETY AND PERMITS

Brief:

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

- 6823 St. Charles Avenue Bldg 14 and 16 - Council District "A"

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (Hearing Date Set For 1/14/21).**

8. COMMUNICATION - FROM THERESA BECHER - COUNCIL RESEARCH OFFICER

Brief:

A report reviewing the demolition application as required by Section 26-5 of the Code of the City of New Orleans for the following property:

- 1400 Baronne Street - Council District "B"

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For Today's Meeting).

9. COMMUNICATION - FROM THERESA BECHER - COUNCIL RESEARCH OFFICER

Brief:

A report reviewing the demolition application as required by Section 26-5 of the Code of the City of New Orleans for the following property:

- 6823 St. Charles Avenue Bldg 14 and 16 - Council District "A"

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 1/14/21).

10. COMMUNICATION - FROM THE HONORABLE JASON ROGERS WILLIAMS, COUNCIL PRESIDENT

Brief:

Requesting to withdraw the previous request to refer Ordinance Calendar Number 33,147 to the Canal Street Collapse Committee and to have this item placed on this December 17, 2020 Regular City Council Agenda for a vote.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED.

11. COMMUNICATION - FROM LATEEFAH E. HARRIS - DEPUTY DIRECTOR OF CODE ENFORCEMENT, CITY OF NEW ORLEANS

Brief:

Submitting supplementary documents concerning the adoption of proposed Mow to Own rules, in compliance with the City of New Orleans Code Section 2-1000, originally submitted on 12/3/2020, as follows:

- 1) Proposed Regulations Governing Implementation of the Mow to Own, Good Neighbor Opportunity Program, as revised to clarify that the price shall be the land value as indicated by the most recent valuation on the Orleans Parish Assessor's Office website at the time of application, plus costs.
- 2) Legal notice of public hearing published in The Times-Picayune | The New Orleans Advocate newspaper.
- 3) Summary of the public hearing held concerning the Mow to Own, Good Neighbor Opportunity Program: Meeting held November 24th, 2020, 10 AM, **no public comments were made.**
- 4) Resolution regarding the revised Mow to Own, Good Neighbor Opportunity Program.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

12. COMMUNICATION - FROM MARK MOORE, DIRECTOR OF OPERATIONS, FOLGERS COFFEE

Brief:

Submitting nine (9) letters from Folger's employees requesting support of Folger's current ITEP applications.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

13. **COMMUNICATION - FROM THE HONORABLE COUNCILMEMBER CYNDI NGUYEN - COUNCILMEMBER DISTRICT E**

Brief:

Transmitting Folger's ITEP application letters of support, received from:

- The New Orleans Regional Business Park
- The New Orleans Chamber
- The Port of New Orleans
- The International Brotherhood of Electrical Workes Local No. 130
- Buck Kreihs - Marine Repair, LLC
- St. Julien Group
- Frischhertz Electric

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

14. **COMMUNICATION - FROM JAMES PHELPS V**

Brief:

Requesting to withdraw the Conditional-Use Application regarding the project at 1359 St. Bernard Avenue for the Wisdom Reception Center.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

15. **REPORT - OF THE DIRECTOR OF THE VIEUX CARRÉ COMMISSION**

Brief:

Submitting a report detailing an appeal of the Vieux Carré Commission's decision of "**approval**" to renovate courtyard for the property located at **1005-1009 St. Philip Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

16. CAL. NO. 33,173 - BY: COUNCILMEMBER WILLIAMS

Brief:

An Ordinance to amend and reordain Article 12, Section 12.2.A (Table 12-1) of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to classify "tattoo parlor" as a permitted use in the HU-B1A Historic Urban Neighborhood Business District; and otherwise to provide with respect thereto. (*Zoning Docket 67/20*)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 1/13/21).

(Cn. Deadline 12/17/20).

ON DEADLINE.

ADOPTED. ORD. NO. 28561 M.C.S.

17. CAL. NO. 33,174 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to establish a conditional use to permit a community facility and neighborhood commercial establishment in an HMR-2 Historic Marigny/Tremé/Bywater Residential District, an RDO-2 Residential Diversity Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 629, Lot 3 or Lot 10 and Lot 4 or Lot 14 or an undesignated lot, in the Third Municipal District, bounded by Esplanade Avenue, North Claiborne Avenue, Kerlerec Street, and North Robertson Street (Municipal Addresses: 1511-1519 Esplanade Avenue); and otherwise to provide with respect thereto. (*Zoning Docket No. 68/20*)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 1/13/21).

(Cn. Deadline 12/17/20).

ON DEADLINE.

ADOPTED. ORD. NO. 28562 M.C.S.

18. CAL. NO. 33,175 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit a motor vehicle dealership, large in a CBD-4 Exposition District and a CBD-7 Bio-Science District, on Square 430, Lots 9, 10, 11, 13A, 14A, Pt. M and 17 through 28, in the First Municipal District, bounded by Poydras Street, South Claiborne Avenue, Clara Street, and Perdido Street (Municipal Addresses: 1709-1741 Poydras Street, 516-524 South Claiborne Avenue, and 515 Clara Street); and otherwise to provide with respect thereto. *(Zoning Docket No. 70/20)*

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 1/13/21).
(Cn. Deadline 12/17/20).
ON DEADLINE.
ADOPTED. ORD. NO. 28563 M.C.S.

19. CAL. NO. 33,176 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to amend and reordain Article 7 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to classify "Outdoor Amusement Facility" as a permitted use in the GPD General Planned Development District and the ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, impacting parcels in the General Planned Development District and the ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District; and otherwise to provide with respect thereto. *(Zoning Docket Number 73/20)*

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 1/13/21).
(Cn. Deadline 12/17/20).
ON DEADLINE.
ADOPTED. ORD. NO. 28564 M.C.S.

20. CAL. NO. 33,177 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to establish a conditional use to permit a warehouse in an HU-MU Historic Urban Neighborhood Mixed-Use District and an EC Enhancement Corridor Design Overlay District, on Square 1, an undesignated lot and pt. 19 to 22 and pt. 1, 2, 3, and 4 formerly acquired for the Leake Avenue right-of-way, in the Sixth Municipal District, bounded by Tchoupitoulas Street, Leake Avenue, Arabella Street, and Joseph Street (Municipal Addresses: 5620 Tchoupitoulas Street and 225 Arabella Street); and otherwise to provide with respect thereto. *(Zoning Docket No. 74/20)*

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 1/13/21).
(Cn. Deadline 12/17/20).
ON DEADLINE.
ADOPTED. ORD. NO. 28565 M.C.S.

21. CAL. NO. 33,178 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to effect a zoning change from an HU-RD-1 Historic Urban Two-Family Residential District to an HU-B1A Historic Urban Neighborhood Business District, on Square H, Lot 53, in the Third Municipal District, bounded by Clematis Street, Elder Street, and Montpelier Street (Municipal Address: 3666 Clematis Street); and otherwise to provide with respect thereto. *(Zoning Docket Number 75/20)*

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 1/13/21).
(Cn. Deadline 12/17/20).
ON DEADLINE.
ADOPTED. ORD. NO. 28566 M.C.S.

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

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

NAYS: 0

ABSENT: 0

AND THE CONSENT AGENDA WAS ADOPTED.

1. EXECUTIVE SESSION

Brief:

Notice is hereby given that pursuant to La. R.S. 42:17(2), the Council of the City of New Orleans may convene in Executive Session during its December 17, 2020 Regular Meeting for the purpose of discussing the litigation captioned

- (i) *Jones, et al. v. Gusman, et al.*, Civil Action No. 12-859, Section I, Division 1, United States District Court for the Eastern District of Louisiana , Judge Lance M. Africk, Magistrate Judge North and

- (ii) (ii) In re The Edward Wisner Donation, Case Numbers 2012-11469 and 2013-00107, Civil District Court for the Parish of Orleans

Annotation:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 1/14/21.

REGULAR AGENDA

1. LEGISLATIVE GROUPING - RTA TAX ABATEMENT

1a. COMMUNICATION - OF ALISON POORT - LEGISLATIVE DIRECTOR -
COUNCILMEMBER KRISTIN GISLESON PALMER

Brief:

Requesting to scheduling a public hearing for the following Restoration Tax Abatement application, and transmitting the report on behalf of the Mayor's Office of Economic Development "approving" the request:

- RTA Application #2020-0221, 201 N. Rampart Street, 201 North Rampart, LLC

Annotation:

ELECTRONICALLY SUBMITTED.

Communication received at the meeting of 12/3/20.

HEARING HELD.

1b. RESOLUTION - NO. R-20-437 - BY: COUNCILMEMBER GISLESON
PALMER

Brief:

A resolution Approving RTA Application #2020-0221 for 201 N. Rampart Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

2. LEGISLATIVE GROUPING - RTA TAX ABATEMENT

2a. COMMUNICATION - OF JENNA D. BURKE - DIRECTOR OF LAND USE,
DISTRICT B

Brief:

Requesting to scheduling a public hearing for the following Restoration Tax Abatement application, and transmitting the report on behalf of the Mayor's Office of Economic Development "approving" the request:

- RTA Application #2018-0427, 3229 Loyola Avenue and 3233 Loyola Avenue, NOLA Fund 2, LLC

Annotation:

ELECTRONICALLY SUBMITTED.

Communication received at the meeting of 12/3/20.

HEARING HELD.

2b. RESOLUTION - NO. R-20-446 - BY: COUNCILMEMBER BANKS

Brief:

A resolution Approving RTA Application #2018-0427 for 3229 and 3233 Loyola Avenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

3. LEGISLATIVE GROUPING

3a. COMMUNICATION - FROM VICTORIA LEWANDROWSKI - ECONOMIC DEVELOPMENT LIAISON - COUNCILMEMBER CYNDI NGUYEN

Brief:

Transmitting the Board of Commerce and Industry approved six ITEP applications in Orleans Parish for Council review:

- ITE Application #2017-0466, 5500 Chef Menteur Highway, The Folger Coffee Company
- ITE Application #2017-0467, 14601 Old Gentilly Road, The Folger Coffee Company
- ITE Application #2018-0297, 14601 Old Gentilly Road, The Folger Coffee Company
- ITE Application #2018-0298, 5500 Chef Menteur Highway, The Folger Coffee Company
- ITE Application #2019-0391, 5500 Chef Menteur Highway, The Folger Coffee Company
(Hearing Held. See Resolution No. R-20-427).
- ITE Application #2019-0392, 14601 Old Gentilly Road, The Folger Coffee Company
(Hearing Held. See Resolution No. R-20-428).

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Nguyen).

Communication received at the meeting of 12/3/20.

CONTINUED TO THE MEETING OF 1/14/21.

3b. RESOLUTION - NO. R-20-423 - BY: COUNCILMEMBER MORENO

Brief:

A resolution **DISAPPROVING** and **REJECTING** ITEP Application #2017-0466, 5500 Chef Menteur Highway, The Folger Coffee Company, due to the unprecedented financial crisis facing New Orleans, finding that the benefits described in the Application are insufficient to outweigh the need for tax revenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

CONTINUED TO THE MEETING OF 1/14/21.

3c. RESOLUTION - NO. R-20-424 - BY: COUNCILMEMBER MORENO

Brief:

A resolution **DISAPPROVING** and **REJECTING** ITEP Application #2017-0467, 14601 Old Gentilly Road, The Folger Coffee Company, due to the unprecedented financial crisis facing New Orleans, finding that the benefits described in the Application are insufficient to outweigh the need for tax revenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

CONTINUED TO THE MEETING OF 1/14/21.

3d. RESOLUTION - NO. R-20-425 - BY: COUNCILMEMBER MORENO

Brief:

A resolution **DISAPPROVING** and **REJECTING** ITEP Application #2018-0297, 14601 Old Gentilly Road, The Folger Coffee Company, due to the unprecedented financial crisis facing New Orleans, finding that the benefits described in the Application are insufficient to outweigh the need for tax revenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

CONTINUED TO THE MEETING OF 1/14/21.

3e. RESOLUTION - NO. R-20-426 - BY: COUNCILMEMBER MORENO

Brief:

A resolution **DISAPPROVING** and **REJECTING** ITEP Application #2018-0298, 5500 Chef Menteur Highway, The Folger Coffee Company, due to the unprecedented financial crisis facing New Orleans, finding that the benefits described in the Application are insufficient to outweigh the need for tax revenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

CONTINUED TO THE MEETING OF 1/14/21.

3f. RESOLUTION - NO. R-20-427 - BY: COUNCILMEMBER MORENO

Brief:

A resolution **DISAPPROVING** and **REJECTING** ITEP Application #2019-0391, 5500 Chef Menteur Highway, The Folger Coffee Company, due to the unprecedented financial crisis facing New Orleans, finding that the benefits described in the Application are insufficient to outweigh the need for tax revenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

ADOPTED.

3g. RESOLUTION - NO. R-20-428 - BY: COUNCILMEMBER MORENO

Brief:

A resolution **DISAPPROVING** and **REJECTING** ITEP Application #2019-0392, 14601 Old Gentilly Road, The Folger Coffee Company, due to the unprecedented financial crisis facing New Orleans, finding that the benefits described in the Application are insufficient to outweigh the need for tax revenue.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

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 J. NICOLE WEBRE, WEBRE CONSULTING

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of a demolition request of more than 50% of the wall area and 50% of the roof for the property located at **5221 Coliseum Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Report received at meeting of 11/19/20).

(Cm. Banks, Cn. Deadline 1/3/21).

ON DEADLINE.

HEARING HELD.

1b. MOTION - NO. M-20-449 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving the applicant's appeal in part, and denying the appeal in part as follows:

- o Applicant must maintain at least the first twenty (20) feet of the roof structure and at least the first twenty (20) feet of the exterior walls.
- o Any and all historic features, including but not limited to doors and windows, shall be salvaged and

donated to historic preservation entities or non-profits.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

2. VCC APPEAL - OF NIKKI SZALWINSKI

Brief:

Requesting to appeal the Vieux Carré Commission's decision of "**approval**" on October 21, 2020 of the courtyard plan for the property located at **1005-1009 St. Philip Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Report received on today's Consent agenda).

(Cm. Gisleson Palmer, Cn. Deadline 1/17/21).

CONTINUED TO THE MEETING OF 1/14/21.

3. LEGISLATIVE GROUPING

3a. EXTENSION REQUEST - OF JOHN C. WILLIAMS, WILLIAMS ARCHITECTS

Brief:

Requesting a Conditional Use extension to Ordinance No. 27983 MCS for the property located at **1339 Clouet Street.**
(ZD 98/18, Motion M-18-471)

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer).

HEARING HELD.

3b. MOTION - NO. M-20-431 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion **approving** the extension request for ZD 98/18 (Ord. NO. 27,938 MCS), until 12/4/2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

4. LEGISLATIVE GROUPING

4a. COMMUNICATION - FROM THERESA BECHER - COUNCIL RESEARCH OFFICER

Brief:

A report reviewing the demolition application as required by Section 26-5 of the Code of the City of New Orleans for the following property:

- 1400 Baronne Street - Council District "B"

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 2/15/21).

**Communication received on Today's Consent Agenda.
HEARING HELD.**

4b. MOTION - NO. M-20-432 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving a demolition permit for the properties located at 1300 and 1400 Baronne Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21).

ADOPTED.

5. ZONING REQUEST - OF STEPHEN GERNHAUSER, ATTORNEY AT LAW
C/O TOM AND VELENA CALLIS

Brief:

Requesting a zoning change for property located at **20824
Chef Menteur Highway.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Nguyen).

(Report needed from CPC).

REQUEST REFERRED TO CPC.

6. LEGISLATIVE GROUPING

6a. ZONING DOCKET NO. 72/20 - JENIFER HALPERN

Brief:

Requesting a planned development in a C-3 Heavy Commercial District and an EC Enhancement Corridor Design Overlay District, on the entireties of Square 670 and 671 and the closed former portion of South Rendon Street between the two squares, in the First Municipal District, bounded by South Jefferson Davis Parkway, Calliope Street, Euphrosine Street, and South Lopez Street (Municipal Addresses: **1050 South Jefferson Davis Parkway, 4401 Calliope Street, and 4440-4444 Euphrosine Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to six (6) exceptions and seventeen (17) provisos.

Annotation:

(Cm. Banks, Cn. Deadline 1/4/21).

ON DEADLINE.

HEARING HELD.

6b. **MOTION - NO. M-20-433 - BY: COUNCILMEMBER BANKS**

Brief:

A motion approving the applicant's request for a planned development, subject to six (6) exceptions and seventeen (17) provisos as provided in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/16/21

ADOPTED.

7. **ZONING DOCKET NO. 76/20 - GLENN AMEDEE AND THE SUCCESSION OF DAVID AMEDEE**

Brief:

Requesting a conditional use to permit a reception facility in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District, an AC-1 Arts and Culture Diversity Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 505-506 or 506 Lots 2, 3, 9, and 3 or Lots A, B2, B1, and 3, in the Third Municipal District, bounded by Saint Bernard Avenue, North Villere Street, Urquhart Street, and Annette Street (Municipal Addresses: **1359-1373 Saint Bernard Avenue**). The recommendation of the City Planning Commission being **"NO LEGAL MAJORITY"**.

YEAS: Brown, Flick, Lunn, Stewart - 4

NAYS: Steeg - 1

ABSENT: Marshall, Mobley, Wedberg, Witry - 4

Annotation:

(Cm. Gisleson Palmer, Cn. Deadline 1/4/21).

ON DEADLINE.

WITHDRAWN. (At the applicant's request).

8. LEGISLATIVE GROUPING

8a. ZONING DOCKET NO. 79/20 - DANIELLE M. BRAXTON AND CHRISTOPHER R. PATTERSON

Brief:

Requesting a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 419, Lot 9 or A2, in the Fourth Municipal District, bounded by Third Street, South Derbigny Street, South Roman Street, and Second Street (Municipal Addresses: **3131-3133 Third Street**). The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**".

Annotation:

(Cm. Banks, Cn. Deadline 1/4/21).
ON DEADLINE.
HEARING HELD.

8b. MOTION - NO. M-20-434 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving the applicant's request for a zoning change as modified by the City Planning Commission.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 4/16/21).
ADOPTED.

9. LEGISLATIVE GROUPING

9a. ZONING DOCKET NO. 80/20 - CITY COUNCIL MOTION NO. M-20-265

Brief:

Requesting a zoning change from an MU-1 Medium Intensity Mixed-Use District to an HU-RD2 Historic Urban Two-Family Residential District, or on certain lots, an HU-MU Historic Urban Neighborhood Mixed-Use District, as deemed appropriate, located on the entirety of Square 46, including Lots 1A, 2A, 3A, 109A, 108A, 107A, 106A, 105A, 104A, 103A, 101A, 100A, 97A-1, 96A, 93, 13, A, B, 11, 12, 13, 14, 87, 88, 89, 90, 94, 15A, 102B-1, 102A, Rr. 93, in the Fourth Municipal District, bounded by Rousseau Street, Soraparu Street, Saint Thomas Street, and First Street (Municipal Addresses: **2342-2396 Saint Thomas Street, 511-539 First Street, 2347-2385 Rousseau Street** and **500-546 Soraparu Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

Annotation:

(Cm. Banks, Cn. Deadline 1/4/21).
ON DEADLINE.
HEARING HELD.

9b. MOTION - NO. M-20-435 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving the applicant's request for a zoning change, with the following amendment: The request is granted, but with modifications to the CPC recommendation, rezoning lots A, B, 13, 87, 88, 89, 90, 93, Rr. 93, and 96A to HU-RD2 Historic Urban Two-Family District, while maintaining the CPC recommendation for the remaining lots.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 4/16/21).
ADOPTED.

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 81/20 - CONSTRUCTION AND GENERAL LABORERS LOCAL UNION 99

Brief:

Requesting a conditional use to permit drive-through facilities associated with a financial institution in an MU-1 Medium Intensity Mixed-Use District, on Square 75, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, C, and D or Lots 2, 3, A, B, 4, 5, 6, 7, 8, C, and D, in the Sixth Municipal District, bounded by Soniat Street, Tchoupitoulas Street, Dufossat Street, and South Front Street (Municipal Addresses: **400-420 Soniat Street, 5118-5124 Tchoupitoulas Street, and 5115 South Front Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to thirteen (13) provisos.

Annotation:

(Cm. Banks, Cn. Deadline 1/4/21).
ON DEADLINE.
HEARING HELD.

10b. MOTION - NO. M-20-447 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving the applicant's request for a conditional use, subject to the thirteen (13) provisos provided in the City Planning report, with the addition of one (1) proviso, for a total of fourteen (14) provisos.

* * *

14. If the development provides exterior security cameras, such cameras should maintain recordings for a period not less than ninety (90) days, and any recordings should be made available to the Department of Safety and Permits upon request. At no time may an exterior camera be out of service for a period longer than ninety (90) days. Such exterior security cameras should be made part of the SafeCam Platinum initiative and integrated with the City of New Orleans Real-Time Crime Center

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement: 4/16/21).
ADOPTED.

11. ZONING DOCKET NO. 82/20 - UJMK REALTY, LLC

Brief:

Requesting: a Conditional use to permit drive-through facilities at a specialty restaurant in an MU-1 Medium Intensity Mixed-Use District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District Location: Square 403, Lots A, B, C, C, and D, in the Fourth Municipal District, bounded by South Claiborne Avenue, Fourth Street, Third Street, and Willow Street (Municipal Addresses: **2616-2632 South Claiborne Avenue**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to one (1) waiver and eleven (11) provisos

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 2/1/21).

CONTINUED TO THE MEETING OF 1/14/21.

12. ZONING DOCKET NO. 83/20 - CITY COUNCIL MOTION NO. M-20-279

Brief:

Requesting a Text amendment to the Comprehensive Zoning Ordinance to clarify and amend the definitions and uses of "Dwelling, Established Multi-Family" and "Dwelling, Established Two-Family" along with the following, additional conditions:

1. distinguish these "established" uses from other non-conforming uses; and

2. create factors and requirements for the re-establishment of "established" multi-family and two-family dwellings; and

3. determine if these "established" dwellings should be permitted byright in all residential zoning districts where multi-family use is currently prohibited or requires a conditional use; and

4. recommend whether conditional uses, overlays, or other standards should govern the redevelopment of "established"

dwelling within residential areas of the city near institutional uses, such as universities, to ensure that the encroachment of student housing into surrounding neighborhoods does not diminish affordable housing stock.

The motion also requests a consideration of the following factors for the re-establishment of previous multi-family dwelling in single/two-family residential districts:

1. Only properties with a "documented legal history" as a two or multi-family dwelling, as verified by the Department of Safety and Permits, the qualifications of which shall be clarified and/or defined, shall be eligible;
2. Re-establishment by right shall be limited to structures containing no more than four units; and
3. There shall be no increase of the footprint nor intensity of the structure. Any expansions of the use, such as the addition of bedrooms via substantial renovation or increases to the total floor area, shall remain a conditional use; and
4. If the history of the multi-family dwelling includes more than four unit, a conditional use shall be required; and
5. No additional conversions that would increase the number of dwelling units from that which historically existed shall be permitted, (**CITY-WIDE**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Cms. All, Cn. Deadline 2/1/21).

CONTINUED TO THE MEETING OF 1/14/21.

13. ZONING DOCKET NO. 84/20 - NEW ORLEANS REDEVELOPMENT FUND 2, LLC

Brief:

Requesting a Conditional Use to permit an established multi-family dwelling in an HU-RD2 Historic Urban Two-Family Residential District and an HUC Historic Urban Corridor Use Restriction Overlay District, on Square 329, Lot 3, in the Second Municipal District, bounded by North Dorgenois Street, Bienville Avenue, Conti Street, and North Rocheblave Street (Municipal Addresses: **322-324 North Dorgenois Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to three (3) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 1/18/21).

CONTINUED TO THE MEETING OF 1/14/21.

14. LEGISLATIVE GROUPING

14a. ZONING DOCKET NO. 85/20 - RALPH PERRY, IV AND CRYSTAL BARNES

Brief:

Requesting a Conditional Use to permit a single-family residence in a GPD General Planned Development District, on Square 129, Lots 1 through 9 and portions of Lots 10 through 14, in the Fifth Municipal District, bounded by Woodland Highway, East 3rd Street (not constructed), Adams Street (not constructed), and Jackson Street (not constructed), (Municipal Addresses: **4097 Adams Street and 3350 Highway 406**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to three (3) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 1/18/21).

HEARING HELD.

14b. MOTION - NO. M-20-438 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion approving the applicant's request for a conditional use subject to the three (3) provisos stated in the City Planning Commission's report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

15. LEGISLATIVE GROUPING

15a. ZONING DOCKET NO. 86/20 - BARCELO AND WEBB, LLC

Brief:

Requesting a Zoning Change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 1230, Lots 1, 2, and 3, in the Third Municipal District, bounded by Gallier Street, North Tonti Street, Congress Street, and North Rocheblave Street (Municipal Address: **2301 Gallier Street**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Brossett, Cn. Deadline 1/18/21).

HEARING HELD.

15b. MOTION NO. M-20-439 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion upholding CPC's unfavorable recommendation, denying the applicant's request for a zoning change.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

16. LEGISLATIVE GROUPING

16a. ZONING DOCKET NO. 87/20 - WINDSOR S. DENNIS

Brief:

Requesting a Conditional Use to permit an established two-family dwelling in an S-RS Suburban Single-Family Residential District, on Square 4667, Lot 16 or D, in the Third Municipal District, bounded by Lafaye Street, Pressburg Street, Vienna Street, and Baccich Street (Municipal Addresses: **5917-5919 Lafaye Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Brossett, Cn. Deadline 1/18/21).

HEARING HELD.

16b. MOTION NO. M-20-440 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion approving the applicant's request for a conditional use subject to the four (4) provisos stated in the City Planning Commission's report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

17. LEGISLATIVE GROUPING

17a. ZONING DOCKET NO. 88/20 - DESIRE COMMUNITY HOUSING CORPORATION

Brief:

Requesting a Conditional Use to permit a development containing commercial uses over 25,000 square feet in floor area in an S-B2 Suburban Pedestrian-Oriented Corridor Business District, on the entirety of Square 1609A, in the Third Municipal District, bounded by Desire Street, Industry Street, Florida Avenue, and Piety Street (Municipal Addresses: **2711-2741 Desire Street, 2701-2749 Piety Street (also identified as 2731-2791 Piety Street), and 3301-3351 Florida Avenue**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to one (1) waiver and fifteen (15) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Brossett, Cn. Deadline 1/18/21).

HEARING HELD.

17b. MOTION NO. M-20-441 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion approving the applicant's request for a conditional use subject to the one (1) waiver and fifteen (15) provisos recommended in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

18. LEGISLATIVE GROUPING

18a. ZONING DOCKET NO. 89/20 - CITY OF NEW ORLEANS AND BROAD STROKES, LLC

Brief:

Requesting an Amendment to Ordinance No. 28,218 MCS (Zoning Docket 049/19, which granted a Conditional Use to permit a brewery and bar with live entertainment, secondary use) to authorize the expansion of the brewery, bar, and live entertainment (secondary use) site to include the adjacent lot, Lot 23, at 1400 South Broad Street, in a C-1 General Commercial District, an HU-MU Historic Urban Neighborhood Mixed-Use District, and an EC Enhancement Corridor Design Overlay District, on Square 482-A (also known as Square 482), Lots 23, 9, 10, 11, 12, and 13, and part of Lot 23, in the First Municipal District, bounded by Thalia Street, South Broad Street, Martin Luther King, Jr. Boulevard, and South Dorgenois Street (Municipal Addresses: **1400 South Broad Street, 3940 Thalia Street, and 3935-3943 Martin Luther King, Jr. Boulevard**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to two (2) waivers and eighteen (18) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 1/18/21).

HEARING HELD.

18b. MOTION - NO. M-20-448 - BY: COUNCILMEMBER BANKS

Brief:

A motion approving the applicant's request for an amendment to its conditional use ordinance, subject to the two (2) waivers and eighteen (18) provisos provided in the City Planning report, with the addition of three (3) provisos, for a total of two (2) waivers and twenty-one (21) provisos.

* * *

19. City-owned parcels shall be subject to this conditional use only during such periods as said parcels are being leased by the City for the use contemplated herein, further

provided that the City shall have no obligation to enter into, renew, extend or modify the terms of any such lease.

20. No consumption or service of alcohol shall be permitted on City-owned property that is not subject to a lease from the City expressly permitting same.

21. No improvements shall be permitted on City-owned property unless expressly authorized by a lease, and any improvement shall be installed, maintained, and removed in accordance with such lease.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

19. ZONING DOCKET NO. 90/20 - CITY COUNCIL MOTION NO. M-20-304

Brief:

Requesting a Planned development in a C-3 Heavy Commercial District, on Lot 2-D-2C, Eastover Subdivision, Lakratt Tract, Sections 28 and 29, in the Third Municipal District, bounded by Interstate Highway 10 South Service Road, the Gannon Canal, the Vincent Canal, Interstate Highway 510 West Service Road, and Paris Road (Municipal Address: **13350 Interstate 10 East Service Road**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Nguyen, Cn. Deadline 1/18/21).

CONTINUED TO THE MEETING OF 1/14/21.

20. LEGISLATIVE GROUPING

20a. ZONING DOCKET NO. 91/20 - APOLLO'S ASSETS, LLC

Brief:

Requesting a Conditional use to permit an established multi-family dwelling in an HU-RD2 Historic Urban Two-Family Residential District, on Square 1023, Lot 2 or Pt. Lots 1, 2, and 3 or Lot 27, in the Third Municipal District, bounded by Marigny Street, North Johnson Street, Mandeville Street, and North Galvez Street (Municipal Address: **2005 Marigny Street**). The recommendation of the City Planning Commission being "**APPROVAL**", subject to four (4) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Brossett, Cn. Deadline 2/1/21).

HEARING HELD.

20b. MOTION NO. M-20-442 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion approving the applicant's request for an established multi-family dwelling subject to the four (4) provisos recommended in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

21. LEGISLATIVE GROUPING

21a. ZONING DOCKET NO. 92/20 - TAFT PARK PROPERTIES, LLC

Brief:

Requesting Conditional use to permit an established multi-family dwelling in in an HU-B1 Historic Urban Neighborhood Business District, on Square 940 or 941, Lots C and D or Lot 2, in the Third Municipal District, bounded by France Street, North Prieur Street, North Johnson Street, and Poland Avenue (Municipal Address: **1905 France Street**). The recommendation of the City Planning Commission being **"APPROVAL"**, subject to eight (8) provisos

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Brossett, Cn. Deadline 2/1/21).

HEARING HELD.

21b. MOTION NO. M-20-443 - BY: COUNCILMEMBER BROSSETT

Brief:

A motion approving the applicant's request for a conditional use subject to the eight (8) provisos recommended in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

22. CAL. NO. 32,593 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to ordain Article IX of Chapter 158 of the Code of the City of New Orleans, relative to energy conservation, to require owners of nonresidential and multi-family buildings to measure and disclose energy efficiency performance; and to provide otherwise with respect thereto.

Annotation:

(Council Rule 34. Postponement: 7/12/19 - Postponement continued until 9/19/19).
CONTINUED TO THE MEETING OF 1/14/21.

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

Brief:

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

Annotation:

(Council Rule 34. Postponement Deadline 10/30/20 - Postponement continued until 11/5/20).
CONTINUED TO THE MEETING OF 1/14/21.

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

Brief:

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

Annotation:

**(Council Rule 34. Postponement Deadline 10/30/20 -
Postponement continued until 11/5/20).
CONTINUED TO THE MEETING OF 1/14/21.**

25. LEGISLATIVE GROUPING

25a. CAL. NO. 33,018 - BY: COUNCILMEMBER WILLIAMS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement Deadline 10/30/20 -
Postponement continued until 11/5/20).
CONTINUED TO THE MEETING OF 1/14/21.**

25b. AMENDMENT TO ORDINANCE NO. 33,018 - BY: COUNCILMEMBER WILLIAMS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

**(Council Rule 34. Postponement: 12/18/20).
CONTINUED TO THE MEETING OF 1/14/21.**

26. LEGISLATIVE GROUPING

26a. CAL. NO. 33,020 - BY: COUNCILMEMBER WILLIAMS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 10/30/2019 - Postponement continued until 11/5/20).

ADOPTED, AS AMENDED. ORD. NO. 28558 M.C.S.

26b. SUBSTITUTE AMENDMENT TO ORDINANCE NO. 33,020 - BY: COUNCILMEMBER WILLIAMS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

26c. AMENDMENT TO ORDINANCE NO. 33,020 - BY: COUNCILMEMBER NGUYEN

Brief:

An amendment to Ord. Cal. No. 33,020 removing battery, assault, negligent injuring, resisting an officer, and flight from an officer from the list of enumerated crimes in Section 54-29(2).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

**26d. AMENDMENTS TO AMENDMENT OF ORDINANCE NO. 33,020 - BY:
COUNCILMEMBER WILLIAMS**

Brief:

An amendment to Ord. Cal. No. 33,020 removing resisting an officer and flight from an officer from the list of enumerated crimes in Section 54-29(2).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

WITHDRAWN.

27. LEGISLATIVE GROUPING

27a. CAL. NO. 33,021 - BY: COUNCILMEMBERS WILLIAMS, MORENO AND BANKS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 10/30/20 - Postponement continued until 11/5/20).

ADOPTED, AS AMENDED. ORD. NO. 28559 M.C.S.

27b. AMENDMENTS TO ORDINANCE NO. 33,021 - BY: COUNCILMEMBERS WILLIAMS, MORENO AND BANKS

Brief:

An amendment to:

- Change the proposed number of the newly ordained chapter from 159 to 147, titled "Surveillance Technology and Data Protection," to conform to the Code's alphabetical structure.
- Add definitions for predictive policing technology and surveillance.
- Remove restrictions on Automatic License Plate Readers
- Specify that nothing shall prohibit the City or any City official from using evidence relating to the investigation of a specific crime that may have been generated from a face surveillance or characteristic tracking system, so long as such evidence was not generated by, with the knowledge of, or at the request of the City.
- Prohibit the use of predictive policing technology

- Remove sections providing for Council approval of surveillance technology, the creation of surveillance use policies, and reporting requirements.
- Provide factors for waiver of prohibition on City contractors cooperating or participating in federal immigration enforcement proceedings.
- Provide no information obtained in violation of this Ordinance shall be used in any adjudicative proceeding within the authority of the City of New Orleans
- Provide for an effective date of January 1, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED. AS AMENDED.

27c. AMENDMENT TO ORDINANCE NO. 33,021 - BY: COUNCILMEMBER WILLIAMS

Brief:

An amendment to Ord. Cal. No. 33,021 deleting Section 159-5(a) prohibiting a private individual or entity from cooperating or participating in federal immigration enforcement activities while under contract with the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

27d. AMENDMENT TO AMENDMENTS ORDINANCE NO. 33,021 - BY: COUNCILMEMBER WILLIAMS

Brief:

An amendment to the amendment (Agenda Item 27b) to Ord. Cal. No. 33,021 deleting the 31st numbered amendment defining federal immigration enforcement activity and setting forth circumstances when it may be waived.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

28. LEGISLATIVE GROUPING

28a. 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.

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

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 1/14/21.

28b. AMENDMENT TO ORDINANCE NO. 33,147 - BY: COUNCILMEMBERS WILLIAMS AND GISLESON PALMER

Brief:

An amendment to change the timeline for rule promulgation pursuant to Section 2-100, from 60 days from the date of adoption, to 120 days.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 1/14/21.

29. CAL. NO. 33,155 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 50-86 of the Code of the City of New Orleans to delete the authority of certain members of the Department of Public Utilities to take oaths and verify affidavits of other members of the Department of Public Utilities; to grant certain members of the Department of Public Works the authority to take oaths and verify affidavits of certain other members of the Department of Public Works in order to issue citations for certain offenses on the public right of way; and to add a new subsection thereto to grant certain employees of the New Orleans Office of Homeland Security and Emergency Preparedness the authority to take oaths and verify affidavits of certain employees of the New Orleans Office of Homeland Security and Emergency Preparedness, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/12/21).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 1/14/21.

30. CAL. NO. 33,156 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and reordain Section 66-282 of the Code of the City of New Orleans to provide authorization for certain Department of Public Works employees to issue summons for certain violations on the public right of way; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/12/21).

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 1/14/21.

31. CAL. NO. 33,171 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to amend and reordain Ordinance Calendar No. 33,158 (No. _____ M.C.S.), as adopted by the City Council on _____, 2020, relative to the levy of ad valorem taxes upon the assessed value of all property, real, personal, and mixed, subject to taxation in the City of New Orleans and to the levy of ad valorem taxes on property located in special development and security districts in the City of New Orleans for the year 2021 and to reallocate the tax receipts for a state millage; to revise Sections: VIII, IX, XII, XIII, XIV, XV, and XVI thereof to account for the results of an election on December 5, 2020 in which a majority of the voters in the City of New Orleans authorized the levying of four new special taxes in lieu of four millages previously authorized by voters in the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

WITHDRAWN.

32. CAL. NO. 33,172 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to adopt the Downtown Development District's 2021 Plan to provide additional capital and special services, facilities and/or improvements for the Downtown Development District of the City of New Orleans for the year 2021; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28560 M.C.S.

33. CAL. NO. 33,179 - 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 a Lease Agreement at Louis Armstrong New Orleans International Airport with S&M COLLISION CENTER, LLC; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28567 M.C.S.

34. 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 3/19/21).

CONTINUED TO THE MEETING OF 1/14/21.

35. CAL. NO. 33,184 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

An Ordinance to amend and reordain 86-1.5 of the Code of the City of New Orleans to prohibit discrimination based upon hairstyles associated with a particular race or national origin; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Referred to the Community Development Committee).

(Community Development Committee recommended approval).

ADOPTED. ORD. NO. 28568 M.C.S.

36. CAL. NO. 33,185 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. _____ 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 grant funds not included in the Department of Health's 2021 budget towards the expansion of services provided to persons living with HIV through the Ryan White grant; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/2/21).

Technical Correction needed.

ADOPTED. ORD. NO. 28569 M.C.S.

37. CAL. NO. 33,186 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. _____ 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 grant funds not included in the Department of Health's 2021 budget towards the expansion of services provided to persons living with HIV through the Ryan White grant; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/2/21).

Technical Correction needed.

ADOPTED. ORD. NO. 28570 M.C.S.

38. CAL. NO. 33,193 - BY: COUNCILMEMBERS MORENO AND GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and reordain Sections 58-36, 106-136, 142-38, 154-882, 154-1191, 154-1195 (a) and (b), 154-1202, and 154-1561 to change references therein from Jefferson Davis Parkway or Jeff Davis Parkway to Norman C. Francis Parkway or to Moss Street in accordance with Ordinance No. 28,444 MCS; and otherwise to provide with respect thereto

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/2/21).

ADOPTED. ORD. NO. 28571 M.C.S.

39. CAL. NO. 33,194 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and the State of Louisiana through the Louisiana Department of Transportation and Development ("DOTD") to provide for the City's contributions to State Project Number H.011670, the Loyola Drive Interchange Improvement Project ("Project"), serving as a connection between Interstate 10 and the Louis Armstrong New Orleans International Airport North Terminal, with a duration for fifteen (15) years, as more fully set forth in the Cooperative Endeavor Agreement form attached hereto and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 4/2/21).

ADOPTED. ORD. NO. 28572 M.C.S.

40. MOTION (LYING OVER) - NO. M-20-326 - BY: COUNCILMEMBER GIARRUSSO

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

(REFERRED TO THE QUALITY OF LIFE COMMITTEE).

CONTINUED TO THE MEETING OF 1/14/21.

41. MOTION - NO. M-20-420 - BY: COUNCILMEMBERS BROSSETT AND GIARRUSSO (BY REQUEST)

Brief:

Motion approving the 2021 budget of the Orleans Parish Communications District.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

42. MOTION - NO. M-20-421 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS AND BROSSETT

Brief:

A motion authorizing the president of the Council to sign appropriate contract amendments with the consulting firm Legend Consulting Group Limited, to provide electric and/or natural gas regulatory consulting services to the Council in electric and gas utility regulatory matters for a one year period beginning January 1, 2021, for maximum compensation of \$2,237,500, for said year.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

43. MOTION - NO. M-20-422 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS AND BROSSETT

Brief:

A motion authorizing the president of the Council to sign the appropriate contract amendment(s) for Amendment No. 4 to the Professional Services Agreement between the City of New Orleans and Dentons US LLP formerly Dentons US LLP and Wilkerson & Associates, PLC to provide legal services to the Council for a one year period beginning January 1, 2021, for maximum compensation of \$3,537,500.00 for Dentons US LLP for the renewal period.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

44. RESOLUTION - NO. R-20-429 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A Resolution recognizing the life and legacy of Norma Jane Sabiston.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

45. RESOLUTION - NO. R-20-430 - BY: COUNCILMEMBER MORENO

Brief:

A Resolution requesting the Administration to prioritize eliminating furloughs for public safety employees by utilizing new ad valorem revenue realized from properties pending the ITE review process that are subsequently denied.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

46. RESOLUTION - NO. R-20-436 - BY: COUNCILMEMBERS WILLIAMS AND MORENO

Brief:

A resolution requesting, when it is both safe and feasible to do so, that the City host a public memorial ceremony to honor and celebrate those lives lost during the COVID-19 pandemic whose send-offs were restricted in the interest of public safety.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

47. MOTION - NO. M-20-444 - BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A motion appointing Councilmember-at-Large Helena Moreno as President of the Council for the remainder of Councilmember Williams' presidency, or until May 7, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

48. RESOLUTION - NO. R-20-445 - BY: COUNCILMEMBERS NGUYEN, BANKS AND GISLESON PALMER

Brief:

A resolution, in accordance with Section 2-1000 of the Code of the City of New Orleans, ratifying and approving the 2020 Mow to Own rules.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

49. MOTION - NO. M-20-450 - BY: COUNCILMEMBER BANKS

Brief:

A motion directing the City Planning Commission to conduct a public hearing to consider amendments to Ordinance No. M.C.S. 4264, amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, 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, 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.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

50. RESOLUTION - NO. R-20-451 - BY: COUNCILMEMBER GIARRUSSO

Brief:

A Resolution endorsing the efforts of LASTA and encouraging the Louisiana Department of Transportation to provide the funds sought by LASTA to rehabilitate and restore S.P. 745 as required by federal law.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 4/16/21).

ADOPTED.

51. ORDINANCES ON FIRST READING

CALENDAR NUMBER 33,195 THRU 33,204.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.