

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

AGENDA

Regular Meeting of the City Council
to be held in City Hall Council Chamber
on Thursday, June 3, 2021 at 10:00 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
DONNA M. GLAPION
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

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

1. APPROVAL OF THE MINUTES - May 6, 2021 and May 20, 2021.

Annotation:
TO BE APPROVED.

SPECIAL ORDERS OF BUSINESS

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

CONSENT AGENDA

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

Brief:
Submitting the recommended agenda items for deferrals for
the **June 3, 2021** Regular Council meeting due to the COVID-
19 pandemic.

Annotation:
ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.

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

Brief:

Submitting the transmittal document for communications related to electric and gas utility matters to be received by the Council of the City of New Orleans at its meeting on **June 3, 2021:**

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

1. Purchased Power Cost Recovery Adjustments for the June 2021 billing cycle, submitted pursuant to Resolution R-20-67, UD-18-07
2. Purchased Gas Adjustments for the June 2021 billing cycle, submitted pursuant to Resolution R-03-272
3. Fuel Adjustments for the June 2021 billing cycle, submitted pursuant to R-20-67, UD-18-07
4. Environmental Adjustments for the June 2021 billing cycle, UD-18-07
5. Application for Certification of Costs Related to Hurricane Zeta and Direct Testimony
6. Letter Regarding Proposed Renewable and Clean Portfolio Standard, submitted on behalf of ENO and other stakeholders, UD-19-01
7. Compliance Filing Supporting Drawdowns of ENO's Securitized and Unsecuritized Storm Reserve Escrow Accounts, submitted pursuant to Resolution R-15-195

Other Communication

1. Letter Regarding Proposed Modifications to the Renewable and Clean Portfolio Standard, submitted by Air Products and Chemicals, Inc., UD-19-01

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.**

3. **COMMUNICATION - FROM CLIFFORD NICKERSON OR TODD NELSON,
GENERAL MANAGER, CTE NETWORKS**

Brief:

Submitting additional documentation for Council consideration relative to ZD 31/21, requesting a Monopole located at **5336 Magazine St.** (Poydras Home), commenting on the 16 provisos contained in the City Planning Report, providing the property owner's CD for clarification, and detailed Site Plans.

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.**

4. **COMMUNICATION - FROM LAURA AND MIKE STEFFECK**

Brief:

Requesting to appeal the decision of the Historic District Landmarks Commission's (HDLIC) concerning the "**denial**" of retention of the removal of 2 brick chimneys at **435 Bouny Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED. (Suggested Hearing Date 6/17/21).**

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

Brief:

Submitting recommended permanent emergency polling locations for **Ward/Precincts:** 15/14A, 15/14B, 15/14D, 15/15B, 15/17, 15/17A, **FROM:** Edna Karr High School located at 3332 Huntlee Dr., **TO:** Connect Church located at 1110 Kabel Dr. (enter on Hyman Pl.).

Annotation:

**ELECTRONICALLY SUBMITTED.
MAY BE RECEIVED.**

6. **COMMUNICATION - FROM JULIA ZUCKERMAN, ESQ. - DIRECTOR OF LAND USE - COUNCILMEMBER JARED C. BROSSETT, DISTRICT "D"**

Brief:

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

- **RTA #2017-0334, 3821 Franklin Avenue, PCA Investments LLC**

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED. (Suggested Hearing Date Set For 6/17/21).

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

Brief:

Transmitting all documents associated with the appeal of Subdivision Docket 136/20, requesting to appeal the CPC's denial of Crowder Boulevard Properties, LLC, to re-subdivide Lot 31-XYZ into Lots 105 through 118, in the Third Municipal District, Municipal Address: **7850 Crowder Boulevard.**

Annotation:

ELECTRONICALLY SUBMITTED.

(District E, Cm. Nguyen, Cn. Deadline 7/18/21).

MAY BE RECEIVED.

8. REPORT - OF THE DEPUTY DIRECTOR OF THE HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Transmitting the report regarding an appeal of HDLC's denial of an application to retain the removal of chimneys without a Certificate of Appropriateness at the property located at **435 Bouny Street.**

Annotation:

ELECTRONICALLY SUBMITTED.
(District C, Cm. Gisleson Palmer).
MAY BE RECEIVED.

9. REPORT - OF THE DEPUTY DIRECTOR OF THE HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Transmitting the report regarding an appeal of HDLC's denial of an application to demolish the structure located at **8515 Freret Street.**

Annotation:

ELECTRONICALLY SUBMITTED.
(District A, Cm. Giarrusso).
MAY BE RECEIVED.

10. REPORT - OF THE DEPUTY DIRECTOR OF THE CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Transmitting the report regarding an appeal of CBD HDLC's denial of an application to remove wood shutters, install lighting, new handrails, and a takeout window at the property located at **621 Canal Street.**

Annotation:

ELECTRONICALLY SUBMITTED.
(District C, Cm. Gisleson Palmer).
MAY BE RECEIVED.

11. REPORT - OF THE EXECUTIVE DIRECTOR OF THE VIEUX CARRE COMMISSION

Brief:

Transmitting the report regarding an appeal the Vieux Carre Commission's denial of an application to retain illegally installed un-permittable roofing system at the property located at **914 St. Ann Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(District C, Cm. Gisleson Palmer).

MAY BE RECEIVED.

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

Brief:

Transmitting Zoning Dockets 32/21 - Cm. Giarrusso, 34/21 - Cm. Nguyen, 36/21 - Cm. Gisleson Palmer, 37/21 - Cm. Banks, 38/21 - Cm. Brossett, 39/21 - Cm. Giarrusso, and 42/21 - Cm. Giarrusso; Cn. Deadline 8/2/21.

Annotation:

ELECTRONICALLY SUBMITTED.

MAY BE RECEIVED. (Suggested Hearing Date Set For 6/17/21).

13. CAL. NO. 33,322 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to grant 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**); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 9/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 8/4/21).

(Cn. Deadline 7/15/21).

14. CAL. NO. 33,323 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Articles 20 and 26 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, relative to the virtual sales of vehicles, to amend Use Standards Section 20.3.MM(5) Motor Vehicle Service and Repair, Minor, to create a definition of Virtual Motor Vehicle Sales, and to amend other relevant definitions. The text amendment will apply citywide; and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 11/21**)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 7/21/21).
(Cn. Deadline 7/15/21).

15. CAL. NO. 33,324 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Articles 7, 10, 12, 15, 16, 17, 18, 20, 22, and 26 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend the definition of "winery" and the addition of such to use tables and use standards in appropriate districts. This text amendment will impact all zoning districts that permit micro-breweries, micro-distilleries, breweries and distilleries either by-right or through conditional use; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 16/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 7/21/21).

(Cn. Deadline 7/15/21).

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

YEAS:

NAYS:

ABSENT:

AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

LAND USE MATTERS

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

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

No ceding of public speaking time is permitted.

1. **DEMOLITION REQUEST – FROM CYNTHIA DAVIS, DEPARTMENT OF SAFETY AND PERMITS, CITY OF NEW ORLEANS**

Brief:

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

- **4501 Walmsley Avenue, #21-12055-DEMO – Council District "B"** – submitted by M&R Disposal Services, on behalf of the owner, Keith Johnson Jr.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 7/5/21).

(Report received at the meeting of 5/20/21).

DEFERRAL REQUESTED TO 6/17/21.

2. HDLC APPEAL - OF ALYSSA WERNET, DIRECTOR OF OPERATIONS,
THE DEMO DIVA, LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" for the complete demolition of the dilapidated residential structure located at **420-422 S. Galvez Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 7/4/21).

(Report received at the meeting of 5/20/21).

DEFERRAL REQUESTED TO 6/17/21.

3. LEGISLATIVE GROUPING

3a. HDLC APPEAL - OF RONNA S. HARRIS

Brief:

Requesting to appeal HDLC's decision to deny the retention of balcony handrails for the property located at **1132 and 1134 St. Andrew Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 7/4/21).

(Report received at the meeting of 5/20/21).

3b. MOTION - NO. M-21-188 - BY: COUNCILMEMBER BANKS

Brief:

Overruling the HDLC's denial, and approving the retention of balcony handrails located at **1132 and 1134 St. Andrew Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

4. HDLC APPEAL - OF ALYSSA WERNET, DIRECTOR OF OPERATIONS,
THE DEMO DIVA, LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "denial" for the complete demolition of the dilapidated residential structure located at **2120-2122 Louisiana Avenue.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 7/4/21).

(Report received at the meeting of 5/20/21).

5. HDLC APPEAL - OF NICHOLE CHAUVIN

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision to deny an application for partial demolition for the property located at **8515 Freret Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, Cn. Deadline 7/4/21).

(Report received at the meeting of 5/20/21).

DEFERRAL REQUESTED TO 6/17/21.

6. CBDHDLA APPEAL - OF CHARLES J. NEYREY - M2 STUDIO

Brief:

Requesting to appeal the Central Business District Historic Landmarks Commission's decision to uphold the Architectural Review Committee recommendation of denial of the proposed new railings and light fixtures for property located at **621 Canal Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 7/4/21).

(Report received at the meeting of 5/20/21).

DEFERRAL REQUESTED TO 6/17/21.

7. VCC APPEAL - OF D. ALEX ONSTOTT, MEMBER, CIOLINO & ONSTOTT, LLC

Brief:

Requesting on behalf of Dr. and Mrs. John and Melanie Kwon to appeal the Vieux Carré Commission's (VCC) decision to revoke the building permit for a wall, after it was built, for property located at **928 St. Ann Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 06/20/21).

(VCC Report received at the meeting of 5/6/21).

DEFERRAL REQUESTED TO 6/17/21.

8. VCC APPEAL - OF RYAN THIELE, OWNER GREEN COUNTRY ROOFTOPS AND RESTORATION

Brief:

Requesting to appeal the Vieux Carré Commission's (VCC) decision to deny installation of Ecostar roofing products for property located at **914/916 St. Ann Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 6/20/21).

(VCC Report received on today's Consent Agenda).

DEFERRAL REQUESTED TO 6/17/21.

9. LEGISLATIVE GROUPING

9a. ZONING DOCKET NO. 17/21 - CITY COUNCIL MOTION NO. M-20-416

Brief:

Requesting a text amendment to consider creating a definition and/or use standards for "shooting range" or "shooting gallery," to consider the addition of such to use tables in appropriate districts, to establish site design standards, and to make recommendations for any other amendments deemed necessary. Staff should consider indoor and outdoor uses, as well as onsite retail sales. In the course of the review, CPC should study regulations in similarly situated municipalities, including to but not limited to nearby parishes in Southeastern Louisiana, as well as applicable state regulations, to guide potential amendments, **Citywide**. The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Districts - Citywide, Cn. Deadline 6/7/21).
ON DEADLINE.

9b. MOTION - NO. M-21-194 - BY: COUNCILMEMBER BANKS

Brief:

Granting the requested text amendment as recommended by City Planning Commission Staff, in the unfavorable City Planning Commission report.

Annotation:

ELECTRONICALLY SUBMITTED.

10. ZONING DOCKET NO. 27/21 - ORLEANS PARISH SCHOOL BOARD

Brief:

Requesting an Amendment to Ordinance No. 25,090 MCS (Zoning Docket 98/12) to permit the expansion of the Stuart R. Bradley School campus to include a portion of the adjacent Lot 1 or Lots G, H, and K (a portion of proposed Lot 2-A) for use as an accessory parking lot in an OS-N Neighborhood Open Space District, on Square 2149, Lot 1 or Lots G, H, and K (a portion of proposed Lot 2-A), in the Third Municipal District, bounded by West Saint Roch Avenue, Humanity Street, and Clermont Drive. The municipal address of the school is 2401 Humanity Street (Municipal Address of the expansion site: **3425 West Saint Roch Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to six (6) waivers and fifteen (15) provisos.

Annotation:

ELECTORNICALLY SUBMITTED.

(District D - Cm. Brossett, Cn. Deadline 7/19/21).

11. LEGISLATIVE GROUPING

11a. ZONING DOCKET NO. 28/21 - CITY COUNCIL MOTION NO. M-21-65

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 17, Section 17.3.A (Table 17-1) to classify "dormitory" as a permitted use in the CBD-1 Core Central Business District, in the CBD-1 Core Central Business District. The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

ELECTORNICALLY SUBMITTED.

(District B - Cm. Banks, Cn. Deadline 7/19/21).

11b. MOTION - NO. M-21-192 - BY: COUNCILMEMBER BANKS

Brief:

Granting the requested text amendment as recommended by the City Planning Commission in its favorable report.

Annotation:

ELECTRONICALLY SUBMITTED.

12. LEGISLATIVE GROUPING

12a. ZONING DOCKET NO. 29/21 - CITY COUNCIL MOTION M-21-69

Brief:

Requesting a Rescission of Ordinance No. 24,654 MCS (Zoning Docket 73/11, which granted under the former Comprehensive Zoning Ordinance a conditional use to permit increases in height and floor area ratio and a non-accessory parking garage in a CBD-3 Central Business District), on Square 95, Lot A-1 (formerly Lots A, B, 2, 8 or G, H, 11, 12, 13, 14, 16, 17, and an alley), in the Second Municipal District, bounded by Canal Street, North Rampart Street, Iberville Street, and Burgundy Street (Municipal Addresses: **1031-1041 Canal Street and 110-138 North Rampart Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**.

Annotation:

ELECTORNICALLY SUBMITTED.

(District C - Cm. Gisleson Palmer, Cn. Deadline 7/19/21).

12b. MOTION - NO. M-21-195 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Rescinding the Conditional Use as recommended by the City Planning Commission in its favorable report.

Annotation:

ELECTRONICALLY SUBMITTED.

13. LEGISLATIVE GROUPING

13a. ZONING DOCKET NO. 31/21 - POYDRAS HOME

Brief:

Requesting an Amendment to Ordinance No. 24,687 MCS (Zoning Docket 79/11) to permit the extension of a wireless telecommunications tower from 63.5 feet in height to 73.5 in height in an HU-MU Historic Urban Neighborhood Mixed-Use District, a CPC Character Preservation Corridor Design Overlay District, and the Magazine Street Use Restriction Overlay District Location on Square 186, an undesignated lot, in the Sixth Municipal District, bounded by Magazine Street, Jefferson Avenue, Laurel Street, and Leontine Street (Municipal Address: **5354 Magazine Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) waiver and sixteen (16) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B - Cm. Banks, Cn. Deadline 7/19/21).

13b. MOTION - NO. M-21-190 - BY: COUNCILMEMBER BANKS

Brief:

Granting the request for an amendment to Ordinance No. 24,687 MCS as recommended in the City Planning Commission's favorable report, subject to the one waiver and sixteen provisos contained therein.

Annotation:

ELECTRONICALLY SUBMITTED.

14. LEGISLATIVE GROUPING

14a. ZONING DOCKET NO. 33/21 - CHURCHILL DOWNS INCORPORATED

Brief:

Requesting an Amendment to Ordinance No. 22,390 MCS (Zoning Docket 16/07) to grant a conditional use to permit a wireless communications tower and facility in an HU-RD1 Historic Urban Two-Family Residential District, at the Fairgrounds Racetrack, which encompasses multiple squares and lots generally bounded by Gentilly Boulevard, Fortin Street, Belfort Avenue, Desaix Boulevard, and Esplanade Avenue, in the Third Municipal District (Municipal Address: **1751 Gentilly Boulevard**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to six (6) provisos.

Annotation:

ELECTORNICALLY SUBMITTED.

(District A - Cm. Giarrusso, Cn. Deadline 7/19/21).

14b. MOTION - NO. M-21-197 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Granting the request for an amendment to Ordinance No. 22,390 MCS as recommended in the City Planning Commission's favorable report, subject to the six (6) provisos contained therein.

Annotation:

ELECTRONICALLY SUBMITTED.

14c. MOTION - NO. M-21-198 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Denying the request for an amendment to Ordinance No. 22,390 MCS.

Annotation:

ELECTRONICALLY SUBMITTED.

15. LEGISLATIVE GROUPING

15a. ZONING DOCKET NO. 35/21 - CITY COUNCIL MOTION NO. M-21-82

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to reflect and incorporate changes that will ensure Inclusionary Zoning requirements are aligned with previously adopted legislation to the CZO and Code of the City of New Orleans and to provide all applicable processes and standards, including but not limited to:

- Providing parking reduction standards in Article 28, Section 28.7, and
- Amending or creating definitions for the inclusionary zoning voluntary provisions, and
- Aligning the tables in Article 5, Tables 5-5 through 5-12 with the respective base zoning use tables of Articles 9 through 17, and
- Determining and amending any other inconsistencies as determined by CPC staff.

The proposal includes text changes which would apply to properties located within a designated MIZ Mandatory Inclusionary Zoning District or utilizing a Voluntary Inclusionary Zoning provision. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTORNICALLY SUBMITTED.

(All Districts - Citywide, Cn. Deadline 7/19/21).

15b. MOTION - NO. M-21-193 - BY: COUNCILMEMBER BANKS

Brief:

Granting the text amendment as modified by the City Planning Commission in its favorable report.

Annotation:

ELECTRONICALLY SUBMITTED.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

DEFERRAL REQUESTED TO 6/17/21.

17. RESUBDIVISION REQUEST - OF BRITTANNY WALKER, PROJECT LIAISON, SPECTRUM DESIGNS AND ENGINEERING, LLC, ON BEHALF OF CHARLES MCDOWELL

Brief:

Requesting to appeal the City Planning Commission's decision of "**denial**" of the resubdivision request of Crowder Boulevard Major Subdivision. (**SD NO. 136/20**)

Annotation:

ELECTRONICALLY SUBMITTED.

(District E, Cm. Nguyen, Cn. Deadline 7/18/21).

(Report received on today's Consent Agenda).

DEFERRAL REQUESTED TO 6/17/21.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

DEFERRAL REQUESTED TO 7/1/21.

19. LEGISLATIVE GROUPING

19a. 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.
DEFERRAL REQUESTED TO 7/1/21.**

19b. 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.
DEFERRAL REQUESTED TO 7/1/21.**

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

DEFERRAL REQUESTED TO 7/1/21.

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).

DEFERRAL REQUESTED TO 7/1/21.

22. CAL. NO. 33,246 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Section 54-153 and to ordain Sections 54-506 and 54-507 of the Code of the City of New Orleans, to create the Vacant Property Protection Program, allowing the owner of a vacant and unimproved parcel of property to authorize the New Orleans Police Department to enter the property to arrest, remove, and detain persons believed to have committed criminal trespass; to establish the criminal offenses of entering premises in violation of an order to vacate and entering premises declared to be a blight and public nuisance; to reserve appropriately Sections 54-508 through 54-524; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 6/11/21).

ON DEADLINE.

DEFERRAL REQUESTED TO 6/17/21.

23. CAL. NO. 33,247 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Sections 26-235 and 26-237 of the Code of the City of New Orleans, to establish monthly reporting requirements for the Department of Code Enforcement, relative to determinations of Order to Vacate and Blight and Public Nuisance; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 6/11/21).

ON DEADLINE.

DEFERRAL REQUESTED TO 6/17/21.

24. CAL. NO. 33,302 - BY: COUNCILMEMBERS BANKS AND GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and ordain Article I of Chapter 26, Section 26-15, Chapter 1 of the Code of the City of New Orleans (The International Building Code) to add Section 122, to require that prior to the issuance of certain building permits and prior to the issuance of any Certificates of Occupancy, any contractor responsible for a construction project shall conduct video or photographic inspections of existing sewer and drainage lines, catch basins, storm drains, gutters, hydrants, sidewalks, curbs, manhole covers, culverts, headwalls, green infrastructure elements and other public infrastructure abutting or in the immediate vicinity of the construction site as determined by the Directors of Public Works or Safety and Permits or his/her designee; to require submittal of the video or photographic inspections; to assign responsibility for repair of any damage identified and documented by said inspections; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 8/20/21).

DEFERRAL REQUESTED TO 6/17/21 AND REFERRED TO THE COMMUNITY DEVELOPMENT COMMITTEE.

25. CAL. NO. 33,303 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to amend and reordain the entirety of Article XII, of Chapter 162, of the Code of the City of New Orleans, relative to the City's towing allocation list, to remove the use of tow zones in the City's tow allocation program, to provide a revised procedure for the tow allocation program, to establish fees, penalties, and other requirements, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 8/20/21).

26. CAL. NO. 33,320 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an agreement to grant a servitude to an adjacent property owner for encroachments on/over portions of the public right-of-way located at the municipal address 4200 Burgundy Street; to fix the minimum price and terms of said servitude agreement; to declare that such use as granted in the servitude agreement will incorporate space that is neither needed for public purposes nor shall such use interfere with the use of the public right-of-way; to set forth the reasons for said servitude agreement; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/3/21).

27. CAL. NO. 33,321 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an agreement to grant a servitude to an adjacent property owner for encroachments on/over portions of the public right-of-way located at the municipal address 2730 - 34 St. Claude Avenue; to fix the minimum price and terms of said servitude agreement; to declare that such use as granted in the servitude agreement will incorporate space that is neither needed for public purposes nor shall such use interfere with the use of the public right-of-way; to set forth the reasons for said servitude agreement; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/3/21).

28. CAL. NO. 33,325 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and reordain Ordinance No. 27,034 M.C.S. to delete and replace SECTION 2 of the ordinance to restructure the minimum annual rent due the City of New Orleans ("City") pursuant to the Lease Agreement dated November 2, 2016 (the "Lease") with EMDRC Partners, LLC (the "Lessee") for the property known as the Naval Support Activity - East Bank (the "NSA-EB" or the "Leased Premises") located at 4400 Dauphine Street; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/3/21).

29. CAL NO. 33,326 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An ordinance to authorize the Mayor on behalf of the City of New Orleans, as the local redevelopment authority, to enter into an amendment to the Lease Agreement dated November 2, 2016 (the "Lease") with EMDRC Partners, LLC (the "Lessee") for the property known as the Naval Support Activity - East Bank (the "NSA-EB" or the "Leased Premises") located at 4400 Dauphine Street, as authorized by Ordinance No. 27,034 M.C.S., adopted on August 25, 2016; to modify the terms (as provided in Amendment No. 1 to the Former NSA East Bank Real Estate Ground Lease, attached to the ordinance and incorporated by reference), amending Sections 2, 3, 6, 8, 9, 10, 11, 14, 15, 20, and 25 of the Lease, to modify the development schedule and plans, the public amenities and incentives involved, the use of the Leased Premises, the rent, the term of the feasibility period, the available funding, and the insurance requirements; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/3/21).

30. CAL. NO. 33,327 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance authorizing the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and Jefferson Parish Sheriff's Office ("JPSO"), for a term greater than one year, for the public purpose of participating in a Criminal Intelligence Center operated by JPSO in Jefferson Parish, as more fully detailed in the Cooperative Endeavor Agreement form attached hereto as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 9/3/21).

(Referred to the Criminal Justice Committee).

DEFERRAL REQUESTED TO 6/17/21.

31. CAL. NO. 33,328 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to amend and reordain Sections 1-14, 1-15 and 1-16 of the Code of the City of New Orleans and to ordain Section 54-506 of the Code of the City of New Orleans, to clarify the pardon power of the Mayor and City Council, to apply said pardon power to authorize the prospective pardon of marijuana possession; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

DEFERRAL REQUESTED TO 7/1/21.

32. CAL. NO. 33,329 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to amend and reordain Sections 66-36 and 66-38 of the Code of the City of New Orleans, and to ordain Section 66-73.1 of the Code of the City of New Orleans, relative to the City's Smoke Free Aire Act, to expressly authorize NOPD to enforce the Smoke Free Air Act only via summons and to prohibit the smoking of marijuana outside of a private residence; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

(Technical correction needed).

DEFERRAL REQUESTED TO 7/1/21.

33. CAL. NO. 33,330 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to amend and reordain Sections 54-1, 54-27, 54-505, and 102-111 of the Code of the City of New Orleans, relative to marijuana, to exclude marijuana testing from certain drug testing programs, to exclude marijuana accessories from the definition of drug paraphernalia, and to clarify that policy officers have discretion not to issue summons for marijuana possession in circumstances unlikely to lead to a conviction; and otherwise to provide _____ thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

(Technical correction needed).

DEFERRAL REQUESTED TO 7/1/21.

34. CAL. NO. 33,331 - 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 Homeland Security for Federal Emergency Management Agency reimbursement related costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

35. CAL. NO. 33,332 - 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 Homeland Security for Federal Emergency Management Agency reimbursement related costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

36. CAL. NO. 33,334 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements at the Louis Armstrong Park, Congo Square, 701 North Rampart St. in conjunction with events with the "NOLA Juneteenth Festival " to take place June 19th, 2021, New Orleans La, 70116, from 3:00PM-7:30PM to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

(Technical correction needed).

37. CAL. NO. 33,335 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance authorizing the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and the Municipal Yacht Harbor Management Corporation ("MYHMC"), for a term greater than one year, for the public purpose of repairing and reconstructing the Municipal Yacht Harbor in the City of New Orleans, as more fully detailed in the Cooperative Endeavor Agreement form attached hereto as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

38. LEGISLATIVE GROUPING

**38a. CAL. NO. 33,336 - BY: COUNCILMEMBERS GISLESON PALMER,
NGUYEN, BROSSETT, BANKS AND GIARRUSSO**

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 the Entergy Penalty Settlement Fund to the Mayor's Office of Homeland Security for the purchase of additional crime and illegal dumping cameras throughout the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

**38b. RESOLUTION - NO. R-21-189 - BY: COUNCILMEMBERS GISLESON
PALMER, BROSSETT, BANKS, AND GIARRUSSO**

Brief:

Authorizing the appropriation of \$500,000 from the Entergy Settlement fund for the purpose of purchasing, installing, and maintaining new Neighborhood Safety Cameras.

Annotation:

ELECTRONICALLY SUBMITTED.

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

39. CAL. NO. 33,337 - BY: COUNCILMEMBERS GISLESON PALMER,
NGUYEN, BROSSETT, BANKS AND GIARRUSSO

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 the Entergy Penalty Settlement Fund to the Mayor's Office of Homeland Security for the purchase of additional crime and illegal dumping cameras throughout the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 9/17/21).

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Referred to the Governmental Affairs Committee).

DEFERRAL REQUESTED TO 6/17/21.

41. MOTION (LYING OVER) - NO. M-21-169 - BY: COUNCILMEMBERS MORENO AND BROSSETT

Brief:

Amending City Council Rule 56 in its entirety, regarding City Council meeting procedures considering COVID, as provided in "Exhibit A".

Annotation:

ELECTRONICALLY SUBMITTED.

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

42. MOTION - NO. M-21-186 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

Permanently relocating the following Emergency Polling locations:

Ward/

Precincts: 15/14A, 15/14B, 15/14D, 15/15B, 15/17, 15/17A

Original Site (from): Edna Karr High School-3332 Huntlee Dr.

Permanent New Site (to): Connect Church-1110 Kabel Dr.
(enter on Hyman Pl.)

Annotation:

ELECTRONICALLY SUBMITTED.

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

43. MOTION - NO. M-21-187 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Announcing the City Council's intention to consider at its meeting to be held in the Council Chamber, City Hall, 1300 Perdido Street, New Orleans, Louisiana (or, if required by the ongoing COVID-19 emergency, via video teleconference), beginning at 10:00 a.m., Thursday, July 15, 2021, the adoption of a resolution authorizing the calling of an election at which the voters of the City of New Orleans will be asked to authorize the renewal of an existing ad valorem tax.

Annotation:

ELECTRONICALLY SUBMITTED.

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

44. MOTION - NO. M-21-191 - BY: COUNCILMEMBER BANKS

Brief:

Requesting the City Planning Commission conduct a public hearing to amend the Comprehensive Zoning Ordinance to incorporate certain recommendations and initiatives contained in the 2019 "Billboard Study," authorized by Council Motion M-18-319, as follows:

To implement "Option 2: [To] provide 'trade' incentives allowing nonconforming billboards to digitize in exchange for removal," along with the following, additional considerations:

- Conversion of billboards with two sides/faces;
- Conversion of billboards out of residential and historic districts;
- Protections to ensure that there will not be a concentration of digitized billboards in one location/area of the City;
- Illumination standards; and
- Density standards.

Annotation:

ELECTRONICALLY SUBMITTED.

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

45. RESOLUTION - NO. R-21-196 - BY: COUNCILMEMBERS MORENO, GIARRUSSO, BANKS, GISLESON PALMER AND BROSSETT

Brief:

Prioritizing community-based responses that center health, wellness, and transformative approaches to harm reduction and to support the establishment of a health crisis intervention program task force with representation from the New Orleans Health Department, New Orleans Police Department, New Orleans Emergency Medical Services, Orleans Parish Communications District, Metropolitan Human Services District, community advocacy organizations including those that focus on disability rights and police reform and de-escalation, behavioral health treatment providers or coordinating agencies, whose focus is to establish and promote the use of alternative first responders who can provide immediate response to emergency calls concerning mental health and substance use that otherwise goes to the New Orleans Police Department.

Annotation:

ELECTRONICALLY SUBMITTED.

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

46. RESOLUTION - NO. R-21-199 - BY: COUNCILMEMBERS BROSSETT AND GISLESON PALMER

Brief:

Supporting HB 604 relative to the creation of an automated expungement process for arrest records.

Annotation:

ELECTRONICALLY SUBMITTED.

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

47. ORDINANCES ON FIRST READING