

40<sup>th</sup> JUDICIAL DISTRICT COURT  
PARISH OF ST. JOHN THE BAPTIST  
STATE OF LOUISIANA

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The Descendants Project, Jocyntia Banner,  
and Joyceia Banner,

Civil Action:

*Plaintiffs,*

v.

Division

St. John the Baptist Parish, through its Chief  
Executive Officer, Parish President Jaclyn  
Hotard; St. John The Baptist Parish Council;  
St. John the Baptist Parish Planning  
Commission; St. John the Baptist Parish  
Department of Planning and Zoning, through  
its Director, Rene Pastorek,

*Defendants.*

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Filed: \_\_\_\_\_

Deputy Clerk: \_\_\_\_\_

**PETITION FOR A WRIT OF MANDAMUS**

NOW INTO COURT, through undersigned counsel, come petitioners, The  
DESCENDANTS PROJECT, Jo Banner, and Joy Banner, requesting this Court declare a  
rezoning ordinance to be an absolute nullity and order ST. JOHN THE BAPTIST PARISH to  
immediately remove the unlawful designation from all Parish zoning maps and documents.

**INTRODUCTION**

The rezoning of the tract of land at issue here for heavy industrial use was done in 1990  
as part of an illegal scheme that involved extortion, money-laundering, and threats of legal action  
against neighboring residents to discourage their resistance to selling their property, for which  
the former Parish President was convicted in 1996 by a federal jury and sentenced to nearly five  
years' imprisonment.

The corrupted deal fell apart two years after the rezoning ordinance was passed and the  
land has since been used for agricultural purposes, but the ordinance remained on the books.  
Now, a new heavy industrial facility is seeking to make use of the decades-old illegal rezoning,  
posing an imminent threat to the health, safety, general welfare, culture, property, and due  
process rights of the residents of Wallace, as well as to potential burial sites of people once  
enslaved there, two national historic landmarks, and even Lac des Allemands.

**NATURE OF THE ACTION**

1. This is a mandamus proceeding, which may be issued “in all cases where the law provides no relief by ordinary means or where the delay involved in obtaining ordinary relief may cause injustice.” La. C.C.P. art. 3862.

2. As a juridical act, an ordinance is an absolute nullity if it derogates from laws enacted for the protection of the public interest. La. Civ. Code art. 7. A claim that an act or obligation is an absolute nullity never prescribes and may be brought by anyone. La. Civ. Code arts. 2030, 2032.

3. The mandamus proceeding is the appropriate vehicle to enforce compliance by a local government with its own ordinances. *Folsom Rd. Civic Ass'n v. Par. of St. Tammany Through St. Tammany Par. Council*, 425 So.2d 1318, 1320 (La. App. 1 Cir. 1983).

4. Pursuant to La. C.C.P. Art. 2592(6), mandamus is adjudicated as a summary proceeding and as such must be “conducted with rapidity, within the delays allowed by court, and without citation and the observance of all the formalities required in ordinary proceedings.” La. C.C.P. Art. 2591. The summary proceeding shall be tried by preference over ordinary proceedings. La. C.C.P. Art. 2595.

#### **PARTIES**

5. Petitioner, the DESCENDANTS PROJECT, is an organization based in Wallace, Louisiana, committed to the intergenerational healing and flourishing of the Black descendant community in the Louisiana river parishes. Two of the co-founders, Jo and Joy Banner, grew up and reside in Wallace and own a small business, work, [and attend church?] in the area immediately adjacent to the tract of land that has been improperly and illegally zoned for heavy industrial use.

6. Petitioner Jocyntia (“Jo”) Banner is a resident of Wallace and owns and operates the Fee-Fo-Lay cafe which sells goods made from ancestral family recipes and presents the Afro-Creole history of the region through the lens of their own family oral histories. Her residence and cafe are located next to the tract of land at issue here that was re-zoned in the 1990s. She and her sister Joy Banner were children at the time the land was rezoned and witnessed a key actor in the conspiracy working to assist the company with the buyout of their family’s property.

7. Petitioner Joyceia (“Joy”) Banner is a resident of Wallace who also lives and works next to the tract of land at issue here. Along with her sister, Jo, Joy Banner also witnessed

a key actor in the conspiracy to rezone the land in 1990 working to assist the company with buying her family's property to make way for the industrial development.

8. Defendant ST. JOHN THE BAPTIST PARISH ("the Parish") is a political subdivision of the State of Louisiana and a governmental entity capable of suing and being sued.

9. Jaclyn Hotard is President of the Parish and as such is chief executive officer of the Parish responsible for carrying out the policies adopted by the parish council and for the administration, direction, and supervision of all parish departments, officers, agencies, and special districts, and for seeing that all laws, provisions of the Parish's Charter and acts of the council subject to enforcement by her, or officers subject to her direction or supervision, are faithfully executed.

10. Defendant ST. JOHN THE BAPTIST PARISH COUNCIL ("the Parish Council") is a duly elected body and governing authority of the Parish. The Parish Council is vested with the authority to exercise all legislative power, including the enactment of zoning ordinances, and to conduct investigation of parish affairs and inquiries into the conduct of any department, office, agency, or special district of the parish, and is capable of suing and being sued.

11. The St. John the Baptist Parish Planning Commission exercises powers authorized by state law for planning and zoning commissions.

12. Rene Pastorek is director of the Department of Planning and Zoning in the Parish and as such oversees the day-to-day administration of the Parish's zoning and land use regulations.

### **JURISDICTION AND VENUE**

13. This Court has broad subject-matter jurisdiction over all civil matters pursuant to La. Const. Art. 5, Sec. 16, and under La. Code of Civ. Proc. Art. 2 to adjudicate matters arising under the Louisiana Constitution of 1974, including in particular Art. I, §§ 2 (due process), 3 (individual dignity), 4 (property), and Art. XII, Sec. 4, governing preservation of cultural origins, as well as Louisiana's laws governing zoning, land use, unmarked burials, and absolute nullities.

14. Venue is proper in this Court under La. Code of Civ. Proc. Art. 42 because Defendants are domiciled here.

### **FACTS**

#### **I. Ordinance 90-27 Was the Product of an Illegal Extortion and Money-Laundering Scheme.**

15. On April 25, 1996, a federal jury convicted Lester Millet Jr. of extortion, money-laundering, and violation of the Travel Act for acts he committed while he was President of St. John the Baptist Parish in connection with the attempts by Formosa, a Taiwanese corporation, to locate a heavy industrial facility in Wallace. *See Minutes of Jury Verdict, April 25, 1996, United States v. Millet, 2:95-cr-00187, United States District Court, Eastern District of Louisiana, annexed hereto as Exhibit A; United States v. Millet, 123 F.3d 268 (5th Cir.1997), annexed hereto as Exhibit B.*

16. Millet was sentenced to 57 months imprisonment. *United States v. Millet, 123 F.3d at 268.*

17. Millet had been charged with and convicted of violations of 18 U.S.C. §§2, 1951 (extortion), 1952 (the Travel Act), and 1956 (money laundering), “resulting from the misuse of his official position as Parish President of the St. John the Baptist Parish.” *Id.*

18. In upholding his conviction, the panel of the United States Fifth Circuit Court of Appeals recounted key facts from the trial record that led to the jury’s verdict.

19. The facts cited by the Court of Appeal pertained to Millet’s efforts to assist Formosa in locating a rayon pulp facility on the large tract of land in Wallace at issue here (hereinafter “the Wallace tract”) and profit off of the siting of the facility through a backroom deal with a friend, and further abusing his authority as Parish President “to push through the needed rezoning” and issue “threats” of legal action against neighboring property owners to get them to convey their land to Formosa. *Id.*

20. Specifically, the federal Court of Appeals recounted that:

...[M]illet engaged his friend Durel Matherne, a licenced [*sic*] real estate broker who was not actively engaged in a commercial real estate business, in a scheme in which Millet would arrange for Matherne to become the exclusive broker for the sale of the Whitney. In exchange for Millet's influence as President of St. John the Baptist Parish to secure his contract to broker the property, Matherne was expected to share with Millet the sizeable (\$479,000) commission he earned from the sale of the Whitney.

Millet, identifying himself as a high ranking public official, then met with Walter Barnes and informed him that the Whitney Plantation could be sold to Formosa for the rayon pulp facility and insisted that Matherne be the broker for the sale. Barnes agreed to the arrangement. ***Millet then promised Formosa that if it purchased the Whitney Plantation for the rayon facility, he would use his authority to push through the needed rezoning and would ensure Formosa obtained the necessary deep water access for the facility. Millet planned to do this by “convincing”, through threats of expropriation if necessary, owners of property adjacent to the***

**Whitney (Wallace tracts) to convey their property to Formosa.** He also promised Formosa to assist in obtaining the necessary EPA permits.

[...]

In April, 1990, the sale of the Whitney to Formosa was completed and Millet immediately demanded a \$200,000 share of the \$479,000 commission from Matherne. To effect this transfer, Millet bought an undeveloped piece of real estate (Highway 51 Property) for \$200,000 and, against the advice of Matherne's attorney and within two weeks conveyed one-half of it to Matherne for \$200,000.

In September, 1990, Matherne submitted a proposal for a contract to provide wood chips to the proposed Formosa facility. On learning of Matherne's proposal, Millet made it clear to Matherne that, even though he (Millet) had no capital to invest in the wood chip venture, he would participate with Matherne on a 50–50 basis. ***Millet intended to contribute by using his official position to secure the lucrative contract for himself and Matherne.*** Millet further made it clear that if he was not allowed to participate, he would use his position to spoil the deal for Matherne.

*Id* at 270. (emphasis added).

21. On April 19, 1990, the same month that Formosa completed the purchase of the land, Millet made good on his promise to “push through the needed rezoning” when the St. John the Baptist Parish Council voted to rezone the Wallace tract, which included the Whitney Plantation and adjacent properties, when it passed Ordinance 90-27, annexed hereto as Exhibit C.

22. A large portion of the property was designated for heavy industrial use, or I-3 zoning, but Ordinance 90-27 also contained an amendment to the proposed zoning map for the property which required that “where ever [*sic*] an I-3 zone abuts a R-1 zone there shall be an I-1 buffer 300 feet within the I-3 zone separating the I-3 from R-1.” Exhibit C.

23. According to Sec. 113-364 of the Parish Code, I-1 industrial districts are intended to “provide for the location and grouping of uses to a type designed for light manufacturing, processing, storage and warehousing, wholesaling and distribution.”

24. The insertion of the 300-foot buffer requirement was a dramatic departure from a much larger distance requirement that was supposed to apply to I-3/heavy industrial zones – 2,000 feet from residential dwellings with a density of 1 dwelling per acre gross area. *See* St. John the Baptist Parish Code of Ordinances, Sec. 113-410.

25. The minimal 300-foot buffer put forth in Ordinance 90-27 is, thus, further evidence that the rezoning of this tract for heavy industrial use was not appropriate for the area and that it was being corruptly “pushed through.”

26. The rezoning was met with fierce opposition from the community. *See, e.g.*, Minutes of St. John the Baptist Planning Commission Meeting of March 26, 1990, annexed hereto as Exhibit D.

27. One community member described the effect of the rezoning as a “Genocide” of the Wallace community. *Id.*

28. Media reported at the time the Parish authorities were stunned by the level of opposition.

29. Community members showed up to express their opposition at these public meetings, not knowing at the time that the deal was already fixed given Millet’s behind-the-scenes corruption and his assurances to Formosa that he would use his position to push the ordinance through.

30. Millet also spoke at each meeting and hearing urging the rezoning for the Formosa facility; community opposition was disregarded and overridden by the Planning Commission and Parish Council.

31. At the April 19, 1990, meeting of the Parish Council, the Council abruptly cut off the public hearing on the ordinance during the portion of the meeting when community members were expressing their opposition to the rezoning. *See* Minutes of St. John the Baptist Parish Council Meeting, April 19, 1990, annexed hereto as Exhibit E.

32. The Council members abruptly voted to end the public hearing when one opponent of the rezoning began to speak, because even though she was on the list of speakers in opposition, she had not spoken “when her time was allotted” [*sic*]. *Id.*

33. Art. IV(B)(3)(d) of the charter provides that the council may pass the ordinance “[a]fter all persons have been given the opportunity to be heard.”

34. Because of the upset reaction of those in attendance to the closing of the hearing, the Council took a short recess. When it returned, it voted to pass Ordinance 90-27. *Id.* Minutes of April 19, 1990 hearing, Exhibit E.

35. As can be seen on the ordinance, Lester Millet Jr. signed it. Exhibit C.

36. Millet’s signature was not merely ceremonial. Under the Parish’s Home Rule Charter, as Parish President, he had the power to approve or veto the ordinance and thus played a mandatory, integral part in the process of the ordinance becoming law in the Parish.

37. Article IV, Sec. C(1) of the St. John the Baptist Parish Home Rule Charter required that any ordinance passed by the Parish Council be signed by the council secretary and chairman of the council and presented to the Parish President within five days of the ordinance's adoption.<sup>1</sup>

38. Article IV, Sec. C(2) required that the parish president return the ordinance to the council secretary within ten calendar days of its passage with his approval or disapproval.

39. If the Parish President approved it, or did not explicitly disapprove it, the ordinance would become law on the fifth day following publication in the official parish journal.

40. Article IV, Sec. C(3) provided that any "[o]rdinance and resolutions vetoed by the parish president shall be presented to the council at its next regular meeting" at which point the council could determine whether to override the president's veto.

41. At the hearings in 1990, residents spoke out about their concerns about heavy industrial rezoning, the effect on their property and the possibility of having to relocate.

42. One resident advised the Planning Commission that Formosa had not offered to relocate her and "the price offered for her land was too low" and "[i]f her land is zoned industrial, she will lose her property." Planning Commission Minutes, Exhibit D.

43. Another resident told the Planning Commission, "My daughter is frightened because she does not know if we will have to move. I have no answers to give my child." *Id.*

44. Other residents living next to the Wallace tract still recall the trauma of being told they had to sell their property to make way for the Formosa facility and that they had only three months to find another place to live.

45. Harriet and William Banner remember the fear, anxiety, and uncertainty at the time about what would happen to their home and their family's future, when it was made clear to them they had no choice in whether to see their property. Affidavit of Harriet Banner, annexed hereto.

46. Durel Matherne, Millet's accomplice in the money laundering scheme, visited Harriet Matherne's mother almost every day while Harriet and William were at work, where he pushed the Formosa deal. *Id.*

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<sup>1</sup> St. John the Baptist Parish Home Rule Charter and Code of Ordinances available at [https://library.municode.com/la/st.\\_john\\_the\\_baptist\\_parish/codes/code\\_of\\_ordinances?nodeId=PTICH\\_ARTIESH\\_ORU](https://library.municode.com/la/st._john_the_baptist_parish/codes/code_of_ordinances?nodeId=PTICH_ARTIESH_ORU).

47. Matherne also attempted to endear himself to Harriet and William's daughters, Jo and Joy Banner, who were around 11-years-old at the time and stayed with their grandmother after school, to get them excited about moving to a "new house." *Id.*

48. Sometimes he was accompanied by Alden Andre, Formosa's vice president. Affidavit of Joy Banner, annexed hereto.

49. When their grandparents expressed concern about what would happen to their home after they left, Joy recalls Matherne told them it wouldn't be destroyed because it was a nice house and Formosa would use it as their corporate offices. *Id.*

50. The prospect of having to move was upsetting and traumatic for their family, who had lived there for generations going back at least 100 years. Affidavit of Harriet Banner.

51. If they had had to sell their property and move to another town it would have broken up their extended family, who all lived in the neighborhood, as they were faced with the prospect of having to go separate ways to find new places to live. *Id.*

52. Harriet and William had four children at home and needed to find a place big enough to support Harriet's mother and father, who was in a wheelchair. They looked for a way to keep their entire extended family together. *Id.*

53. They stopped a renovation in their house that they had recently begun, and lived for several weeks without carpeting, thinking they would have to move soon. *Id.*

54. They spent weeks looking for a place to live that would accommodate their family and struggled to figure out how to make the transition the least disruptive for their children, trying to find a way to avoid having them change schools and completely upending their lives and family support systems. *Id.*

55. They also mourned the prospect of moving away from the levee which held such a significant place in their lives - where people met daily to swim, fish, shrimp, visit, and play. *Id.*

56. Ultimately, the Formosa deal fell through but not before the company bought up dozens of properties from neighboring landowners through its subsidiary called the "Format Corporation," which in turn sold the properties to Formosa as a fully-assembled tract for \$10 million. *See Act of Sale, Format Corporation to Formosa Chemicals & Fibre Corporation, American, annexed hereto as Ex. F.*

57. According to the Fifth Circuit Court of Appeals, reviewing the record of Millet's criminal trial, "In October, 1992, Formosa abandoned its plans to construct the rayon pulp facility in part because of mounting public opposition and in part because of the activities of Lester Millet." *United States v. Millet*, 123 F.3d at 271.

58. In the intervening 30 years since Millet pushed through the rezoning of the Wallace tract as part of his illicit scheme, the land has been used for agricultural purposes, primarily the farming of sugarcane.

59. Also, in the intervening decades, portions of the Whitney Plantation have achieved National Historic Landmark status and its Slavery Museum has become an internationally renowned destination drawing over 100,000 people per year from all over the world.

60. The Evergreen Plantation, also adjacent to a portion of the property, has also achieved National Landmark Status.

61. In the intervening 30 years, the population of Wallace has grown, and the Banners were able to continue to live in their family home where they raised their children.

62. Their daughters, Jo and Joy Banner, grew up there, went away to school and returned to start a small business, founded the Descendants Project, an organization dedicated to protecting and preserving their history and that of their community, and help build new economic opportunities.

63. Jo and Joy's grandmother and the rest of the family were relieved and happy because they were able to stay by the levee, which had always been a part of their lives, a place where friends, neighbors, and family would gather in the evenings and on weekends when the land and river were such that you could swim and more easily fish and trap in the river. Affidavit of Harriet Banner.

## **II. Conflicting Zoning Maps Raise Further Questions About the Zoning Process and Status of the Wallace Tract.**

64. Currently, St. John the Baptist Parish has at least four zoning maps that have been held out to the general public as official even though they contain conflicting zoning designations for the Wallace Tract and violate the Parish's own zoning ordinances.

65. The fact that these maps conflict with each other when it comes to the zoning designations for the Wallace Tract casts further doubt as to the integrity of the zoning process in general and the status of this tract in particular.

66. The St. John the Baptist Parish Code of Ordinances requires that the official zoning map of the Parish “shall be identified by the signature of the parish president, council chairman, and chairman of the planning commission...” and that it “shall be located in the parish engineer’s office.” St. John the Baptist Parish Code of Ordinances (hereinafter “Parish Code”), Sec. 113-143(a) and (b)(2).

**A. Map 1 – The 2012 Signed, Physical Map in the Parish Office**

67. In 2012, it was discovered that the official parish zoning map signed by the former parish president could not be located. *See* Resolution 12-07 adopted by the Parish Council on February 14, 2012, annexed hereto as Exhibit G.

68. To replace the lost map, on February 14, 2012, the Parish Council passed a resolution adopting a “new official zoning map.” *Id.*

69. Sec. 113-143(b)(3) of the Parish Code of Ordinances provides that when “the official zoning map, or any portion thereof, becomes damaged, lost, destroyed or difficult to interpret by reason of the nature or number of changes, the parish council may, by resolution, adopt a new official zoning map which may correct drafting errors or omission, **but shall not amend the original official zoning map.**” (emphasis added).

70. Nevertheless, in 2012, when the Parish Council was considering the resolution to adopt the new official zoning map, council members made clear that “significant changes to the zoning map” “had to be made.” Minutes of Parish Council Meeting of Feb. 14, 2012, annexed hereto as Exhibit H.

71. Then-Council member Jaclyn Hotard asked the Director of Planning if there were “any significant changes to the zoning map that had to be made” to which the Planning Director replied, “Yes.” *Id.*

72. The Planning Director further confirmed that “[w]hen we recreated these we actually updated them so all the zoning changes that have occurred, all the ordinance changes for zoning and re-subs and that sort of thing have all been updated on this map.” *Id.*

73. When another council member sought to confirm whether the map included “all the rezonings of properties,” the Director of Planning again confirmed that it did. *Id.*

74. However, Art. IV(A)(4) of the Parish’s Home Rule Charter requires that any act that “[a]dopts or modifies the official map, plot, subdivision ordinance, regulations, or zoning

plan” be done by ordinance, which must be enacted pursuant to the procedures for public notice and hearings set out in Art. IV(B) of the Charter.

75. The 2012 map modified and / or amended the official map and should have been adopted by ordinance, not resolution.

76. Nevertheless, this “official zoning map” adopted on February 14, 2012, by Resolution 12-07, is now on file in the Parish office.

77. Pursuant to Sec. 113-143(b)(2) of the Parish Code of Ordinances, this map is the “final authority as to the current zoning status of all lands and waters in the unincorporated areas of the parish.”

78. According to this map, the Wallace tract, which is situated between the Whitney Plantation and Slavery Museum, and the former Evergreen Plantation, both containing National Historic Landmarks, on the east side, and the neighborhoods, churches, and small businesses that make up the town of Wallace on the west side, is zoned for heavy industrial use, or I-3, as shown

in re p on file  
in th reto.



As seen on this true and correct copy of the map adopted by the Parish Council pursuant to Resolution 12-07 as the “new official zoning map,” the Wallace tract is depicted

as I-3, heavy industrial, with no buffer between it and the residential zones.

79. If Ordinance 90-27 were a legal, valid ordinance, which it is not, and if this map is to be treated as the “final authority as to the current zoning status of all lands and waters in the unincorporated areas of the parish,” then this zone would be illegal as it clearly and directly violates the ordinance’s requirements of a 300-foot I-1 (light industrial) buffer between the I-3 (heavy industrial) zone and residential zones. *See* Ordinance 90-27, Exhibit C.

## **B. Map 2 – The GIS Map**

80. When this conflict was brought to the attention of the Parish’s Director of Planning and Zoning, Rene Pastorek, Mr. Pastorek stated that an online mapping system utilized by the Parish contained what he claimed was the correct zoning designation for this tract of land. Affidavit of Justin Kray, annexed hereto.

81. According to Mr. Pastorek, the online Geographic Information Systems (GIS) version used by the Parish is the official zoning map.

82. In response to a public records request for zoning maps showing map changes, Mr. Pastorek wrote, “our official zoning map is kept electronically via Geographic Information Systems [GIS]. This map is updated following approvals of zoning map changes by the Parish Council.” *See* Email from R. Pastorek, annexed hereto as Exhibit I.

83. However, sec. 113-143(b)(2) of the Parish Code provides that “[r]egardless of the existence of purported copies of all or part of the official zoning map which may from time to time be made or published, [t]he official zoning map, which shall be located in the parish engineer’s office, shall be the final authority as to the current zoning status of all lands and waters in the unincorporated areas of the parish.”

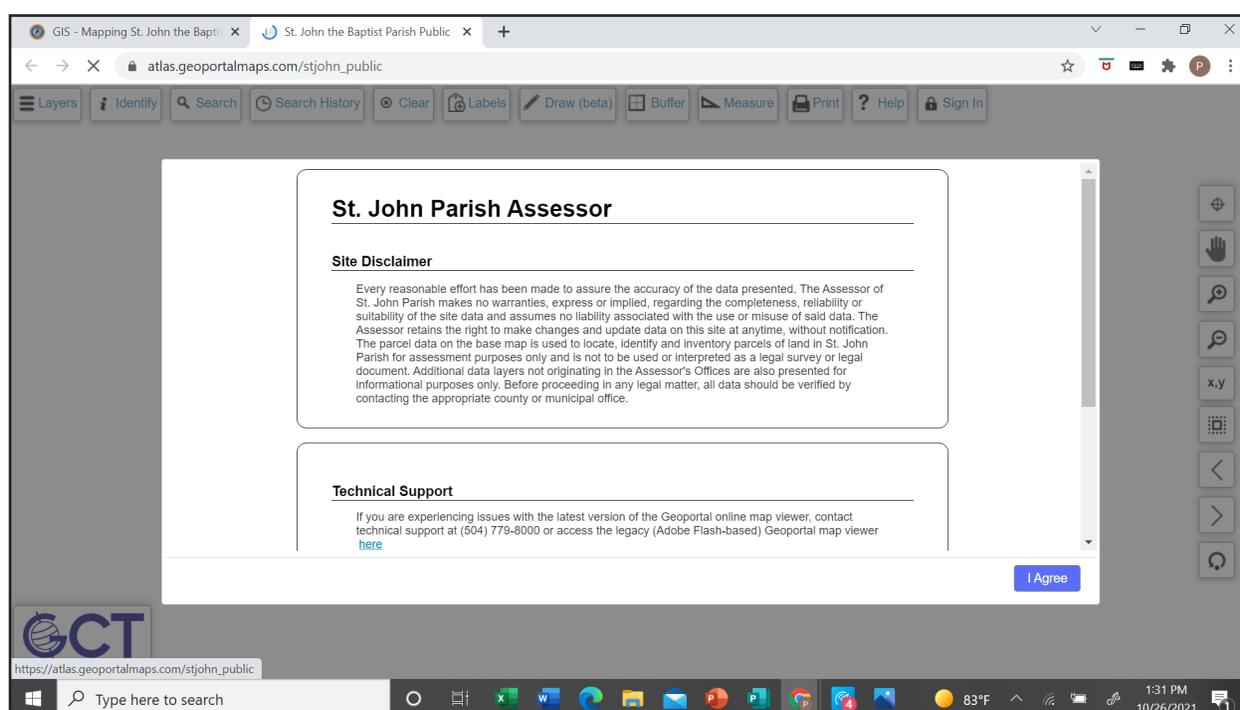
84. With regard to changes to the official map, sec. 113-143(b)(1) provides that if “changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the parish council with a revision date and zoning case number entered onto the zoning map.”

85. With regard to computerized reproductions, sec. 113-143(b) of the Parish Code provides that a “computerized reproduction of the official zoning map in whole or part, shall constitute an official zoning map when printed as a [sic] original production, printout, or graphic

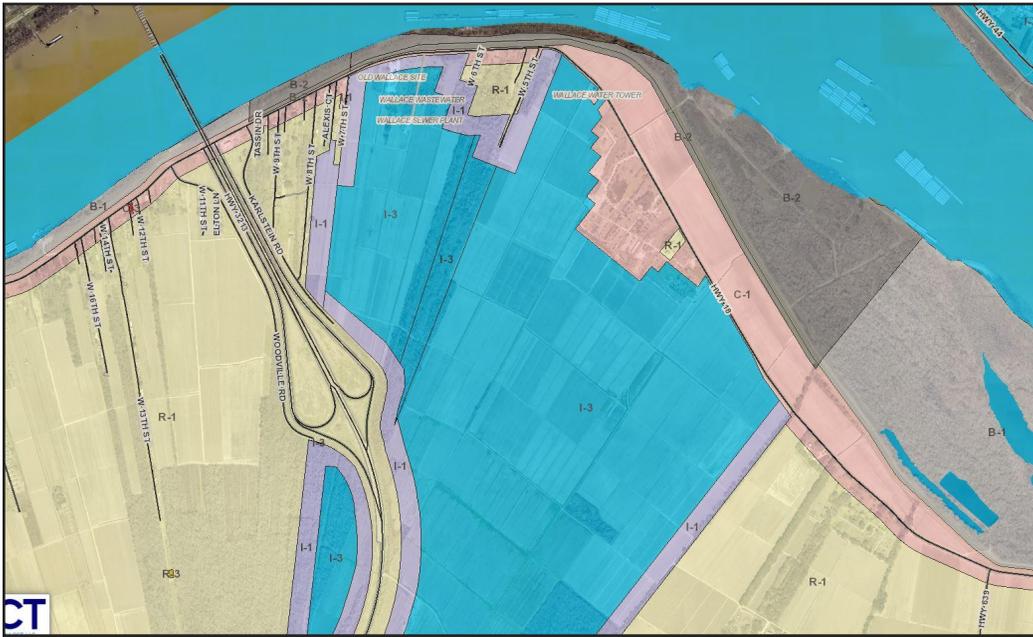
illustration, and bearing the signature of the planning commission or its duly appointed director or representative.”

86. Not only does the GIS map lack the required signatures, a disclaimer on the webpage used to access the GIS maps expressly states that the Parish “makes no warranties, express or implied, regarding the completeness, reliability or suitability of the site data and assumes no liability associated with the use or misuse of said data.”

87. As can be seen in the screenshot of the disclaimer reproduced below, the notice further advises that the “Assessor retains the right to make changes and update data on this site at anytime, without notification. The parcel data on the base map is used to locate, identify and inventory parcels of land in St. John Parish for assessment purposes only and is not to be used or interpreted as a legal survey or legal document.” *Id.* (emphasis added)



88. Unlike the “new official zoning map” adopted in 2012 by the Parish Council in Resolution 12-07, the GIS map of Wallace accessed through this portal shows the I-3/heavy industrial zone in Wallace to be surrounded by an I-1/light industrial zone, as shown below.



Unlike the map adopted by the Parish Council as the “official zoning map,” the Parish’s GIS Mapping System shows an I-1 / light industrial zone between the I-3/ heavy industrial and R-1/ residential zones.

89. However, this map, as the Parish Assessor makes clear, is not the official zoning map and is not to be considered a legal document, and the accuracy of it is specifically disclaimed.

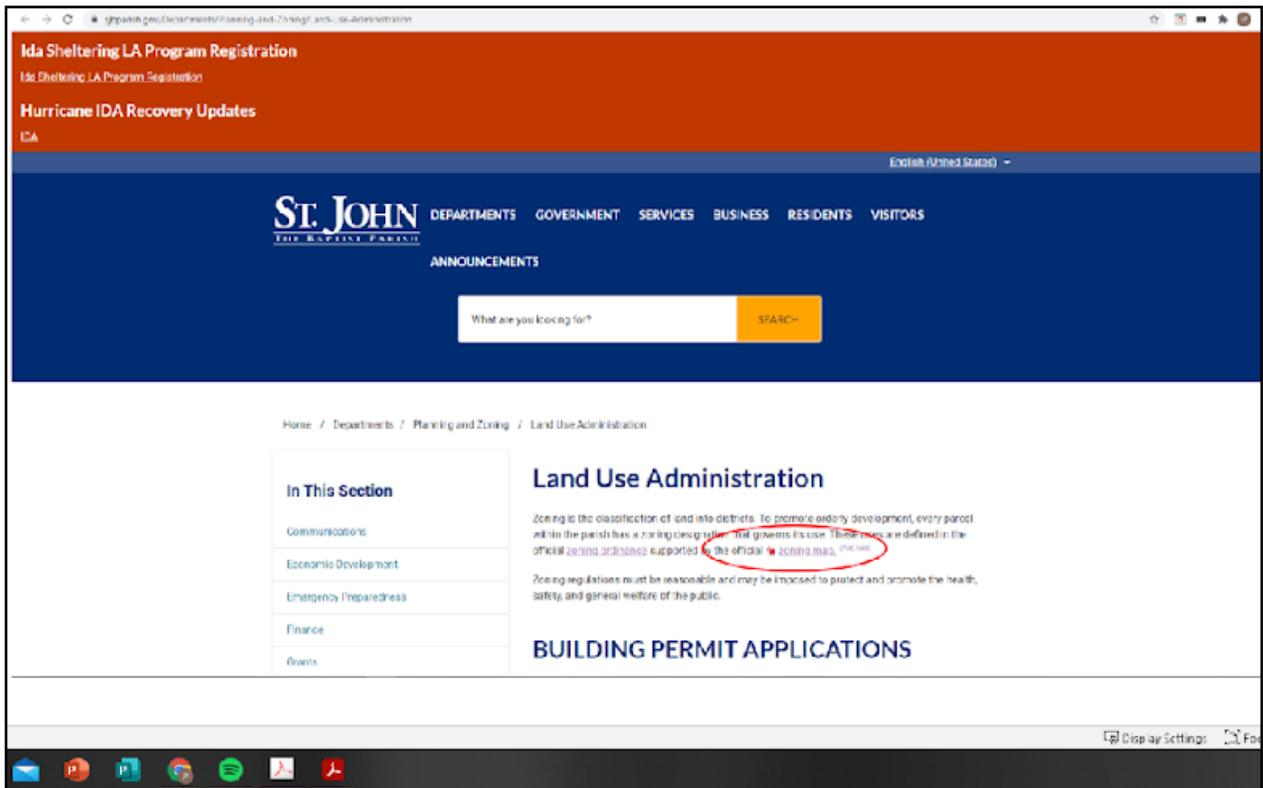
**C. Map 3 – The Other Online “Official Zoning Map”**

90. Further confusing matters, a different map linked from another part of the Parish’s website as the “official zoning map,” showed the entire Wallace Tract to be zoned as R-1/residential, not heavy or light industrial.

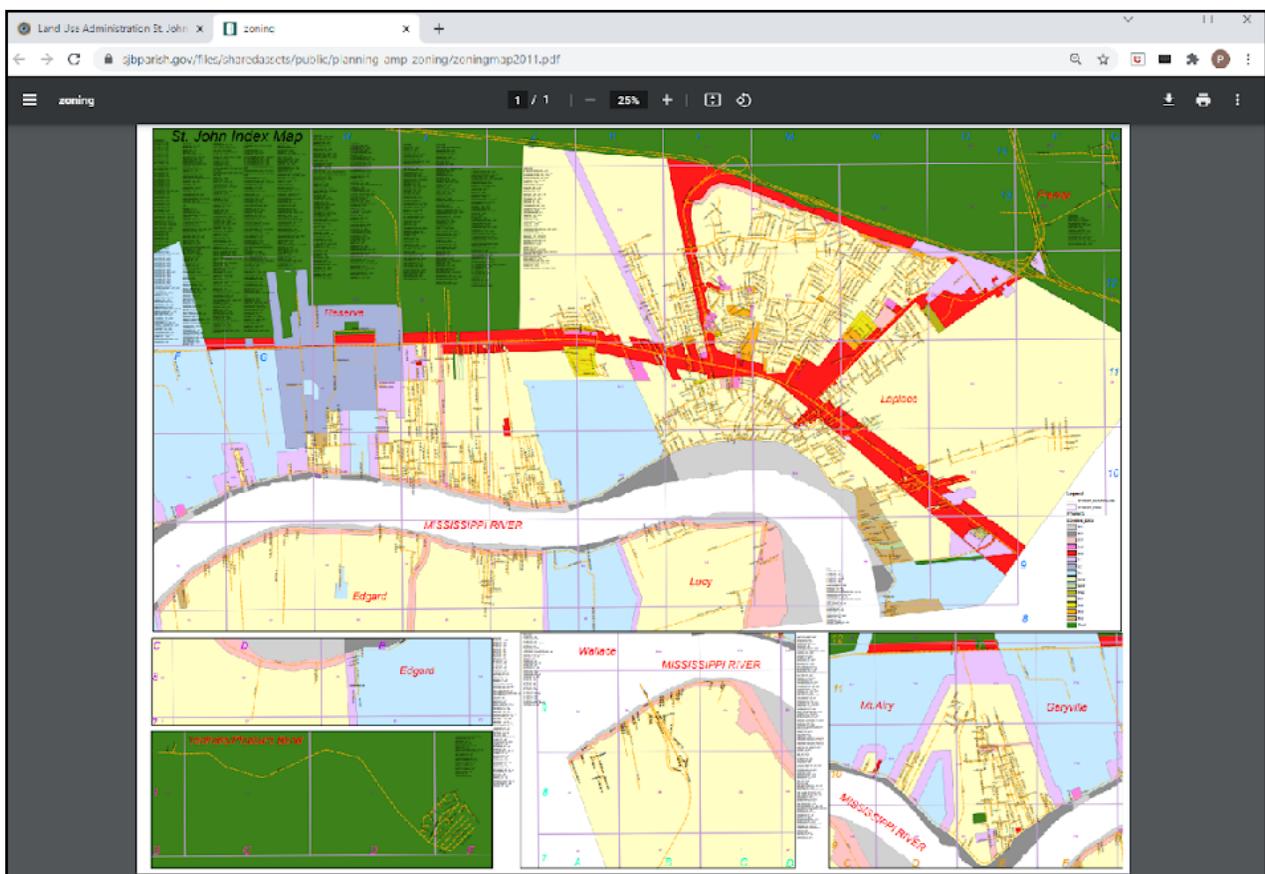
91. The Land Use Administration page of the official St. John the Baptist Parish website, accessed as recently as October 10<sup>th</sup> and 18<sup>th</sup>, 2021, linked to a map it described as “the official zoning map,” which depicts the Wallace Tract as R-1, a residential designation.

92. The Land Use Administration webpage and linked map described there as “the

official zoning map” are shown below.



A true and correct screenshot of the Land Use Administration Page of the official St. John the Baptist Parish website, as of October 10, 2021, showing a link to “the official zoning map.”



A true and correct screenshot of the map linked from the Land Use Administration page of the official St. John the Baptist Parish website, as of October 10, 2021, described as “the official zoning map.” It shows the Wallace Tract to be zoned as R-1.

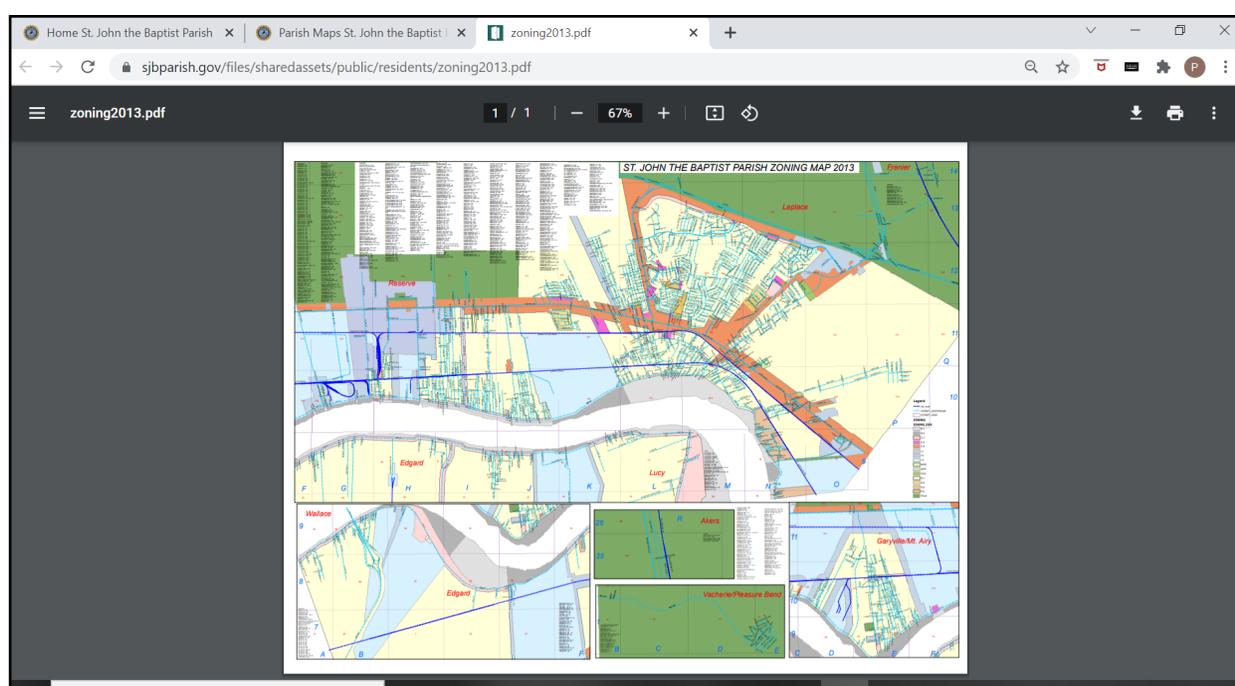
93. Justin Kray, an urban planner and cartographer providing expert analysis to the Descendants Project, asked Mr. Pastorek about this map and its inconsistency with the GIS map in a phone call on October 18, 2021. The hyperlink to this “official zoning map” was removed as of October 19, 2021. Kray Affidavit, para. 3.

#### D. Map 4 – An Online “Parish Zoning Map” for “Residents”

94. Another map linked from the St. John the Baptist Parish website shows the Wallace tract zoned as I-3, this time also without the I-1/light industrial zone.

95. From the homepage of the Parish’s website, the link for “Residents,” shows a dropdown box with a link entitled “Parish Maps,” which then leads to a page with an option to click on a link labeled “Parish Zoning Map.” Screenshots of webpages annexed hereto as Exhibit J.

96. As seen below on this true and correct screenshot taken on October 28, 2021, which is also included in Exhibit J, the map found at that link shows the Wallace tract in light blue, which is the I-3 designation, with no I-1 buffer between it and any of the residential areas.



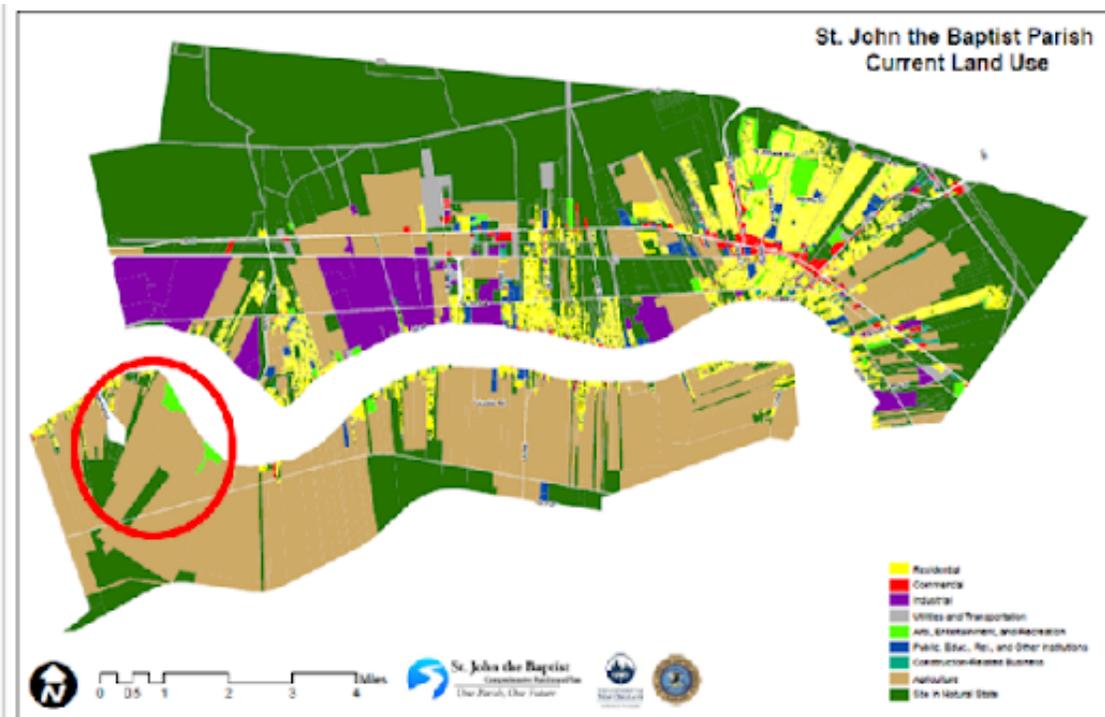
A true and correct screenshot of the map linked from the Parish Maps page for Residents from the homepage of the St. John the Baptist Parish website, as of October 28, 2021, described as “Parish Zoning Map,” showing an I-3 zone for Wallace without an I-1 zone between it and the residential zones.

### **E. Comprehensive Planning Maps**

97. Other maps developed as part of the Parish’s comprehensive planning process add to the questions and concerns about the status and intended uses and zoning for this tract.

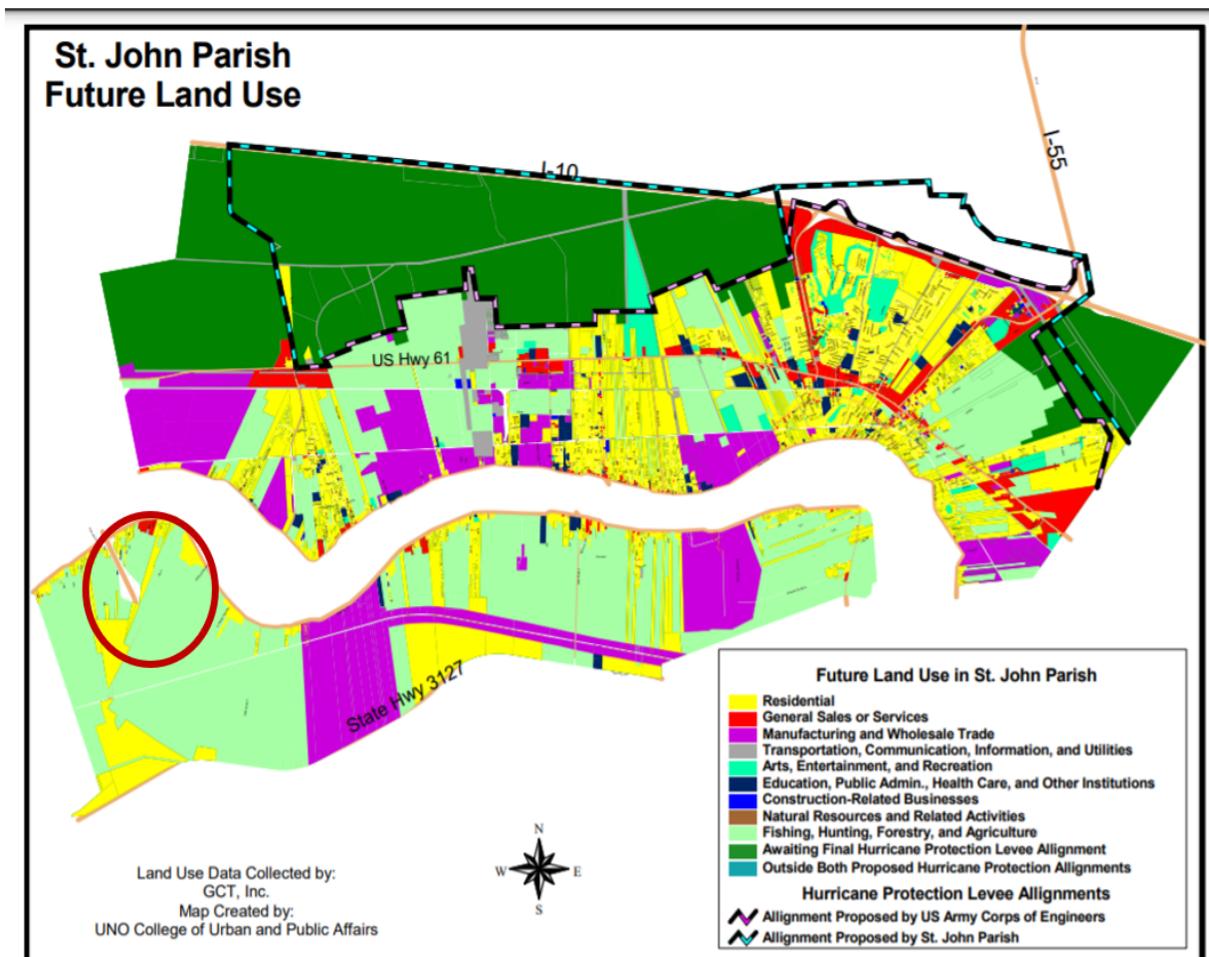
98. As noted above, this tract has long been used for “agriculture.” As shown in the Parish’s Comprehensive Land Use Plan (hereinafter “Comprehensive Plan”), the “Current Land Use” map depicted the Wallace Tract as used for agriculture. The map below is found on p. 41 of the 2014 Comprehensive Plan:<sup>2</sup>

<sup>2</sup> St. John the Baptist Comprehensive Land use Plan: One Parish, One Future, January 2014, available at <https://www.sjbparish.gov/files/sharedassets/public/planning-amp-zoning/sjbpcmpresilienceplan-8-18-14.pdf>. (Hereinafter “Comprehensive Plan”).



In 2014, the Comprehensive Plan depicted the Wallace Tract, shown in the red circle, as agricultural.

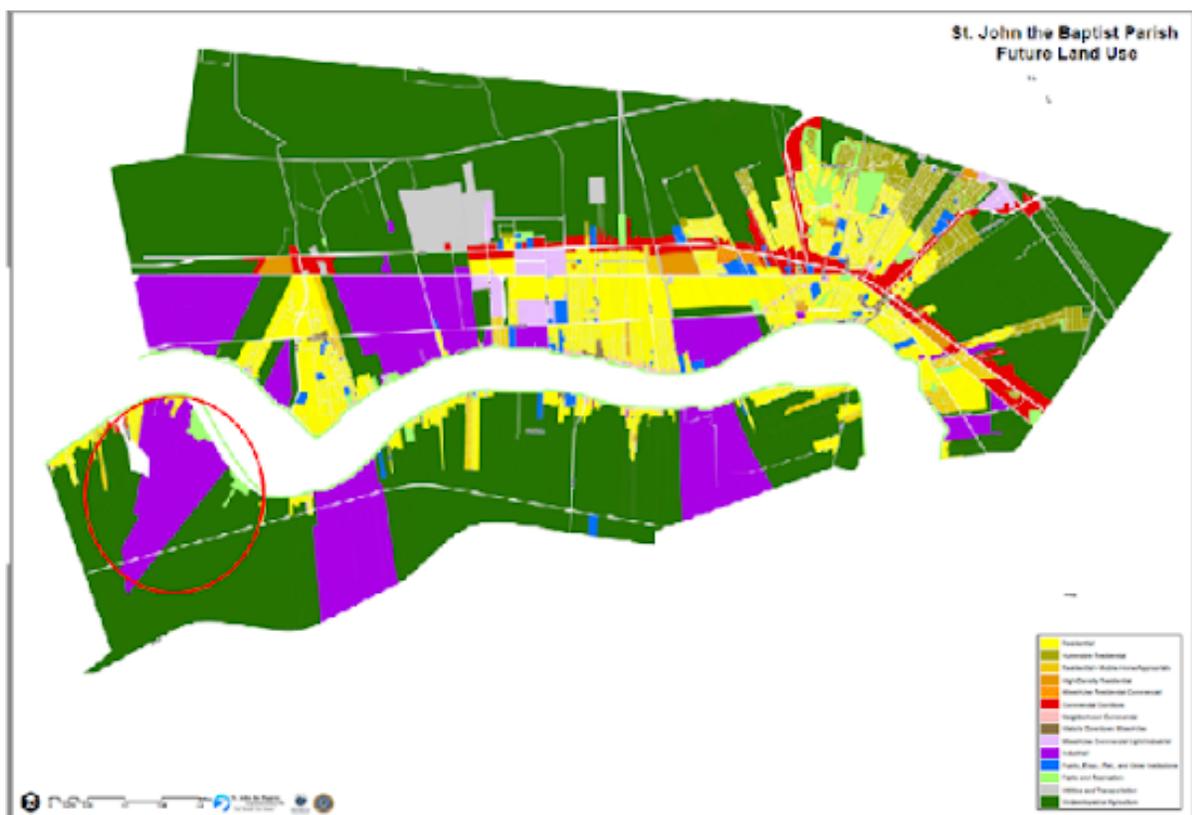
99. A “Future Land Use” report prepared in the early stages of the process of developing the Comprehensive Plan to provide “a vision and policy framework to evaluate future land use and development decisions,” included the map shown below, entitled “Future Land Use,” which showed the Wallace Tract would be zoned for “Fishing, Hunting, Forestry, and Agriculture.”<sup>3</sup>



<sup>3</sup> See *St. John the Baptist Parish Comprehensive Planning Project, Phase II, Task II, Land Use Report*, Division of Planning, University of New Orleans, available at [https://www.sjbparish.gov/files/sharedassets/public/planning-amp-zoning/st\\_john\\_parish\\_land\\_use\\_plan.pdf](https://www.sjbparish.gov/files/sharedassets/public/planning-amp-zoning/st_john_parish_land_use_plan.pdf).

An early report of the Parish’s comprehensive planning process envisioned the Wallace Tract would remain zoned for “Fishing, Hunting, Forestry, and Agriculture.”

100. However, in the final Comprehensive Plan submitted to the Parish in 2014, the recommended Future Land Use map had changed with regard to the Wallace tract – it depicted the Wallace Tract zoned as industrial, as shown below.<sup>4</sup>

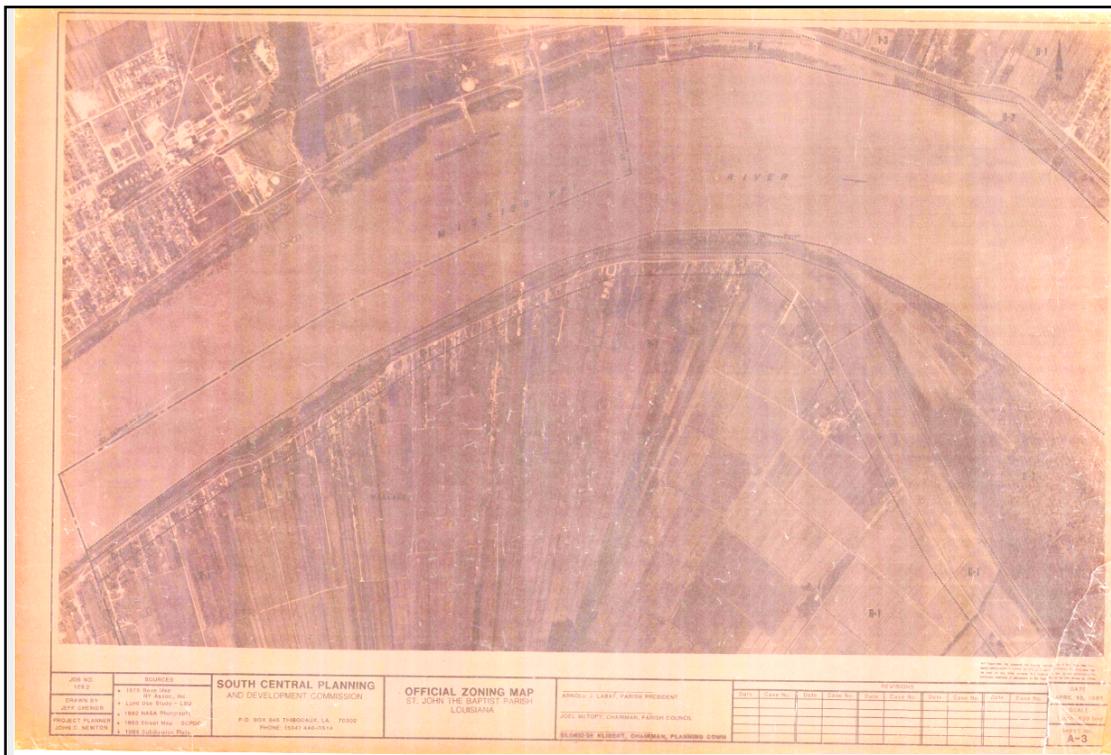


The Future Land Use Map contained in the Parish’s Comprehensive Plan, showing the Wallace Tract targeted for industrial use.

### **E. The Unsigned Copy of the Original 1986 Zoning Map**

101. In response to a records request for “copies of any and all zoning maps that existed prior to the official zoning map adopted pursuant to Resolution 12-07” on February 14, 2012, the Parish’s custodian of records provided an unsigned copy of the official zoning map map from 1986, which had been lost. The map below shows that the entire Wallace tract was originally designated as R-1/residential, before controversial Ordinance 90-27 was passed, and long before the existence of the Parish’s various maps that show conflicting zoning designations.

<sup>4</sup> Comprehensive Plan, *supra* n. 1 at 47.



**III. Residents of Wallace, Neighboring Historic and Cultural Sites, and Lac des Allemands Face Potential Threat from a New Heavy Industrial Facility Seeking to Locate on the Wallace Tract.**

**A. Wallace**

102. Wallace is home to approximately 755 people who live within about six square miles. The overwhelming majority of the people living in Wallace – 89 percent – are African American.

103. Wallace residents are facing an imminent threat to their health, safety, well-being, and property values because the tract, which has been used for farming sugarcane for years, is now being targeted as a proposed site of a massive grain elevator (hereinafter “proposed facility”).

104. Some residences would be less than 300 feet away from the proposed facility.

105. The grain elevator, proposed by Greenfield Louisiana, LLC, a company based in Denver, Colorado, would consist of 54 grain silos and a conveyor structure nearly as tall as the Statue of Liberty. The diagram below shows the size of the facility relative to the size of one the

homes that would be located approximately 260 feet from the facility.

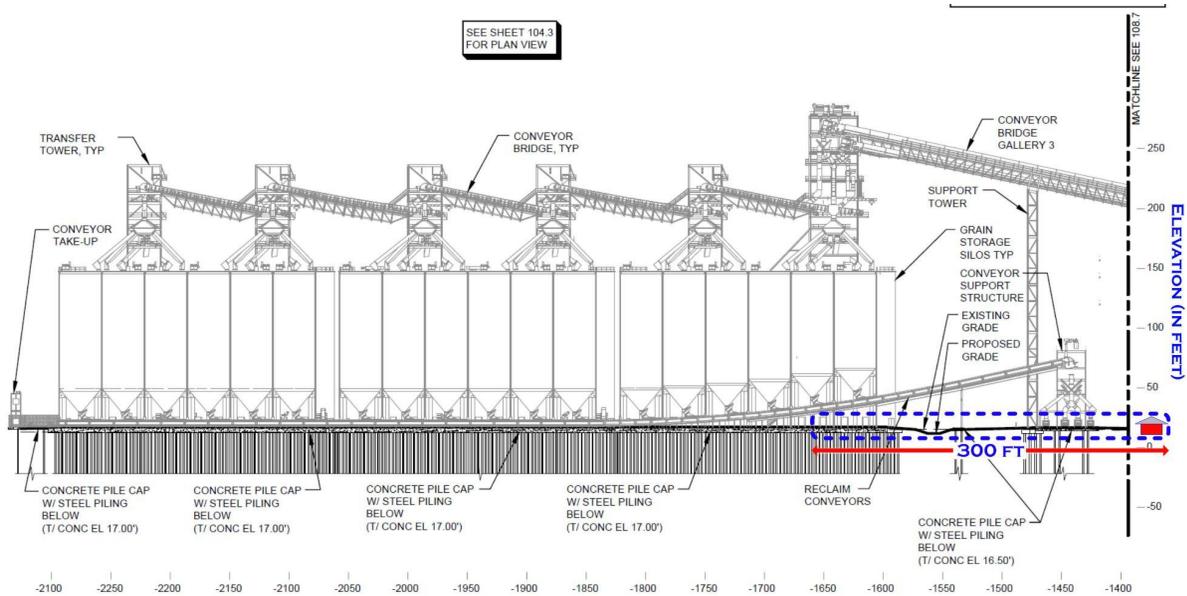


Diagram of proposed grain elevator to scale next to an average-sized home, like one of the nearby homes that would be approximately 260 feet from the facility. Kray Affidavit at ¶ \_\_.

106. The United States Occupational Safety and Health Administration (OSHA) has designated the grain handling industry as a “high hazard industry” that can expose individuals to “numerous serious and life threatening hazards.”<sup>5</sup>

107. Such hazards include fires and explosions from grain dust accumulation and other serious workplace hazards.

108. According to OSHA, such explosions are often severe, involving loss of life and substantial property damage.<sup>6</sup>

109. One of the “worst industrial disasters in modern Louisiana history” involved a grain elevator explosion in Westwego Louisiana in which thirty-six people died.<sup>7</sup>

110. Grain dust has been shown to cause a host of respiratory problems and conditions like asthma.<sup>8</sup>

111. Grain dust can also be a vehicle for other toxics to get deep into the lungs and blood stream.

112. The I-3/heavy industrial Wallace Tract sits approximately 130 yards from Fee-Fo-Lay, a small café, shown in the photo below, owned and operated by Petitioner Jo Banner.

<sup>5</sup> Occupational Safety and Health Administration, “Grain Handling - Overview,” available at <https://www.osha.gov/grain-handling#:~:text=These%20hazards%20include%3A%20fires%20and,death%20in%20grain%20storage%20bins>.

<sup>6</sup> *Id.*

<sup>7</sup> Richard Campanella, *Westwego Continental Grain Elevator Explosion*, 64 *Parishes*, April 9, 2021, available at <https://64parishes.org/entry/westwego-continental-grain-elevator-explosion>.

<sup>8</sup> See, e.g., Centers for Disease Control and Prevention, The National Institute for Occupational Safety and Health, Grain Dust: OSHA comments from January 19, 1989 Final Rule on Air Contaminants, <https://www.cdc.gov/niosh/pel88/graindst.html#:~:text=1%2D3%20and%20Rankin%20et,symptoms%20of%20chronic%20respiratory%20disease>.



Fee-Fo-Lay Café, located on the corner of Alexis Court and Hwy. 18 in the town of Wallace, is owned and operated by Jo Banner, co-founder of the Descendants Project, who also lives near-by. The proposed grain tower would loom over the cafe approximately 130 yards to its east (left in photo) and would block out the morning sun.

113. The proposed facility would tower over the café from the east, in the space to the left of the café in the photo, and would completely blot out the morning sun from this cafe which frequently serves customers from all over the world who come to the area to visit and reflect.

114. The Parish's 2014 Comprehensive Plan also identified Woodville Baptist Church, which is located near the Wallace Tract and proposed facility, as a place of historic interest.<sup>9</sup>



Woodville Baptist Church was a site identified in the Parish's Comprehensive Plan as a noteworthy historic site and is located in the shadows of the would-be proposed grain elevator.

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<sup>9</sup> Comprehensive Plan at p. 210.

115. Congregants at the Woodville church and other places of worship would also be impacted by the proposed facility.

**B. National Historic Landmarks**

116. The Whitney Plantation and Museum is located on the eastern side of the Wallace Tract. The Whitney is the only plantation in the region and in the state with a sole focus on the life and labor of those enslaved in southeastern Louisiana.

117. The Whitney has become nationally and internationally renowned for its mission to educate visitors and the public at large about slavery.

118. It has been designated a national historic landmark and its 16 original structures including an 18<sup>th</sup> century main house and original cabins where the enslaved people were forced to live are part of a National Historic District.

119. The Whitney Plantation is an important cultural and historical landmark for the local community of Wallace and people descended from those who were enslaved on that plantation.

120. Prior to the COVID-19 pandemic, over 100,000 people visited the Whitney annually.

121. Any heavy industrial facility located in the Wallace Tract would likely have adverse impacts on the National Historic Landmark.

122. The facility currently proposed for the site has already been the subject of concern by federal and state historic preservation authorities.

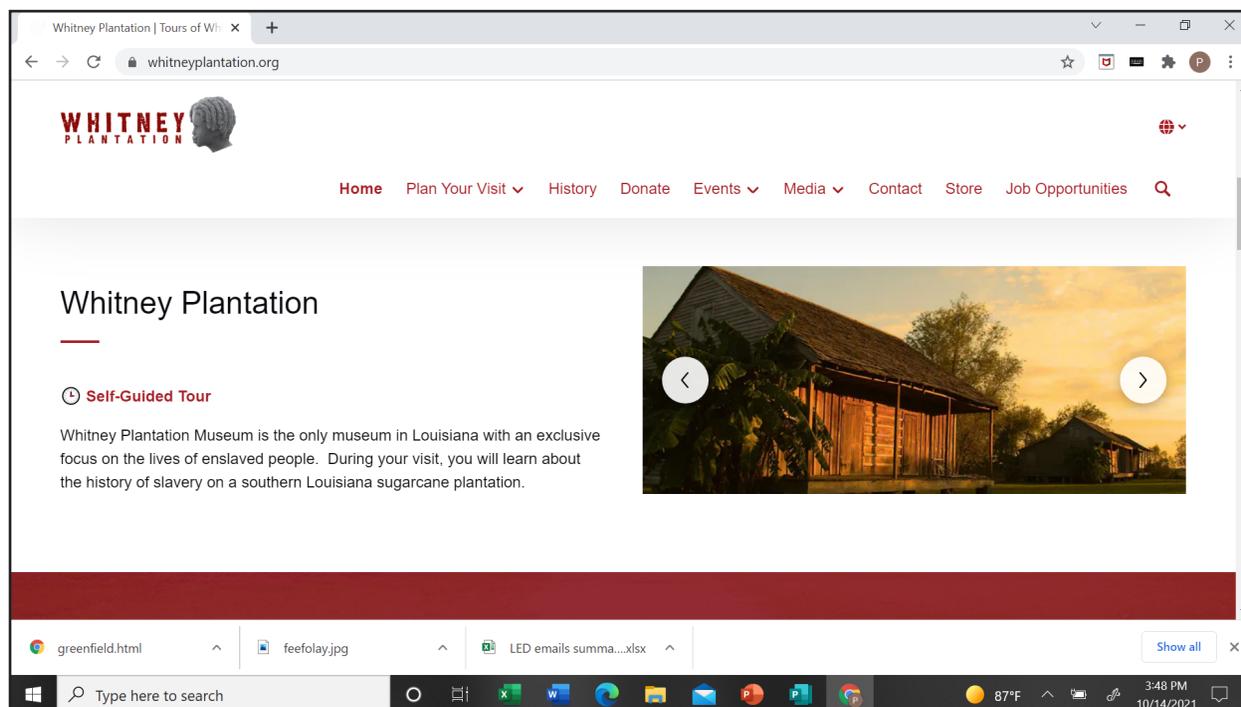
123. Because the proposed facility requires a permit from a federal agency – in this case the U.S. Army Corps of Engineers – there must be a consultation under sec. 106 of the National Historic Preservation act to determine whether the project will have impacts on historic landmarks or sites that are eligible for listing on the National Register of Historic Places.

124. As part of that consultation, the Louisiana State Historic Preservation Officer (SHPO) reviews archaeological investigations and surveys to determine whether there would be impacts to historic sites or cultural resources.

125. On January 27, 2021, the SHPO notified the principal investigator of the archaeological firm hired by the company pursuing the proposed facility of its concerns about adverse impacts to the “Whitney Plantation NHL [National Historic Landmark] site.” *See* Letter from State Historic Preservation Officer to Dr. Bretton Somers, annexed hereto as Exhibit K.

126. In the letter, the SHPO expressed concern about the “proximity of the proposed development to the Whitney Plantation NHL site” because it “appears the new facility will be less than one miles [*sic*] away from the NHL and the multiple towers associated with the facility will be more than 200 feet in height, which is more than double the height of the mature tree lie that exists between the project and the NHL.”

127. The SHPO also expressed concern about “odors due to off gassing that may be associated with the new facility.”



The public website of the Whitney Plantation and Slavery Museum. The site contains a national Historic district and is an important resource for African American history and documentation and preservation of the experiences of those enslaved on plantations in southeastern Louisiana. State historic preservation experts have expressed concern about adverse impacts of the proposed facility on the landmark.

128. The federal agency tasked with undertaking a review of the project for adverse effects to historic properties also expressed concern about the proposed facility’s impacts.

129. On March 30, 2021, the federal officer charged with compliance with Sec. 106 of the NHPA for the U.S. Army Corps of Engineers communicated to the company their concerns about the “proposed project’s vicinity to the Whitney Plantation Historic District.” See NHPA Section 106 Compliance Review, annexed hereto as Exhibit L.

130. The federal reviewer also found that the project “has the potential to cause effect to historic properties (including buried archaeological sites)... if any are present.”

### C. Unmarked Burial Sites

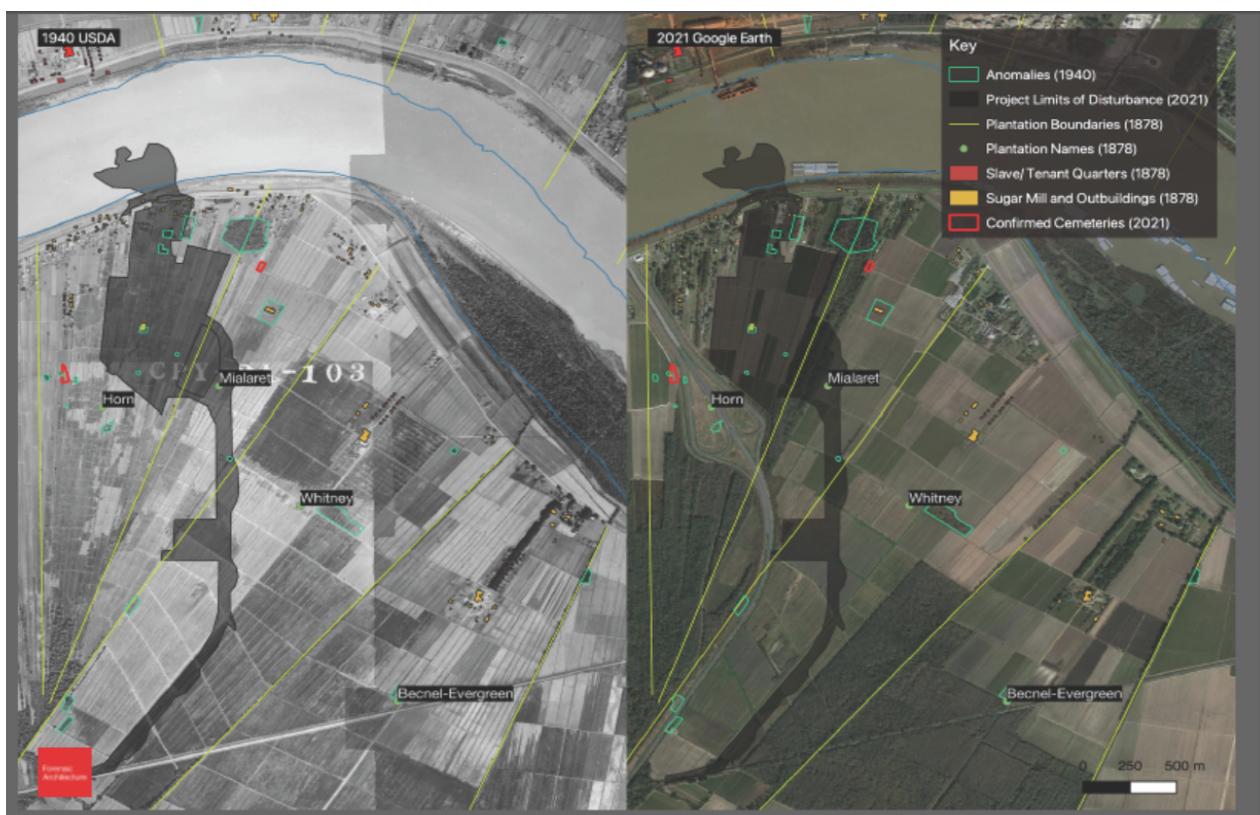
131. Petitioner has also raised concerns with the Parish Council and state authorities about the impact of the project on potential burial sites of people once enslaved on the plantations that operated in the area corresponding to the Wallace tract.

132. It is widely known and accepted that there are numerous unmarked burial sites along the river throughout the region, including in St. John the Baptist Parish, of people once enslaved on the plantations that operated here.

133. Those enslaved on the plantations had no choice in where they would be buried and no control over whether or how their deaths and burial would be recorded. Often, they were buried in places on the plantations that were not being used for farming or other business.

134. These sites were once thought lost to history, unless discovered inadvertently through development, and only if such discoveries were reported to local and state authorities.

135. Recently, Forensic Architecture, an internationally recognized research agency based in London, in consultation with an expert archaeologist in Louisiana, identified a series of archaeological anomalies on the site of the proposed facility that may correspond to unmarked burial sites, as shown in the figures below.<sup>10</sup>



Maps by Forensic Architecture showing anomalies on the former plantations that comprise the Wallace Tract with the shadowed outline of the proposed facility. Researchers believe that some of these may correspond with burial sites of people once enslaved there.

136. In the field of archaeology in this region of Louisiana, such anomalies often correspond to unmarked gravesites and other historic or cultural resources.<sup>11</sup>

<sup>10</sup> Report: Forensic Architecture, *Environmental Racism in Cancer Alley*, June 28, 2021, available at <https://forensic-architecture.org/investigation/environmental-racism-in-death-alley-louisiana>.

137. After observing and documenting “heavy, ground penetrating activity” on the Wallace tract, and given the concerns about potential burial sites of those once enslaved on the property, on May 25, 2021, the Descendants Project, through their undersigned attorneys, sent a letter to the Louisiana Division of Archaeology, and the Louisiana Office of Attorney General requesting that their offices intervene to stop the activity pending further investigation. See Letter from Center for Constitutional Rights, annexed hereto as Exhibit M.

138. The Louisiana Attorney General’s office responded for both agencies that while “some of the anomalies identified in your letter may represent unmarked burial sites,” applicable law did not provide their offices with authority to issue cease-and-desist orders in the absence of definitive proof of the “disturbance of a specific burial ground.”

139. The Office of the Attorney General also referenced the mandatory reporting requirement for inadvertent discoveries of such sites. *See* Letter from Office of Attorney General dated June 1, 2021, annexed hereto as Exhibit N.

140. However, too often, such sites have been damaged or destroyed “inadvertently” in development projects.

141. One tragic example lies just across the river in St. James Parish where it was discovered that one unmarked burial site believed to contain the graves of people once enslaved on the plantation was partially destroyed when a pipeline was constructed through it, and another appears to have been mostly destroyed when the site was used for a borrow pit.<sup>12</sup>

142. Cemetery dedication law in Louisiana is rooted in the recognition that “cemeteries are considered by most cultures to be sacred,” that we have “moral duties to the wishes of the dead” and that there is a “generally held sanctity for cemeteries.”<sup>13</sup>

143. For generations, descendants of those enslaved on the plantations in St. John the Baptist Parish and other parishes did not have the ability or privilege of knowing where their ancestors were buried and of having sacred burial places they could access to honor them and their lives.

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<sup>11</sup> A. Eaton, et al, *Searching for the Lost Graves of Louisiana’s Enslaved People: There are Thousands of enslaved people buried in Louisiana’s industrial corridor. But their locations have remained a mystery. Until Now. Using historic maps and aerial photos, we can locate these possible graves*, New York Times, June 27, 2021, available at <https://www.nytimes.com/video/us/100000007778616/louisiana-cancer-alley-cemetery-african-americans-video.html>.

<sup>12</sup> Letter from Center for Constitutional Rights on behalf of RISE St. James and Archaeological Report, March 11, 2020, available at: <https://ccrjustice.org/sites/default/files/attach/2020/03/RISE%20Letter%20to%20St.%20James%20Parish%20Council%20March%2011%202020.pdf>.

<sup>13</sup> Attorney General Opinion No. 07-0183, available at <http://www.lcb.state.la.us/ago/ago07-0183.pdf>.

144. Now, with technological advances and the ability to identify anomalies like those identified in the above-referenced maps, the possibilities exist to affirmatively locate, identify, protect, and preserve such sites, and unite descendant communities with the burial places of their ancestors.

**D. Lac Des Allemands.**

145. When the company pursuing the proposed facility filed an application for a Water Quality Certificate with the Louisiana Department of Environmental Quality (LDEQ), the agency responded on September 30, 2021, with concerns about impacts on Lac Des Allemands. See Letter from Louisiana Department of Environmental Quality, annexed hereto as Exhibit O.

146. LDEQ noted that “Lac Des Allemands is currently not supporting its designated use of fish and wildlife propagation” because of “dissolved oxygen and non-native aquatic plants” and requested a series of assurances that the proposed project would “not further cause or contribute to any water quality impairment and to maintain the designated uses of the receiving watershed... .” *Id.*

147. The importance of Lac Des Allemands to the surrounding communities and the state cannot be overstated.

148. The Parish’s Comprehensive Plan emphasized the “recreational opportunities to local residents as well as visitors from around the country and the world” offered by Lac Des Allemands as well as Lakes Maurepas and Pontchartrain, and the “tremendous economic impact to St. John Parish” that fishing, as well as hunting and harvesting provide.<sup>14</sup>

149. The Louisiana Legislature declared Lac Des Allemands “the Catfish Capital of the Universe.”

150. The New Orleans City Council issued a resolution on March 25, 2021, opposing the Formosa Plastics facility proposed for neighboring St. James Parish in part because of the impacts it could have on Lac des Allemands.<sup>15</sup>

151. With the support of parish officials and state legislators, as well as the community members and environmental groups, Lac Des Allemands has maintained a marginally safer distance from heavy industry that has built up in the river parishes over the past decades.

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<sup>14</sup> Comprehensive Plan, p. 161, 164.

<sup>15</sup> Resolution 21-92 of the New Orleans City Council, adopted March 25, 2021, *available at* [https://cityofno.granicus.com/MapView.php?view\\_id=&event\\_id=23147&meta\\_id=531422](https://cityofno.granicus.com/MapView.php?view_id=&event_id=23147&meta_id=531422).

However, the proposed heavy industry in Wallace threatens to impact what community members and environmental groups have identified as a natural "national treasure."

**IV. Wallace Residents Have Repeatedly Asked the Parish Council to Address Their Concerns About the Zoning Designation of the Wallace Tract and the Proposed Facility to No Avail.**

152. Petitioner and Wallace residents have repeatedly asked the Parish Council to address their questions and concerns about the zoning of the Wallace Tract and the heavy industrial facility proposed for the site.

153. In April 2021, they wrote to their council members asking to be placed on the council agenda to discuss the grain terminal. They received no response. Affidavit of Joy Banner.

154. On August 23, 2021, they sent a formal complaint letter and request for zoning verification in the hopes of getting answers about the zoning status and distance requirements for the plant, and also received no response. Annexed hereto as Exhibit P.

155. Recently, their council member, Kurt Becnel, was quoted in a media article as saying, "I do not talk about the grain elevator to no one."<sup>16</sup>

156. On August 23, 2021, the Descendants Project and undersigned counsel sent a formal complaint about the zoning questions and concerns with regard to the Wallace Tract.

157. As of the date of this filing more than two months later, Petitioner has not received a response.

158. Like everyone else in the Parish, Petitioner and its co-founders, their families and neighbors were severely impacted by Hurricane Ida, which made landfall on August 29, 2021.

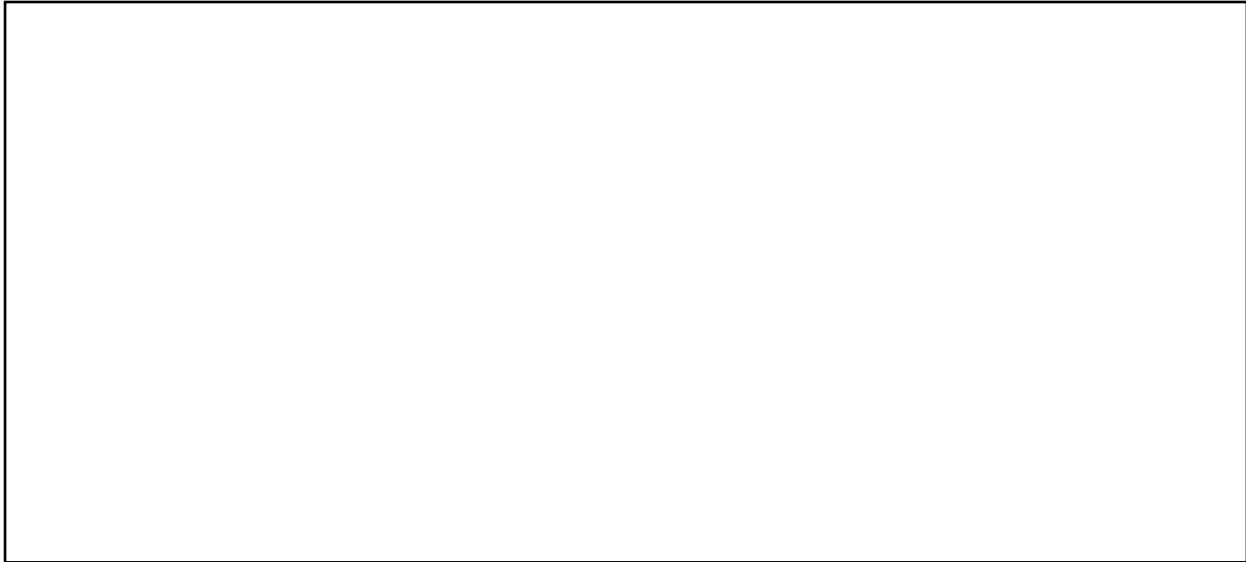
159. While trying to recover, they have grown more concerned about their homes and their community after witnessing more activity on the site of the proposed facility.

160. Petitioners, who can view the site from their yards, have already documented previous ground-penetrating activity on the site, and are concerned there could be further ground-disturbing activities that could impact potential burial sites on the property before the zoning illegality and surrounding irregularities can be addressed.

161. Moreover, the extensive damage caused to an existing grain terminal near Reserve by Hurricane Ida, shown below, which also blocked traffic and relief efforts for extended time after the storm, has heightened the fears and concerns of Petitioners and other Wallace residents.

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<sup>16</sup> Chris Staudinger, *Against the Grain: Fighting the Wallace Grain Elevator in St. John the Baptist Parish*, Antigravity, Nov. 2021, available at <https://antigravitymagazine.com/feature/against-the-grain/>.



**V. Ordinance 90-27 Is an Absolute Nullity and the Mandamus Proceeding Is Warranted.**

162. “Persons may not by their juridical acts derogate from laws enacted for the protection of the public interest. Any act in derogation of such laws is an absolute nullity.” La. Civ. Code art. 7; *see also* La. Civ. Code art. 2030 (“A contract is absolutely null when it violates a rule of public order, as when the object of the contract is illicit or immoral.”).

163. A juridical act that is absolutely null is deemed “never to have existed.” La. Civ. Code art. 2033. A claim that an act or obligation is an absolute nullity never prescribes and may be brought by anyone. La. Civ. Code arts. 2030, 2032.

164. The rezoning of the Wallace Tract was an act in derogation of numerous federal, state, and parish laws enacted for the protection of the public interest and as such was *void ab initio*, an absolute nullity, pursuant to La. Civ. Code. Art. 7.

165. The illegality and corruption surrounding the adoption of Ordinance 90-27 were so pervasive and extensive that the Parish President was convicted of violating federal laws enacted for the protection of the public interest, including extortion and money laundering, and was sentenced to nearly five years in prison.

166. In addition to the federal criminal offenses, Millet’s actions, in using his official position as Parish President to push through the rezoning and approve the ordinance passed by the Council, also derogated from parallel state laws prohibiting public corruption, including La. R.S. 14:120 prohibiting “corrupt influencing,” in addition to state ethics laws such as La. R.S. 42:1118, which provides that:

No public servant shall solicit or receive any thing of economic value, directly or indirectly, for, or to be used by him or a member of his immediate family<sup>17</sup> principally to aid in, (1) the

accomplishment of the passage or defeat of any matter affecting his agency by the legislature, if his agency is a state agency, or by the governing authority, if his agency is an agency of a political subdivision, or (2) the influencing, directly or indirectly, of the passage or defeat of any matter affecting his agency by the legislature, if his agency is a state agency, or by the governing authority, if his agency is an agency of a political subdivision.

167. Millet's actions also derogated from the Parish's own ordinances, including

- a) Art. III(B)(3)(b)(iii) requiring him to "see that all laws, provisions of this Charter and acts of the council subject to enforcement by him, or officers subject to his direction or supervision, are faithfully executed;" and
- b) Art. VII(B)(1) requiring that "no officer, official, or employee, or board or commission member of the parish shall directly or indirectly solicit or receive any privilege, rebate, reduced rate, or any other thing of value from any person, firm, or corporation doing business with the parish."

168. The process surrounding adoption of Ordinance 90-27 was so infected with corruption and was such a severe and egregious violation of the public trust and laws enacted for the protection of the public interest that it was *void ab initio* and must be treated as "inoperative as if it had never been passed." *McMahon v. City of New Orleans*, 2018-0842, p. 5 (La.App. 4 Cir. 9/4/19); 280 So.3d 796, 800, *writ denied*, 2019-01562 (La. 11/25/19); 283 So.3d 498, *citing Vieux Carre Property Owners and Associates, Inc. v. City of New Orleans*, 246 La. 788, 167 So.2d 367, 371 (1964).

169. The Parish's current zoning maps conflict with each other as to the exact status of zoning of the Wallace tract and none of them comply with the Parish Code's requirements for official maps. This only adds to the serious concerns about the Parish's zoning process in general and the controversy surrounding this tract in particular.

170. Ordinance 90-27 should be declared an absolute nullity and the zoning designations originating from it must be scrubbed from all parish zoning maps, records, and documents, and be replaced with the original R-1/residential designation that preceded it.

### **RELIEF SOUGHT**

WHEREFORE, Petitioner respectfully requests that, after due proceedings had, this Court:

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<sup>17</sup> Pursuant to L.A. R.S. 42:1102(13), "'Immediate family' as the term relates to a public servant means his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse."

- a. Enter a declaratory judgment that Ordinance 90-27 is an absolute nullity;
- b. Order the St. John the Baptist Parish President, Parish Council, Planning Commission, and/or Director of Planning and Zoning, to remove the zoning designations originating with ordinance from all maps and zoning documents, and replace it with the original R-1/residential designation that existed before;
- c. Order St. John the Baptist Parish to notify in writing all residents and property owners in Wallace, including of the Wallace tract, federal and state agencies involved in recent permit review processes of this zoning correction, including: the State Historic Preservation Office in the Louisiana Department of Culture, Recreation, & Tourism; U.S. Army Corps of Engineers; the Louisiana Department of Environmental Quality; and the Louisiana Department of Natural Resources, of the Court's order.
- d. Order St. John the Baptist Parish to notify in writing all previous owners of property adjacent to or nearby the Wallace tract who conveyed their property to Formosa or its subsidiary Format, of the Court's order invalidating the ordinance, and providing those former property owners with a copy thereof.
- e. Order St. John the Baptist Parish to undertake a comprehensive and thorough review by an independent third party, selected in consultation with Petitioners and residents of Wallace, of all of its zoning practices, procedures, and policies, to make recommendations about how to better comply with zoning laws, due process, as well as federal and state civil rights laws.

Dated: November 9, 2021

Respectfully submitted,

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