

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

MINUTES

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

**PRESIDENT
HELENA MORENO**
Councilmember-At-Large



**VICE PRESIDENT
JP MORRELL**
Councilmember-At-Large

1. ROLL CALL – LORA W. JOHNSON, CLERK OF COUNCIL

On calling the roll, the following members answered to their names:

PRESENT: Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Moreno, Nguyen - 7

ABSENT: 0

SEVEN MEMBERS PRESENT, CONSTITUTING A QUORUM.

2. INVOCATION - PASTOR JOYCELYN M. RUFFIN, FULFILLING THE GOSPEL MINISTRIES INT'L

3. PLEDGE OF ALLEGIANCE - JOSEPH I. GIARRUSSO III
COUNCILMEMBER DISTRICT "A"
4. PLEASE REVIEW AGENDA NOTICE FOR PUBLIC COMMENT RULES APPLICABLE
DURING COVID-19 EMERGENCY
5. PUBLIC E-COMMENT FORMS ARE AVAILABLE AT <https://council.nola.gov/home/>
- 41a. 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).

M-21-169 (Lying Over)

MOVED BY: Moreno
SECONDED BY: Gisleson Palmer
ACTION: As Amended

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

- 41b. AMENDMENT TO MOTION - NO. M-21-169 - BY: COUNCILMEMBER MORENO

MOVED BY: Moreno
SECONDED BY: Nguyen
ACTION: Amendment

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

M-21-169 Amendment

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

Annotation:

APPROVED.

MOVED BY: Moreno
SECONDED BY: Giarrusso
ACTION: Adopt
YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Brossett - 1
RECUSED: 0
AND THE MOTION PASSED.

SPECIAL ORDERS OF BUSINESSCONSENT 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.
RECEIVED.

Theresa Becher - Memo Re Deferral

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")

Erin Spears - 05-28-2021 MEMO Electric and Gas Communications

1. Purchased Power Cost Recovery Adjustments for the June 2021 billing cycle, submitted pursuant to Resolution R-20-67, UD-18-07

Entergy - Scott M. Celino - ENOL PPCR June 2021 Billing Month

2. Purchased Gas Adjustments for the June 2021 billing cycle, submitted pursuant to Resolution R-03-272

Entergy - Scott M. Celino - ENOL PGA June 2021 Billing Month Filing Packet

3. Fuel Adjustments for the June 2021 billing cycle, submitted pursuant to R-20-67, UD-18-07

Entergy - Scott M. Celino - ENOL FAC June 2021 Billing Month

4. Environmental Adjustments for the June 2021 billing cycle, UD-18-07

Entergy - Scott M. Celino - EAC Filing Package (1)

5. Application for Certification of Costs Related to Hurricane Zeta and Direct Testimony

Entergy - Kimberly R. Silas - 2021-05-21 ENO Application & Testimony for Cert of Zeta Costs

6. Letter Regarding Proposed Renewable and Clean Portfolio Standard, submitted on behalf of ENO and other stakeholders, UD-19-01

Entergy - Becky Knox - 5.18.21 Ltr to Clerk re UD-19-01 RCPS

7. Compliance Filing Supporting Drawdowns of ENO's Securitized and Unsecuritized Storm Reserve Escrow Accounts, submitted pursuant to Resolution R-15-195

Timothy S. Cragin - 2021-05-28 ENO Ltr & Compliance Filing 2021 Storm Reserve Drawdowns

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.
RECEIVED.

Entergy - Carrie R. Tournillon - Rulemaking Proceeding - UD-19-01

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.
RECEIVED.

5336 Magazine St. - Todd Nelson - Communication - ZD 31-21

4. COMMUNICATION – FROM 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.

RECEIVED. (Hearing Date 6/17/21).

435 Bouny St. - HDLC Appeal Letter - Laura Steffeck

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.

RECEIVED.

Arthur A. Morrell - Clerk of Criminal District Court

6. COMMUNICATION – FROM JULIA ZUCKERMAN, ESQ. – DIRECTOR OF LAND USE – COUNCILMEMBER JARED C. BROSETT, 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.

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

Julia Zuckerman - Hearing Request Letter_3821 Franklin

Julia Zuckerman - 3821 Franklin - RTA20170334 - RTA Report - Senior Living Project

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).

RECEIVED.

SD 136-20 Subdivision Staff Report

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).

RECEIVED.

435 Bouny St. - HDLC Appeal Report

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).

RECEIVED.

8515 Freret Street HDLC Report

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).

RECEIVED.

621 Canal Street CBDHDL Report11. 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).
RECEIVED.

914 St Ann St. VCC Report12. 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.
RECEIVED. (Hearing Date Set For 6/17/21).

Transmittal letter for 5-11-21 CPC meeting13. 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).
ADOPTED.

33322 - 28694 M.C.S.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).
ADOPTED.

33323 - 28695 M.C.S.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).
ADOPTED.

33324 - 28696 M.C.S.A. MOTION TO ADOPT CONSENT AGENDA AND REFER OTHER MATTERS TO THE PROPER AGENCY.

MOVED BY: Nguyen
SECONDED BY: Glapion
ACTION: Adopt
YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Brossett - 1
RECUSED: 0
AND THE MOTION PASSED.

B. AND THE CONSENT AGENDA WAS ADOPTED.

REGULAR AGENDA

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.
CONTINUED TO THE MEETING OF 7/1/21.

32930

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.
CONTINUED TO THE MEETING OF 7/1/21.

33018

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.
CONTINUED TO THE MEETING OF 7/1/21.

33018 Amendment

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).
CONTINUED TO THE MEETING OF 7/1/21.

33147

21. CAL. NO. 33,183 - BY: COUNCILMEMBER WILLIAMS (BY REQUEST)

Brief:

An Ordinance granting a non-exclusive franchise to Telepak Networks, Inc. to construct, maintain, and operate an aboveground and/or underground Wireline Telecommunications System, to provide for the furnishing of a surety bond, annual payments, and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Council Rule 34. Postponement Deadline 3/19/21).
CONTINUED TO THE MEETING OF 7/1/21.

33183

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.
CONTINUED TO THE MEETING OF 6/17/21.

3324623. 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.

CONTINUED TO THE MEETING OF 6/17/21.

3324724. 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).

CONTINUED TO THE MEETING OF 6/17/21 AND REFERRED TO THE COMMUNITY DEVELOPMENT COMMITTEE.

3330225. 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).

CONTINUED TO THE MEETING OF 6/17/21.

3330326. 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).

33320 - 28692 M.C.S.**MOVED BY: Gisleson Palmer****SECONDED BY: Banks****ACTION: Adopt****YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6****NAYS: 0****ABSTAIN: 0****ABSENT: Brossett - 1****RECUSED: 0****AND THE MOTION PASSED.**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).

33321 - 28693 M.C.S.**MOVED BY: Gisleson Palmer****SECONDED BY: Nguyen**

ACTION: Adopt
YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Brossett - 1
RECUSED: 0
AND THE MOTION PASSED.

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).

Continued later in meeting.

33325

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).

CONTINUED TO THE MEETING OF 6/17/21.

33327

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).

CONTINUED TO THE MEETING OF 7/1/21 AND REFERRED TO THE CRIMINAL JUSTICE COMMITTEE.

33328

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 Air 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).

CONTINUED TO THE MEETING OF 7/1/21 AND REFERRED TO THE CRIMINAL JUSTICE COMMITTEE.

33329

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 with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Technical correction needed).

CONTINUED TO THE MEETING OF 7/1/21 AND REFERRED TO THE CRIMINAL JUSTICE COMMITTEE.

33330

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).

CONTINUED TO THE MEETING OF 6/17/21.

3333135. 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).

CONTINUED TO THE MEETING OF 6/17/21.

3333236. 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).

SPEAKER:

Michael Burnside

33334 - 28699 M.C.S.**MOVED BY: Gisleson Palmer****SECONDED BY: Nguyen****ACTION: Adopt****YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6****NAYS: 0****ABSTAIN: 0****ABSENT: Brossett - 1****RECUSED: 0****AND THE MOTION PASSED.**

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).

33335 - 28700 M.C.S.

MOVED BY: Giarrusso

SECONDED BY: Banks

ACTION: Adopt

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

NAYS: 0

ABSTAIN: 0

ABSENT: Brossett - 1

RECUSED: 0

AND THE MOTION PASSED.

38. LEGISLATIVE GROUPING38a. 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).

CONTINUED TO THE MEETING OF 6/17/21.

33336

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).

CONTINUED TO THE MEETING OF 6/17/21.

R-21-189

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).

CONTINUED TO THE MEETING OF 6/17/21.

33337

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).

CONTINUED TO THE MEETING OF 6/17/21.

M-21-121 (Lying Over)

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).

M-21-186

MOVED BY: Gisleson Palmer

SECONDED BY: Banks

ACTION: Adopt

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

43. MOTION - NO. M-21-187 - BY: COUNCILMEMBERS GISLESON PALMER AND MORENO

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).

SPEAKERS:

Elaine Leyda

Kendra Davis

Nellie Catzen

Mary Phillips

Betty DiMarco

Erika Zucker

John Sullivan

Maxwell Ciardullo

Ariane Livaudais

Oswald Cooper

Bob Murrell

Guenivere Wilson

Patrick Daurio

Isabella Feige

M-21-187

MOVED BY: Gisleson Palmer

SECONDED BY: Moreno
ACTION: Adopt
YEAS:
Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

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).

M-21-191

MOVED BY: Banks
SECONDED BY: Nguyen
ACTION: Adopt
YEAS:
Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

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).

SPEAKER:
Michael Burnside

33325 - 28697 M.C.S.

MOVED BY: Gisleson Palmer
SECONDED BY: Moreno
ACTION: Adopt
YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Brossett - 1
RECUSED: 0
AND THE MOTION PASSED.

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).

SPEAKER:
Michael Burnside

33326 - 28698 M.C.S.

33326 Amendment

MOVED BY: Gisleson Palmer
SECONDED BY: Giarrusso
ACTION: Adopt
YEAS: Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0

AND THE MOTION PASSED.

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).

CONTINUED TO THE MEETING OF 6/17/21.

Cynthia Davis - 4501 Walmsley Ave

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).

CONTINUED TO THE MEETING OF 6/17/21.

420-422 S. Galvez St -HDLC Denial Letter- Alyssa Wernet

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).

HEARING HELD.

1134 St. Andrew Street - HDLC Appeal Letter - Ronna S. Harris

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.

M-21-188

MOVED BY: Banks

SECONDED BY: Giarrusso

ACTION: Adopt

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

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).

CONTINUED TO THE MEETING OF 6/17/21.

SPEAKER:

Shelby Campbell

2120 - 2122 Louisiana Ave - HDLC Appeal Letter - Alyssa Wernet

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 on today's Consent Agenda).
CONTINUED TO THE MEETING OF 6/17/21.

8515 Freret St. - HDLC Result Letter

8515 Freret Street HDLC Report

6. CBDHDLC 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 on today's Consent Agenda).
CONTINUED TO THE MEETING OF 6/17/21.

SPEAKER:

Charles J. Neyrey

621 Canal St. HDLC Decision Appeal Request - Charles J. Neyrey - Libby R. Creim - NCARB

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).
CONTINUED TO THE MEETING OF 6/17/21.

928 St. Ann St. - VCC Appeal - D. Alex Onstott

928 St. Ann St. - VCC - D. Alex Onstott - Response Letter

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).
CONTINUED TO THE MEETING OF 6/17/21.

914-916 St. Ann Street - VCC Appeal - Ryan Thiele

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.

HEARING HELD.

SPEAKERS:

Trenell Williams

Andrew Winstead

Lumumba Moulton

Dr. Aaron Mack, MD

Dominique McClellan

ZD NO. 17-21

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.

WITHDRAWN.

M-21-194

9c. SUBSTITUTE 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, with amendments to the staff

recommendation.

Annotation:

ELECTRONICALLY SUBMITTED.

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

M-21-194 Substitute

SUSPEND RULES TO RECEIVED SUBSTITUTE MOTION NO. M-21-194

MOVED BY: Banks

SECONDED BY: Brossett

ACTION: Suspend the Rules

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

SUSPEND THE RULES TO ADD SUBSTITUTE MOTION - NO. M-21-194 TO THE COUNCIL AGENDA

MOVED BY: Banks

SECONDED BY: Nguyen

ACTION: Suspend the Rules

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

9c. SUBSTITUTE 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, with amendments to the staff recommendation.

Annotation:

ELECTRONICALLY SUBMITTED.

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

M-21-194 Substitute

MOVED BY: Banks

SECONDED BY: Nguyen

ACTION: Adopt

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7**NAYS: 0****ABSTAIN: 0****ABSENT: 0****RECUSED: 0****AND THE MOTION PASSED.****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).

CONTINUED TO THE MEETING OF 6/17/21.

ZD NO. 27-21**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).

HEARING HELD.

ZD NO. 28-21**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.

M-21-192**MOVED BY: Banks****SECONDED BY: Gisleson Palmer****ACTION: Adopt****YEAS:****Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7****NAYS: 0****ABSTAIN: 0****ABSENT: 0****RECUSED: 0****AND THE MOTION PASSED.**15. LEGISLATIVE GROUPING15a. 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:

ELECTRONICALLY SUBMITTED.

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

HEARING HELD.

SPEAKERS:

Maxwell Ciardullo

John Sullivan

Vann Joines

Dawn Carl

Isabella Feige

ZD NO. 35-21

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.

M-21-193

MOVED BY: Banks

SECONDED BY: Brossett

ACTION: Adopt

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

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).

CONTINUED TO THE MEETING OF 6/17/21.

DR NO. 24-2117. 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).

HEARING HELD.

SD 136-20 Subdivision Staff Report

MOVED BY: Moreno
SECONDED BY: Nguyen
ACTION: Reconsider
YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

48. MOTION - NO. M-21-200 - BY: COUNCILMEMBER NGUYEN

Brief:

Considering the procedural irregularities associated with this docket, and in the interest of affording all parties a full and fair opportunity to be heard, the April 13, 2021, decision of the CPC is hereby vacated, and this matter is remanded to the CPC for reconsideration within 60 days of this Motion.

Annotation:

ELECTRONICALLY SUBMITTED.

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

M-21-200

MOVED BY: Nguyen
SECONDED BY: Moreno
ACTION: Suspend the Rules
YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

MOVED BY: Nguyen
SECONDED BY: Moreno
ACTION: Suspend the Rules
YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

MOVED BY: Nguyen
SECONDED BY: Moreno
ACTION: Adopt

YEAS:**Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7****NAYS: 0****ABSTAIN: 0****ABSENT: 0****RECUSED: 0****AND THE MOTION PASSED.**12. LEGISLATIVE GROUPING12a. 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:

ELECTRONICALLY SUBMITTED.

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

HEARING HELD.

SPEAKERS:

Erin Holmes

Mohan Kailas

ZD NO. 29-2112b. 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.

SPEAKERS:

Nathan Lott

Jack Capella

M-21-195**MOVED BY: Gisleson Palmer****SECONDED BY: Banks****ACTION: Adopt****YEAS:**

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7**NAYS: 0****ABSTAIN: 0****ABSENT: 0****RECUSED: 0****AND THE MOTION PASSED.****45. RESOLUTION – NO. R-21-196 – BY: COUNCILMEMBERS MORENO, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT, NGUYEN AND GLAPION****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).

PRESENTER: BYRNE SHERWOOD, MANAGER OF BEHAVIORAL HEALTH PROGRAMS OF NEW ORLEANS

SPEAKERS:

David Brazil

Talia Bromberg

Jenna Grant

Dwaune Price

Fiona Hellerman

Katie Hunter-Lowrey

Bob Murrell

Lauree Akinola-Massaquoi

Frances Gill

Peter Gratton

Jules Cattie

Henna Silvennoinen

Angela Crimmins

Adriana Najera

Yael Acker-Krzywicki

Jennifer Samani

Lexi Peterson-Burge

LaToya Johnson

Colin Ash

Meghsha Barner

Sade Dumas

R-21-196

MOVED BY: Moreno
SECONDED BY: Nguyen
ACTION: Adopt
YEAS:
Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

46. RESOLUTION – NO. R-21-199 – BY: COUNCILMEMBERS BROSSETT, GISLESON PALMER, MORENO, NGUYEN AND BANKS

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).

R-21-199

MOVED BY: Brossett
SECONDED BY: Gisleson Palmer
ACTION: Adopt
YEAS:
Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

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).
HEARING HELD.

ZD NO. 31-21

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.

SPEAKER:

Clifford Nickerson

M-21-190

MOVED BY: Banks

SECONDED BY: Giarrusso

ACTION: Adopt

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

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:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 6/17/21.

ZD NO. 33-21

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.

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

CONTINUED TO THE MEETING OF 6/17/21.

M-21-19714c. MOTION - NO. M-21-198 - BY: COUNCILMEMBER GIARRUSSO**Brief:**

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 6/17/21.

M-21-19847. MOTION TO SUSPEND THE RULES TO INTRODUCE ORDINANCES ON FIRST READING.

MOVED BY: Moreno

SECONDED BY: Brossett

ACTION: Adopt

YEAS:

Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 7

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

48. ORDINANCES ON FIRST READING

CALENDAR NUMBER 33,342 THRU 33,353.

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.

48a. CAL. NO. 33,342 - BY: COUNCILMEMBERS BROSSETT AND MORENO

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 Intergovernmental Transfers to the General Fund for the

reimbursement of services rendered in connection with utility rate matters for the Council Utilities Regulatory Office; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33342

48b. CAL. NO. 33,343 - BY: COUNCILMEMBERS BROSSETT AND MORENO

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 Intergovernmental Transfers to the General Fund for the reimbursement of services rendered in connection with utility rate matters for the Council Utilities Regulatory Office; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33343

48c. CAL. NO. 33,344 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to change the name of the entirety of Caffin Avenue to Fats Domino Avenue; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33344

48d. CAL. NO. 33,345 - BY: COUNCILMEMBER GISLSON PALMER

Brief:

An Ordinance to amend and reordain Article 18 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 establish the French Market Overlay District, the purpose of which is to recognize the unique geographic configuration of the French Market District, as opposed to the remainder of the French Quarter, though use and design restrictions that (1) allow for expanded hours of operation in the Public Market, and (2) permit a unified package of pedestrian scaled signage to guide visitors through the linear market;and otherwise to provide with respect thereto. ***(ZONING DOCKET NO. 23/21)***

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 8/18/21).

(Cn. Deadline 8/5/21).

33345

48e. CAL. NO. 33,346 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Article 12, Section 12.2 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 “motor vehicle service and repair, minor” and “car wash” as conditional uses in HU-MU Neighborhood Mixed-Use Districts; and otherwise to provide with respect thereto. (***ZONING DOCKET NO. 24/21***)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 8/18/21).

(Cn. Deadline 8/5/21).

33346

48f. CAL. NO. 33,347 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans to enter into Amendment No. 2 to a previously executed Cooperative Endeavor Agreement (“CEA”) between the City of New Orleans (the “City”) and the Audubon Commission to accomplish the valuable public purpose of supporting the economic growth of the City through creation of public park spaces and redevelopment of the Governor Nicholls and Esplanade Avenue Wharves (“the Wharves”), to modify the provisions thereof and extend the deadlines therein by four (4) calendar years from the date originally set forth in the CEA, and three (3) years from the date provided in Amendment No. 1 to the CEA, as more fully set forth in the Amendment No. 2 form attached hereto as Exhibit “1” and made a part hereof; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33347

48g. CAL. NO. 33,348 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend and re-ordain Ordinance No. 28,549 M.C.S., entitled “An Ordinance Providing a Capital Budget for the Year 2021,” to effect the following change to the 2021 Capital Budget: to de-appropriate funds from the Chief Administrative Office, the New Orleans Police Department, the Department of Property Management, the Department of Public Works, the New Orleans Recreation Development Commission, and the Municipal Yacht Harbor; to appropriate funds to the Chief Administrative Office, the Department of Property Management, the Department of Public Works, and the New Orleans Recreation Development Commission; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.***(Council Rule 34. Postponement Deadline 10/1/21).***33348

48h. 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 attached hereto as Exhibit "A"; and otherwise to provide with respect thereto.

Annotation:**ELECTRONICALLY SUBMITTED.*****(Council Rule 34. Postponement Deadline 10/1/21).***33349

48i. CAL. NO. 33,350 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to grant an amendment to Ordinance No. 26,335 MCS (Zoning Docket 12/15) for a conditional use to permit a fast food restaurant in a CBD-4 Exposition District, on Square 307A, Lot Z-4, in the First Municipal District, bounded by Poydras Street, Loyola Avenue, Girod Street, and La Salle Street (Municipal Addresses: **1200 Poydras Street and 501 Loyola Avenue**); and otherwise to provide with respect thereto. ***(ZONING DOCKET NO. 14/21)***

Annotation:**ELECTRONICALLY SUBMITTED.*****(90 Days, Cn. Deadline 8/18/21).******(Cn. Deadline 8/5/21).***33350

48j. 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).***

33351

- 48k. CAL. NO. 33,352 - BY: COUNCILMEMBERS BROSSETT, GISLESON PALMER, GLAPION, BANKS AND NGUYEN

Brief:

An Ordinance to amend and reordain Section 70-806 and 7-813 of the Code of the City of New Orleans to increase the required living wage for city contracts and city financial assistance agreements; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33352

- 48l. CAL. NO. 33,353 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to extend the effectiveness of Ordinance No. 28,410 M.C.S., which established the *Vieux Carré Interim Zoning District* to establish maximum building height standards in the areas currently zoned VCR-1 Vieux Carré Residential District, VCR-2 Vieux Carré Residential District, VCC-1 Vieux Carré Commercial District, VCC-2 Vieux Carré Commercial District, VCE Vieux Carré Entertainment District, VCE-1 Vieux Carré Entertainment District, VCS Vieux Carré Service District, VCS-1 Vieux Carré Service District, and VCP Vieux Carré Park District, for an initial period of 180 days; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33353

49. **MOTION FOR ADJOURNMENT: @ 1:10 P.M.**

MOVED BY: Nguyen
SECONDED BY: Glapion
ACTION: Adopt
YEAS: Banks, Giarrusso, Gisleson Palmer, Glapion, Nguyen, Moreno - 6
NAYS: 0
ABSTAIN: 0
ABSENT: Brossett - 1
RECUSED: 0
AND THE MOTION PASSED.