

THE COUNCIL City of New Orleans

HELENA MORENO
Councilmember-At-Large

DONNA M. GLAPION
Councilmember -At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

JAY H. BANKS
Councilmember District B

KRISTIN GISLESON PALMER
Councilmember District C

JARED C. BROSSETT
Councilmember District D

CYNDI NGUYEN
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held in City Hall Council Chamber
on Thursday, July 15, 2021 at 10:15 A.M.

PRESIDENT
HELENA MORENO
Councilmember-At-Large



VICE PRESIDENT
DONNA M. GLAPION
Councilmember-At-Large

ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL

INVOCATION
PASTOR BRANDON BOUTIN
UNITED FELLOWSHIP FULL GOSPEL BAPTIST CHURCH

PLEDGE OF ALLEGIANCE
JOSEPH I. GIARRUSSO III
COUNCILMEMBER DISTRICT "A"

NATIONAL ANTHEM

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VIBRATE DURING COUNCIL PROCEEDINGS.*

SPECIAL ORDERS OF BUSINESS

1. FIRST ORDER OF BUSINESS

2. SECOND ORDER OF BUSINESS

3. THIRD ORDER OF BUSINESS

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 **July 15, 2021** Regular Council meeting.

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 **July 15, 2021:**

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

1. Updated Energy Efficiency Cost Recover Rider, submitted pursuant to Resolutions R-15-194 and R-17-504, UD-18-07
2. Report on the Implementation of the General Service Customers' Billing Annual Review Program for Entergy New Orleans, LLC, submitted pursuant to Resolution R-93-186
3. Report on the Implementation of the General Service Customers' Billing Annual Review Program for Customers in the Fifteenth Ward of the City of New Orleans, submitted pursuant to Resolution R-93-186
4. Lost Contribution to Fixed Costs and Utility Performance Incentive Calculations for Energy Smart Program Year 10, submitted pursuant to Resolutions R-15-140 and R-20-51. Dockets UD-08-02 and UD-17-03
5. Purchased Power Cost Recovery Adjustments for the July 2021 Billing Cycle, submitted pursuant to Resolution R-20-67, UD-18-07

6. Purchased Gas Adjustments for the July 2021 Billing Cycle, submitted pursuant to Resolution R-03-272
7. Fuel Adjustments for the July 2021 Billing Cycle, submitted pursuant to Resolution R-20-67, UD-18-07
8. Environmental Adjustments for the July 2021 Billing Cycle
9. Report on Entergy's Non-Regulated Investments for the 2nd Quarter 2021, submitted pursuant to the Rule 53 Settlement Agreement and Resolution R-98-187
10. Motion to Delay ENO's 2021 Formula Rate Plan Filing Until July 19, 2021, UD-18-07

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 June 2021 Monthly Report documentation of all encampment clean-up efforts as require by Section 82-703.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

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

Brief:

Transmitting Zoning Dockets 48/21 - All Districts, Citywide and 51/21 - Cm. Banks, Cn. Deadline 9/13/21.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (Hearing Date Set For 8/5/21).**

5. CAL. NO. 33,354 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to rescind Ordinance No. 24,654 MCS (Zoning Docket 073/11, 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**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 29/21**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/1/21).

(Cn. Deadline 8/19/21).

ADOPTED. ORD. NO. 28730 M.C.S.

6. CAL. NO. 33,368 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Articles 15, 16, 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 create a definition and use standards for "shooting range", to add such to use tables in appropriate districts, to establish site design standards, and any other amendments deemed necessary. **Citywide**; and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 17/21**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/1/21)

(Cn. Deadline 8/19/21).

ADOPTED. ORD. NO. 28736 M.C.S.

7. CAL. NO. 33,369 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Article 17, Section 17.3.A (Table 17-1) 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 "dormitory" as a permitted use in the CBD-1 Core Central Business District; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 28/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/1/21)

(Cn. Deadline 8/19/21).

ADOPTED. ORD. NO. 28737 M.C.S.

8. CAL. NO. 33,370 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to grant an amendment to Ordinance No. 24,687 MCS (Zoning Docket 079/11) 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, 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**); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 31/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/1/21)

(Cn. Deadline 8/19/21).

ADOPTED. ORD. NO. 28738 M.C.S.

9. CAL. NO. 33,371 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Articles 5, 10, 12, 13, 14, 15, 26 and 28 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 reflect and incorporate changes that will ensure Inclusionary Zoning requirements are aligned with previously adopted legislation containing amendments to the Comprehensive Zoning Ordinance 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 5-1 and 5-4 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 City Planning Commission staff. **(ZONING DOCKET NO. 35/21)**.

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; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/1/21).

(Cn. Deadline 8/19/21).

ADOPTED. ORD. NO. 28739 M.C.S.

10. CAL. NO. 33,388 - BY: COUNCILMEMBERS BROSSETT AND GISLESON
PALMER

Brief:

An Ordinance to require the Department of City Civil Service, in accordance with Section 4-1503 of the Home Rule Charter, to evaluate and provide recommendations to the Civil Service Commission and the City Council relative to amending the Classified Pay Plan to establish a minimum wage of \$15 per hour; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28742 M.C.S.

11. RESOLUTION - NO. R-21-268 - BY: COUNCILMEMBER MORENO

Brief:

That Councilmembers shall not accept any campaign contributions from: 1) ENPAC; 2) any of the Council's Utility Advisors or any other consultant with a professional services contract to assist the Council in its regulation of public utilities; and 3) any proposers or respondents to any RFQ or RFP, from the time the RFQ or RFP is issued by the Council in connection with its utility regulatory authority pursuant to Section 3-130 et seq. of the Home Rule Charter of the City of New Orleans until the conclusion of the RFQ or RFP process; or 4) any employees of Entergy, System Energy Resources, Inc (SERI), Entergy New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

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

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

ADOPTED.

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

YEAS: Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion,
Moreno - 6

NAYS: 0

ABSENT: Nguyen - 1

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. LEGISLATIVE GROUPING

1a. HDLC APPEAL - OF LAURA AND MIKE STEFFECK

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(District C, Cm. Gisleson Palmer, Cn. Deadline 7/18/21).

(Report received at the meeting of 6/3/21).

ON DEADLINE.

HEARING HELD.

1b. MOTION - NO. M-21-262 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Granting the applicant's retention request, overturning HDLC's denial, for the property located at **435 Bouny St.**

Annotation:

ELECTRONICALLY SUBMITTED

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

ADOPTED.

2. ZONING DOCKET NO. 26/21 - KUNDAN AND VENNA LOUISIANA, LLC

Brief:

Requesting a conditional use to permit a gas station 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, on Square 603, Lots X, Y, and Z, in the First Municipal District, bounded by Tulane Avenue, South Broad Street, Baudin Street, and South White Street (Municipal Addresses: **2701-2717 Tulane Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to ten (10) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline 8/30/21.

CONTINUED TO THE MEETING OF 8/5/21.

3. ZONING DOCKET NO. 30/21 - BROTHERS NEWTON, LLC

Brief:

Requesting a conditional use to permit a minor motor vehicle repair shop and car wash in an HU-MU Historic Urban Neighborhood Mixed-Use zoning district, on Square 173, Lot 1, in the Fifth Municipal District, bounded by Newton Street, LB Landry Avenue, Diana Street and Le Boeuf Street (Municipal Address: **1531 Newton Street**). The recommendation of the City Planning Commission being "**FOR MODIFIED APPROVAL**", subject to six (6) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District C, Cm. Gisleson Palmer, Cn. Deadline 8/30/21.

CONTINUED TO THE MEETING OF 8/5/21.

4. LEGISLATIVE GROUPING

4a. ZONING DOCKET NO. 36/21 - CURTIS DOUCETTE

Brief:

Requesting a conditional use to permit a bed and breakfast (principal), in an HMR-1 Historic Marigny/Tremé/Bywater Residential District, and an RDO-2 Residential Diversity Overlay District, on Square 178, Lot 1, in the Second Municipal District, bounded by North Robertson Street, Dumaine Street, Saint Philip Street and North Villere Street (Municipal Addresses: **912-914 North Robertson Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to eight (8) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District C, Cm. Gisleson Palmer, Cn. Deadline 8/2/21).

ON DEADLINE.

HEARING HELD.

4b. MOTION - NO. M-21-263 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Denying the applicant's Conditional Use request for the property located at **912-914 North Robertson Street**.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

5. LEGISLATIVE GROUPING

5a. ZONING DOCKET NO. 37/21 - LKM ENTERPRISES, LLC

Brief:

Requesting a Conditional use to permit a bar in an HU-MU Historic Urban Mixed-Use District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 538, Lots A, K, C, and 4, in the Seventh Municipal District, bounded by Olive Street, South Carrollton Avenue, Edinburgh Street, and Short Street (Municipal Addresses: **8013-8015 Olive Street and 3415-3417 South Carrollton Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to five (5) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline 8/2/21).

ON DEADLINE.

HEARING HELD.

5b. MOTION - NO. M-21-266 - BY: COUNCILMEMBER BANKS

Brief:

Approving the applicant's Conditional Use request for the properties located at **8013-8015 Olive Street and 3415-3417 S. Carrollton Avenue**, subject to the 5 provisos contained in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

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

WITHDRAWN.

5c. MOTION - NO. M-21-267 - BY: COUNCILMEMBER BANKS

Brief:

Denying the applicant's Conditional Use request for the properties located at **8013-8015 Olive Street and 3415-3417 S. Carrollton Ave.**

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

6. LEGISLATIVE GROUPING

6a. ZONING DOCKET NO. 40/21 - A, H & A, LLC

Brief:

Requesting a conditional use to permit the retail sale of packaged alcoholic beverages at an existing gas station in an HU-MU Historic Urban Neighborhood Mixed-Use District, an AC-1 Arts and Culture Diversity Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 359, Lot 21-A or Lots 21 through 31, in the Second Municipal District, bounded by North Broad Street, Toulouse Street, Saint Peter Street, and North White Street, (Municipal Addresses: **617 North Broad Street** and **2735 Toulouse Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) proviso.

Annotation:

ELECTRONICALLY SUBMITTED.

(District A, Cm. Giarrusso, Cn. Deadline 8/16/21).

CONTINUED TO THE MEETING OF 8/5/21.

6b. MOTION (LYING OVER) - NO. M-21-248 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Granting the conditional use request as recommended by the Commission in ZD 40/21, subject to the one proviso contained in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Technical needed).

CONTINUED TO THE MEETING OF 8/5/21.

7. LEGISLATIVE GROUPING

7a. ZONING DOCKET NO. 45/21 - CITY COUNCIL MOTION NO. M-21-112

Brief:

Requesting a text amendment to the Comprehensive Zoning (Zoning Docket 38/20) to modify the use permissions and standards for child care centers in the S-RS Suburban Single-Family Residential District and S-RD Suburban Two-Family Residential Districts.

The proposed text amendment is aligned with the goals stated in these Future Land Use designations, in Chapter 14 of the New Orleans Master Plan. Each of the Future Land Use designations makes room for neighborhood serving commercial or community facilities that staff believes could include Child Care Centers. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Districts - Citywide, Cn. Deadline 8/30/21).

HEARING HELD.

7b. MOTION - NO. M-21-269 - BY: COUNCILMEMBER NGUYEN

Brief:

Granting the text amendment as recommended by the Commission in ZD 45/21.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

8. LEGISLATIVE GROUPING

8a. ZONING DOCKET NO. 46/21 - CITY COUNCIL MOTION NO. M-21-113

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend Article 4 Applications & Approvals to modify the Neighborhood Participation Program (NPP) requirements therein, to authorize teleconferencing, virtual, or other remote meeting formats to satisfy NPP requirements during a declared emergency by the Governor or Mayor, when in-person meetings are not an available option (Municipal Address: **N/A**). The recommendation of the City Planning Commission being "**FOR APPROVAL**".

Annotation:

ELECTRONICALLY SUBMITTED.

(All Districts - Citywide, Cn. Deadline 8/30/21).

HEARING HELD.

8b. MOTION - NO. M-21-261 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, BANKS, NGUYEN, BROSSETT, GISLESON PALMER AND GLAPION

Brief:

Granting the text amendment request as recommended by the City Planning Commission in ZD 46/21.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

9. ZONING DOCKET NO. 47/21 - 99 PROPERTIES, LLC

Brief:

Requesting a conditional use to permit a drive-through facility associated with a commercial development containing a pharmacy and a medical/dental clinic, in an MU-1 Medium Intensity Mixed-Use District and an EC Enhancement Corridor Design Overlay District and the rescission or amendment of Ordinance 11,921 MCS (Zoning Docket 004/87), on Square 692, Lot 1-B, in the Sixth Municipal District, bounded by South Claiborne Avenue, Cadiz Street, Jena Street, and South Derbigny Street (Municipal Address: **4535 South Claiborne Avenue**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to nine (9) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(District B, Cm. Banks, Cn. Deadline 8/30/21).

CONTINUED TO THE MEETING OF 8/5/21.

10. 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).

CONTINUED TO THE MEETING OF 8/5/21.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 8/5/21.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 8/5/21.

13. 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).

(Referred to the Criminal Justice Committee).

(Criminal Justice Committee recommended approval).

CONTINUED TO THE MEETING OF 8/5/21.

14. 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).

(Referred to the Criminal Justice Committee).

(Criminal Justice Committee recommended approval).

CONTINUED TO THE MEETING OF 8/5/21.

15. 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).

(Referred to the Criminal Justice Committee).

(Criminal Justice Committee recommended approval).

CONTINUED TO THE MEETING OF 8/5/21.

16. 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).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 8/5/21.

17. 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).

(Referred to the Budget Committee).

CONTINUED TO THE MEETING OF 8/5/21.

18. CAL. NO. 33,349 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

An Ordinance authorizing the Mayor of the City of New Orleans to enter into a Cooperative Endeavor Agreement between the City of New Orleans (the "City") and the BioDistrict New Orleans (the "District"), for a term greater than one year, for the public purpose of using incremental increases in undedicated taxes collected within the boundaries of the District to induce economic development and other activities necessary or convenient thereto for the enhancement of bioscience and health products, including but not limited to projects as more particularly identified in R.S. 33:9039.72 of the Louisiana Revised Statutes, within the District in the City of New Orleans, as more fully detailed in the Cooperative Endeavor Agreement form as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 8/5/21.

19. LEGISLATIVE GROUPING

19a. CAL. NO. 33,351 - BY: COUNCILMEMBERS BROSSETT AND GISLESON PALMER

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 8/5/21.

19b. AMENDMENT TO CAL. NO. 33,351 - BY: COUNCILMEMBERS GISLESON PALMER AND BROSSETT

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 8/5/21.

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

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 8/5/21.

21. CAL. NO. 33,363 - 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 **827 Canal 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: 10/15/21).

ADOPTED. ORD. NO. 28731 M.C.S.

22. CAL. NO. 33,364 - 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 **365 Canal 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: 10/15/21).

ADOPTED. ORD. NO. 28732 M.C.S.

23. CAL. NO. 33,365 - 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 lease to an adjacent property owner for encroachments on/over portions of public right-of-way located at the municipal address **800 France 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: 10/15/21).

ADOPTED. ORD. NO. 28733 M.C.S.

24. CAL. NO. 33,366 - 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 **501 Decatur 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: 10/15/21).

ADOPTED. ORD. NO. 28734 M.C.S.

25. CAL. NO. 33,367 - 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 **SMI TRANSPORT, LLC**; and otherwise, to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED. ORD. NO. 28735 M.C.S.

26. CAL. NO. 33,373 - BY: COUNCILMEMBERS GISLESON PALMER, GIARRUSSO, BANKS, BROSSETT, NGUYEN, MORENO AND GLAPION

Brief:

An Ordinance change the name of McDonough Playground to Harold DeVore Playground, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 8/5/21.

27. CAL. NO. 33,376 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,550 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021" to appropriate State Capital Outlay Funds awarded by the State of Louisiana Facility Planning and Control ("FP&C") to the City of New Orleans for the Sewerage and Water Board Power Plant FP&C Project No. 50-ML3-18-02; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

28. CAL. NO. 33,377 - 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 Capital Outlay Funds awarded by the State of Louisiana Facility Planning and Control ("FP&C") to the City of New Orleans for the Sewerage and Water Board Power Plant FP&C Project No. 50-ML3-18-02; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

29. CAL. NO. 33,381 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate funds to increase revenues to the Office of Police Secondary Employment for police details due to resumption of escorts and increased activity in general as the city returns to normalcy; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

30. CAL. NO. 33,382 - 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 transfer funds from CAO - Health General Fund other operating to personal services to support the Health Department's School and Bike Safety Program, FIT NOLA Program, and Grants Management; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

31. CAL. NO. 33,383 - 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 funds from AmeriCorps VISTA to the Office of the Mayor to hire a supervisor for AmeriCorps VISTA sites around the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

32. CAL. NO. 33,384 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate funds from AmeriCorps VISTA to the Office of the Mayor to hire a supervisor for AmeriCorps VISTA sites around the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

33. CAL. NO. 33,385 - 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 funds awarded by the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to the Office of Community Development to fund the Emergency Rental Assistance program to assist New Orleans residents who qualify for rental assistance; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

ADOPTED. ORD. NO. 28740 M.C.S.

34. CAL. NO. 33,386 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate funds awarded by the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to the Office of Community Development to fund the Emergency Rental Assistance program to assist New Orleans residents who qualify for rental assistance; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

ADOPTED. ORD. NO. 28741 M.C.S.

35. CAL. NO. 33,393 - BY: COUNCILMEMBER BROSSETT

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

(No recommendation from the Budget Committee).

CONTINUED TO THE MEETING OF 8/5/21.

36. CAL. NO. 33,398 - 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 funds from the Louisiana Department of Public Safety and Corrections to the Mayor's Office of Youth and Families to support the Pathways program, which is a year-round employment program for system involved youth and to allocate funds to a local non-profit Operation Restoration; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

37. CAL. NO. 33,399 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate funds from the Louisiana Department of Public Safety and Corrections to the Mayor's Office of Youth and Families to support the Pathways program, which is a year-round employment program for system involved youth and to allocate funds to a local non-profit Operation Restoration; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

CONTINUED TO THE MEETING OF 8/5/21.

38. MOTION (LYING OVER) - NO. M-21-173 - BY: COUNCILMEMBER MORENO

Brief:

Stating that any individual convicted of a violation of Section 54-505 of the Code of the City of New Orleans, relative to municipal marijuana possession, between January 1, 2011 and May 20, 2021 are hereby pardoned.

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Criminal Justice Committee recommended approval).

CONTINUED TO THE MEETING OF 8/5/21.

39. MOTION (LYING OVER) - NO. M-21-257 - BY: COUNCILMEMBER GLAPION

Brief:

Directing the City Planning Commission to conduct a public hearing to consider a text amendment to the Comprehensive Zoning Ordinance relative to wayfinding signage for medical and/or hospital campuses.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

40. MOTION - NO. M-21-260 - BY: COUNCILMEMBERS MORENO AND GLAPION

Brief:

Directing City Planning Commission to conduct a public hearing to consider amending the Comprehensive Zoning Ordinance of the City of New Orleans, to create a new use definition in Article 26, for a "City Hall," which is defined as follows:

A building or a complex of adjacent buildings that operates at the central hub of municipal government, including the office of the Mayor, the offices of the City Council, the customary meeting place of the governing authority, and the operations of a significant number of executive branch departments and Charter-established board and commissions.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

41. MOTION - NO. M-21-264 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Directing the City Planning Commission to conduct a public hearing to consider amending the Comprehensive Zoning Ordinance of the City of New Orleans, to incorporate zoning standards that are in accordance with adopted language to certain Future Land Use Map (FLUM) designations and provide incentives and permissions for developments with one through nine dwelling units that include an affordable housing component, including but not limited to possible reductions of the lot area requirements, bulk area regulations, and other developmental and procedural requirements.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

42. RESOLUTION - NO. R-21-265 - BY: COUNCILMEMBER BANKS (BY REQUEST)

Brief:

Adopting the Orleans Parish Hazard Mitigation Plan Update pursuant to the requirements of the Disaster Mitigation Act of 2000.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

43. RESOLUTION - NO. R-21-270 - BY: COUNCILMEMBERS MORENO, GIARRUSSO AND GISLESON PALMER

Brief:

Calling a special election to be held on November 13, 2021, in the City of New Orleans to approve or disapprove the continuation of a levy of ad valorem taxes for the Public Library Millage.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

44. MOTION - NO. M-21-271 - BY: COUNCILMEMBER MORENO

Brief:

Amending the Regular Council Meeting schedule for the year 2021, moving the September 16, 2021, meeting to September 23, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

45. MOTION - NO. M-21-272 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

Reauthorizing the Jerome "Big Duck" Smith Justice System Advisory Committee for a one (1) year term beginning August 1, 2021 and ending on July 31, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

46. RESOLUTION - NO. R-21-273 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Calling a special election to be held on November 13, 2021, in the City of New Orleans to approve or disapprove the continuation of a levy of ad valorem taxes for the Neighborhood Housing Improvement Fund.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

47. RESOLUTION - NO. R-21-274 - BY: COUNCILMEMBERS GISLESON PALMER AND BANKS

Brief:

Supporting a retrofit of the City's current jail, specifically the Option 3 retrofit plans in the July 23, 2020 JFA Institute report, over a new Phase III building, given the retrofit's benefits in cost, timeline, and aspirational quality care standards for the acute and sub-acute mentally ill population.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

48. MOTION - NO. M-21-275 - BY: COUNCILMEMBER GIARRUSSO (BY REQUEST)

Brief:

Authorizing the Delgado Albania Plantation Commission to appropriate \$1,400,000 to Delgado Community College, for renovations to Delgado Hall and Weiss facility that are located on Delgado's City Park campus.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

**49. MOTION - NO. M-21-276 - BY: COUNCILMEMBERS BANKS AND
GISLESON PALMER**

Brief:

Directing City Planning Commission to conduct a public hearing to consider amendments to Ordinance No. 24,282 M.C.S., as amended by Ordinance No. 28,300 M.C.S., which established a conditional use to permit a prison and related uses, to consider the adaptive reuse of the Orleans Parish Justice Center's Phase 2 building or other existing resources, for the housing of male and female inmates classified with acute and sub-acute mental health conditions, and for components related to a medical clinic, infirmary, laundry, administration, and visitation area, in an LI Light Industrial District, on Square 600-A (formerly Square 600), all lots (excluding Lots 28 through 31), Square 615, all lots, Square 624, all lots, Square 624-A, all lots, Square 666, all lots, and Square 675, all lots, in the First Municipal District, bounded by Interstate Highway 10, South Broad Street, Perdido Street, and South Jefferson Davis Parkway (Municipal Addresses: **2800 Perdido Street, formerly 819-821 South Broad Street and 2750-3200 Perdido Street**); and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

**CONTINUED TO THE MEETING OF 8/5/21 AND REFERRED TO THE
CRIMINAL JUSTICE COMMITTEE.**

50. MOTION - NO. M-21-277 - BY: COUNCILMEMBER NGUYEN

Brief:

Waiving fifty percent (50%) of the permit fees relative to facility rentals associated with the event which are officially sponsored by Jane Place held at Joe W. Brown Memorial Park, Spartan Field located at 5601 Read Boulevard, on Saturday, July 10, 2021. The fee waiver authorized by this section shall not include any direct costs to the city.

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

51. MOTION - NO. M-21-279 - BY: COUNCILMEMBER BANK

Brief:

Directing City Planning Commission to conduct a public hearing to consider a conditional use to permit a bar in an HU-MU Historic Urban Mixed-Use District, an HUC Historic Urban Corridor Use Restriction Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 538, Lots A, K, C, and 4, in the Seventh Municipal District, bounded by Olive Street, South Carrollton Avenue, Edinburgh Street, and Short Street (Municipal Addresses: **8013-8015 Olive Street and 3415-3417 South Carrollton Avenue**).

Annotation:

ELECTRONICALLY SUBMITTED.

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

ADOPTED.

52. ORDINANCES ON FIRST READING

CALENDAR NUMBERS 33,400 THRU 33,415.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.