

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, August 5, 2021 at 10:15 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 BRANDON BOUTIN, UNITED FELLOWSHIP FULL GOSPEL BAPTIST CHURCH**

3. PLEDGE OF ALLEGIANCE - JAY H. BANKS, COUNCILMEMBER DISTRICT "B"

4. NATIONAL ANTHEM

1. APPROVAL OF THE MINUTES – July 1, 2021 and July 15, 2021.

Annotation:

APPROVED.

MOVED BY: Moreno

SECONDED BY: Nguyen

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

SPECIAL ORDERS OF BUSINESS

1. FIRST ORDER OF BUSINESS – PRESENTATION – WELCOMING THE MAYOR AND CITY COUNCIL FOR THE CITY OF WESTWEGO – MAYOR ROBERT E. BILLIOT, SR.; DWAYNE J. MUNCH, SR., CHIEF OF POLICE; COUNCILMEMBER MAGGIE "MAY" CAMPBELL, DISTRICT 1; COUNCILMEMBER JOHNN S. NOBLES, JR., DISTRICT 2; COUNCILMEMBER LISA H. VALENCE, DISTRICT 3; COUNCILMEMBER ROBERT J. UTLEY, DISTRICT 4; AND COUNCILMEMBER ROBERT BONVILLIAN, DISTRICT 5

Brief:

A presentation from the newly installed Mayor and City Councilmembers from Westwego promoting and reaffirming a commitment to regional support and collaboration.

Annotation:

(Cm. Glapion).

WITHDRAWN.

CONSENT AGENDA

1. COMMUNICATION – FROM PAUL HARANG, COUNCIL CHIEF OF STAFF, NEW ORLEANS CITY COUNCIL

Brief:

Submitting the recommended agenda items for deferrals for the August 5, 2021 Regular Council meeting.

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

Paul Harang - Deferral memo

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 August 5, 2021: Communications submitted by Entergy New Orleans, LLC ("ENO")

Erin Spears - 08-02-2021 MEMO Electric and Gas Communications

1. ENO 2021 Formula Rate Plan Filings, submitted pursuant to Resolution R-20-344

Courtney R. Nicholson 7-16-21 E and G rate

2. Semi-annual True-up of the Securitized Storm Cost Recovery Rider and Annual Revision to the Rate Adjustment to the Securitized Storm Cost Offset Rider, submitted pursuant to Resolution R-15-193, UD-14-01

Entergy - Timothy S. Cragin - Costs Related to Hurricane Isaac

3. Informational Filing Related to ENO's Financing Plan, submitted pursuant to Resolution R-20-226

Entergy - Timothy S. Cragin - 2021-07-22 ENO Transm Ltr & Informational Filing Council Resolution R-20-226

4. 2021 Integrated Resource Plan Demand Side Management ("DSM") Potential Study, UD-20-02

Entergy - Timothy S. Cragin - 2021-07-30 Ltr and ENO DSM Potential Study

5. Purchased Power Cost Recovery Adjustments for the August 2021 Billing Cycle, submitted pursuant to Resolution R-20-67, UD-18-07

Entergy - Scott M. Celino -ENOL FAC August 2021 Billing Month - 1 of 2

Entergy - Scott M. Celino - ENOL FAC - prd21_2106N_RA - 2 of 2

6. Purchased Gas Adjustments for the August 2021 Billing Cycle, submitted pursuant to Resolution R-03-272

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

7. Fuel Adjustments for the August 2021 Billing Cycle, submitted pursuant to Resolution R-20-67, UD-18-07

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

8. Environmental Adjustments for the August 2021 Billing Cycle

Entergy - Scott M. Celino - ENOL EAC Filing Package August 2021

Other Communications

1. DSM Market Potential Study, submitted by the Council's utility advisors on behalf of GDS Associates, MSMM Engineering LLC, The Villavaso Group LLC, and Casey DeMoss (collectively the Council's DSM Consultants), UD-20-02

Entergy - Jay Beatmann - 21.07.30 Transmittal Ltr. - 1 of 2 - IRP DSM Potential Study

Entergy - Jay Beatmann - 2021 DSM Potential Study - 2 of 2

2. Comments on Resolution and Order Instituting a Prudence Investigation, submitted by Sustainable Energy Economy Solutions, UD-21-01

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

Entergy - Andy S. Kowalczyk - SEES UD-21-01 Comments

3. COMMUNICATION – FROM JESSE EVANS, JR., DIRECTOR, CITY OF NEW ORLEANS, EMPLOYEES' RETIREMENT SYSTEM

Brief:

Submitting in accordance with Section 114-205 of the Code of the City of New Orleans, on or before September 1st in each year, the Board of Trustees for the City of New Orleans Employee's Retirement System shall file with the Council its certification of the amount of the appropriation necessary to pay the normal and accrued liability contributions which are creditable to the pension accumulation account for the year and the amount of appropriation required to cover the expenses necessary in connection with the administration and operation of the retirement system. The amount so certified shall be included in the annual budget. During the July meeting of the Board of Trustees, the Board reviewed and certified the recommended rate for 2022 as described in the Annual Valuation Report. The certified rates for payroll deductions are listed below:

Employer Contribution Rate 17.66%
Employee Contribution Rate 6.000%

Annotation:

ELECTRONICALLY SUBMITTED.
RECEIVED.

Jesse Evans Jr - 2022 CONTRIBUTION RATE 2 (1).

4. COMMUNICATION – FROM JOHN C. WILLIAMS, AIA, MANAGER, WILLIAMS ARCHITECTS, LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's (HDLC) decision of "denial" of the application for demolition of more than 50% of the roof structure of a significant rated two-story, single-family residential building for a third-floor addition for property located at 1331 First Street.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 8/19/21).

John C. Williams - HDLC appeal - 1331 First St

5. COMMUNICATION – FROM HELENA MORENO, NEW ORLEANS CITY COUNCIL PRESIDENT

Brief:

Requesting the withdrawal of Ordinance Calendar No. 33,413, which was introduced for first reading on July 15, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED.

Helena Moreno - Cn President

6. REPORT – OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION

Brief:

Transmitting Zoning Dockets 44/21 – Cm. Giarrusso, 49/21 – Cm. Brossett, 52/21 - Cm. Banks, 53/21 – Cm. Banks, 54/21 – Cm. Banks and 56/21 – All Cms. Banks, Cn. Deadline 10/4/21.

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (Hearing Date Set For 8/19/21).

Transmittal letter for 7-13-21 CPC meeting

7. 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).

(Budget Committee recommended approval).

ADOPTED.

33376 - 28746 M.C.S.

8. 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).

(Budget Committee recommended approval).

ADOPTED.

33377 - 28747 M.C.S.

9. CAL. NO. 33,378 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to effect a zoning change from an S-B1 Suburban Business District and an S-B2 Suburban Pedestrian Oriented Corridor Business District to an HU-MU Neighborhood Mixed Use District, in the Third Municipal District, generally bounded by St. Claude Avenue, the Industrial Canal, Florida Avenue and the Orleans Parish/St. Bernard Parish Line. The proposed map change would apply to all properties zones S-B1 and S-B2 in the area bounded by St. Claude Avenue, the Industrial Canal, Florida Avenue and the Orleans Parish/St. Bernard Parish Line (Municipal Addresses: Multiple addresses across 30 squares in the Lower 9th Ward); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 34/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

ADOPTED.

33378 - 28748 M.C.S.

10. CAL. NO. 33,379 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to grant an amendment to Ordinance No. 25,090 MCS (Zoning Docket 098/12) 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 (Municipal Address of the school is 2401 Humanity Street, Municipal Address of the expansion site is 3425 West Saint Roch Avenue); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 27/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

ADOPTED.

33379 - 28749 M.C.S.

11. CAL. NO. 33,380 - BY: COUNCILMEMBER BROSSETT

Brief:

An Ordinance to establish a conditional use to permit a bar and live entertainment (secondary use) in an MU-1 Medium Intensity Mixed Use District, on Square 1706, Lots 17 and 18, in the Third Municipal District, bounded by Arts Street, Agriculture Street, Industry Street, and Painters Street (Municipal Address: 2825 Arts Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 38/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

ADOPTED.

33380 - 28750 M.C.S.

12. 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).

(Budget Committee recommended approval).

ADOPTED.

33381 - 28751 M.C.S.

13. 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).

(Budget Committee recommended approval).

ADOPTED.

33382 - 28752 M.C.S.

14. 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).

(Budget Committee recommended approval).

ADOPTED.

33383 - 28753 M.C.S.

15. 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).

(Budget Committee recommended approval).

ADOPTED.

33384 - 28754 M.C.S.16. CAL. NO. 33,394 - BY: COUNCILMEMBER GIARRUSSO**Brief:**

An Ordinance to grant an Affordable Housing Planned Development in a C-1 General Commercial District and an HU-RD2 Historic Urban Two-Family Residential District, on Square 450, Lots A-1, A-2, Y, Z, and Lot C or an undesignated lot, in the Seventh Municipal District, bounded by Colapissa Street, Earhart Boulevard, Leonidas Street, and Monroe Street (Municipal Addresses: 8612-8616 Colapissa Street, 8601 8635 Earhart Boulevard, 3018-3038 Leonidas Street and 3027-3031 Monroe Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 32/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

(Technical correction needed).

ADOPTED.

33394 - 28756 M.C.S.33394-28756 ac17. CAL. NO. 33,395 - BY: COUNCILMEMBER GIARRUSSO**Brief:**

An Ordinance to grant 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); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 33/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

ADOPTED.

33395 - 28757 M.C.S.18. CAL. NO. 33,396 - BY: COUNCILMEMBER GIARRUSSO**Brief:**

An Ordinance to establish a conditional use to permit a restaurant with the sale of alcoholic beverages in an S-LB1 Suburban Lake Area Neighborhood Business District and a CT Corridor Transformation Design Overlay District, on Square 15, Lots 27, 28, 29, and 30, in the Seventh Municipal District, bounded by West Harrison Avenue, 26th Street, Pontchartrain Boulevard, and Fleur de Lis Drive (Municipal Addresses: 201-207 West Harrison Avenue); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 39/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

ADOPTED.

33396 - 28758 M.C.S.19. CAL. NO. 33,397 - BY: COUNCILMEMBER GIARRUSSO**Brief:**

An Ordinance to establish a conditional use to permit a restaurant and micro-brewery over 5,000 square feet in floor area in an HU-MU Historic Urban Mixed-Use District, on an undesignated lot, on Square 534, in the Seventh Municipal District, bounded by Olive, Dante, and Cambronne Streets (Municipal Addresses: 8301-8343 Olive Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 42/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/15/21).

(Cn. Deadline 9/2/21).

ADOPTED.

33397 - 28759 M.C.S.20. 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).

(Budget Committee recommended approval).

ADOPTED.

33398 - 28760 M.C.S.21. 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).

(Budget Committee recommended approval).

ADOPTED.

33399 - 28761 M.C.S.

22. CAL. NO. 33,401 - BY: COUNCILMEMBER GIARRUSSO

Brief:

An Ordinance to establish a conditional use to permit a standard restaurant in an HU-B1 Historic Urban Neighborhood Business District located within the Magazine Street Use Restriction Overlay District, located on Square 29, Lots 6 and 7, in the Sixth Municipal District, bounded by Nashville Avenue, Magazine Street, Eleonore Street and Camp Street (Municipal Address: 802 Nashville Avenue); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 41/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/29/21).

(Cn. Deadline 9/16/21).

ADOPTED.

33401 - 28763 M.C.S.

23. CAL. NO. 33,402 – 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 funds awarded by the Department of Health and Human Services, Health Resources and Services Administration (HRSA) to the Health Department as carryover from the Healthcare for the Homeless Program 2020 COVID funding; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33402 - 28764 M.C.S.

24. CAL. NO. 33,403 – 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 funds awarded by the Department of Health and Human Services, Health Resources and Services Administration (HRSA) to the Health Department as carryover from the Healthcare for the Homeless Program 2020 COVID funding; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33403 - 28765 M.C.S.

25. CAL. NO. 33,404 – 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 funds awarded by the Department of Health and Human Services Office of the Secretary to the Health Department to support racial and ethnic communities and other vulnerable populations in New Orleans, and support evidence based community outreach strategies to enhance availability, accessibility and enrollment of COVID-19 vaccinations; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33404 - 28766 M.C.S.

26. CAL. NO. 33,405 – 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 funds awarded by the Department of Health and Human Services Office of the Secretary to the Health Department to support racial and ethnic communities and other vulnerable populations in New Orleans, and support evidence based community outreach strategies to enhance availability, accessibility and enrollment of COVID-19 vaccinations; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).
ADOPTED.

33405 - 28767 M.C.S.

27. CAL. NO. 33,406 – 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 awarded by the Flood Mitigation Assistance Program 2018 to the Mayor’s Office of Homeland Security to elevate historic structures in the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33406 - 28768 M.C.S.

28. CAL. NO. 33,407 – 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 awarded by the Flood Mitigation Assistance Program 2018 to the Mayor’s Office of Homeland Security to elevate historic structures in the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33407 - 28769 M.C.S.

29. CAL. NO. 33,408 – 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 awarded by the Flood Mitigation Assistance Program 2019 to the Mayor’s Office of Homeland Security towards physically elevating severe, repetitive structures throughout the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).
(Council Rule 34. Postponement Deadline 11/12/21).
(Budget Committee recommended approval).
ADOPTED.

33408 - 28770 M.C.S.

30. CAL. NO. 33,409 – 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 awarded by the Flood Mitigation Assistance Program 2019 to the Mayor’s Office of Homeland Security towards physically elevating severe, repetitive structures throughout the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Fiscal Note received).
(Council Rule 34. Postponement Deadline 11/12/21).
(Budget Committee recommended approval).
ADOPTED.

33409 - 28771 M.C.S.

31. CAL. NO. 33,410 – 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 National Wildlife Federation to the Department of Public Works to reimburse them for costs associated with the 2021 Christmas Tree Recycling Program efforts to restore and protect the Louisiana coastline; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.
(Fiscal Note received).
(Council Rule 34. Postponement Deadline 11/12/21).
(Budget Committee recommended approval).
ADOPTED,.

33410 - 28772 M.C.S.

32. CAL. NO. 33,411 – 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 National Wildlife Federation to the Department of Public Works to reimburse them for costs associated with the 2021 Christmas Tree Recycling

Program efforts to restore and protect the Louisiana coastline; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33411 - 28773 M.C.S.

33. CAL. NO. 33,414 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to grant an amendment to Ordinance No. 20,106 MCS (Zoning Docket 005/01) to amend Proviso No. 1 to allow 2336 Saint Charles Avenue to be used as a child care center, in an HU-RM1 Historic Urban Multi-Family Residential District and an HU-RD2 Historic Urban Two-Family Residential District, as well as the Saint Charles Avenue Use Restriction Overlay District and a CPC Character Preservation Corridor Design Overlay District. The petitioned property is located on Square 212, Lot B-2, in the Fourth Municipal District, bounded by Saint Charles Avenue, Prytania Street, First Street, and Philip Street (Municipal Addresses: 2328-2344 Saint Charles Avenue, 2303-2355 Prytania Street and 1528-1540 Philip Street); and otherwise to provide with respect thereto. (ZONING DOCKET NO. 43/21)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 9/29/21).

(Cn. Deadline 9/16/21).

ADOPTED.

33414 - 28774 M.C.S.

34. CAL. NO. 33,415 - 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 appropriate funds to the Department of Property Management; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Fiscal Note received).

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

(Budget Committee recommended approval).

ADOPTED.

33415 - 28775 M.C.S.

35. MOTION (LYING OVER) - 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).

(Referred to the Criminal Justice Committee).

(Criminal Justice Committee recommended approval).

(Technical correction needed).

ADOPTED.

M-21-276 (Lying Over)

M-21-276 LO Ac

36. MOTION NO. M-21-281 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

Ratifying, confirming and approving the appointment of Alexa Peterson-Burge, nominee of the District C councilmember, as a member of the Crisis Intervention Strategy Task Force, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-281

37. MOTION NO. M-21-282 - BY: COUNCILMEMBER NGUYEN

Brief:

Ratifying, confirming and approving the appointment of Carolyn Schexnayder, nominee of the District E councilmember, as a member of the Crisis Intervention Strategy Task Force, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).
(Council Rule 34. Postponement: 12/3/21).
ADOPTED.

M-21-282

38. MOTION NO. M-21-283 - BY: COUNCILMEMBER MORENO

Brief:

Ratifying, confirming and approving the appointment of Danielle Metz, nominee of the Council President, as a member of the Crisis Intervention Strategy Task Force, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).
(Council Rule 34. Postponement: 12/3/21).
ADOPTED.

M-21-283

39. MOTION NO. M-21-284 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Ratifying, confirming and approving the appointment of Dr. Deidre Hayes, nominee of the District A councilmember, as a member of the Crisis Intervention Strategy Task Force, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).
(Council Rule 34. Postponement: 12/3/21).
ADOPTED.

M-21-284

40. MOTION NO. M-21-285 - BY: COUNCILMEMBER GLAPION

Brief:

Ratifying, confirming and approving the reappointment of Diedre Pierce Kelly, to fulfill an unexpired term, as a member of the Alcoholic Beverage Control Board, for a term ending on June 30, 2022, effective upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).
(Council Rule 34. Postponement: 12/3/21).
ADOPTED.

M-21-285

41. MOTION NO. M-21-286 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST).

Brief:

Ratifying, confirming and approving the appointment of Dr. Jennifer Avegno, as a member of the Crisis Intervention Strategy Task Force, serving as a member of the New Orleans Health Department, for a term ending on June 30, 2022, effective upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-286

42. MOTION NO. M-21-287 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST).

Brief:

Ratifying, confirming and approving the appointment of Dr. Emily Nichols, as a member of the Crisis Intervention Strategy Task Force, serving as a member from the New Orleans Emergency Medical Services, for a term ending on June 30, 2022, effective upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-287

43. MOTION NO. M-21-288 - BY: COUNCILMEMBER NGUYEN

Brief:

Ratifying, confirming and approving the reappointment of Hunter Thomas, as a member of the Finance Authority of New Orleans, effective upon approval by the Council of the City of New Orleans, for a term ending on May 3, 2024.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-288

44. MOTION NO. M-21-289 - BY: COUNCILMEMBER BROSSETT

Brief:

Ratifying, confirming and approving the appointment of Kathleen Whalen, nominee of the District D councilmember, as a member of the Crisis Intervention Strategy Task Force, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-289

45. MOTION NO. M-21-290 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the appointment of Lt. Anthony P. Monaco Jr., as a member of the Crisis Intervention Strategy Task Force, serving as a member of the New Orleans Police Department, for a term ending on June 30, 2022, effective upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-290

46. MOTION NO. M-21-291 - BY: COUNCILMEMBER NGUYEN

Brief:

Ratifying, confirming and approving the reappointment of Robert Jones IV, fulfilling his previously unexpired term, as a member of the Alcoholic Beverage Control Board, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-291

47. MOTION NO. M-21-292 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the Mayor's appointment of Shelbi Flynn, as a member of the Crisis Intervention Strategy Task Force, for a term ending on June 30, 2022, effective

upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-292

48. MOTION NO. M-21-293 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the appointment of Tonchelle Ward, as a member of the Crisis Intervention Strategy Task Force, serving as a member of the New Orleans Fire Department, for a term ending on June 30, 2022, effective upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-293

49. MOTION NO. M-21-294 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

Ratifying, confirming and approving the appointment of Tyrell Morris, as a member of the Crisis Intervention Strategy Task Force, serving as a member from the Orleans Parish Communications District, for a term ending on June 30, 2022, effective upon approval by the Council of the City of New Orleans.

Annotation:

ELECTRONICALLY SUBMITTED.

(Questionnaire received. Governmental Affairs Committee recommended approval).

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

M-21-294

50. RESOLUTION - NO. R-21-295 - BY: COUNCILMEMBER MORENO

Brief:

REVISED APPLICATION OF ENTERGY NEW ORLEANS, LLC FOR A CHANGE IN ELECTRIC AND GAS RATES PURSUANT TO COUNCIL RESOLUTIONS R-15-194 AND R-17-504

RESOLUTION AND ORDER GRANTING ENTERGY NEW ORLEANS, LLC'S MOTION

TO EXTEND THE DEADLINE FOR THE 2021 FORMULA RATE FILING

DOCKET NO. UD-18-07

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

R-21-295

51. RESOLUTION - NO. R-21-296 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

RESOLUTION AND ORDER ESTABLISHING A DOCKET AND PROCEDURAL SCHEDULE WITH RESPECT TO THE APPLICATION OF ENTERGY NEW ORLEANS, LLC FOR CERTIFICATION OF COSTS RELATED TO HURRICANE ZETA

DOCKET UD-21-02

Annotation:

ELECTRONICALLY SUBMITTED.

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

(Council Rule 34. Postponement: 12/3/21).

ADOPTED.

R-21-296

52. MOTION - NO. M-21-298 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving the Amendments to the Classified Pay Plan (CAO/ITI), New Classifications: GIS Server Administrator (Exempt) and Principal Applications Developer (Exempt) as adopted by the Civil Service Commission at its meeting of June 21, 2021, in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective on June 27, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

(Budget Committee recommended approval).

ADOPTED.

M-21-298

53. MOTION - NO. M-21-299 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving the Amendments to the Classified Pay Plan (Health), Health Project and Planning

Hiring Rates: (Analyst, Senior Analyst, Specialist, Manager, Administrator, Worker and Senior Worker, as adopted by the Civil Service Commission at its meeting of June 21, 2021, in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective on June 27, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

(Budget Committee recommended approval).

ADOPTED.

M-21-299

54. MOTION - NO. M-21-300 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving the Amendment to the Classified Pay Plan (Office of the Independent Police Monitor), New Classification: Community Police Review Specialist (Exempt) as adopted by the Civil Service Commission at its meeting of June 21, 2021, in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective on June 27, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

(Budget Committee recommended approval).

ADOPTED.

M-21-300

55. MOTION - NO. M-21-301 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving the Amendment to the Classified Pay Plan (Office of Inspector General), New Classification: Inspector and Evaluator Senior Associate (Exempt) as adopted by the Civil Service Commission at its meeting of June 21, 2021 in accordance with Article X, Section 10 of the Constitution of Louisiana, to be effective on June 27, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

(Budget Committee recommended approval).

ADOPTED.

M-21-301

56. MOTION - NO. M-21-302 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving the Amendment to Civil Service Rules (Shift Differential) (Rule IV, Section 1.6) in

accordance with Article X, Section 10 of the Constitution of Louisiana as adopted by the Civil Service Commission at its meeting of June 21, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

(Budget Committee recommended approval).

ADOPTED.

M-21-302

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

MOVED BY: Nguyen

SECONDED BY: Glapion

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

B. AND THE CONSENT AGENDA WAS ADOPTED.

SPEAKER(S):

George Mahde (Did not speak on item #33,398/33,399)

REGULAR AGENDA

8. 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 9/2/21.

32930

9. LEGISLATIVE GROUPING

9a. 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 9/2/21.

33018**SPEAKER(S):**

George Mahde (DNS cont'd 9/2/21)

9b. 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 9/2/21.

33018 Amendment

10. 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 8/19/21.

33147

11. 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 9/2/21.

33183

15. 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 8/19/21.

33331

16. 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 8/19/21.

33332

17. 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 8/19/21.

33349

18. LEGISLATIVE GROUPING

18a. 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 8/19/21.

33351

SPEAKER(S):

Kaleh Wilson (Did not speak cont'd to 8/19/21)

18b. 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 8/19/21.

33351 Amendment

19. 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 8/19/21.

33355

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

Brief:

An Ordinance to 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 8/19/21.

33373

21. CAL. NO. 33,387 - BY: COUNCILMEMBER NGUYEN (BY REQUEST)

Brief:

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

Annotation:

ELECTRONICALLY SUBMITTED.

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

33387 - 28755 M.C.S.

MOVED BY: Nguyen

SECONDED BY: Banks

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

22. 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 8/19/21.

33393

23. CAL. NO. 33,400 - BY: COUNCILMEMBER NGUYEN**Brief:**

An Ordinance to amend and reordain Section 42-123 of the Code of the City of New Orleans to bring the maximum allowable compensation for employees assisting in the operation of certain licensed charitable games of chance into conformity with state law; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

33400 - 28762 M.C.S.

MOVED BY: Nguyen

SECONDED BY: Brossett

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

24. CAL. NO. 33,412 – 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 Ethics Review Board Personal Services to the Other Operating to cover credit card expenses; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

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

CONTINUED TO THE MEETING OF 8/19/21.

33412

25. 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 8/19/21.

M-21-121 (Lying Over)

27. MOTION NO. M-21-280 - BY: COUNCILMEMBER BANKS

Brief:

Ratifying, confirming and approving the appointment of Sade Dumas, nominee of the District B councilmember, as a member of the Crisis Intervention Strategy Task Force, effective upon approval by the Council of the City of New Orleans, for a term ending on June 30, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

Consideration of this item subject to a suspension of Council Rule 15.

(Questionnaire received).

M-21-280

MOVED BY: Banks

SECONDED BY: Moreno

ACTION:

ACTION: Suspend the Rules to add the Questionnaire to this legislative item.

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

MOVED BY: Banks

SECONDED BY: Giarrusso

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.28. MOTION - NO. M-21-297 - BY: COUNCILMEMBER MORENO**Brief:**

Requesting and authorizing the President of the Council to sign an amendment to the professional services agreement between the City of New Orleans and AH Datalytics, LLC (the assignee of Jeff Asher Consulting, LLC) extending the term of the agreement for one year and authorizing up to seventy-five thousand dollars (\$75,000) in compensation during the renewal term, and containing such other provisions as may be necessary or desirable to accomplish the purposes of this Motion.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

CONTINUED TO THE MEETING OF 8/19/21.

M-21-29729. RESOLUTION - NO. R-21-303 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)**Brief:**

A RESOLUTION authorizing and approving the issuance of not exceeding \$6,500,000 of City of New Orleans Downtown Development District Limited Tax Bonds to be issued by the Board of Liquidation, City Debt.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

CONTINUED TO THE MEETING OF 8/19/21 AND REFERRED TO THE BUDGET COMMITTEE.

R-21-30330. MOTION - NO. M-21-304 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN**Brief:**

Requesting and authorizing the President of the Council to sign a cooperative endeavor agreement with the Orleans Parish Sheriff's Office for the provision of security services for the City Council, for the period of January 1, 2021 through December 31, 2021, for a maximum compensation amount not to exceed \$46,399.63 per month or \$556,795.56 for twelve (12) months.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

WITHDRAWN.

M-21-30431. MOTION - NO. M-21-305 - BY: COUNCILMEMBER MORENO

Brief:

Requesting and authorizing the President of the Council to sign an amendment to the Agreement dated April 15, 2020 (City Contract No. K20-299) between the City of New Orleans, through its City Council, and Granicus, Inc. extending the term of the Agreement for a period of one year, and (i) providing any other provisions deemed necessary or advisable to comply with law and to effectuate the intent of this motion.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

CONTINUED TO THE MEETING OF 8/19/21.

M-21-305**32. MOTION - NO. M-21-306 - BY: COUNCILMEMBERS MORENO AND GLAPION****Brief:**

Authorizing the creation of a special committee as a Committee of the Whole pursuant to Rule 2 to discuss issues related to reapportionment. The foregoing shall be known as the Election and Reapportionment Committee, pursuant to Rule 37 of the Rules and Regulations of the Council. The membership of the Election and Reapportionment Committee shall be comprised of the whole City Council, being:

- * Councilmember Moreno – At-Large
- * Councilmember Glapion – At-Large
- * Councilmember Giarrusso – Council District A
- * Councilmember Banks – Council District B
- * Councilmember Giselson Palmer – Council District C
- * Councilmember Brossett – Council District D
- * Councilmember Nguyen – Council District E

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

M-21-306

MOVED BY: Moreno

SECONDED BY: Glapion

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

33. RESOLUTION - NO. R-21-307 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, BROSSETT, BANKS AND GLAPION

Brief:

The Council is requesting that the City Attorney request a settlement/status conference with the Court (or, if appropriate, with a private mediator) to discuss the possibility of exploring an alternative option(s) than those previously litigated in the OPSO Consent Decree Litigation and that option(s) is pursued in quickly and in good faith, coupled with reduction in the 1,250 population cap applicable to the entire OJC complex.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

R-21-307

MOVED BY: Giarrusso

SECONDED BY: Banks

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

34. RESOLUTION - NO. R-21-308 - BY: COUNCILMEMBER BANKS

Brief:

A RESOLUTION IN SUPPORT OF AN APPLICATION TO THE STATE OF LOUISIANA FOR THE CREATION OF THE "THE SOUTH BROAD STREET CULTURAL DISTRICT".

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

R-21-308

MOVED BY: Banks

SECONDED BY: Brossett

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

SPEAKER(S):

Kimberly Holland (Did not speak)

35. RESOLUTION - NO. R-21-309 - BY: COUNCILMEMBERS GISLESON PALMER, GIARRUSSO AND BANKS

Brief:

Stating that the City of New Orleans shall initiate or continue with due speed its efforts to create quiet zones in neighborhoods along the Mississippi River, from Audubon in District A to Bywater in District C, that are adjacent to the Public Belt; and the City will dedicate the public resources necessary to establish these quiet zones, and is expected to work with residents, businesses, and institutions who may wish to leverage private resources; and the City must provide the City Council Transportation Committee a report with its progress to date on creating the aforementioned quiet zones by September 1, 2021, including any challenges or delays thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

R-21-309

MOVED BY: Gisleson Palmer

SECONDED BY: Nguyen

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

1. 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 8/19/21.

ZD NO. 26-21

2. 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 8/19/21.

ZD NO. 30-213. LEGISLATIVE GROUPING3a. 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).

ON DEADLINE.

HEARING HELD.

ZD NO. 40-213b. 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 correction needed).

M-21-248 (Lying Over)M-21-248 AmendmentM-21-248 LO Ac Am**MOVED BY:** Giarrusso**SECONDED BY:** Moreno**ACTION:** Amendment**YEAS:****Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Moreno, Nguyen - 7**

NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

MOVED BY: Giarrusso
SECONDED BY: Brossett
ACTION: As Amended

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

47. PERSONAL PRIVILEGE

4. 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 8/19/21.

ZD NO. 47-21

5. ZONING DOCKET NO. 48/21 – CITY COUNCIL MOTION M-21-122

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to amend the Permitted and Conditional Use Table in Article 12, Table 12-1, to provide that the commercial use of “grocery store” in the HU-MU Historic Urban Neighborhood Mixed-Use District above 10,000 square feet can be granted via conditional use (“C”); and to amend Section 12.2.B.1 Commercial Use Floor Area Limitation, to revise the correlating prohibitions therein. The proposed text amendment would affect properties located citywide in the HU-MU Historic Urban Neighborhood Mixed-Use District. The recommendation of the City Planning Commission being “FOR MODIFIED APPROVAL”.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Districts, Cms. All, Cn. Deadline 9/13/21).
CONTINUED TO THE MEETING OF 8/19/21.

ZD NO. 48-21

6. ZONING DOCKET NO. 51/21 – JOSEPHINE PROPCO, LLC

Brief:

Requesting a Planned Development to allow the adaptive reuse and expansion of an existing structure to contain a health club, bar, and live entertainment (secondary use) with a combined floor area over 10,000 square feet in an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 107, Lots A, U, and 75, bounded by Josephine Street, Rousseau Street, Tchoupitoulas Street and Jackson Avenue in the Second Municipal District (Municipal Addresses: 460-462 Josephine Street and 2120 Rousseau Street). The recommendation of the City Planning Commission being “FOR APPROVAL”, subject to two (2) exceptions and eighteen (18) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.
(District B, Cm. Banks, Cn. Deadline 9/13/21).
CONTINUED TO THE MEETING OF 8/19/21.

ZD NO. 51-21

7. 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 8/19/21.

DR 24-21

36. MOTION TO SUSPEND THE RULES TO INTRODUCE ORDINANCES ON FIRST READING.

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

AND THE MOTION PASSED.**37. ORDINANCES ON FIRST READING****CALENDAR NUMBERS 33,416 THRU 33,422.****INTRODUCED AND LAID OVER AS REQUIRED BY LAW.****37a. CAL. NO. 33,416 - BY: COUNCILMEMBERS GIARRUSSO, MORENO, BANKS, NGUYEN, BROSETT, GISLESON PALMER AND GLAPION****Brief:**

An Ordinance to amend and reordain Article 4 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 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; and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 46/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 10/13/21).

(Cn. Deadline 10/7/21).

33416

37b. CAL. NO. 33,417 - BY: COUNCILMEMBER NGUYEN**Brief:**

An Ordinance to amend and reordain Articles 13 and 20 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 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 (Municipal Addresses: all districts – citywide); and otherwise to provide with respect thereto. **(ZONING DOCKET NO. 45/21)**

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 10/13/21).

(Cn. Deadline 10/7/21).

33417

37c. CAL. NO. 33,418 - BY: COUNCILMEMBER BANKS**Brief:**

An Ordinance to amend and reordain Section 154-1561 of the Code of the City of New Orleans, relative to designated truck routes, to remove Felicity Street, between St. Charles Avenue and S. Claiborne Avenue as a truck route, and to add Martin Luther King Jr Blvd, between St. Charles Avenue and S. Claiborne Avenue as a truck route; and to otherwise

provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

33418

37d. CAL. NO. 33,419 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to authorize New Orleans Building Corporation ("NOBC") to execute and deliver the Lease Agreement, substantially in accordance with the document attached hereto as Exhibit "A" (the "UPT/US90 Parking Lease"), pursuant to which NOBC will lease the following surface parking lots located in New Orleans, Louisiana to Premium Parking Services, L.L.C., ("Lessee") for Lessee's operation of the surface parking lots: lot P250 located at 1001 Loyola Avenue, lot P251 located at 2000 Loyola Avenue, lot P252 located at 1100 Oretha Castle Haley Boulevard, lot P253 located at 1074 Baronne Street, lot P254 located at 1100 Carondelet Street, and lot P255 located at 1001 Loyola Avenue (the "Premises"); and to otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

33419

37e. CAL. NO. 33,420 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to authorize New Orleans Building Corporation ("NOBC") to execute and deliver the Lease Agreement, substantially in accordance with the document attached hereto as Exhibit "A" (the "Piazza Parking Lease"), pursuant to which NOBC will lease the surface parking lots numbered P151 and P152 located at or near the Piazza D'Italia in New Orleans, Louisiana, as more particularly described in the Lease (the "Premises"), to Premium Parking Services, L.L.C., ("Lessee"), for Lessee's operation of the surface parking lots; and to otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

33420

37f. CAL. NO. 33,421 - BY: COUNCILMEMBER MORENO (BY REQUEST)

Brief:

An Ordinance to approve the Second Amendment to Lease attached hereto as Exhibit "A" (the "Second Amendment to Lease"), and to ratify the New Orleans Building Corporation's ("NOBC") execution and delivery thereof, which Second Amendment to Lease amends the Lease (as defined below), pursuant to which NOBC (as successor-by-merger to Canal Street Development Corporation) leases the property located at 841 Iberville Street, New Orleans,

Louisiana 70112, as more particularly described in the Lease (the “Premises”), to Chifci Enterprises, Inc., (“Tenant”), to operate a restaurant and related amenities, and other uses as more particularly described in the Lease; and to otherwise provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

33421

37g. **CAL. NO. 33,422 - BY: COUNCILMEMBERS BANKS AND GISLESON PALMER**

Brief:

An Ordinance to ordain Section 66-210 of the Code of the City of New Orleans to impose certain limitations regarding loudspeakers and amplified noise; and otherwise to provide with respect

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 12/3/21).

33422

12a. CAL. NO. 33,328 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION AND GISLESON PALMER

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).

This item will be considered at 11:30 a.m.

33328 - 28743 M.C.S.

SPEAKER(S): for 33,328, 33,329 & 33,330 combined.

Sarah Whittington, Jonathan Brown, Jacob Irving, George Mahdi, Chad Sanders, Gary Chambers, Jason Williams, DA (written statement read), Captain Black (written as Consent Comm. Item #5), Kevin Caldwell, Stephanie Nelson, Adrian Rocha

12b. AMENDMENT NO. 1 - TO ORDINANCE NO. 33,328 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 3, line 29, insert the words “and by operation of law” following “upon”.

2)On page 4, beginning at line 31, replace subsection c) in its entirety with the following:

“c) Any summons issued solely for a crime pardoned under subsection (b) shall be deemed revoked and automatically void without need for any court appearance by the accused. Upon the issuance of a summons for a crime pardoned under subsection (b), no additional police action shall be required relative to the marijuana charge pardoned hereunder.”

3)On page 4, after line 33, insert the following:

“d) A pardon under subsection (b) shall not preclude a police officer from taking all customary incidental investigatory actions that would otherwise be available to an officer with a reasonable suspicion or probable cause to believe that a crime of marijuana possession has occurred or from charging an individual with any other crime for which probable cause exists.”

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

33328 Amendment No. 1

MOVED BY: Moreno
SECONDED BY: Giarrusso
ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

12c. AMENDMENT NO. 2 - TO ORDINANCE NO. 33,328 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 3, line 19, insert the following after the word “pardon.”:

“The Mayor’s pardon power under this Section may be exercised without regard to whether a petition or request for a pardon has been made.”

2)On page 3, line 22, insert the following after the word “ordinance.”:

“The Council’s pardon power under this Section may be exercised without regard to whether a petition or request for a pardon has been made.”

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

33328 Amendment No. 2

MOVED BY: Moreno

SECONDED BY: Gisleson Palmer

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

12d. AMENDMENT NO.3 - TO ORDINANCE NO. 33,328 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 4, following line 33, insert the following:

“SECTION 2. The provisions of this ordinance shall become effective on September 15, 2021.”

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34.Postponement: 12/3/21).

33328 Amendment No. 3

MOVED BY: Moreno

SECONDED BY: Giarrusso

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

12a. CAL. NO. 33,328 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION AND GISLESON PALMER

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).

This item will be considered at 11:30 a.m.

33328 - 28743 M.C.S.

33328rev-28743 As Am

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

- 13a. CAL. NO. 33,329 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION AND GISLESON PALMER

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).
 This item will be considered at 11:30 a.m.

33329 - 28744 M.C.S.

- 13b. AMENDMENT NO. 1 - TO ORDINANCE NO. 33,329 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 2, line 15, insert the following after the word “summons.”: “Nothing herein shall require the police officer issuing a municipal summons to seize or take possession of any product or object being smoked in violation of this Article.”

Annotation:

ELECTRONICALLY SUBMITTED.
 (Council Rule 34. Postponement: 12/3/21).

33329 Amendment

MOVED BY: Moreno
SECONDED BY: Brossett
ACTION: Adopt
YEAS:
Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Moreno, Nguyen - 7

NAYS: 0
ABSTAIN: 0
ABSENT: 0
RECUSED: 0
AND THE MOTION PASSED.

13c. AMENDMENT NO. 2 - TO ORDINANCE NO. 33,329 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 2, following line 20, insert the following: "SECTION 2. The provisions of this ordinance shall become effective on September 15, 2021."

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

33329 Amendment No. 2

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

13a. CAL. NO. 33,329 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION AND GISLESON PALMER

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).

This item will be considered at 11:30 a.m.

33329

33329-28744 As Am

MOVED BY: Moreno

SECONDED BY: Gisleson Palmer

ACTION: As Amended

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

- 14a. CAL. NO. 33,330 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION AND GISLESON PALMER

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 police 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).

This item will be considered at 11:30 a.m.

33330 - 28745 M.C.S.

- 14b. AMENDMENT NO. 1 TO ORDINANCE NO. 33,330 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 2, line 23, replace the word “prescription” with the word “recommendation”. 2)On page 3, delete lines 37-42 and insert the following in lieu thereof: For the purposes of this Article and notwithstanding anything in La. R.S. 40:1021 to the contrary, drug paraphernalia shall not include any device or equipment used exclusively, intended for use exclusively, or designed exclusively for personal use of marijuana.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34.Postponement: 12/3/21).

MOVED BY: Moreno

SECONDED BY: Gisleson Palmer

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0
AND THE MOTION PASSED.

33330 Amendment No. 1

14c. AMENDMENT No. 2 - TO ORDINANCE NO. 33,330 - BY: COUNCILMEMBER MORENO

Brief:

1)On page 3, following line 42, insert the following: "SECTION 2. The provisions of this ordinance shall become effective on September 15, 2021."

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 12/3/21).

MOVED BY: Moreno
SECONDED BY: Giarrusso
ACTION: Amendment
YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

33330 Amendment No. 2

14a. CAL. NO. 33,330 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION AND GISLESON PALMER

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 police 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).

This item will be considered at 11:30 a.m.

33330 - 28745 M.C.S.

33330-28745 As Am

MOVED BY: Moreno

SECONDED BY: Gisleson Palmer

ACTION: As Amended

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

26. MOTION (LYING OVER) - NO. M-21-173 - BY: COUNCILMEMBERS MORENO, BANKS, NGUYEN, GLAPION, GISLESON PALMER AND BROSSETT

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).

This item will be considered at 11:30 a.m.

M-21-173 (Lying Over)

MOVED BY: Moreno

SECONDED BY: Gisleson Palmer

ACTION: Adopt

YEAS:

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION PASSED.

38. MOTION FOR ADJOURNMENT: @ 12:15 p.m.

MOVED BY: Brossett

SECONDED BY: Gisleson Palmer

ACTION: Adopt

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

NAYS: 0

ABSTAIN: 0

ABSENT: Banks - 1

RECUSED: 0

AND THE MOTION PASSED.