

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, November 5, 2020 at 10:25 A.M.

PRESIDENT
JASON ROGERS WILLIAMS
Councilmember-At-Large



VICE PRESIDENT
HELENA MORENO
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

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VIBRATE DURING COUNCIL PROCEEDINGS.

1. **APPROVAL OF THE MINUTES** - October 1, 2020, October 14, 2020
(Special Meeting), October 15, 2020 and October 26, 2020
(Special Meeting).

Annotation:
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 November 5, 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 November 5, 2020.

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

1. Revised Electric Formula Rate Plan Rider Schedule and Gas Formula Rate Plan Rider Schedule, submitted pursuant to R-20-344, UD-18-07
2. Purchased Gas Adjustments for the November 2020 billing cycle, submitted pursuant to R-03-272, UD-18-07
3. Purchased Power Cost Recovery Adjustments for the November 2020 billing cycle, UD-18-07
4. Environmental Adjustments for the November 2020 billing cycle, UD-18-07
5. Fuel Adjustments for the November 2020 billing cycle, UD-18-07
6. Bimonthly Report on Customer Interruptions for the period January 1 through August 31, 2020, UD-17-04
7. 2020 Reliability Plan Project Status Report through August 31, 2020, UD-17-04

Petition

1. Petition to Intervene, UD-20-02, submitted by 350 New Orleans
2. Petition to Intervene, UD-20-02, submitted by Sustainable Energy Economy Solutions

Comments

1. Reply Comments, UD-20-01, submitted by Alliance for Affordable Energy
2. Reply Comments, UD-20-01 submitted by ENO
3. Reply Comments, UD-20-01, submitted by the Council's Utility Advisors
4. Reply Comments, UD-19-01, submitted by the Council's Utility Advisors

5. Reply Comments, UD-19-01, submitted by ENO
6. Reply Comments, UD-19-01, submitted by Energy Future New Orleans
7. Reply Comments, UD-19-01, submitted by Air Products and Chemical, Inc.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

3. COMMUNICATION - FROM AMY SCANDALIATO

Brief:

Requesting to appeal the City Planning Commission's decision of "**denial**" of a re-subdivision for property located at **4533 Read Boulevard and 10149 Chef Menteur Highway. (SD NO. 082-20)**

**ELECTRONICALLY SUBMITTED.
RECEIVED. (Hearing Date Set For 11/19/20).**

**4. COMMUNICATION - FROM RYAN GREGORY, AUTHORIZED AGENT,
REDMELLON RESTORATION & DEVELOPMENT**

Brief:

Notification that Lincoln Grove 1, LLC is pursuing an award of Low Income Housing Tax Credits through the Louisiana Housing Corporation for the new construction of up to 24 affordable housing units in the city of New Orleans.
(Lincoln Grove 1, LLC)

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

5. **COMMUNICATION - FROM RYAN GREGORY, AUTHORIZED AGENT,
REDMELLON RESTORATION & DEVELOPMENT**

Brief:

Notification that Lincoln Grove 2, LLC is pursuing an award of Low Income Housing Tax Credits through the Louisiana Housing Corporation for the new construction of up to 24 affordable housing units in the city of New Orleans.
(Lincoln Grove 2, LLC)

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

6. **COMMUNICATION - FROM 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.
RECEIVED. (Hearing Date Set For 12/1/20).**

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

Brief:

Informing the Council that on October 21, 2020, the Board of Liquidation, City Debt, received the following bids for the purchase of \$9,500,000.00 Audubon Commission Limited Tax Bonds, Issue of 2020:

Robert W. Baird & Co. Inc.	TIC	2.364329%
Raymond James & Associates, Inc.	TIC	2.651361%

The Audubon Commission Limited Tax Bonds, Series 2020 were awarded to Robert W. Baird & Co. Inc., which offered the bid with the lowest True Interest Cost of 2.364329%. A copy of the final Official Statement will be forthcoming.

**Annotation:
RECEIVED.**

8. **COMMUNICATION - FROM NICK AND LIZZIE VITTER, PROPERTY OWNER**

Brief:

Requesting to appear before the New Orleans City Council to appeal the post-demolition fee of \$12,915 for the property located at **1536 St. Roch Avenue.**

Annotation:

ELECTRONICALLY SUBMITTED.

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

9. **COMMUNICATION - FROM JENNA BURKE, DIRECTOR OF LAND USE, DISTRICT B**

Brief:

Requesting to schedule 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 # 2018-0290, 1012 Canal Street, Rahul Properties, LLC

Zella May
Z Group, LLC
2525 Burgundy Street
New Orleans, LA 70117

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 11/19/20).

10. REPORT - OF THE DIRECTOR OF THE VIEUX CARRÉ COMMISSION

Brief:

Submitting a report detailing an appeal of the Vieux Carré Commission's decision of "**denial**" to modify the exterior of the historic building in response to a proposed lowering of an interior first floor level for the property located at **715 Bourbon Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

11. REPORT - OF THE EXECUTIVE DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION|CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report detailing an appeal of the New Orleans Historic District Landmarks Commission's **denial** of an application to demolish more than 25% of the front facade and more than 50% of the roof for the property located at **1531 Exposition Boulevard.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

12. REPORT - OF THE EXECUTIVE DIRECTOR OF THE NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION|CENTRAL BUSINESS DISTRICT HISTORIC DISTRICT LANDMARKS COMMISSION

Brief:

Submitting a report detailing an appeal of the New Orleans Historic District Landmarks Commission's **approval** of an application to construct rear a two-story rear addition and **denial** of a request to reconfigure the roofline to expand the second floor gallery for the property located at **1015 Melpomene Street.**

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

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

Brief:

Transmitting Zoning Docket Numbers 72/20 - Cm. Banks, 76/20 - Cm. Gisleson Palmer, 77/20 - Cm. Nguyen, 78/20 - Cm. Nguyen, - 79/20 - Cm. Banks, 80/20 - Cm. Banks, 81/20 - Cm. Banks, Cn. Deadline 1/4/21 and Subdivision Docket No. 82/20 - Cm. Nguyen, Cn. Deadline 11/28/20; FOR INFORMATION ONLY - Tree Preservation Study - Cms. All and 2021-2025 Capital Improvement Plan (CIP) - Cms. All Cn. Deadlines NONE.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 11/19/20).

14. CAL. NO. 33,142 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit an established multi-family dwelling in an HU-RD2 Historic Urban Two-Family Residential District, on Square 7, Lots 15 and 16, in the Sixth Municipal District, bounded by Broadway Street, Forshey Street, Olive Street, and Pine Street (Municipal Addresses: 3318-3320 Broadway Street); and otherwise to provide with respect thereto. **(Zoning Docket No. 65/20)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 12/30/20).

(Cn. Deadline 12/17/20).

ADOPTED. ORD. NO. 28536 M.C.S.

15. CAL. NO. 33,148 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to amend and reordain Article 24 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 create an exception allowing the continued use of non-conforming pole signs in the Eastern New Orleans Renaissance Corridor (ENORC) Use Restriction Overlay District and any other corresponding changes to the Comprehensive Zoning Ordinance which may be needed; and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 55/20**)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 12/30/20).
(Cn. Deadline 12/17/20).
ADOPTED. ORD. NO. 28539 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 November 5, 2020 Regular Meeting for the purpose of discussing the litigation captioned *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.

Annotation:

SESSION HELD.

REGULAR AGENDA

LAND USE MATTERS

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

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

No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. DEMOLITION REQUEST - OF GLORIA HOLMES

Brief:

Requesting demolition of the property located at **3118 Second Street.**

Annotation:

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

1b. MOTION - NO. M-20-377 - BY: COUNCILMEMBER BANKS

Brief:

A motion **denying** the demolition permit for the property located at **3118 Second Street.**

Annotation:

ELECTRONICALLY SUBMITTED.
*(Council Rule 34. Postponement: 3/5/21).
ADOPTED.*

2. LEGISLATIVE GROUPING

2a. DEMOLITION REQUEST - OF KYLE GILMORE

Brief:

Requesting demolition of the property located at **1323 S. Rampart Street**.

Annotation:

(Cm Banks, Cn. Deadline 12/14/20).

Request received at the meeting of 10/15/20.

HEARING HELD.

2b. MOTION - NO. M-20-371 - BY: COUNCILMEMBER BANKS

Brief:

A motion **approving** the demolition for **1323 S. Rampart Street**, subject to compliance with terms and plans contained within the Memorandum of Agreement by and among the New Orleans Redevelopment Authority, the Louisiana State Historic Preservation Officer, and the City of New Orleans, executed and approved by Mayor LaToya Cantrell on May 18, 2020 (Exhibit A).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

3. LEGISLATIVE GROUPING

**3a. HDLC APPEAL - OF ALYSSA WERNET, DIRECTOR OF OPERATIONS,
THE DEMO DIVA, LLC**

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 11/15/20).

(Report received at the meeting of 10/15/20).

On Deadline.

HEARING HELD.

3b. MOTION - NO. M-20-378 - BY: COUNCILMEMBER BANKS

Brief:

A motion upholding HDLC's denial of the demolition appeal for the property located at **2326 Robert Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

4. HDLC APPEAL - OF SHARON BOURN, MUSSO ARCHITECTS

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of the application to install a new through wall vent in existing transom for property located at **701 Tchoupitoulas Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 11/29/20).

(Report received at the meeting of 10/15/20).

CONTINUED TO THE MEETING OF 11/19/20.

5. LEGISLATIVE GROUPING

5a. HDLC APPEAL - OF REBECCA HURST, SHERMAN STRATEGIES AND TYLER THOMPSON

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of the partial demolition to allow for a renovation for property located at **1531 Exposition Blvd.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, Cn. Deadline 11/29/20).

(Report received on today's Consent Agenda).

HEARING HELD.

5b. MOTION - NO. M-20-375 - BY: COUNCILMEMBER GIARRUSSO

Brief:

A motion **overruling** the HDLC's denial and granting the applicant's appeal.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

6. HDLC APPEAL - OF ERIC IGLESIAS

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "**denial**" of the application to appeal the ARC recommendation of denial to expand the second floor gallery for property located at **1015 Melpomene Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 11/29/20).

(Report received on today's Consent Agenda).

CONTINUED TO THE MEETING OF 11/19/20.

7. VCC APPEAL - OF IRL R. SILVERSTEIN, THE SILVERSTEIN LAW FIRM,
A PROFESSIONAL LAW CORPORATION

Brief:

Requesting on behalf of John C. Williams to appeal the Vieux Carré Commission's decision of "denial" of proposal to demolish existing stoops and lower door sills by 18", per application & materials received 10/08/19 & 09/10/2020 for property located at **715-17-19 Bourbon Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 11/29/20).

(Report received on today's Consent Agenda).

CONTINUED TO THE MEETING OF 11/19/20.

8. LEGISLATIVE GROUPING

8a. EXTENSION REQUEST - OF JASON A. RIGGS, MANAGING MEMBER,
HISTORIC PRO NOLA, L.L.C.

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks).

HEARING HELD.

8b. MOTION - NO. M-20-379 - BY: COUNCILMEMBER BANKS

Brief:

A motion **approving** the one-year extension for the conditional use granted in Ord. No. 027869 (**ZD 75/18**).

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

9. LEGISLATIVE GROUPING

9a. POST-DEMOLITION FEE WAIVER REQUEST - OF NICK AND LIZZIE VITTER, PROPERTY OWNER

Brief:

Requesting to appeal the assessed post-demolition fee of \$12,915.00 (originally incorrectly calculated as \$13,050.00) for the property located at **1536 St. Roch Avenue.**

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm Gisleson Palmer).

Request received on today's Consent Agenda.

HEARING HELD.

9b. MOTION - NO. M-20-376 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion granting the appeal, and reducing the permit fee to \$5,000.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

10. ZONING DOCKET NO. 64/20 - CITY COUNCIL MOTION NO. M-20-94

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to establish "Campground" as a permitted use in Article 8, the M-MU Maritime Mixed Use District, to modify the definition in Article 26, and to modify use standards in Article 20, Section 20.3 K Campgrounds with the following considerations:

1. Specifically include Recreational Vehicles in the types of transient occupancy allowed at a campground.
2. Assess and reevaluate the minimum area required for campgrounds to instead establish a density level for camping spaces.
3. Assess and reevaluate the required perimeter lot setback as 20 feet or greater.

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

Annotation:

(All Cms., Cn. Deadline 11/30/20).

CONTINUED TO THE MEETING OF 11/19/20.

11. ZONING DOCKET NO. 71/20 - HOUSING AUTHORITY OF NEW ORLEANS

Brief:

Requesting for an Affordable Housing Planned Development in an HU-RM1 Historic Urban Multi-Family Residential District, on Square 264, Lot 30 or Lots 30 and 2, in the Fourth Municipal District, bounded by Baronne Street, Philip Street, Jackson Avenue, and Brainard Street (Municipal Address: **2256 Baronne Street**). The recommendation of the City Planning Commission being "FOR APPROVAL", subject to one (1) exception and eleven (11) provisos.

Annotation:

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

CONTINUED TO THE MEETING OF 11/19/20.

12. 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 11/19/20.

13. 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 11/19/20.

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

Brief:

An Ordinance to amend and reordain Sections 146-493, 154-2, 154-1401, 154-1409, 154-1421, and 154-1423 of the Code of the City of New Orleans, to distinguish bicycles and electric scooters, and to provide for prohibitions and regulation relative to electric scooters; and otherwise to provide with respect thereto.

Annotation:

(Council Rule 34. Postponement Deadline 10/30/20 - Postponement continued until 11/5/20).
CONTINUED TO THE MEETING OF 11/19/20.

15. CAL. NO. 33,008 - BY: COUNCILMEMBERS BROSSETT AND GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,246 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2020" to appropriate federal grant funds from Intergovernmental Transfers to the Mayor's Office of Homeland Security for Federal Emergency Management Agency reimbursement related costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(*Fiscal Note received*).
(Council Rule 34. Postponement Deadline 10/30/20 - Postponement continued until 11/5/20).
CONTINUED TO THE MEETING OF 11/19/20.

16. CAL. NO. 33,009 - BY: COUNCILMEMBERS BROSSETT AND
GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020 to appropriate federal grant funds from Intergovernmental Transfers to the Mayor's Office of Homeland Security for Federal Emergency Management Agency reimbursement related costs; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Technical Correction needed).

CONTINUED TO THE MEETING OF 11/19/20.

17. LEGISLATIVE GROUPING

17a. 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 11/19/20.

17b. 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).

CONINUED TO THE MEETING OF 11/19/20.

18. LEGISLATIVE GROUPING

18a. 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).

CONTINUED TO THE MEETING OF 11/19/20.

18b. 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).

CONTINUED TO THE MEETING OF 11/19/20.

19. CAL. NO. 33,021 - BY: COUNCILMEMBER WILLIAMS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 11/19/20.

20. CAL. NO. 33,081 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to approve the economic development plan of the New Orleans Tourism and Cultural Fund, as required by La. R.S. 33:9020 et seq. and Ordinance No. 14118 M.C.S., as amended and reordained by Ordinance No. 28341 M.C.S.; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/4/20).

CONTINUED TO THE MEETING OF 11/19/20.

21. CAL. NO. 33,088 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance to grant a non-exclusive wireless franchise to TORO BLANCO LLC to construct, maintain, operate, and authorize new wireless facilities on and under the public rights-of-way within the corporate limits of the City of New Orleans, with locations subject to the approval of the Grantor, to provide for annual payments, and the furnishing of a surety bond; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/4/20).

(Referred to the Smart Cities Committee).

ADOPTED. ORD. NO. 28531 M.C.S.

22. LEGISLATIVE GROUPING

22a. CAL. NO. 33,089 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/4/20).

(Referred to the Smart Cities Committee).

ADOPTED, AS AMENDED. ORD. NO. 28532 M.C.S.

22b. AMENDMENT TO ORDINANCE NO. 33,089 - BY: COUNCILMEMBER WILLIAMS

Brief:

An amendment clarifying that the adjustment to the franchise fee provided for in Section 4(A)(2) shall be based on the actual increase in the Consumer Price Index and not the "average" increase in the Consumer Price Index.

Annotation:

ELECTRONICALLY SUBMITTED.

ADOPTED.

23. LEGISLATIVE GROUPING

23a. CAL. NO. 33,113 - BY: COUNCILMEMBERS BANKS AND WILLIAMS

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 11/18/20).
(Cn. Deadline 11/5/20).
ADOPTED, AS AMENDED. ORD. NO. 28533 M.C.S.

23b. AMENDMENT TO ORDINANCE NO. 33,113 - BY: COUNCILMEMBERS BANKS AND WILLIAMS

Brief:

An amendment to:

- o establish an effective date, contingent upon the effective date of Calendar Number 33,318.
- o Require within 2 years of passage, and every two years thereafter, a public hearing by the City Planning Commission (CPC) to consider whether a market feasibility analysis is needed to inform changes to map amendments, with the CPC ultimately recommending if a study should be conducted.

Annotation:

ELECTRONICALLY SUBMITTED.
ADOPTED.

24. CAL. NO. 33,122 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into a lease agreement with 373 WALNUT STREET, LLC for a portion of Prytania Street between Walnut Street and Audubon Park; to fix the annual rent and terms of said lease agreement; to declare that such property to be leased will incorporate space that is neither needed for public purposes nor shall such use interfere with the continuous use of utilities and public infrastructure within the public right-of-way; to set forth the reasons for said lease agreement; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28534 M.C.S.

25. CAL. NO. 33,128 - BY: COUNCILMEMBERS BANKS AND WILLIAMS (BY REQUEST)

Brief:

An Ordinance to adopt Article XII of Chapter 26 of the Code of the City of New Orleans, relative to Inclusionary Zoning, to establish application requirements, compliance measures, enforcement procedures, and penalties; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 11/19/20.

26. CAL. NO. 33,141 - 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 public right-of-way located at the municipal address **3350 Dauphine 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 1/29/21).

ADOPTED. ORD. NO. 28535 M.C.S.

27. CAL. NO. 33,143 - BY: COUNCILMEMBER BANKS (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 public right-of-way located at the municipal address **3987 Tchoupitoulas 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 1/29/21).

ADOPTED. ORD. NO. 28537 M.C.S.

28. CAL. NO. 33,144 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into an agreement to lease to an adjacent property owner for encroachments on/over portions of public right-of-way located at the municipal address **4645 Freret Street**; to fix the minimum price and terms of said lease agreement; to declare that such use as granted in the lease 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 lease agreement; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28538 M.C.S.

29. CAL. NO. 33,146 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance to grant a non-exclusive wireless franchise to BRANCH COMMUNICATIONS, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY to construct, maintain, operate, and authorize new wireless facilities on and under the public rights-of-way within the corporate limits of the City of New Orleans, with locations subject to the approval of the Grantor, to provide for annual payments, and the furnishing of a surety bond; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 11/19/20.

30. CAL. NO. 33,147 - BY: COUNCILMEMBER WILLIAMS

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).

(Refer to the Canal Street Collapse Special Committee).

CONTINUED TO THE MEETING OF 11/19/20.

31. CAL. NO. 33,149 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,247 M.C.S., as amended, entitled "An Ordinance Providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2020" to transfer funds within the General Fund to various departments to cover overages incurred during the year for 2020; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 11/19/20.

32. CAL. NO. 33,150 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements at the Lafitte Greenway (Field at St. Louis and North Dorgenois Streets, and Field located at St. Louis and North Tonti Streets), New Orleans, Louisiana in conjunction with events with an open air cinema officially sponsored by the New Orleans Film Society to take place November 5th through November 16th, 2020, from 11:00 a.m. through 11:00 p.m., to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28540 M.C.S.

33. CAL. NO. 33,151 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

AN ORDINANCE to amend and reordain Sections 138-2, 138-38, 138-42, and 138-43 of the Code of the City of New Orleans, relative to sanitation roll carts; to define and provide specifications and requirements for City roll carts; to clarify the times at which roll carts and waste are to be placed on the curb for trash removal in the Downtown Development District, the French Quarter, Frenchmen Street between Esplanade Avenue and Dauphine Street, and elsewhere in the City and the requirements for bulky waste placement and collection in the Downtown Development District, the French Quarter, Frenchmen Street between Esplanade Avenue and Dauphine Street; and elsewhere in the City; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28541 M.C.S.

34. CAL. NO. 33,152 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements at the Joe Brown Park Gymnasium, 5601 Read Blvd, New Orleans, Louisiana 70127 in conjunction with events to provide free and fun family entertainment through a "Children's Fair" provided by Precious Seeds, LLC to take place November 7th, 2020 from 2:30 p.m. through 6:00 p.m., to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

WITHDRAWN.

35. CAL. NO. 33,153 - BY: COUNCILMEMBERS GISELSON PALMER AND BANKS (BY REQUEST)

Brief:

An Ordinance to preserve parade positions, parade routes, parade times, parade dates, and parade seniority for existing carnival organizations that elect not parade in 2021 and to modify the provisions of City Code Section 34-2(4) applicable to the 2022 carnival season; and otherwise to provide thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28542 M.C.S.

36. LEGISLATIVE GROUPING

36a. CAL. NO. 33,154 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit a motor vehicle service and repair facility (minor) in an MU-1 Medium Intensity Mixed-Use District and an HUC Historic Urban Corridor Use Restriction Overlay District, on Square 653, Lot 14A, in the First Municipal District, bounded by D'Hemecourt Street, Tulane Avenue, South Lopez Street, South Salcedo Street, and Baudin Street (Municipal Addresses: **3125 Tulane Avenue or 3125 D'Hemecourt Street and 518 South Lopez Street**); and otherwise to provide with respect thereto. (*Zoning Docket Number 66/20*)

Annotation:

ELECTRONICALLY SUBMITTED.
(90 Days, Cn. Deadline 1/13/21).
(Cn. Deadline 12/17/20).
ADOPTED, AS AMENDED. ORD. NO. 28543 M.C.S.

36b. AMENDMENT TO ORDINANCE NO. 33,154 - BY: COUNCILMEMBER BANKS

Brief:

An amendment to replace the entirety of proviso 10 as follows:

"The site shall be permitted to have a curb cut and driveway from Tulane Avenue and/or D'Hemecourt Street. The developer should continue to work to engage the Tulane Avenue right-of-way for pedestrian and other multi-modal forms of transit."

Annotation:

ELECTRONICALLY SUBMITTED.
ADOPTED.

37. 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).

CONTINUED TO THE MEETING OF 11/19/20.

38. 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).

CONTINUED TO THE MEETING OF 11/19/20.

39. CAL. NO. 33,157 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance approving an Ad Valorem Collection and Distribution Cooperative Endeavor Agreement by and between the City of New Orleans and the Board of Liquidation, City Debt, relating to the collection and distribution of the revenues of a special ad valorem tax collected within the City and providing for other matters in connection therewith, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28544 M.C.S.

40. CAL. NO. 33,160 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance providing a Capital Budget for the year 2021 in accordance with the provisions of Section 3-117 and 4-206 (1) (f) of the City Charter; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/23/21).

CONTINUED TO THE MEETING OF 11/19/20.

41. CAL. NO. 33,161 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021 in accordance with Sections 3-116, 4-206(1)(f) and 6-102 of the City Charter; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/23/21).

CONTINUED TO THE MEETING OF 11/19/20.

42. CAL. NO. 33,162 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for Year 2021 in accordance with Section 3-115, 4-206(1)(f) and 6-102(3) of the City Charter; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 2/23/21).

CONTINUED TO THE MEETING OF 11/19/20.

43. CAL. NO. 33,164 - 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 2/23/21).

CONTINUED TO THE MEETING OF 11/19/20.

44. 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 11/19/20.

45. MOTION - NO. M-20-369 - BY: COUNCILMEMBERS WILLIAMS, MORENO, GIARRUSSO, BANKS, GISLESON PALMER, BROSETT AND NGUYEN

Brief:

A resolution authorizing the President of the Council to sign a cooperative endeavor agreement with the Orleans Parish Sheriff's Office for security services for the City Council, for the period of January 1, 2020 through December 31, 2020, for a maximum compensation amount not to exceed \$46,399.63 per month or \$556,795.56 for twelve (12) months.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

46. RESOLUTION - NO. R-20-370 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

A resolution certifying that the Parish of Orleans has performed all interim inspections on all Parish-owned or maintained bridges in accordance with the National Bridge Inspection Standards for the period October 1, 2019 through November 15, 2020, including reviewing and updating bridges' load postings.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

47. RESOLUTION - NO. R-20-372 - BY: COUNCILMEMBERS GIARRUSSO AND BANKS

Brief:

A Resolution supporting the Iris Development's Affordable Housing Program application to the Federal Home Loan Bank of Dallas for subsidy to develop affordable housing on vacant HANO land awarded via competitive Request for Proposals.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

48. MOTION - NO. M-20-373 - BY: COUNCILMEMBERS WILLIAMS, MORENO, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A motion adopting the Holiday Schedule for City Government for the year 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

49. MOTION - NO. M-20-374 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

A motion stating that the City Council Street Renaming Commission shall have until November 30, 2020 to deliver to the City Council the initial report and recommendation described in Motion No. M-20-170.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

50. RESOLUTION - NO. R-20-380 - BY: COUNCILMEMBER MORENO

Brief:

A resolution and order extending the application deadline for the City Council Cares program to December 31, 2020.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

51. RESOLUTION - NO. R-20-381 - BY: COUNCILMEMBER WILLIAMS

Brief:

Requesting all youthful offenders currently held in the adult Orleans Justice Center (OJC) be transferred back to the Juvenile Justice Intervention Center (JJIC) immediately; and the Clerk of Council shall transmit a copy of this Resolution upon passage to Orleans Parish Criminal District Court, Orleans Parish Juvenile Court, Orleans Parish District Attorney's Office, and Mayor LaToya Cantrell.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 3/5/21).

ADOPTED.

52. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 33,165 THRU 33,170.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.