

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER MCGUIRE; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER BUSH

ORDINANCE NO. 24-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CREATING THE POSITION OF PLANNER I - CFM TO REPLACE THE POSITION OF PLANNER I – SPECIAL PROJECTS WITHIN THE PLANNING DEPARTMENT AND ADOPTING AND AMENDING THE CLASSIFICATION, JOB DESCRIPTION, AND PAY SCALE, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Section 4-04 of the Mandeville City Charter mandates that the City Council introduce an ordinance upon receipt of the Mayor's proposed plan to create, change, alter, consolidate or abolish City departments, offices and agencies and/or the reallocation of the functions, powers, duties and responsibilities of such departments, offices or agencies.

WHEREAS, the Administration recommends to the City Council that it reallocate duties and responsibilities of the Planner I – Special Projects position to reflect a change in the Planning Department that has had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein; and,

WHEREAS, the Municipal Employees' Civil Service Board recommends to the City Council that it reallocate duties and responsibilities of the Planner I – Special Projects position to reflect a change in the Planning Department that has had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Mandeville hereby creates the position of Planning Technician within the Planning Department and adopts and amends the job classification, job description, and pay scale as set forth in Exhibit "A" and "B" respectively and made a part of this ordinance; and,

NOW THEREFORE, BE IT FURTHER ORDAINED that this ordinance shall be effective following the Mayor's signature; and,

NOW THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and they are hereby authorized and empowered to take any and all actions which they, in the exercise of their discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

and the ordinance was declared adopted this ____ Day of _____, 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman



POSITION DESCRIPTION

CLASS TITLE:	Planner I	DATE COMPLETED:	Pending
FUNCTIONAL TITLE:	Planner I -- CFM	FLSA STATUS:	NE
DEPARTMENT:	Planning & Development	CLASS NUMBER:	8
IMMEDIATE SUPERVISOR:	Director of Planning & Development	JOB CODE:	0194

JOB FUNCTION:

The position of Planner I performs a variety of routine and complex work that includes working with developers, property owners, the general public and other City departments in regard to land use, planning and zoning issues. Additionally, the Planner I will assist the floodplain manager in the daily implementation of City of Mandeville's flood loss reduction activities and any of the activities related to the National Flood Insurance Program (NFIP) and Community Rating System (CRS) Program files. These tasks are performed without close supervision and under the general guidance and direction of the Director of the Department of Planning & Development.

ESSENTIAL JOB FUNCTIONS:

- Provides information to the public regarding development regulations. Assists the general public, City staff, and others in functions that involve development regulations such as: zoning and subdivision requests, building permits, variances, conditional use permits, special use permits, subdivision and rezoning requests, zoning violations, and signage regulations
- Reviews or assists in the review of moderately difficult development proposals and site plans for conformance with codes, plans, and regulations
- Assists in the preparation of letters and reports and assists in reviewing and processing applications for land development, including Special Use Permits, Conditional Use Permits, rezoning, development plans, variances, and general plan amendments
- Reviews residential and commercial building permits for compliance with land use ordinances including Floodplain regulations
- Reviews applications and submittals and provides plan review for development and building permits, special use permits, conditional use permits, variances, annexations, and rezoning
- Researches and prepares staff reports and participates in Planning and Zoning Commission meetings
- Assists in preparing public notices and agendas for meetings of the Planning & Zoning Commission and posting of zoning cases monthly throughout the City for proper public notification of all pending cases
- Assists with a variety of code compliance activities including zoning, land use, housing, parking, and nuisance abatement. Works with the Code Enforcement Officer in research and review of abatement policies and procedures
- Assists with Floodplain management including:
 - Review permit applications and projects to ensure compliance with Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), and Mandeville's Flood Damage Prevention Ordinance requirements

- Explain Flood Damage Prevention Ordinance requirements, the requirements of the National Flood Insurance Program, and other floodplain management requirements to the public, applicants and community officials as needed
- Assist in enforcement of the Flood Damage Prevention Ordinance, which may include maintenance of records regarding development, review of building permit applications, site plans, surveys, and approvals from other agencies, elevation certificates, correspondence, and other related floodplain management actions
- Assist with Community CRS activities to maintain and improve, when possible, the community CRS classification:
 - Meet with FEMA and state representatives for Community Assistance Visits (CAV), Community Rating System (CRS) reviews, and other actions for coordination
 - Maintain records and documents that keep the community eligible to participate in the NFIP and the Community Rating System (CRS)
 - Assist in coordinating FEMA Hazard Mitigation, Flood Mitigation Assistance, Pre-Disaster and other flood mitigation grant program applications
 - Maintain approved FEMA mitigation grant records and collect necessary documentation required by the State NFIP and/or State Emergency Management Office and FEMA for potential closeout/audit
 - Assist in the review, edit, and processing all FEMA periodic invoices, received from contractors performing mitigation projects, to the appropriate community accounting office for payment as well as preparing subsequent reimbursement requests to the State NFIP and/or Emergency Management Office to recover the FEMA (Federal) share for all mitigation projects
 - Assist in conducting an annual review of the FEMA “Repetitive Loss” list to identify properties, located within the community, to verify accuracy and establish priorities for possible mitigation
 - Assists in resolving citizen and customer issues
 - Conducts field evaluations and assessments
- Other duties as assigned

MINIMUM REQUIRED EDUCATION & EXPERIENCE:

- Bachelor’s Degree from an accredited college or university with major coursework in Architecture/Architectural History, Planning, Urban Planning, landscape Architecture or Design, Public Administration, Urban Geography, or a related field, in addition to one year of planning experience; or
- Five (5) years of experience including two (2) years of increasingly responsible related experience in planning and/or floodplain administration; or
- Any equivalent combination of related education and experience

MINIMUM REQUIRED KNOWLEDGE, SKILLS & ABILITIES:

- Strong verbal and written communication skills and ability to explain rules and procedures clearly to the public
- Ability to interpret regulations, review plans and apply provisions of the ordinances and codes to determine compliance with such regulations and to apply regulations to field conditions.

- Strong computer skills, with working knowledge of Microsoft Office
- Ability to provide excellent customer service and to communicate clearly and concisely in a courteous and helpful manner
- Ability to establish effective working relationships and use good judgement, initiative and resourcefulness when dealing with citizens, City Officials and Administrators, employees and business associates
- Ability to work independently or in a team environment as needed
- Ability to maintain attention to detail and work effectively under stress and changes in work priorities
- Ability to exercise a high degree of diplomacy in contentious or confrontational situations
- Ability to critically assess situations, problem-solve, and work effectively under stress
- Ability to prioritize projects for timely and accurate completion within established deadlines and changes in work priorities
- Working Knowledge of computer hardware and software programs, which may include Microsoft Office, Internet applications, and permitting software
- Basic Knowledge of the principles and practices of planning
- Strong knowledge of Floodplain Management

SPECIAL REQUIREMENTS:

- Must possess a valid Louisiana State driver's license or have the ability to obtain one prior to employment
- AICP certification preferred, or must obtain within two (2) years of employment
- Certification as a Floodplan Manager (CFM) preferred, or must obtain within one (1) year of employment

ESSENTIAL MENTAL & PHYSICAL REQUIREMENTS:

The physical demand described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

Work is performed in both office and in field settings. Outdoor work is required in the inspection of various land uses and other matters. Hand-eye coordination is necessary to operate computers and various pieces of office equipment.

- Ability to read and interpret a document if required to perform the essential job functions.
- Ability to walk, sit, talk, and hear
- Ability to use hands to finger, handle or operate objects, tools, or controls
- Ability to reach with hands and arms
- Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus
- Ability to occasionally stand, climb or balance, stoop, kneel, crouch, or crawl
- Ability to lift/move/carry approximately 25 pounds if required to perform the essential job functions (If the employee is unable to lift/move/carry this weight and can be accommodated

without causing the department/division an "undue hardship" then the employee must be accommodated; hence omitting lifting/moving/carrying as a physical requirement)

WORK ENVIRONMENT:

- The work environment is in an indoor, climate-controlled office. The employee occasionally works in outside weather conditions.
- The noise level in the work environment is usually quiet in the office, and moderate to loud in the field.

While the work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job, reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The duties listed in this document are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL:

CLASS TITLE:	Planner I - CFM	
FUNCTIONAL TITLE:	Planner I - CFM	
DEPARTMENT:	Planning & Development	
	Department Director	Human Resources Director

Ord _____

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER MCGUIRE; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER BUSH

ORDINANCE NO. 24-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CREATING THE POSITION OF PLANNER I - LANDSCAPE TO REPLACE THE POSITION OF INSPECTOR – LANDSCAPE & URBAN FORESTRY WITHIN THE PLANNING DEPARTMENT AND ADOPTING AND AMENDING THE CLASSIFICATION, JOB DESCRIPTION, AND PAY SCALE, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Section 4-04 of the Mandeville City Charter mandates that the City Council introduce an ordinance upon receipt of the Mayor's proposed plan to create, change, alter, consolidate or abolish City departments, offices and agencies and/or the reallocation of the functions, powers, duties and responsibilities of such departments, offices or agencies.

WHEREAS, the Administration recommends to the City Council that it reallocate duties and responsibilities of the Inspector – Landscape and Urban Forestry position to reflect a change in the Planning Department that has had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein; and,

WHEREAS, the Municipal Employees' Civil Service Board recommends to the City Council that it reallocate duties and responsibilities of the Inspector – Landscape & Urban Forestry position to reflect a change in the Planning Department that has had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Mandeville hereby creates the position of Planning Technician within the Planning Department and adopts and amends the job classification, job description, and pay scale as set forth in Exhibit "A" and "B" respectively and made a part of this ordinance; and,

NOW THEREFORE, BE IT FURTHER ORDAINED that this ordinance shall be effective following the Mayor's signature; and,

NOW THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and they are hereby authorized and empowered to take any and all actions which they, in the exercise of their discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

and the ordinance was declared adopted this ____ Day of _____, 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

POSITION DESCRIPTION

EXHIBIT A



CLASS TITLE:	Planner I - Landscape	DATE COMPLETED:	PENDING
FUNCTIONAL TITLE:	Planner I - Landscape	FLSA STATUS:	NE
DEPARTMENT:	Planning & Development	CLASS NUMBER:	8
IMMEDIATE SUPERVISOR:	Director of Planning	JOB CODE:	0166

JOB FUNCTION:

This position performs a variety of routine and complex technical work including ordinance review, enforcement, and City landscaping issues directed at securing compliance with City zoning codes. This job involves field inspections of landscaping, sign installation, and parking facilities to ensure compliance with applicable City codes. Incumbent oversees the maintenance of all City trees. The Planner I performs a variety of routine and complex work. These tasks are performed without close supervision and under the general guidance and direction of the Director of Planning & Development.

ESSENTIAL JOB FUNCTIONS:

- Assists the public, City staff, and other professionals in functions that involve land use processes
- Reviews applications and submittals, and provides plan review for development and building permits, special use permits, conditional use permits, variances, annexations, and rezoning, including conducting field evaluations and assessments
- Assists code enforcement officials and public in identifying and resolving zoning violations and ordinance compliance (testifying in court may be necessary)
- Reviews residential and commercial building permits for compliance with land use ordinances and other regulations
- Coordinates with other departments and public on plan modifications
- Attends and prepares research for Planning and Zoning Commission meetings, Historic Preservation District Commission meetings, Parks and Parkways Commission meetings, and other meetings as needed
- Inspects landscaping on commercial projects, subdivisions, residential projects and others to ensure compliance with provisions of Article 9 of the Comprehensive Land Use Regulations Ordinance (CLURO.) Coordinates with city consulting landscape architect and arborist as needed.
- Reviews landscape plans and related site plans for compliance with the CLURO. Consults with consulting landscape architect and arborist as needed.
- Updates tree inventory and coordinates maintenance of City trees, including pruning, removal and replacement with Department of Public Works.
- Investigates all reports of hazardous trees and contracts tree removal services as needed.
- Coordinates with Department of Public Works to review plans for public improvement projects as they relate to impact of project on green infrastructure and coordinates and schedules consulting arborist and landscape architect when required.
- Assist in the creating and updating an inventory of publicly owned open space and assists in developing a plan for green infrastructure care (i.e.: mulching, pruning, and watering)
- Assists in grant seeking and writing for all green-related aspects of the City.
- Performs site inspections as they relate to landscaping, open space, site development, parking, signage, and any other issues related to the CLURO.
- Assists in resolving complex and sensitive customer service issues, either personally, by telephone or in writing as it pertains to landscaping.
- Maintains records and documents of customer service issues and resolutions.
- Performs other duties as assigned.

MINIMUM REQUIRED KNOWLEDGE, SKILLS & ABILITIES:

- General knowledge of plant materials, tree identification, and plan review.
- Ability to read surveys and plans.
- Ability to organize and maintain field and office data and reports.
- Ability to communicate effectively, both orally and in writing, with contractors, developers, property owners, employees, consultants, other governmental agency representatives, City officials and the general public.
- Ability to effectively meet and deal with the public with tact and diplomacy.
- Ability to establish and maintain effective working relationships with citizens, employees, supervisors, and the general public.
- Ability to follow verbal and written instructions.

MINIMUM REQUIRED EDUCATION & EXPERIENCE:

- Bachelor's Degree from an accredited college or university with major coursework in Architecture/Architectural History, Planning, Urban Planning, landscape Architecture or Design, Public Administration, Urban Geography, or a related field, in addition to one year of planning experience; or
- Five years of experience including two years of experience in planning with job responsibilities similar to those herein described; or
- Any equivalent combination of related education and experience

SPECIAL REQUIREMENTS:

- Must possess a valid State driver's license or have the ability to obtain one prior to employment.
- Must possess Louisiana Arborist License, or ability to obtain one within two (2) years.

ESSENTIAL MENTAL & PHYSICAL REQUIREMENTS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable qualified individuals with disabilities to perform the essential functions.

Work is performed mostly in office settings. Some outdoor work is required in the inspection of various land use developments and construction sites. Hand-eye coordination is necessary to operate computers and various pieces of office equipment.

- Ability to read and interpret a document if required to perform the essential job functions.
- Ability to walk, sit, talk, and hear.
- Ability to use hands to finger, handle or operate objects, tools, or controls.
- Ability to reach with hands and arms.
- Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, peripheral vision, depth perception, and the ability to adjust focus.
- Ability to occasionally stand, climb or balance, stoop, kneel, crouch, or crawl.
- Ability to lift/move/carry approximately 25 pounds if required to perform the essential job functions. If the employee is unable to lift/move/carry this weight and can be accommodated without causing the department/division an "undue hardship" then the employee must be accommodated; hence omitting lifting/moving/carrying as a physical requirement.

WORK ENVIRONMENT:

- While performing the duties of this job, the employee occasionally works in outside weather conditions while performing the inspection of various land use developments and construction sites.
- The employee is occasionally exposed to wet and/or humid conditions, or airborne particles.
- The noise level in the work environment is usually quiet in the office, and moderate to loud in the field.

While the work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job, reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL:

CLASS TITLE:	Planner I - Landscape	
FUNCTIONAL TITLE:	Planner I - Landscape	
DEPARTMENT:	Planning & Development	
Department Director		Human Resources Director

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER MCGUIRE, SECONDED FOR INTRODUCTION BY COUNCIL MEMBER BUSH

ORDINANCE NO. 24-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CREATING THE POSITION OF PLANNING TECHINCIAN TO REPLACE THE POSITION OF PLANNING SECRETARY WITHIN THE PLANNING DEPARTMENT AND ADOPTING AND AMENDING THE CLASSIFICATION, JOB DESCRIPTION, AND PAY SCALE, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Section 4-04 of the Mandeville City Charter mandates that the City Council introduce an ordinance upon receipt of the Mayor's proposed plan to create, change, alter, consolidate or abolish City departments, offices and agencies and/or the reallocation of the functions, powers, duties and responsibilities of such departments, offices or agencies.

WHEREAS, the Administration recommends to the City Council that it reallocate duties and responsibilities of the Planning Secretary position to reflect a change in the Planning Department that has had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein; and,

WHEREAS, the Municipal Employees' Civil Service Board recommends to the City Council that it reallocate duties and responsibilities of the Planning Secretary position to reflect a change in the Planning Department that has had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Mandeville hereby creates the position of Planning Technician within the Planning Department and adopts and amends the job classification, job description, and pay scale as set forth in Exhibit "A" and "B" respectively and made a part of this ordinance; and,

NOW THEREFORE, BE IT FURTHER ORDAINED that this ordinance shall be effective following the Mayor's signature; and,

NOW THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and they are hereby authorized and empowered to take any and all actions which they, in the exercise of their discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

and the ordinance was declared adopted this ____ Day of _____, 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

POSITION DESCRIPTION

EXHIBIT A



CLASS TITLE:	Planning Technician	DATE COMPLETED:	PENDING
FUNCTIONAL TITLE:	Planning Technician	FLSA STATUS:	NE
DEPARTMENT:	Planning	CLASS NUMBER:	5
IMMEDIATE SUPERVISOR:	Director of Planning	JOB CODE:	0141

JOB FUNCTION:

This position works under the supervision of the Director of Planning. Work involves the performance of complex and diverse clerical operations in support of the Planning Department, including typing and transcription. It requires the application of judgment and knowledge of City operations gained through experience. Correspondence work is distinguished by incumbent's ability to personally compose letters in matters of recurrent nature. Employees in this class develop and refine their own routine and perform work with a minimum of supervision, a high degree of accuracy, independent judgement, and discretion.

ESSENTIAL JOB FUNCTIONS:

- Serves as support to the Department of Planning & Development and assists the general public, City staff, and others in functions that involve land use processes such as: zoning and subdivision requests, building permits, variances, conditional use permits, special use permits, subdivision and rezoning requests, zoning violations, and signage regulations
- Receives telephone inquiries in a courteous manner, researches matters, and responds to inquiries as appropriate; refers inquiries to Planner, Building Official or other Staff as necessary. Provides positive first impression for visitors to City Hall
- Prepares correspondence, maintains planning and zoning files, and performs other support duties for the Planning Department staff
- Assists the general public, City staff, and others in functions that involve land use processes such as: zoning and subdivision requests, building permits, variances, conditional use permits, special use permits, subdivision and rezoning requests, zoning violations, and signage regulations
- Assists Code Enforcement and the general public to identify and resolve zoning and other code violations.
- Data entry of building permit applications and inspections
- Serves as Secretary to the Planning and Zoning Commission and Parks and Parkways Commission and attends meetings and maintain official records and files of related matters including but not limited to minutes, case files and correspondence files
- Assists with Community Rating System activities and other floodplain administrative work.
- Maintains departmental records of leave and overtime
- Performs other related duties as assigned

MINIMUM REQUIRED EDUCATION AND EXPERIENCE:

- Graduation from high school or GED equivalent
- Two years of increasingly responsible related experience
- Any equivalent combination of education and progressively responsible experience

MINIMUM REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES:

- Exceptional filing, record-keeping, and organizational skills
- Skilled in communication, both verbally and in writing
- Working knowledge of printers, copiers, scanners, fax machines and various computer software, including the Microsoft Office Suite
- Ability to establish and maintain effective working relationships and use good judgement, initiative and resourcefulness with co-workers, the public, elected officials and members of the City's Boards and Commissions
- Ability to work independently or in a team environment
- Must be able to handle stressful situations, work with frequent interruptions, and adjust quickly to changes in priority

SPECIAL REQUIREMENTS:

- Knowledge of governmental requirements as related to record management and parliamentary procedures preferred
- Knowledge of building permits/inspections and planning processes preferred

ESSENTIAL MENTAL & PHYSICAL REQUIREMENTS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

- Ability to operate a keyboard if required to perform the essential job functions
- Ability to read and interpret a document if required to perform the essential job functions
- Ability to sit and talk and hear
- Ability to use hands to finger, handle or operate objects, tools, or controls
- Ability to reach with hands and arms
- Ability to view objects at close vision, distance vision, and the ability to adjust focus
- Ability to lift/move/carry approximately 25 pounds if required to perform the essential job functions. If the employee is unable to lift/move/carry this weight and can be accommodated without causing the department "undue hardship" then the employee must be accommodated; hence omitting lifting/moving/carrying as a physical requirement.

WORK ENVIRONMENT:

While the work environment described here are representative of those an employee encounters while performing the essential job functions of this job, reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- The work environment is usually an indoor, climate-controlled office.
- While performing the duties of this job, the employee often works in outside weather conditions.
- The noise level in the work environment is light to moderate in the office and moderate to loud in the field.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL:

CLASS TITLE:	Planning Technician	
FUNCTIONAL TITLE:	Planning Technician	
DEPARTMENT:	Planning	
Department Director		Human Resources Director

Approved by Ordinance No. _____

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER MCGUIRE; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER BUSH

ORDINANCE NO. 24-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AMENDING AND ADOPTING THE PERSONNEL POLICIES PART II – RULES OF APPEALS PROCEDURES FOR THE MUNICIPAL EMPLOYEES’ CIVIL SERVICE SYSTEM, AND ITS EMPLOYEE RULES AND REGULATIONS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Section 4-05 of the Mandeville City Charter, entitled Personnel Systems, mandates the City Council shall adopt personnel rules, policies, procedures and practices for all non-police employees by ordinance; and

WHEREAS, It is necessary that personnel policies be reviewed from time to time to adequately reflect policies as revised to meet current conditions; and

WHEREAS, as a part of that review process, the Council deemed that the Personnel Policies of the Municipal Employees Civil Service System be amended to reflect current standards and practices;

WHEREAS the City of Mandeville’s Municipal Employees’ Civil Service Board recommends approval of the changes to the Rules of Appeals Procedures section of the Municipal Employees’ Civil Service Manual; and

NOW, THEREFORE BE IT ORDAINED that Part II – Rules of Appeals Procedures of the Personnel Policies of the Municipal Employees Civil Service System to read as documented in Exhibit A.

BE IT FURTHER ORDAINED that the City Council of the City of Mandeville hereby adopts and amends the provisions of this ordinance upon signature of the Mayor.

BE IT FURTHER ORDAINED that the Clerk of this Council be and they are hereby authorized and empowered to take any and all actions which they, in the exercise of their discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

and the ordinance was declared adopted this ____ Day of _____, 2024.

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL**PART II - RULES OF APPEALS PROCEDURE**

Regular employees in the classified service have the right to appeal to the Civil Service Board from suspension, promotions, dismissal, layoff, reduction in pay or demotion, to test the reasonableness of such action. It is simple to appeal to the Civil Service Board regarding an action listed above, BUT IT IS RECOMMENDED THAT YOU READ ALL THE RULES OF APPEALS PROCEDURE AND SCHEDULING ORDER OF THE CITY OF MANDEVILLE:

- A.** Prepare a written petition for appeal that tells what happened and why you feel it was not reasonable. This should be given to the Secretary to the Board within 30 calendar days of the action complained against. Instructions for the information to be included in the petition are in Section 3.01, Rules of Procedure.
- B.** If you would like co-workers or other witnesses to provide testimony at the hearing, or if you would like documentation or other media the City might be in possession of made available at the hearing and/or given to you in advance, prepare a written request to the Board. This request must list those people who you desire to appear and the documentation or other media you want made available, and state how they will help the Board make a decision regarding the facts of your appeal. You must be specific in your requests. There are time limits for making this request. (See Appendix A)

DEFINITIONS:

Appeal	The process to ask the Civil Service Board to review a decision by the employer, because the appellant believes the action of the employer was unreasonable and/or without cause
Appellant	The person making an appeal to the Police Employees' Civil Service Board
Attorney of Record	A duly licensed attorney who can practice law in the state of Louisiana formally introduced as representing a party
Continuance	A postponement of a date of a hearing or other appearance before the Civil Service Board to a later fixed date ordered by the Civil Service Board
Default	Action which is taken upon either party's failure to show up or respond when required to do so within a certain amount of time or on a certain date
Discovery	The formal process of exchanging information between parties about witnesses and evidence that will be presented at the hearing
Dispositive Motion	A motion seeking to end the appellant's appeal without need for a formal hearing
Docket Number	The number assigned by the Secretary to the Board to track an appeal

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL

Exhibit	A document, object, or other item of evidence presented to the Civil Service Board during a hearing
Hearing	The formal examination of an appeal before the Civil Service Board, during which evidence and/or argument is presented to determine fact and if the employer has been reasonable
Interlocutory Ruling	A temporary decision made by the Board
Material Fact	A fact which is of such importance that it would affect the outcome of the appeal
Motion	A formal request of the Civil Service Board to make a ruling on an issue relating to the appeal
Parol Evidence	Testimony or evidence which is outside of the actual written documents being considered
Petition	A written statement requesting specific action by the Board
Pleadings	A written submission that sets out claims, allegations, arguments, or evidence
Pre-Hearing Memorandum	A written summary advising the Civil Service Board of a party's asserted facts, arguments, witnesses, deposition testimony information, and exhibits
Record	A file, identified by the docket number, that holds all documents relating to the appeal. This record is available for inspection at all reasonable times
Sequester	To physically separate two or more witnesses so that they may not hear nor be influenced by the testimony of the others
Service	Mailing or otherwise providing a copy of documents to all parties
Subpoena	Document issued by the Board demanding the appearance of a witness or for the production of documents
Testimony	Oral or written evidence given by a witness under oath, affidavit, or deposition during the appeal hearing
Witness	Person who comes before the Civil Service Board and swears under oath to provide truthful evidence based on firsthand knowledge

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL**II. RULES OF APPEALS PROCEDURES**

In accordance with Rule 10 of the Personnel Rules of the City of Mandeville, the following Rules of Appeals Procedures are established:

RULE 1.0 APPEALS

SECTION 1.01 Persons appealing to the Board shall do so in writing and shall specify the basis for the appeal and relief sought pursuant to Rule 3.0, Rules of Procedure.

SECTION 1.02 Appeals to the Board must be filed with and received by the Municipal Police Employees' Civil Service Board, through its Secretary, during established City working hours and within thirty (30) calendar days of the effective date of the action complained against.

Saturdays, Sundays, holidays, and other non-working days shall not serve to extend this thirty-day limitation.

SECTION 1.03 Except in the case of appeals filed under Section 10.05 of the Personnel Rules, the burden of proof on appeal, as to the facts, shall be on the employer.

SECTION 1.04 Parties shall follow the adopted scheduling order when an appeal is filed. (See Appendix A.)

SECTION 1.05 Appellants shall have the right to be represented by counsel. Such counsel must be duly licensed to practice law in the State of Louisiana.

SECTION 1.06 In its decision resulting from appeals hearings taken under this section, the Board may affirm, amend, or overturn the action from which appellant appealed; including an award of back pay and other emoluments.

- A.** In accordance with LA R.S. 49:113, Civil Service employees of the City of Mandeville, who have been illegally discharged from their employment, as found by the appellate courts, shall be entitled to be paid by the City of Mandeville all salaries and wages withheld during the period of illegal separation, against which amount shall be credited and set-off all wages and salaries earned by the employee in private employment in the period of separation.
- B.** When a request for a continuation of a hearing is granted at the request of the appellant, it shall be deemed to be a waiver of back pay for the period of time occasioned by the delay, unless the Board shall rule otherwise.

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL**RULE 2.0 OATHS, TESTIMONY, AND DEPOSITIONS**

SECTION 2.01 The Board, each member of the Board, and the Chairman may administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by the Board pursuant to the Code of Civil Procedure of the State of Louisiana. (See Appendix A.)

SECTION 2.02 Any appellant or party to an appeal who desires to take the testimony of a witness or witnesses residing outside of the State of Louisiana or within the State but outside of St. Tammany Parish, shall give due notice in writing to the opposing party or his/her attorney of record and shall furnish a copy of said notice to the Board. The testimony of such witness or witnesses may be taken in a manner and form as nearly consonant as possible with the provisions of the Code of Civil Procedure of the State of Louisiana.

RULE 3.0 RULES OF PROCEDURE

SECTION 3.01 PETITION OF APPEAL: An appeal shall be commenced by a written petition to the Board stating clearly and concisely the action complained against, the date of its occurrence or the date that the appellant learned thereof, and the relief sought. The petition must be signed by the appellant or his/her counsel, if any, and must give the full name, mailing address, telephone number, and email address of the appellant and of his/her counsel.

SECTION 3.02 NOTICE OF APPEAL; DOCKETING: The Secretary to the Board shall open an appeal record and note the date of filing of each petition for appeal and assign a docket number to the appeal in that record. The Board, through its Secretary, shall give notice of the petition for appeal and furnish a copy of the petition to the Chairman, Personnel Director, City Attorney, relevant Department Director, and supervisor or person against whose action the appeal is directed. An appeals docket shall be maintained upon which each appeal shall be docketed in the order filed, be numbered consecutively, and be given an appropriate title.

SECTION 3.03 INITIAL DISCLOSURE DISCUSSION: It is the responsibility of the counsels of each party to schedule and complete an initial disclosure discussion within 14 days of the filing of an appeal. During the initial disclosure discussion, the parties shall exchange, review, discuss and exchange accessible and relevant documents, audio/visual media, and preliminary witness lists.

SECTION 3.04 SCHEDULING CONFERENCE: A scheduling conference will be held within 14 days of the filing of the appeal.

- A. The scheduling conference may be conducted by telephone and the Chairman of the Municipal Police Employees' Civil Service Board, the Human Resources Director and the counsel of the parties shall attend.
- B. At the scheduling conference, a hearing date will be set, which shall not be more than eight (8) months from the date the appeal was filed.

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- C. Upon good cause shown or upon agreement of counsel, the parties may agree to a later hearing date that is within nine (9) months of the appeal being filed.

SECTION 3.05 SUMMARY DISMISSAL OF APPEAL: If the petition for appeal contains no allegation of disputed material facts, the employer may file a dispositive motion for a summary dismissal of the appeal. All dispositive motions regarding jurisdiction of the Board to hear the appeal shall be filed within 44 days of the appeal being filed. The motion must be predicated on any one of the following grounds:

- A. That the Board lacks personal or subject matter jurisdiction over the case;
- B. That the petition for appeal fails to state a claim upon which relief can be granted;
- C. That the appeal has not been made in the manner prescribed, or within the time prescribed by the Personnel Rules;
- D. That the petition for appeal contains no allegation of disputed material fact and the mover should prevail as a matter of law.

Such pleading may be supported by written argument or brief, properly filed with the Board through its Secretary and served upon the appellant or his/her attorney of record. The Municipal Police Employees' Civil Service Board shall, within sixty calendar days of filing of the appeal, decide either to fix a hearing on the motion or to refer the matter to a hearing on the merits.

Any response to the dispositive motion must be submitted within 60 days of the appeal being filed.

In the event the Board orders a hearing on the motion, all parties shall be given seven (7) calendar days' notice of the time and place for the hearing. After hearing on the motion, the Board may order dismissal of the appeal. If the Board dismisses the appeal after a hearing on the motion, or after consideration of the motion at a hearing on the merits of the case, it shall issue an Order containing the reasons for its decision and file same with the Board, through its Secretary, who shall promptly notify all parties to the appeal of such disposition and furnish them with a copy of such decision.

SECTION 3.06 ANSWER: No answer to the petition for appeal need be filed by the employer.

SECTION 3.07 VERIFICATION OF PLEADINGS: Pleadings need not be verified or accompanied by affidavit. The signature of an attorney shall constitute a certificate by him/her that he/she has read the pleading, that to the best of his/her knowledge, information and belief the facts contained therein are true and correct, and there are sufficient grounds to support it and that it is not interposed for the purpose of delay.

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SECTION 3.08 TRIAL DOCKET; PREFERENCE: The Board shall fix the time and place for the hearing of appeals as far as practicable in the order of docketing except that, for cause, it may give preference on the docket.

SECTION 3.09 PLACE OF HEARING: All appeals shall be heard in a convenient place, accessible to the public in the City of Mandeville.

SECTION 3.10 NOTICE OF HEARING; TAKING OF TESTIMONY: The Board shall give at least ten (10) calendar days' notice to the appellant, the Personnel Director, and the employer of the time and place fixed for the hearing or the taking of testimony; provided, that by consent of all parties and the Board, this notice may be waived and the appeal may be heard, or the testimony taken, at any time agreeable to all parties.

SECTION 3.11 CONTINUANCES:

- A. Motions to Continue may be filed up to the day of the hearing. Motions to Continue filed within 45 days of the scheduled hearing will not be granted absent good cause shown.
- B. Appeals fixed for hearing and not heard on the date scheduled shall be re-fixed by preference over all other appeals.
- C. If an appellant requests and is granted a continuance, the Board may refuse to award any compensation for that portion of the time lost by reason of the continuance, even if his/her appeal is sustained.
- D. Continuances for good cause may be granted by the Board. Any case continued for cause will be specially assigned for hearing at the earliest date.

SECTION 3.12 PLEADING IN ALTERNATIVE: Pleadings may be framed in the alternative provided the allegations contained therein or the relief sought are not inconsistent or mutually exclusive.

SECTION 3.13 AMENDMENT OF PLEADINGS: The spirit and purpose of these rules is to provide for liberal amendment of pleadings in the interest of full justice between the parties, provided that in the application of this rule fundamental issues are not changed and the objective of reasonable notice is not defeated. In no event shall an amendment serve to extend the time originally prescribed for filing the pleading being amended.

SECTION 3.14 SERVICE OR NOTICE OF PLEADINGS: Whenever under these rules service is required or permitted to be made, it shall be satisfactory evidence of compliance to introduce proof of mailing a registered or certified letter with an accompanying return receipt duly signed by the Party upon whom service is sought, or his/her agent. If the party sought to be served is represented by an attorney, the service shall be made upon the attorney, unless the Board otherwise orders.

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL

SECTION 3.15 COMPUTATION OF TIME FOR DELAY; MAIL NOTICE: Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a notice or other paper upon him/her and the notice or paper is served upon him/her by mail, three (3) calendar days shall be added to the prescribed period.

SECTION 3.16 PRE-HEARING MEMORANDUM: A pre-hearing memorandum shall be filed no later than 14 days prior to the scheduled hearing date. The pre-hearing memorandum shall contain:

- A. A complete list of the material facts to be asserted by each party
- B. A list of all witnesses expected to testify and a description of their anticipated testimony
- C. A list of all deposition testimony to be introduced and a description of their testimony
- D. A list and brief description of all exhibits to be introduced by each party along with a statement showing their relevance
- E. A list of all issues of law to be relied upon by each party and its application to the facts to be asserted by each party

SECTION 3.17 EXHIBITS: On the hearing date, each party is required to submit ten (10) hard copies of each exhibit which he/she intends to introduce into evidence.

RULE 4.0 SUBPOENA OF WITNESSES:

- A. The Board shall have power to order the appearance of witnesses.
- B. Any party applying for the issuance of a subpoena for any witness at any hearing must do so in writing to the Board, through its Secretary, no less than 30 days before the scheduled hearing. The requestor must provide the name and address of the witness to whom the subpoena is to be directed in addition to a demonstration of the reasonableness of the scope of the subpoena sought.
- C. The party requesting the subpoena shall be responsible for serving the subpoena. An affidavit or declaration of personal service or of mailing shall be submitted to the Board Chairman, through the Board's Secretary.
- D. In lieu of the issuance and service of formal subpoenas, the Board may request any supervisor to order a designated employee under his/her supervision to attend and testify at any hearing. If the supervisor honors the request, any classified employee who refuses to obey the order of his/her appointing authority to appear and testify at the hearing may be subjected to disciplinary action by the Board.

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL**5.0 DISCOVERY AND PRODUCTION**

- A. The Board shall have the power to compel the production of relevant documents and audio/visual media.
- B. All discovery requests shall be made in writing to the Board through its Secretary, no later than 150 days prior to the scheduled hearing.
- C. Any motions in response to any discovery request shall be made in writing, to the Board Chairman, through its Secretary, within 30 days of the related discovery request.
- D. Discovery requests must describe the documents and/or other media requested in sufficient detail for identification. The requestor must give the full name, address, telephone number, and email address of the person required to make such production. Finally, discovery requests must state what is intended to be proven by such document and/or other media, and the materiality must be attested to by the appellant or his/her attorney of record.
- E. Authenticated copies of documents and/or other media in the custody of any department, board, or agency of the City which have been requested may be admitted in evidence with the same effect as the originals, but if original records are subpoenaed, they must be produced and made available for inspection even though authenticated copies may be subsequently introduced.
- F. All requests for the presentation of specific documents and/or media or person to present specific documents and/or media at the scheduled hearing shall be sent to Board Chairman, through the Board Secretary, no later than 30 days prior to the scheduled hearing date.

RULE 6.0 HEARING PROCEDURES**SECTION 6.01 STRUCTURE OF HEARINGS:**

- A. All hearings shall be open to the public, except that the Board may resolve to go into executive session whenever it deems it necessary under the circumstances.
- B. Parties shall have the right, but shall not be required, to be represented by counsel. Counsel must be duly licensed to practice law in the State of Louisiana. When any party is represented by more than one attorney in any hearing, the Board may limit the examination of witnesses to one attorney of record.
- C. The Board may require at the inception of the hearing that the parties stipulate all undisputed facts.

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- D.** Unless otherwise provided for in these rules, hearings and the taking of testimony shall be conducted according to the Louisiana Code of Civil Procedure and Louisiana Code of Evidence.
- E.** The Code of Evidence as applied in civil trials before the District Courts of Louisiana shall prevail in hearings before the Board.
- F.** The Board, on request of any party, or on its own motion, may order that the witnesses be sequestered. When witnesses have been ordered sequestered, no witness then under examination and no prospective witness may be informed of the testimony given by a prior witness, except in open hearing in order to lay a foundation for impeachment of the veracity of that witness.
- G.** Pertinent parts of the personnel rules, the classification plan, or the approved pay plan may be referred to or cited as authority in any case, without the necessity of formally offering such in evidence.
- H.** The party who is required to carry the burden of proof shall open the proceedings by presenting his/her case.
- I.** Neither party shall be permitted to introduce evidence, oral or written, the effect of which would be, if admitted, to enlarge the pleadings.
- J.** Parties and witnesses shall be subject to cross examination as in civil trials before the District Courts of Louisiana.
- K.** Parol evidence shall not be received on behalf of the employer to vary or contradict the written reasons assigned as cause for the demotion, suspension, dismissal, or other disciplinary action against a classified employee. The employer may rebut, however, by parol testimony any evidence introduced by the employee in contradiction of the written causes for disciplinary action assigned by the employer.
- L.** The Board may limit the total time for oral argument, according to the circumstances of each case.
- M.** Except with special leave of the Board, only one attorney shall be permitted to present oral argument for any party.
- N.** The Board may invite or allow any member of the Louisiana State Bar Association to present oral or written arguments concerning any question of law provided that, if oral, they be presented at a hearing when all parties are present or represented, or, if written, copies thereof shall be served on all parties or their counsel. Such service shall be verified by the sworn certificate of the appearer.

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL**SECTION 6.02 INTERLOCUTORY RULINGS:**

- A. It shall not be necessary for any party to enter a formal exception to the interlocutory rulings or orders of the Board. At the time the ruling is made or the order is communicated, a party shall object and assign reasons which shall be noted in the record.
- B. At any time prior to a final decision, the Board may recall, reverse, or revise any interlocutory ruling or order.

SECTION 6.03 NON-APPEARANCE OF PARTIES; DISMISSAL BY DEFAULT; REFIXING:

- A. If the appellant fails to appear at the place and time fixed for any hearing, his/her appeal may be dismissed or the Board may, in its discretion, continue the case or proceed with the hearing, and render its decision upon such evidence as may be adduced at the hearing.
- B. If the employer fails to appear at the place and time fixed for any hearing, the Board may proceed with the hearing, and the appeal shall be decided upon such evidence as may be adduced at the hearing.
- C. Nothing herein shall be construed to prevent the Board from resetting any hearing upon timely application and for good cause.

SECTION 6.04 REFUSAL TO APPEAR OR TESTIFY; FALSE TESTIMONY:

- A. Any person who willfully or unjustifiably fails to appear before the Board, or, having appeared, refuses to testify or answer any questions pertinent to the matters under consideration shall be subjected to appropriate penalty as the Board may determine.
- B. No officer or employee who testifies before a hearing of the Municipal Police Employees' Civil Service Board shall be subjected to any disciplinary action by his/her supervisor or a subordinate because of his/her so testifying.
- C. Any person who willfully or unjustifiably fails to appear in response to a subpoena, or to answer any relevant question, or to produce any books or papers pertinent to any hearing before the Board, or who knowingly gives false testimony therein shall be subject to such penalty as the Board may determine.

SECTION 6.05 ABANDONMENT OF APPEALS: Whenever an appellant allows one (1) year to elapse without having taken any active steps in the prosecution of his/her appeal, he/she shall be considered to have abandoned the same and the Board on motion may order the appeal dismissed. The Chairman shall promptly notify all interested parties of such dismissal.

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SECTION 6.06 DISMISSAL OF APPEALS: The appellant may withdraw or abandon his/her appeal by filing written notice to that effect. The effect of this notice shall be to authorize the final disposition of the appeal by the Board. In such event the Chairman shall promptly notify all interested parties of such dismissal.

SECTION 6.07 FINALITY OF BOARD DECISIONS: Board decisions and orders shall be final and effective as of the date rendered, as reflected in the decision or order, subject only to such stay of execution as may be effectuated in accord with Section 4.08 hereof.

SECTION 6.08 APPLICATIONS FOR REHEARING OR RECONSIDERATION AND APPEAL FROM BOARD DECISION:

- A. An application for rehearing or reconsideration of a decision or order by the Board must be filed with the Board, through its Secretary, at his/her official office address within ten (10) calendar days of the date on which the subject Board decision or order is mailed to the interested parties. The application must be in writing and must specifically state the grounds for the application, said grounds being limited to:
1. An allegation of the discovery of new evidence which was unavailable at the time of the original hearing or plea and which, if known, would have significantly altered the conclusions reached by the Board, or
 2. An allegation of specific error of fact or law which, if corrected, would significantly alter the original decision.

The filing of an application for rehearing shall not stay execution of a Board decision unless otherwise ordered by the Board. Any delay in the execution of an unchanged Board decision shall be at the expense of the applicant. A stay order may be issued by any one member of the Board, subject to review and ratification by a majority of the Board members within ten (10) calendar days.

- B. An application for rehearing or reconsideration from a decision by the Board shall be effectuated in accord with the Uniform Rules of the Courts of Appeal, State of Louisiana

Appeals from Final Decisions of Civil Service Commissions, said appellate court rules hereby being adopted and, by reference, made part hereof.

MUNICIPAL EMPLOYEES' CIVIL SERVICE MANUAL**APPENDIX A: SCHEDULING ORDER***Table 1: Snapshot of Scheduling Order*

	Days After Appeal is Filed	Days Prior to Scheduled Hearing	Other
Appeal Filed			DAY 1 (START)
Initial Disclosure Discussion	Days 1 - 14		
Scheduling Conference	Day 14		
Dispositive Motions Due	Day 44		
Response to Dispositive Motion Due	Day 60		
Discovery Request Deadline		150 Days	
Motions in Response to Discovery Requests			Within 30 days of the submission of the related discovery request
Discovery Responses Due			30 days from the date the discovery request is made
All Discovery Completed		90 Days	
Other Motions Due		45 Days	
Subpoenas of Witnesses Requests to be Issued		30 Days	
Pre-Hearing Memos Due		14 Days	
Hearing			No more than 8 months after appeal is filed (END)

- A.** A scheduling conference will be held within 14 days of the filing of an appeal. The scheduling conference may be conducted by telephone and the Chairman of the Board, the Human Resources Director and Counsel for the Parties shall attend.
- B.** The parties shall exchange, review, discuss and exchange accessible and relevant documents, audio/visual media, and preliminary witness lists during the initial disclosure discussion. Initial disclosure discussion shall take place within 14 days of the appeal file date.
- C.** At the scheduling conference, a hearing date will be set which shall not be more than 8 months from the date the appeal was filed. Upon good cause shown or upon agreement of counsel, the parties may agree to a later hearing date that is within 9 months of the appeal being filed.
- D.** All dispositive motions regarding jurisdiction of the Board to hear the appeal shall be filed within 44 days of the appeal being filed. Any response to the dispositive motion must be submitted within 60 days of the appeal being filed.
- E.** All discovery requests shall be made no later than 150 days prior to the scheduled hearing.
- F.** Any motions in response to any discovery request shall be made within 30 days of the related discovery request.
- G.** Responses to discovery requests shall be produced within thirty days of the date the request was made.

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- H. All discovery shall be completed no later than 90 days prior to the hearing date.
- I. All other motions shall be filed no later than 45 days prior to the scheduled hearing date.
- J. Motions to Continue may be filed until the day of the hearing. Motions to Continue filed within 45 days of the hearing will not be granted absent good cause shown.
- K. All requests for the issuance of a subpoena for a witness to testify at the hearing or for a specific person to produce specified documents, audio/visual media or other physical exhibits at the hearing shall be sent to the Board Chairman, through the Board Secretary no later than 30 days prior to the scheduled hearing date.
- L. A request for a subpoena for a person to appear shall include the person's name and address, show the relevance of that person's testimony, and demonstrate the reasonableness of the scope of the subpoena sought.
- M. The party requesting the subpoena shall be responsible for serving the subpoena. An affidavit or declaration of personal service or of mailing shall be submitted to the Chairman, through the Board's Secretary.
- N. A pre-hearing memorandum shall be filed no later than 14 days prior to the hearing date.
- O. The pre-hearing memorandum shall contain:
 - a. A complete list of the material facts to be asserted by each party.
 - b. A list of all witnesses expected to testify and a description of their anticipated testimony.
 - c. A list of all deposition testimony to be introduced and a description of their testimony.
 - d. A list and brief description of all exhibits to be introduced by each party along with a statement showing their relevancy.
 - e. A list of all issues of law to be relied upon by each party and its application to the facts to be asserted by each party.
- P. On the day of the hearing, each party is required to submit ten hard copies of each exhibit which he/she intends to introduce into evidence.
- Q. Civil Service employees of the City of Mandeville, who have been illegally discharged from their employment, as found by the appellate courts, shall be entitled to be paid by the City of Mandeville all salaries and wages withheld during the period of illegal separation, against which amount shall be credited and set-off all wages and salaries earned by the employee in private employment in the period of separation. When a continuance is granted at the request of the appellant, it shall be deemed to be a waiver of backpay for the period of time occasioned by the delay, unless the Board shall rule otherwise.

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PART II - RULES OF APPEALS PROCEDURE

Regular employees in the classified service have the right to appeal to the Civil Service Board from suspension, promotions, dismissal, layoff, reduction in pay or demotion, to test the reasonableness of such action. It is ~~very~~ simple to ~~make an~~ appeal to the Civil Service Board regarding an action listed above, **BUT IT IS RECOMMENDED THAT YOU READ ALL THE RULES OF APPEALS PROCEDURE AND SCHEDULING ORDER OF THE CITY OF MANDEVILLE:**

- A. Prepare a written petition for appeal that tells what happened and why you feel it was not reasonable. This should be given to the Secretary to the Board within 30 calendar days of the action complained against. Instructions for the information to be included in the petition are in Section 3.01, Rules of Procedure.
- B. If you ~~want some of~~ would like your co-workers or other witnesses to ~~come to give~~ provide testimony evidence at the hearing, or if you would like documentation or other media the City might be in possession of ~~want some papers you think the City has to be~~ made available at the hearing and/or given to you in advance, prepare a written request to the Board. This request must list those people who you desire to appear and the documentation or other media ~~papers~~ you want made available, and state how they will help the Board make a decision regarding the facts of your appeal ~~to find out the facts~~. You must be specific in your requests ~~about what papers you want~~. There are time limits for making this request (see ~~Rule 2.0 Oaths, Testimony, Production of Records and Depositions~~ Appendix A).

DEFINITIONS:

<u>Appeal</u>	<u>The process to ask the Civil Service Board to review a decision by the employer, because the appellant believes the action of the employer was unreasonable and/or without cause.</u>
Appellant	The person making an appeal to the Police Employees' Civil Service Board-
Attorney of Record	A duly licensed attorney <u>who can practice law in the state of Louisiana</u> formally introduced as representing a party-
<u>Continuance</u>	<u>A postponement of a date of a hearing or other appearance before the Civil Service Board to a later fixed date ordered by the Civil Service Board</u>
Default	Action which is taken upon either party's failure to show up or respond when required to do so within a certain amount of time or on a certain date-

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<u>Discovery</u>	<u>The formal process of exchanging information between parties about witnesses and evidence that will be presented at the hearing</u>
<u>Dispositive Motion</u>	<u>A motion seeking to end the appellant's appeal without need for a formal hearing</u>
Docket Number	The number assigned by the Secretary to the Board to track an appeal-
<u>Exhibit</u>	<u>A document, object, or other item of evidence presented to the Civil Service Board during a hearing</u>
<u>Hearing</u>	<u>The formal examination of an appeal before the Civil Service Board, during which evidence and/or argument is presented to determine fact and if the employer has been reasonable</u>
Interlocutory Ruling	A temporary decision made by the Board-
Material Fact	A fact which is of such importance that it would affect the outcome of the appeal-
<u>Motion</u>	<u>A formal request of the Civil Service Board to make a ruling on an issue relating to the appeal</u>
Parol Evidence	Testimony or evidence which is outside of the actual written documents being considered-
Petition	A written statement requesting specific action by the Board
<u>Pleadings</u>	<u>A written submission that sets out claims, allegations, arguments, or evidence</u>
Pre-Hearing Memorandum	A written summary advising the Civil Service Board of a party's asserted facts, arguments, witnesses, deposition testimony information, and exhibits
Record	A file, identified by the docket number, that holds all documents relating to the appeal. This record is available for inspection at all reasonable times-
Petition	A written statement requesting specific action by the Board.

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Sequester	To physically separate two or more witnesses so that they may not hear nor be influenced by the testimony of the others.
Service	Mailing or otherwise providing a copy of documents to all parties.
Subpoena	Document issued by the Board demanding the appearance of a witness or for the production of documents.
<u>Testimony</u>	<u>Oral or written evidence given by a witness under oath, affidavit, or deposition during the appeal hearing</u>
<u>Witness</u>	<u>Person who comes before the Civil Service Board and swears under oath to provide truthful evidence based on firsthand knowledge</u>

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

II. RULES OF APPEALS PROCEDURES

In accordance with Rule 10 of the Personnel Rules of the City of Mandeville, the following Rules of Appeals Procedures are established:

RULE 1.0 APPEALS

SECTION 1.01 Persons appealing to the Board shall do so in writing and shall specify the basis for the appeal and relief sought pursuant to Rule 3.0, Rules of Procedure.

SECTION 1.02 Appeals to the Board must be filed with and received by the Municipal Police Employees' Civil Service Board, through its Secretary, during established City working hours and within thirty (30) calendar days of the effective date of the action complained against. Saturdays, Sundays, holidays and other non-working days shall not serve to extend this thirty day limitation.

SECTION 1.03 ~~Within forty five (45) calendar days after receipt of an appeal, the Board shall initiate a hearing. The Board shall have the right to continue the hearing from time to time for good cause and reason.~~ Except in the case of appeals filed under Section 10.05 of the Personnel Rules, the burden of proof on appeal, as to the facts, shall be on the employer.

SECTION 1.04 ~~The Board shall decide appeals promptly, but in any event within forty five (45) calendar days after completion of a hearing. Parties shall follow the adopted scheduling order when an appeal is filed (See Appendix A).~~

SECTION 1.05 Appellants shall have the right to be represented by counsel. Such counsel must be duly licensed to practice law in the State of Louisiana.

SECTION 1.06 In its decision resulting from appeals hearings taken under this section, the Board may affirm, amend, or overturn the action from which appellant appealed; including an award of back pay and other emoluments.

A. In accordance with LA R.S. 49:113, Civil Service employees of the City of Mandeville, who have been illegally discharged from their employment, as found by the appellate courts, shall be entitled to be paid by the City of Mandeville all salaries and wages withheld during the period of illegal separation, against which amount shall be credited and set-off all wages and salaries earned by the employee in private employment in the period of separation.

A.B. When a request for a continuation of a hearing is granted at the request of the appellant, it shall be deemed to be a waiver of back pay for the period of time occasioned by the delay, unless the Board shall rule otherwise.

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

**RULE 2.0 OATHS, TESTIMONY, PRODUCTION OF
RECORDS AND DEPOSITIONS**

SECTION 2.01 The Board, each member of the Board, and the Chairman may administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by the Board pursuant to the Code of Civil Procedure of the State of Louisiana (See Appendix A). ~~Applications for issuance of subpoenas must be in the hands of the Board, through its Secretary, at least seven (7) work days prior to the date established for the hearing.~~

SECTION 2.02 Any appellant or party to an appeal who desires to take the testimony of a witness or witnesses residing outside of the State of Louisiana or within the State but outside of St. Tammany Parish, shall give due notice in writing to the opposing party or his/her attorney of record and shall furnish a copy of said notice to the Board. The testimony of such witness or witnesses may be taken in a manner and form as nearly consonant as possible with the provisions of ~~R.S. 13:3771 through 13:3775~~ the Code of Civil Procedure of the State of Louisiana.

RULE 3.0 RULES OF PROCEDURE

SECTION 3.01 PETITION OF APPEAL: An appeal shall be commenced by a written petition to the Board stating clearly and concisely the action complained against, the date of its occurrence or the date that the appellant learned thereof, and the relief sought. The petition must be signed by the appellant or his/her counsel, if any, and must give the full name, mailing address, ~~and~~ telephone number, and email address of the appellant and of his/her counsel.

SECTION 3.02 NOTICE OF APPEAL; DOCKETING: The Secretary to the Board shall open an appeal record and note the date of filing of each petition for appeal and assign a docket number to the appeal in that record. The Board, through its Secretary, shall give notice of the petition for appeal and furnish a copy of the petition to the Chairman, Personnel Director, City Attorney, relevant Department Director, ~~and~~ supervisor or person against whose action the appeal is directed. An appeals docket shall be maintained upon which each appeal shall be docketed in the order filed, be numbered consecutively, and be given an appropriate title.

SECTION 3.XX INITIAL DISCLOSURE DISCUSSION: It is the responsibility of the counsels of each party to schedule and complete an initial disclosure discussion within 14 days of the filing of an appeal. During the initial disclosure discussion, the parties shall exchange, review, discuss and exchange accessible and relevant documents, audio/visual media, and preliminary witness lists.

SECTION 3.XX SCHEDULING CONFERENCE: A scheduling conference will be held within 14 days of the filing of an appeal.

- A. The scheduling conference may be conducted by telephone and the Chairman of the Municipal Police Employees' Civil Service Board, the Human Resources Director and the counsel of the parties shall attend.

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- B. At the scheduling conference, a hearing date will be set, which shall not be more than eight (8) months from the date the appeal was filed.
- C. Upon good cause shown or upon agreement of counsel, the parties may agree to a later hearing date that is within nine (9) months of the appeal being filed.

SECTION 3.03 SUMMARY DISMISSAL OF APPEAL: If the petition for appeal contains no allegation of disputed material facts, the employer may file a dispositive motion for a summary dismissal of the appeal. All dispositive motions regarding jurisdiction of the Board to hear the appeal shall be filed within 44 days of the appeal being filed ~~within ten (10) calendar days after receipt of the notice of the petition for appeal.~~ The motion must be predicated on any one of the following grounds:

- A. That the Board lacks personal or subject matter jurisdiction over the case;
- B. That the petition for appeal fails to state a claim upon which relief can be granted;
- C. That the appeal has not been made in the manner prescribed, or within the time prescribed by the Personnel Rules.
- D. That the petition for appeal contains no allegation of disputed material fact and the mover should prevail as a matter of law.

Such pleading may be supported by written argument or brief, properly filed with the Board through its Secretary and served upon the appellant or his/her attorney of record. The Municipal Police Employees' Civil Service Board shall, within 60 ~~ten (10)~~ calendar days of filing of the appeal motion, decide either to fix a hearing on the motion or to refer the matter to a hearing on the merits.

Any response to the dispositive motion must be submitted within 60 days of the appeal being filed.

In the event the Board orders a hearing on the motion, all parties shall be given seven (7) calendar ~~days-noticed~~ days' notice of the time and place for the hearing. After hearing on the motion, the Board may order dismissal of the appeal. If the Board dismisses the appeal after a hearing on the motion, or after consideration of the motion at a hearing on the merits of the case, it shall issue an Order containing the reasons for its decision and file same with the Board, through its Secretary, who shall promptly notify all parties to the appeal of such disposition and furnish them with a copy of such decision.

SECTION 3.04 ANSWER: No answer to the petition for appeal need be filed by the employer.

SECTION 3.05 VERIFICATION OF PLEADINGS: Pleadings need not be verified or accompanied by affidavit. The signature of an attorney shall constitute a certificate by him/her that he/she

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has read the pleading, that to the best of his/her knowledge, information and belief the facts contained therein are true and correct, and there are sufficient grounds to support it and that it is not interposed for the purpose of delay.

SECTION 3.06 TRIAL DOCKET; PREFERENCE: The Board shall fix the time and place for the hearing of appeals as far as practicable in the order of docketing except that, for cause, it may give preference on the docket.

SECTION 3.07 PLACE OF HEARING: All appeals shall be heard in a convenient place, accessible to the public in the City of Mandeville.

SECTION 3.08 NOTICE OF HEARING; TAKING OF TESTIMONY: The Board shall give at least ten (10) calendar ~~day's notice~~days' notice to the appellant, the Personnel Director, and the employer of the time and place fixed for the hearing or the taking of testimony; provided, that by consent of all parties and the Board, this notice may be waived and the appeal may be heard, or the testimony taken, at any time agreeable to all parties.

SECTION 3.09 CONTINUANCES:

A. ~~Motions to Continue may be filed up to the day of the hearing. Motions to Continue filed with 45 days of the scheduled hearing will not be granted absent good cause shown.~~

A.B. Appeals fixed for hearing and not heard on the date scheduled shall be re-fixed by preference over all other appeals.

~~**B.** Appeals fixed for hearing may be continued with the consent of all parties.~~

C. If an appellant requests and is granted a continuance, the Board may refuse to award any compensation for that portion of the time lost by reason of the continuance, even if his/her appeal is sustained.

D. Continuances for ~~sufficient~~ good cause may be granted by the Board. Any case continued for cause will be specially assigned for hearing at the earliest date.

SECTION 3.XX10 SUBPOENA OF WITNESSES; ~~PRODUCTION OF DOCUMENTS:~~

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- A. The Board shall have power to order the appearance of witnesses. ~~and compel the production of books and papers pertinent to the issues involved in any appeal.~~
- B. Any party applying for the issuance of a subpoena for any witness at any hearing must do so in writing to the Board, through its Secretary, no less than 30 days before the scheduled hearing. ~~do so in writing to the Board, through its Secretary, at least seven (7) calendar days before the date fixed for the hearing and must.~~ The requestor must provide ~~give~~ the name and address of the witness to whom the subpoena is to be directed ~~together with~~ in addition to a brief statement of what he/she intends to prove by the testimony of such witness. ~~a demonstration of the reasonableness of the scope of the subpoena sought.~~
- B.C. ~~The party requesting the subpoena shall be responsible for serving the subpoena. An affidavit or declaration of personal service or of mailing shall be submitted to the Board Chairman, through the Board's Secretary.~~
- C.D. In lieu of the issuance and service of formal subpoenas, the Board may request any supervisor to order a designated employee under his/her supervision to attend and testify at any hearing. If the supervisor honors the request, any classified employee who refuses to obey the order of his/her appointing authority to appear and testify at the hearing may be subjected to disciplinary action by the Board.

SECTION 3.XX DISCOVERY AND PRODUCTION

- A. ~~The Board shall have to power to compel the production of relevant documents and audio/visual media.~~
- B. ~~All discovery requests shall be made in writing, to the Board through its Secretary, no later than 150 days prior to the scheduled hearing.~~
- C. ~~Any motions in response to any discovery request shall be made in writing, to the Board Chairman through its Secretary, within 30 days of the related discovery request.~~
- D. ~~Discovery requests must describe the documents and/or other media requested in sufficient detail for identification. The requestor must give the full name, address, telephone number, and email address of the person required to make such production. Finally, discovery requests must state what is intended to be proven by such document and/or other media, and the materiality must be attested to by the appellant or his/her attorney of record.~~

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

~~D.E.~~ ~~Any party desiring the production of books or papers at any hearing must apply for an appropriate order in writing to the Board, through its Secretary, at least seven (7) calendar days before the hearing. Such application must describe the books or papers to be produced in sufficient detail for identification, must give the full name, address and telephone number of the person required to make such production, must state briefly what is intended to be proved by such record or paper, and the materiality must be attested to by the applicant or his/her attorney of record.~~

F. Authenticated copies ~~of of books, records, papers or other documents~~ documents and/or other media in the custody of any department, board or agency of the City which have been ~~requested subpoenaed~~ may be admitted in evidence with the same effect as the originals, but if original records are subpoenaed, they must be produced and made available for inspection even though authenticated copies may be subsequently introduced.

~~E.G.~~ ~~All requests for the presentation of specific documents and/or media or person to present specific documents and/or media at the scheduled hearing shall be sent to Board Chairman, through the Board Secretary, no later than 30 days prior to the scheduled hearing date.~~

SECTION 3.11 PLEADING IN ALTERNATIVE: Pleadings may be framed in the alternative provided the allegations contained therein or the relief sought are not inconsistent or mutually exclusive.

SECTION 3.12 AMENDMENT OF PLEADINGS: The spirit and purpose of these rules is to provide for liberal amendment of pleadings in the interest of full justice between the parties, provided that in the application of this rule fundamental issues are not changed and the objective of reasonable notice is not defeated. In no event shall an amendment serve to extend the time originally prescribed for filing the pleading being amended.

SECTION 3.13 SERVICE OR NOTICE OF PLEADINGS: Whenever under these rules service is required or permitted to be made, it shall be satisfactory evidence of compliance to introduce proof of mailing a registered or certified letter with an accompanying return receipt duly signed by the Party upon whom service is sought, or his/her agent. If the party sought to be served is represented by an attorney, the service shall be made upon the attorney, unless the Board otherwise orders.

SECTION 3.14 COMPUTATION OF TIME FOR DELAY; MAIL NOTICE: Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a notice or other paper upon him/her and the notice or paper is served upon him/her by mail, three (3) calendar days shall be added to the prescribed period.

SECTION 3.15 PRE-HEARING MEMORANDUM: A pre-hearing memorandum shall be filed no later than 14 days prior to the scheduled hearing date. The pre-hearing memorandum shall contain:

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

- A. A complete list of the material facts to be asserted by each party
- B. A list of all witnesses expected to testify and a description of their anticipated testimony
- C. A list of all deposition testimony to be introduced and a description of their testimony
- D. A list and brief description of all exhibits to be introduced by each party along with a statement showing their relevance
- E. A list of all issues of law to be relied upon by each party and its application to the facts to be asserted by each party

SECTION 3.16 EXHIBITS: On the hearing date, each party is required to submit ten (10) hard copies of each exhibit which he/she intends to introduce evidence.

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RULE 4.0 HEARING PROCEDURES

SECTION 4.01 STRUCTURE OF HEARINGS:

- A.** All hearings shall be open to the public, except that the Board may resolve to go into executive session whenever it deems it necessary under the circumstances.
- B.** Parties shall have the right, but shall not be required, to be represented by counsel. Counsel must be duly licensed to practice law in the State of Louisiana. When any party is represented by more than one attorney in any hearing, the Board may limit the examination of witnesses to one attorney of record.
- C.** The Board may require at the inception of the hearing that the parties stipulate all undisputed facts.
- D.** Unless otherwise provided for in these rules, hearings and the taking of testimony shall be conducted according to the Louisiana Code of Civil Procedure and Louisiana Code of Evidence.
- E.** The Code of Evidence as applied in civil trials before the District Courts of Louisiana shall prevail in hearings before the Board.
- F.** The Board, on request of any party, or on its own motion, may order that the witnesses be sequestered. When witnesses have been ordered sequestered, no witness then under examination and no prospective witness may be informed of the testimony given by a prior witness, except in open hearing in order to lay a foundation for impeachment of the veracity of that witness.
- G.** Pertinent parts of the personnel rules, the classification plan, or the approved pay plan may be referred to or cited as authority in any case, without the necessity of formally offering such in evidence.
- H.** The party who is required to carry the burden of proof shall open the proceedings by presenting his/her case.
- I.** Neither party shall be permitted to introduce evidence, oral or written, the effect of which would be, if admitted, to enlarge the pleadings.
- J.** Parties and witnesses shall be subject to cross examination as in civil trials before the District Courts of Louisiana.

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

- K. Parol evidence shall not be received on behalf of the employer to vary or contradict the written reasons assigned as cause for the demotion, suspension, dismissal, or other disciplinary action against a classified employee. The employer may rebut, however, by parol testimony any evidence introduced by the employee in contradiction of the written causes for disciplinary action assigned by the employer.
- L. The Board may limit the total time for oral argument, according to the circumstances of each case.
- M. Except with special leave of the Board, only one attorney shall be permitted to present oral argument for any party.
- N. The Board may invite or allow any member of the Louisiana State Bar Association to present oral or written arguments concerning any question of law provided that, if oral, they be presented at a hearing when all parties are present or represented, or, if written, copies thereof shall be served on all parties or their counsel. Such service shall be verified by the sworn certificate of the appearer.

SECTION 4.02 INTERLOCUTORY RULINGS:

- A. It shall not be necessary for any party to enter a formal exception to the interlocutory rulings or orders of the Board. At the time the ruling is made or the order is communicated, a party shall object and assign reasons which shall be noted in the record.
- B. At any time prior to a final decision, the Board may recall, reverse, or revise any interlocutory ruling or order.

SECTION 4.03 NON-APPEARANCE OF PARTIES; DISMISSAL BY DEFAULT; REFIXING:

- A. If the appellant fails to appear at the place and time fixed for any hearing, his/her appeal may be dismissed or the Board may, in its discretion, continue the case or proceed with the hearing, and render its decision upon such evidence as may be adduced at the hearing.
- B. If the employer fails to appear at the place and time fixed for any hearing, the Board may proceed with the hearing, and the appeal shall be decided upon such evidence as may be adduced at the hearing.
- C. Nothing herein shall be construed to prevent the Board from resetting any hearing upon timely application and for good cause.

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

SECTION 4.04 REFUSAL TO APPEAR OR TESTIFY; FALSE TESTIMONY:

- A. Any person who willfully or unjustifiably fails to appear before the Board, or, having appeared, refuses to testify or answer any questions pertinent to the matters under consideration shall be subjected to appropriate penalty as the Board may determine.
- B. No officer or employee who testifies before a hearing of the Municipal Police Employees' Civil Service Board shall be subjected to any disciplinary action by his/her supervisor or a subordinate because of his/her so testifying.
- C. Any person who willfully or unjustifiably fails to appear in response to a subpoena, or to answer any relevant question, or to produce any books or papers pertinent to any hearing before the Board, or who knowingly gives false testimony therein shall be subject to such penalty as the Board may determine.

SECTION 4.05 ABANDONMENT OF APPEALS: ~~The failure of an appellant to comply with the scheduling order shall be deemed an abandonment of their appeal and Whenever an appellant allows one (1) year to elapse without having taken any active steps in the prosecution of his/her appeal, he/she shall be considered to have abandoned the same and~~ the Board on motion may order the appeal dismissed. The Chairman shall promptly notify all interested parties of such dismissal.

SECTION 4.06 DISMISSAL OF APPEALS: The appellant may withdraw or abandon his/her appeal by filing written notice to that effect. The effect of this notice shall be to authorize the final disposition of the appeal by the Board. In such event the Chairman shall promptly notify all interested parties of such dismissal.

SECTION 4.07 FINALITY OF BOARD DECISIONS: Board decisions and orders shall be final and effective as of the date rendered, as reflected in the decision or order, subject only to such stay of execution as may be effectuated in accord with Section 4.08 hereof.

MUNICIPAL POLICE EMPLOYEES' CIVIL SERVICE MANUAL

SECTION 4.08 APPLICATIONS FOR REHEARING OR RECONSIDERATION AND APPEAL FROM BOARD DECISION:

- A.** An application for rehearing or reconsideration of a decision or order by the Board must be filed with the Board, through its Secretary, at his/her official office address within ten (10) calendar days of the date on which the subject Board decision or order is mailed to the interested parties. The application must be in writing and must specifically state the grounds for the application, said grounds being limited to:
- 1.** An allegation of the discovery of new evidence which was unavailable at the time of the original hearing or plea and which, if known, would have significantly altered the conclusions reached by the Board, or
 - 2.** An allegation of specific error of fact or law which, if corrected, would significantly alter the original decision.

The filing of an application for rehearing shall not stay execution of a Board decision unless otherwise ordered by the Board. Any delay in the execution of an unchanged Board decision shall be at the expense of the applicant. A stay order may be issued by any one member of the Board, subject to review and ratification by a majority of the Board members within ten (10) calendar days.

- B.** An application for rehearing or reconsideration from a decision by the Board shall be effectuated in accord with the Uniform Rules of the Courts of Appeal, State of Louisiana - Appeals from Final Decisions of Civil Service Commissions, said appellate court rules hereby being adopted and, by reference, made part hereof.



INTEROFFICE MEMO

TO: Alex Weiner
Elizabeth Sconzert

FROM: Alia Casborné

DATE: June 17, 2024

SUBJECT: Special Events Application Recommendations

Please find below the Special Events Applications received and recommended for Council approval by the Mayor.

347 Girod, LLC – Listening Party

Applicant: Jill McGuire

Date/Time: July 10 – 12, 2024 – 5:00 p.m.

Rain Date: N/A

Location: Northstar Theatre (Event on private property)

Approval Requests:

- Permission to apply for ATC Permit

Contingencies:

- ATC Permit

Mandeville High School – Homecoming Parade

Applicant: Sean Esker

Date/Time: October 17, 2024; 6:00 p.m.

Rain Date: N/A

Location: Lakeshore Drive (See map)

Approval Requests:

- Route Approval
- MPD Detail

Contingencies:

- Route Approval
- MPD Detail Approval
- COI naming City of Mandeville additional insured

Fresh Junkie Productions -Run Gulf Coast

Applicant: Doug Cain

Date/Time: Sunday, October 13, 2024– 7:00 a.m

Rain Date: N/A

Location: Fountainebleau State Park/Mandeville Lakefront (See map)

Approval Requests:

- MPD Detail

Contingencies:

- MPD Detail Approval

A21 Organization – Walk for Freedom

Applicant: Keenya Morel

Date/Time: Saturday, October 19, 2024 – 9:30 a.m. – 12:00 p.m.

Rain Date: N/A

Location: Mandeville Lakefront on sidewalk (See Map)

Approval Requests:

- No MPD (on the sidewalk) per Captain Miazza

Contingencies:

- COI naming the City of Mandeville an additional insured

Our Lady of the Lake Church – Candlelight Blessing of the Cemetary

Applicant: Charlotte King

Date/Time: Saturday, November 2, 2024 –7:00 p.m.

Rain Date: N/A

Location: Mandeville Cemetary

Approval Requests:

N/A

Contingencies:

N/A

Attachments

Scanned

City of Mandeville
675 Lafitte Street Mandeville,
LA 70448



www.cityofmandeville.com
Telephone: (985) 624-3127 or 624-3147
Fax: (985) 624-3128

Mayor Clay Madden

SPECIAL EVENT PERMIT APPLICATION

Name of Organization or Group 347-Girod, LLC
 Name of Authorized Representative Cornelia Lee McGuire Non-Profit/Tax-Exempt # _____
 Mailing Address 347 Girod St. Mandeville, LA 70448
 City Mandeville State LA Zip 70448
 Applicant Phone # 985-778-8671 Alt. Phone # _____
 E-Mail jillmcguire1551@gmail.com Application Fee Paid? YES NO

Name of Event: Happy Hart
 Date(s) of Event: Day _____ Date July 10-12, 2024 Rain Dates(s) NA
 Event Location: North Star Theater
 Type of Event: New Recurring
 Fundraiser Concert Race/Run/Walk Parade Wedding
 Festival, Carnival or Market Other: _____
 Description/Purpose of Event Listening Party Estimated Attendance 80-100

EVENT DETAILS - Check all that apply:

1	Are patron admission, entry or participant fees charged?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2	Is the event open to the public?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3	Are Street Closures Requested? If yes, please contact Mandeville Police Dept.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
4	Will you require barricades for the event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5	Are you requesting that Police be present during the event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6	If you answered YES, to number 5, how many officers are you requesting		
7	If you are requesting Police, will they need to direct traffic?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8	Will alcohol be consumed, distributed, or sold at this event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
9	Will food be distributed, prepared or sold at this event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
10	Will there be canopies or tents?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
11	Will there be vendor booths? Merchandise or product sales?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
12	Are you planning to have inflatable attractions, games or rides?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
13	Will there be bleachers, stages, fencing or other structures?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

City of Mandeville
675 Lafitte Street
Mandeville, LA 70448



www.cityofmandeville.com
Telephone: (985) 624-3127 or 624-3147
Fax: (985) 624-3128

14	Do you plan to provide portable toilets? * See Guidelines*	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
15	Will there be security staff?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
16	Are you planning to have amplified sound? <i>not outdoors</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
17	Will you need access to power or water? (please circle)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
18	Will there be any signs, banners, decorations, or special lighting?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1. If "Yes" is checked for any of the Event Detail questions, please refer to the Special Events Guidelines for instructions.
2. If police presence is required, contact Mandeville Police Department at (985) 626-9711 to reserve a Police Detail.
3. If alcohol is being served, please complete the City Liquor License Application and Appendix A to include with the application. The City permit is required to apply for the State permit.
4. A Site Plan MUST be included with the application illustrating a detailed layout of the event, showing the precise location of stages, tents, power, food vendors, alcohol sales, portable toilets, etc. Run/Walk events also require a detailed map indicating the route to be taken, where safety personnel will be stationed, and the location of temporary traffic control personnel (if applicable).

INSURANCE/INDEMNITY

The City of Mandeville requires a minimum \$1,000,000 liability insurance certificate with an insurer that is acceptable to the City of Mandeville, with an AA-@ or better rating, authorized to do business in the State of Louisiana, and naming the City of Mandeville as an additional insured. A copy of the Insurance Certificate is to be included as an attachment to this application. The Insurance Certificate must be submitted to the City Clerk no later than 30-days prior to the event in order for the Special Events Permit to be issued.

The Mayor of Mandeville has the right to revoke any permit application or permit. The applicant shall comply with all permit directions and conditions, and with applicable laws and ordinances. The event organizer or other authorized representative heading such activity shall carry the permit upon his person during the conduction of the event.

The undersigned applicant, by signature below, shall hold harmless the City of Mandeville, its officers, agents, and employees and shall indemnify and, if requested, defend the City, its officers, agents, and employees for any claim or injury to property or persons that may arise as a result of any activity which may arise from operations under or in connection with the permit.

The undersigned has read and submitted the completed application, including all required attachments and documentation. The applicant or applicant's representative has read the Special Events Guidelines and agrees to comply with the terms and conditions as defined therein. Failure to comply with these terms and conditions is subject to fines and penalties as set forth by City Ordinance.

Signed By: *Jim McGuire*

Printed Name: Jim McGuire

Organization Represented: _____

Office Held _____ Date _____

Please email completed application to acasborne@cityofmandeville.com.

Thoroughly read the information outlined in the Special Events Guidelines and throughout this Application.

City of Mandeville
3101 East Causeway Approach
Mandeville, Louisiana 70448
985-624-3147 985-624-3149 Fax

****SPECIAL EVENTS (3-DAY)****
LIQUOR LICENSE APPLICATION

1. Liquor license to be issued to: 347 - Girard, LLC
2. Legal name(s): Individual, Partners, or Corporation Carrie Jill Lane McGuire
3. Apply for: Class "A" MC-E Class "B" / High Content Low Content /Restaurant
4. Business location address 347 Girard St. Mandeville, LA 70448
 Telephone (865) 778-8671
5. Mailing address Same
6. Contact Person Same Jill McGuire
 Phone Number _____ E-Mail Address: jillmcguire551@gmail.com
 Fax Number _____ Web Address _____
7. Type of organization:
 Individual Partnership Corporation Non-Profit LLP LLC Other
(If individual complete line A only)
8. If a Corporation, LLC, LLP, or Partnership, supply name, title, social security #, home address and telephone # of all officers, members, managers, partners, agents or other representative. The list of names below should each furnish a notarized Schedule "A".
 Owner / Artistic Director

A	Name <u>Carrie Jill Lane McGuire</u>	Title <u>Owner / Artistic Director</u>	SSN _____	% Owned <u>100%</u>
	Resident Address <u>347 Girard St. Mandeville, LA 70448</u>	City State Zip _____	Home Phone Number _____	

B.	Name _____	Title _____	SSN _____	% Owned _____
	Resident Address _____	City State Zip _____	Home Phone Number _____	

C.	Name _____	Title _____	SSN _____	% Owned _____
	Resident Address _____	City State Zip _____	Home Phone Number _____	
9. Is this application by a new owner to take over an existing business that has been selling liquor regularly and continuously to the present time? no If yes, list.

Trade name	Owner's name	address	License #
------------	--------------	---------	-----------
10. Does applicant hold State or City of Mandeville liquor license for current year at any other location?
no If yes: Name _____ Location: _____
11. Has applicant applied for state liquor license? process begun.
12. Has the applicant ever been denied a state or local liquor license? no
12. Is premise located in an area where the sale of liquor is prohibited by local or state laws? no
13. Is applicant the owner of the premises to be occupied? yes If no, does applicant hold a bona fide written lease? no (Supply copy of lease with application.)
14. If premises leased, give name and address of lesser. no
15. Describe the part of the building to be occupied by business: _____
16. Open date for this location _____
17. Describe in detail your business. i.e.: Type of sales, activity, or service you perform:
Theatre, Art Gallery

An original approved Sales Tax Clearance Certificate must be attached to the application, requested from the St. Tammany Parish Sales Tax Department (form attached).

I affirm that the information given on this application is true and correct.

Signature of Applicant Carrie Jill Lane McGuire Title: Owner / Artistic Director

Signature of Preparer Carrie Jill Lane McGuire Date 4/10/14

City of Mandeville
3090 E. Causeway Approach
Mandeville, LA 70448



www.cityofmandeville.com
Telephone: (985) 624-3127 or 624-3147
Fax: (985) 624-3128

SPECIAL EVENTS DEPARTMENT USE ONLY

Any expenses required of the event organizer must be paid in advance at least 30 days prior to event date.

Fee received Date _____

Certificate of Insurance? YES _____ NO _____

	DEPARTMENTAL EXPENSES	INITIALS
Police Department	_____	_____
Fire District #4	_____	_____
Public Works	_____	_____
TOTAL COSTS	_____	

Recommendation of Special Events Committee:

Approved:

X *L. C. Madden*
Mayor Clay Madden

6-17-24
Date

City Council Approval

Alcohol Permit:

_____ Yes _____ No Date Approved: _____

Waiver of Lakefront Food & Drink Ordinance:

_____ Yes _____ No Date Approved: _____

City of Mandeville
675 Lafitte Street Mandeville,
LA 70448



www.cityofmandeville.com
Telephone: (985) 624-3127 or 624-3147
Fax: (985) 624-3128

Mayor Clay Madden

SPECIAL EVENT PERMIT APPLICATION

Name of Organization or Group Our Lady of the Lake Church
Name of Authorized Representative Charlotte King Non-Profit/Tax-Exempt # 72-0423650
Mailing Address 316 Lafitte St.
City Mandeville State LA Zip 70448
Applicant Phone # 985-630-2898 Alt. Phone # _____
E-Mail scbking@bellsouth.net Application Fee Paid? YES NO

Name of Event: Candlelight Blessing of Mandeville Cemetery
Date(s) of Event: Day Saturday Date 11/02/24 Time 7pm Rain Dates(s) NO
Event Location: Mandeville Cemetery, Mandeville LA

Type of Event: New Recurring
 Fundraiser Concert Race/Run/Walk Parade Wedding
 Festival, Carnival or Market Other: _____
Description/Purpose of Event _____ Estimated Attendance 100

EVENT DETAILS - Check all that apply:

1	Are patron admission, entry or participant fees charged?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2	Is the event open to the public?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3	Are Street Closures Requested? If yes, please contact Mandeville Police Dept.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
4	Will you require barricades for the event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5	Are you requesting that Police be present during the event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6	If you answered YES, to number 5, how many officers are you requesting		
7	If you are requesting Police, will they need to direct traffic?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8	Will alcohol be consumed, distributed, or sold at this event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
9	Will food be distributed, prepared or sold at this event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
10	Will there be canopies or tents?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
11	Will there be vendor booths? Merchandise or product sales?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
12	Are you planning to have inflatable attractions, games or rides?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
13	Will there be bleachers, stages, fencing or other structures?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



14	Do you plan to provide portable toilets? * See Guidelines*	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
15	Will there be security staff?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
16	Are you planning to have amplified sound?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
17	Will you need access to power or water? (please circle)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
18	Will there be any signs, banners, decorations, or special lighting?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1. If "Yes" is checked for any of the Event Detail questions, please refer to the Special Events Guidelines for instructions.
2. If police presence is required, contact Mandeville Police Department at (985) 626-9711 to reserve a Police Detail.
3. If alcohol is being served, please complete the City Liquor License Application and Appendix A to include with the application. The City permit is required to apply for the State permit.
4. A Site Plan MUST be included with the application illustrating a detailed layout of the event, showing the precise location of stages, tents, power, food vendors, alcohol sales, portable toilets, etc. Run/Walk events also require a detailed map indicating the route to be taken, where safety personnel will be stationed, and the location of temporary traffic control personnel (if applicable).

INSURANCE/INDEMNITY

The City of Mandeville requires a minimum \$1,000,000 liability insurance certificate with an insurer that is acceptable to the City of Mandeville, with an AA-@ or better rating, authorized to do business in the State of Louisiana, and naming the City of Mandeville as an additional insured. A copy of the Insurance Certificate is to be included as an attachment to this application. The Insurance Certificate must be submitted to the City Clerk no later than 30-days prior to the event in order for the Special Events Permit to be issued.

.....

The Mayor of Mandeville has the right to revoke any permit application or permit. The applicant shall comply with all permit directions and conditions, and with applicable laws and ordinances. The event organizer or other authorized representative heading such activity shall carry the permit upon his person during the conduction of the event.

The undersigned applicant, by signature below, shall hold harmless the City of Mandeville, its officers, agents, and employees and shall indemnify and, if requested, defend the City, its officers, agents, and employees for any claim or injury to property or persons that may arise as a result of any activity which may arise from operations under or in connection with the permit.

The undersigned has read and submitted the completed application, including all required attachments and documentation. The applicant or applicant's representative has read the Special Events Guidelines and agrees to comply with the terms and conditions as defined therein. Failure to comply with these terms and conditions is subject to fines and penalties as set forth by City Ordinance.

Signed By: _____

Printed Name: Charlotte King

Organization Represented: Candlelight Blessing of Mandeville Cemetery

Office Held Committee Chair Date 05/12/2024

Please email completed application to acasborne@cityofmandeville.com.

Thoroughly read the information outlined in the Special Events Guidelines and throughout this Application.



SPECIAL EVENTS DEPARTMENT USE ONLY

Any expenses required of the event organizer must be paid in advance at least 30 days prior to event date.

Fee received Date 5/10/24

Certificate of Insurance? YES _____ NO _____

	DEPARTMENTAL EXPENSES	INITIALS
Police Department	_____	_____
Fire District #4	_____	_____
Public Works	_____	_____
TOTAL COSTS	_____	

Recommendation of Special Events Committee:

Approved:

X L. Clay Madden
Mayor Clay Madden

6-17-24
Date

City Council Approval

Alcohol Permit:

_____ Yes _____ No Date Approved: _____

Waiver of Lakefront Food & Drink Ordinance:

_____ Yes _____ No Date Approved: _____

City of Mandeville
675 Lafitte Street Mandeville,
LA 70448



www.cityofmandeville.com
Telephone: (985) 624-3127 or 624-3147
Fax: (985) 624-3128

Mayor Clay Madden

SPECIAL EVENT PERMIT APPLICATION

Name of Organization or Group Mandeville High School
Name of Authorized Representative Sean Esker Non-Profit/Tax-Exempt # _____
Mailing Address 1 Skipper Drive
City Mandeville State LA Zip 70471
Applicant Phone # 9856265225 x. 2159 Alt. Phone # 5049139283
E-Mail Sean.Esker@stpsb.org Application Fee Paid? YES NO

Name of Event: Mandeville High School Homecoming Parade
Date(s) of Event: Day 10/17/2024 Date / / Time 6 pm Rain Dates(s) N/A
Event Location: Mandeville Lakefront

Type of Event: New Recurring
 Fundraiser Concert Race/Run/Walk Parade Wedding
 Festival, Carnival or Market Other: _____
Description/Purpose of Event Homecoming Parade Estimated Attendance _____

EVENT DETAILS - Check all that apply:

1	Are patron admission, entry or participant fees charged?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2	Is the event open to the public?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3	Are Street Closures Requested? If yes, please contact Mandeville Police Dept.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
4	Will you require barricades for the event?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5	Are you requesting that Police be present during the event?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6	If you answered YES, to number 5, how many officers are you requesting	<u>8</u>	
7	If you are requesting Police, will they need to direct traffic?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8	Will alcohol be consumed, distributed, or sold at this event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
9	Will food be distributed, prepared or sold at this event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
10	Will there be canopies or tents?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
11	Will there be vendor booths? Merchandise or product sales?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
12	Are you planning to have inflatable attractions, games or rides?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
13	Will there be bleachers, stages, fencing or other structures?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



14	Do you plan to provide portable toilets? * See Guidelines*	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
15	Will there be security staff?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
16	Are you planning to have amplified sound?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
17	Will you need access to power or water? (please circle)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
18	Will there be any signs, banners, decorations, or special lighting?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1. If "Yes" is checked for any of the Event Detail questions, please refer to the Special Events Guidelines for instructions.
2. If police presence is required, contact Mandeville Police Department at (985) 626-9711 to reserve a Police Detail.
3. If alcohol is being served, please complete the City Liquor License Application and Appendix A to include with the application. The City permit is required to apply for the State permit.
4. A Site Plan MUST be included with the application illustrating a detailed layout of the event, showing the precise location of stages, tents, power, food vendors, alcohol sales, portable toilets, etc. Run/Walk events also require a detailed map indicating the route to be taken, where safety personnel will be stationed, and the location of temporary traffic control personnel (if applicable).

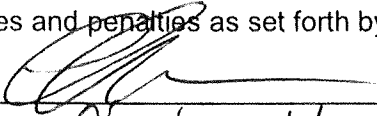
INSURANCE/INDEMNITY

The City of Mandeville requires a minimum \$1,000,000 liability insurance certificate with an insurer that is acceptable to the City of Mandeville, with an AA-@ or better rating, authorized to do business in the State of Louisiana, and naming the City of Mandeville as an additional insured. A copy of the Insurance Certificate is to be included as an attachment to this application. The Insurance Certificate must be submitted to the City Clerk no later than 30-days prior to the event in order for the Special Events Permit to be issued.

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The undersigned has read and submitted the completed application, including all required attachments and documentation. The applicant or applicant's representative has read the Special Events Guidelines and agrees to comply with the terms and conditions as defined therein. Failure to comply with these terms and conditions is subject to fines and penalties as set forth by City Ordinance.

Signed By: 
Printed Name: Christian Monson
Organization Represented: Mandeville High- STPSB
Office Held Principal Date 4/22/24

Please email completed application to acasborne@cityofmandeville.com.

Thoroughly read the information outlined in the Special Events Guidelines and throughout this Application.



SPECIAL EVENTS DEPARTMENT USE ONLY

Any expenses required of the event organizer must be paid in advance at least 30 days prior to event date.

Fee received Date _____

Certificate of Insurance? YES _____ NO _____

	DEPARTMENTAL EXPENSES	INITIALS
Police Department	<u>\$2080⁰⁰</u>	<u>Capt. Mazza</u>
Fire District #4	_____	_____
Public Works	_____	_____
TOTAL COSTS	_____	

Recommendation of Special Events Committee:

Police detail - 8 officers
COI

*ending on Carroll St.

Approved:

L. Clay Madden
Mayor Clay Madden

5-6-24
Date

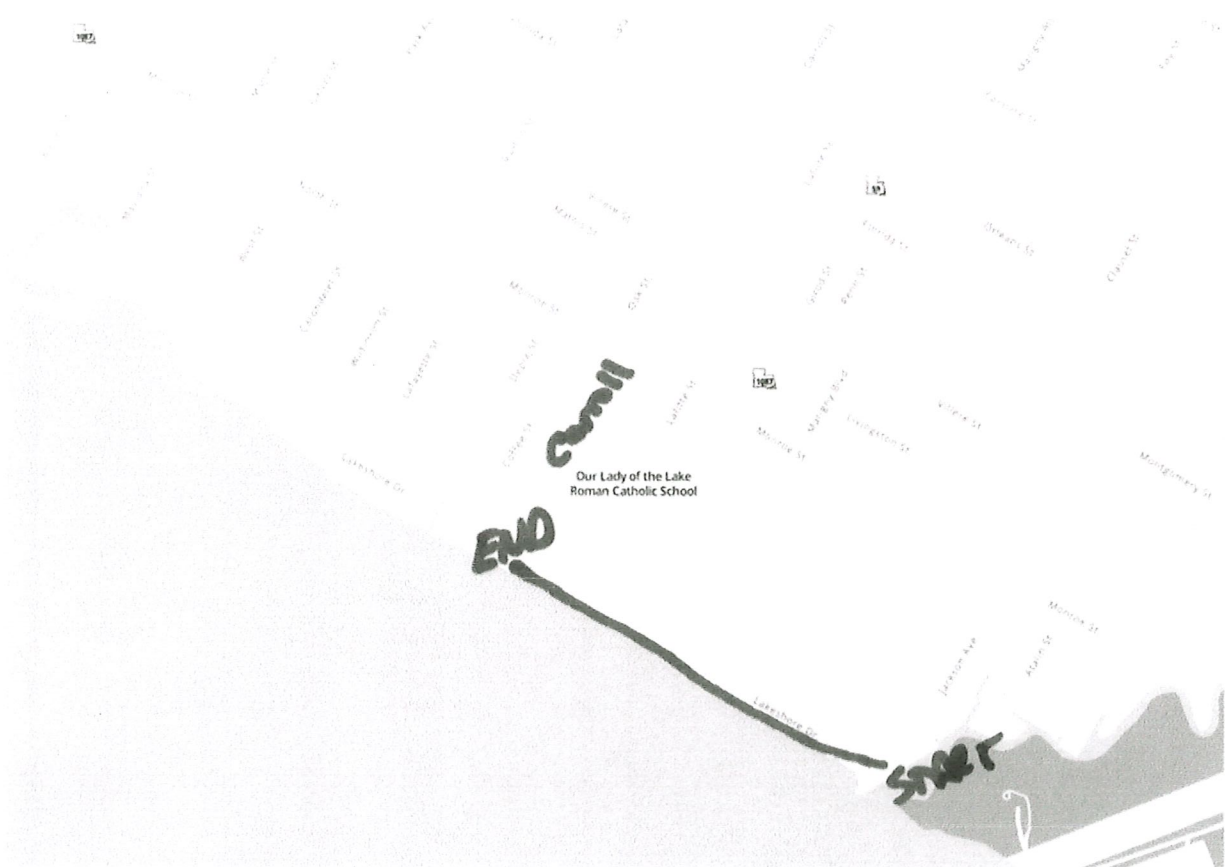
City Council Approval

Alcohol Permit:

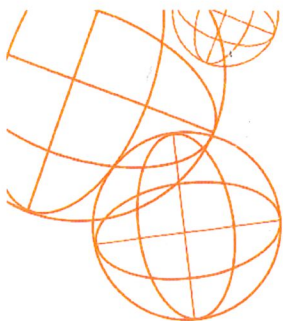
_____ Yes _____ No Date Approved: _____

Waiver of Lakefront Food & Drink Ordinance:

_____ Yes _____ No Date Approved: _____



Route
Harbor to Carroll St.



WALK FOR FREEDOM

Walk For Freedom Permit Request

Dear **City of Mandeville**,

On October 19, 2024, people will rally in hundreds of cities across the globe for the 10th annual Walk For Freedom. This event is a collective effort led by A21, a global nonprofit organization determined to eradicate human trafficking through awareness, intervention, and aftercare. Walk For Freedom is A21's global response to human trafficking, raising awareness and funds for the millions enslaved in the world today.

I am reaching out to you because I, **Keenya**, would like to take part in A21's event and host a Walk For Freedom in **Mandeville** on October 19, 2024, from **9:30am to 12pm**. I am requesting a permit to organize a walk that begins at **the Mandeville Lakefront**, and ends at **the Mandeville Lakefront**. I've attached a map to accurately demonstrate the exact route that we would like to take.

If I were to be granted permission to host the event, I predict there will be **150** number of people. The event is not a protest, but a silent, single-file walk on behalf of the millions of men, women, and children who are trapped in slavery today.

This event is a perfect opportunity for **Mandeville** to make a difference, advance the cause of justice, and make a global difference.

I look forward to hearing from you.

For Freedom,

Keenya Sharie Morel



Mayor Clay Madden

SPECIAL EVENT PERMIT APPLICATION

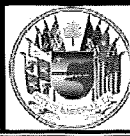
Name of Organization or Group A21 Organization
 Name of Authorized Representative Keenya Morel Non-Profit/Tax-Exempt # (EIN) 86-2765873
 Mailing Address 70146 4th Street
 City Covington State LA Zip 70433
 Applicant Phone # (914) 882-2433 Alt. Phone # _____
 E-Mail kswarner14@yahoo.com Application Fee Paid? YES NO

Name of Event: Walk For Freedom
 Date(s) of Event: Day Saturday Date 10 / 19 / 24 Time 9:30-12pm Rain Dates(s) None
 Event Location: Start at Mandeville Lakefront

Type of Event: New Recurring
 Fundraiser Concert Race/Run/Walk Parade Wedding
 Festival, Carnival or Market Other: _____
 Description/Purpose of Event (Awareness against human trafficking)
A response to human trafficking, raising awareness & funds for the millions enslaved in the world today. Estimated Attendance 150

EVENT DETAILS - Check all that apply:

1	Are patron admission, entry or participant fees charged?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2	Is the event open to the public?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3	Are Street Closures Requested? If yes, please contact Mandeville Police Dept.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
4	Will you require barricades for the event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5	Are you requesting that Police be present during the event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
6	If you answered YES, to number 5, how many officers are you requesting	<u>1</u>	
7	If you are requesting Police, will they need to direct traffic?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8	Will alcohol be consumed, distributed, or sold at this event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
9	Will food be distributed, prepared or sold at this event?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
10	Will there be canopies or tents?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
11	Will there be vendor booths? Merchandise or product sales?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
12	Are you planning to have inflatable attractions, games or rides?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
13	Will there be bleachers, stages, fencing or other structures?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



14	Do you plan to provide portable toilets? * See Guidelines*	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
15	Will there be security staff?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
16	Are you planning to have amplified sound?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
17	Will you need access to power or water? (please circle)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
18	Will there be any signs, banners, decorations, or special lighting?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

1. If "Yes" is checked for any of the Event Detail questions, please refer to the Special Events Guidelines for instructions.
2. If police presence is required, contact Mandeville Police Department at (985) 626-9711 to reserve a Police Detail.
3. If alcohol is being served, please complete the City Liquor License Application and Appendix A to include with the application. The City permit is required to apply for the State permit.
4. A Site Plan MUST be included with the application illustrating a detailed layout of the event, showing the precise location of stages, tents, power, food vendors, alcohol sales, portable toilets, etc. Run/Walk events also require a detailed map indicating the route to be taken, where safety personnel will be stationed, and the location of temporary traffic control personnel (if applicable).

INSURANCE/INDEMNITY

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The Mayor of Mandeville has the right to revoke any permit application or permit. The applicant shall comply with all permit directions and conditions, and with applicable laws and ordinances. The event organizer or other authorized representative heading such activity shall carry the permit upon his person during the conduction of the event.

The undersigned applicant, by signature below, shall hold harmless the City of Mandeville, its officers, agents, and employees and shall indemnify and, if requested, defend the City, its officers, agents, and employees for any claim or injury to property or persons that may arise as a result of any activity which may arise from operations under or in connection with the permit.

The undersigned has read and submitted the completed application, including all required attachments and documentation. The applicant or applicant's representative has read the Special Events Guidelines and agrees to comply with the terms and conditions as defined therein. Failure to comply with these terms and conditions is subject to fines and penalties as set forth by City Ordinance.

Signed By: Keenya Sharie Morel
 Printed Name: Keenya Sharie Morel
 Organization Represented: A21
 Office Held Volunteer Date 11/09/2023

Please email completed application to acasborne@cityofmandeville.com.

Thoroughly read the information outlined in the Special Events Guidelines and throughout this Application.



SPECIAL EVENTS DEPARTMENT USE ONLY

Any expenses required of the event organizer must be paid in advance at least 30 days prior to event date.

Fee received Date 11/8/24

Certificate of Insurance? YES _____ NO _____

	DEPARTMENTAL EXPENSES	INITIALS
Police Department	_____	_____
Fire District #4	_____	_____
Public Works	_____	_____
TOTAL COSTS	_____	

Recommendation of Special Events Committee:

Need a map & COI

Approved:

L. Cliff Madden
Mayor Clay Madden

3-12-24
Date

City Council Approval

Alcohol Permit:

_____ Yes _____ No Date Approved: _____

Waiver of Lakefront Food & Drink Ordinance:

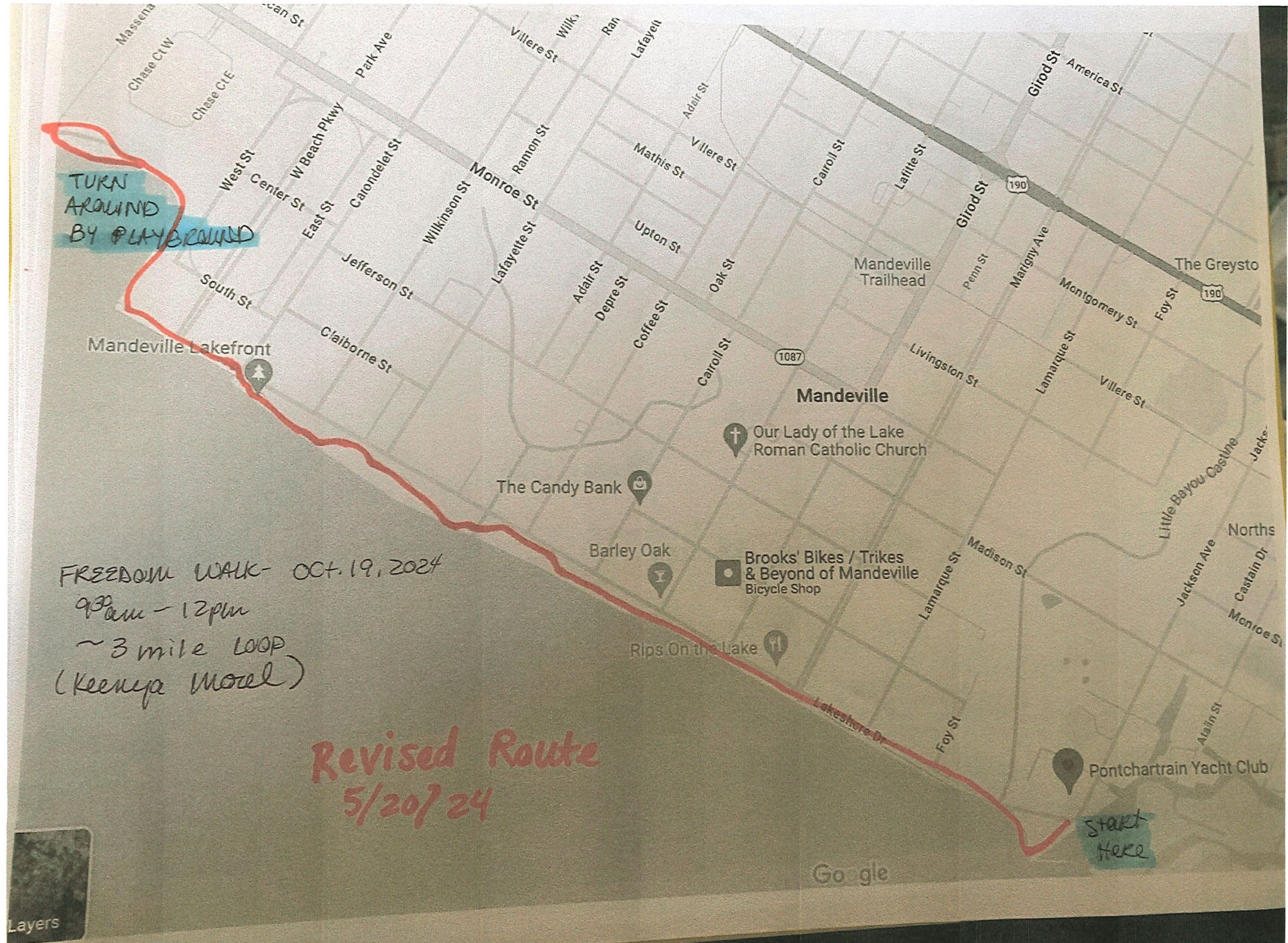
_____ Yes _____ No Date Approved: _____

TURN
AROUND
BY PLAYGROUND

FREEDOM WALK - OCT. 19, 2024
9:30 am - 12 pm
~3 mile LOOP
(Keenya Motel)

Revised Route
5/20/24

Start
Here



Layers

Google

City of Mandeville
675 Lafitte Street Mandeville,
LA 70448



www.cityofmandeville.com
Telephone: (985) 624-3127 or 624-3147
Fax: (985) 624-3128

Mayor Clay Madden

SPECIAL EVENT PERMIT APPLICATION

Name of Organization or Group FRESHJUNKIE Productions, LLC / Run Gulf Coast
Name of Authorized Representative Doug Cain Non-Profit/Tax-Exempt # 93-2891621
Mailing Address 3736 Perkins Rd
City Baton Rouge State LA Zip 70808
Applicant Phone # 2259214502 Alt. Phone # _____
E-Mail doug@freshjunkie.com Application Fee Paid? YES NO

Name of Event: Northshore Half Marathon & 10 Miler
Date(s) of Event: Day Sunday Date 10/13/24 Time 7:00am Rain Dates(s) N/A
Event Location: Fountainbleau State Park
Type of Event: New Recurring
 Fundraiser Concert Race/Run/Walk Parade Wedding
 Festival, Carnival or Market Other: _____
Description/Purpose of Event Running Event Estimated Attendance 1000

EVENT DETAILS - Check all that apply:

1	Are patron admission, entry or participant fees charged?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2	Is the event open to the public?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3	Are Street Closures Requested? If yes, please contact Mandeville Police Dept.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
4	Will you require barricades for the event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5	Are you requesting that Police be present during the event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
6	If you answered YES, to number 5, how many officers are you requesting	21	
7	If you are requesting Police, will they need to direct traffic?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
8	Will alcohol be consumed, distributed, or sold at this event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
9	Will food be distributed, prepared or sold at this event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
10	Will there be canopies or tents?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
11	Will there be vendor booths? Merchandise or product sales?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
12	Are you planning to have inflatable attractions, games or rides?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
13	Will there be bleachers, stages, fencing or other structures?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No



14	Do you plan to provide portable toilets? * See Guidelines*	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
15	Will there be security staff?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
16	Are you planning to have amplified sound?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
17	Will you need access to power or water? (please circle)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
18	Will there be any signs, banners, decorations, or special lighting?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

1. If "Yes" is checked for any of the Event Detail questions, please refer to the Special Events Guidelines for instructions.
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3. If alcohol is being served, please complete the City Liquor License Application and Appendix A to include with the application. The City permit is required to apply for the State permit.
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The undersigned has read and submitted the completed application, including all required attachments and documentation. The applicant or applicant's representative has read the Special Events Guidelines and agrees to comply with the terms and conditions as defined therein. Failure to comply with these terms and conditions is subject to fines and penalties as set forth by City Ordinance.

Signed By: Doug Cain Digitally signed by Doug Cain
Date: 2024.04.18 15:09:51 -05'00'

Printed Name: M. Doug Cain, II

Organization Represented: FRESHJUNKIE Productions, LLC / Run Gulf Coast

Office Held Permitting Director Date 04/18/24

Please email completed application to acasborne@cityofmandeville.com.

Thoroughly read the information outlined in the Special Events Guidelines and throughout this Application.



SPECIAL EVENTS DEPARTMENT USE ONLY

Any expenses required of the event organizer must be paid in advance at least 30 days prior to event date.

Fee received Date _____

Certificate of Insurance? YES _____ NO _____

	DEPARTMENTAL EXPENSES	INITIALS
Police Department	<u>\$5400</u>	<u>Capt Mizza</u>
Fire District #4	_____	_____
Public Works	_____	_____
TOTAL COSTS	_____	

Recommendation of Special Events Committee:

Application fee & COI

\$200/officer @ 21 officers-

Alcohol permit

Approved:

L. Clay Madden

Mayor Clay Madden

5-6-24

Date

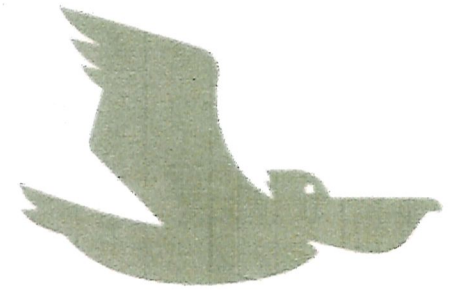
City Council Approval

Alcohol Permit:

_____ Yes _____ No Date Approved: _____

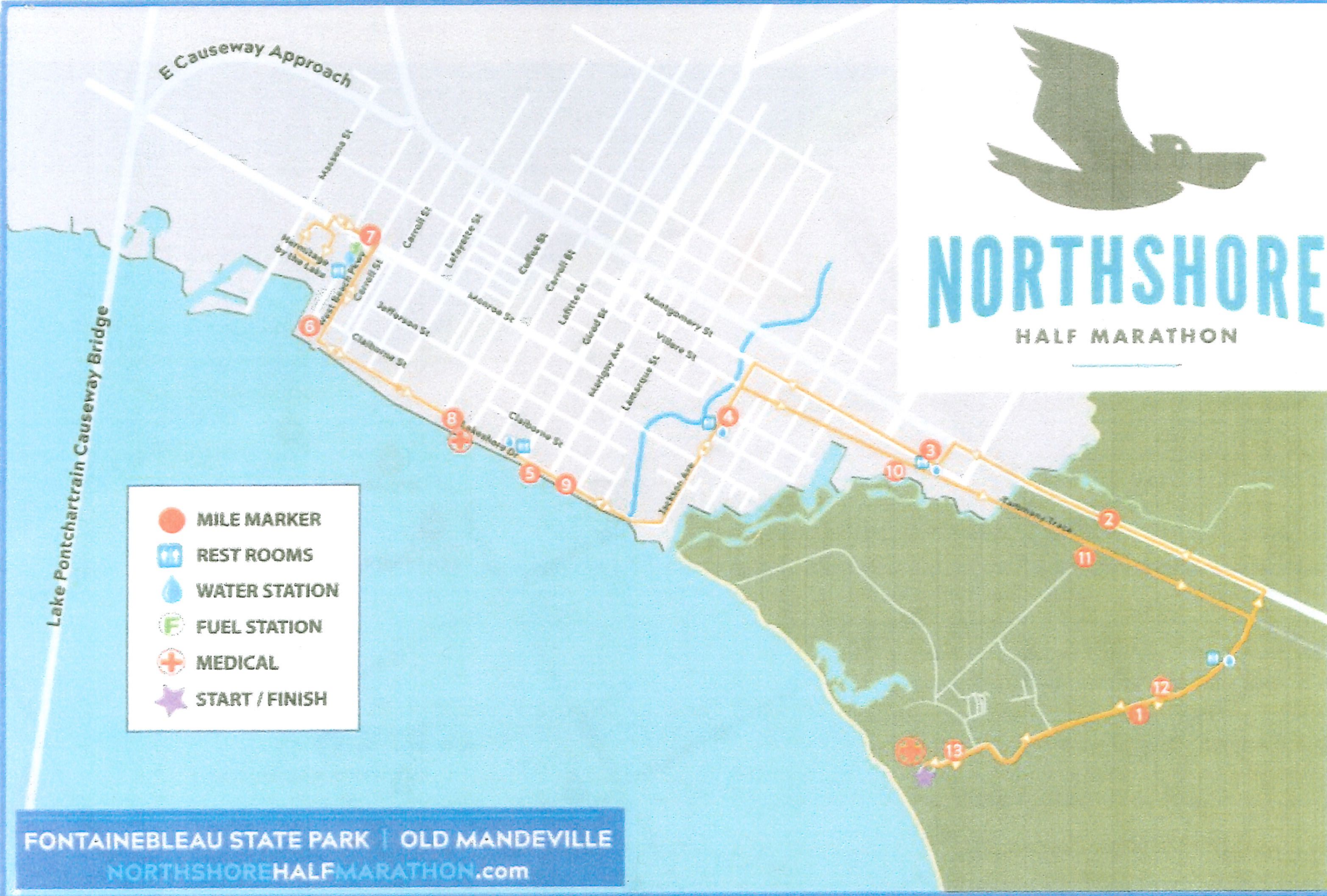
Waiver of Lakefront Food & Drink Ordinance:

_____ Yes _____ No Date Approved: _____



NORTHSHORE

HALF MARATHON



- MILE MARKER
- REST ROOMS
- WATER STATION
- FUEL STATION
- MEDICAL
- START / FINISH

FONTAINEBLEAU STATE PARK | OLD MANDEVILLE
NORTHSHOREHALFMARATHON.com

THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER ZUCKERMAN; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____

RESOLUTION NO. 24-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING TRAVEL EXPENSES FOR HISTORIC PRESERVATION DISTRICT COMMISSION MEMBERS JEFF BERNARD, ROSALYN COUSIN, AND WILLIAM BARRY TO ATTEND THE 2024 NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS FORUM CONFERENCE IN WEST PALM BEACH, FLORIDA FROM JULY 31 – AUGUST 4, 2024 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, On September 11, 2008 the Mandeville City Council approved Ordinance No.08-37, revised through Ordinance 13-02, which adopted travel policies for all City of Mandeville employees, non- classified employees, and elected officials; and

WHEREAS, Section “H”, General Specifications, Department Policies, of the Travel Policy requires that out-of-state travel expenses for any member of the City Council or any member of standing boards and/or commissions of the City be authorized by resolution of the City Council in a public meeting; and

WHEREAS, Historic Preservation District Commission Members Jeff Bernard, Rosalyn Cousin, and William Barry desire to attend the 2024 National Alliance of Preservation Commissions Forum Conference in West Palm Beach, Florida from July 31 – August 4, 2024.

WHEREAS, Travel expenses include hotel, conference registration fees and airfare.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mandeville in regular session assembled on the day of June 27, 2024 that the travel expenses be authorized and approved for Historic Preservation District Commission Members Jeff Bernard, Rosalyn Cousin, and William Barry to attend the 2024 National Alliance of Preservation Commissions Forum Conference in West Palm Beach, Florida from July 31 – August 4, 2024.

With the above resolution having been properly introduced and duly seconded, the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

And the resolution was declared adopted this ____ day of _____ 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER ZUCKERMAN; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____

RESOLUTION NO. 24-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE A MAINTENANCE AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, OFFICE OF ENGINEERING (DOTD) FOR MOWING AND LITTER PICKUP FOR THE FISCAL YEAR ENDING JUNE 30, 2025 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, pursuant to the provisions of LSA-R.S. 48: 193, DOTD is directed to repair and to keep in operating condition, at its sole cost and expense, all municipal roads and streets within the State Highway System as it is defined in LSA-R.S. 48:191, hereinafter sometimes referred to as the "State Highway System" or "State Roadway"; and

WHEREAS, further, LSA-R.S. 48: 193 authorizes municipalities to request that the repair and maintenance of said State Roadways located within their respective municipalities be performed by the municipality, at the State's expense; and

WHEREAS, DOTD lacks sufficient personnel and equipment to perform mowing and litter collection on a routine and continuing basis and wishes to enter into an agreement with the City of Mandeville to perform maintenance directly related to mowing and litter collection on the state Roadways located within the City of Mandeville.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council hereby authorizes and empowers the Mayor of the City to execute a Maintenance Agreement between the City of Mandeville and the State of Louisiana Department of Transportation and Development for mowing and litter pickup services in accordance with the agreement attached hereto and made a part hereof as if set out in full.

With the above resolution having been properly introduced and duly seconded, the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

And the resolution was declared adopted this _____ day of _____ 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

**MAINTENANCE AGREEMENT
INCLUDING MOWING AND LITTER PICKUP**

FOR THE FISCAL YEAR ENDING JUNE 30, 2025

BETWEEN

MANDEVILLE

AND

**STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
OFFICE OF ENGINEERING**

AGREEMENT

This **AGREEMENT**, (“Agreement”) is made and entered into this 1st day of July, 2024, by and between the **STATE OF LOUISIANA**, through the Department of Transportation and Development, hereinafter referred to as (“**DOTD**”), represented herein by its Secretary or his duly authorized designee, and City of Mandeville, hereinafter referred to as (“**Municipality**”), appearing herein through its Mayor, Clay Madden, duly authorized.

WITNESSETH:

WHEREAS, pursuant to the provisions of LSA-R.S. 48:193, **DOTD** is directed to repair and to keep in operating condition, at its sole cost and expense, all municipal roads and streets within the State Highway System as it is defined in LSA- R.S. 48:191, hereinafter sometimes referred to as the “State Highway System” or “State Roadway”; and

WHEREAS, further, LSA-R.S. 48:193 authorizes municipalities to request that the repair and maintenance of said State Roadways located within their respective municipalities be performed by the municipality, at the State’s expense; and

WHEREAS, **DOTD** lacks sufficient personnel and equipment to perform mowing and litter collection on a routine and continuing basis and wishes to enter into an agreement with the **Municipality** to perform maintenance directly related to mowing and litter collection on the State Roadways located within the City of Mandeville; and

NOW, THEREFORE, it is hereby agreed between **DOTD** and **Municipality**:

ARTICLE I: Covered Roadways:

This Agreement applies only to those State Roadways identified on the List of Routes for Maintenance Agreement shown on Exhibit “A”, a copy of which is appended hereto and made a part hereof by reference. These State Roadways are collectively referred to as “State Roadways” and, for purposes of this Agreement, the term “State Roadway” shall include all rights of ways and roadway shoulders associated with the State Roadways.

ARTICLE II. Mowing Litter and Trash Collection

The **Municipality** shall conduct its operation in a manner such that the safety and convenience of the public shall be regarded as a priority. All equipment and traffic control devices shall be in accordance with the Manual on Uniform Traffic Control Devices. The **DOTD** reserves the right to stop the **Municipality** from working or order any piece of equipment removed from the roadway or right of way should it be determined that the minimum safety standards are not being met.

Prior to beginning a litter collection or mowing cycle the **Municipality** shall contact the **DOTD** District Office or the Parish Maintenance Office advising them of the starting date.

The Municipality will be required to report daily work activities on the form provided (Exhibit "B" attached) and shall include the work completed (mowing) and litter amount in cubic yards collected each day for the duration of the cycle or period of time that the work is being performed.

Completed Forms shall be maintained by the municipality and shall be submitted to the DOTD district contact with the semi-annual invoice for covered time period.

Failure to turn in the Completed Form with the semi-annual invoice will delay payment until the required Daily Work Reports are submitted.

The **Municipality** shall pick up and properly dispose of all trash and debris located on the State Roadways prior to conducting mowing operations. Litter and trash collection shall precede the mowing operation by no more than 24 hours. The **Municipality** shall perform litter and debris pick-up on all grass and vegetative areas, ditches, paved roadside shoulders and areas beneath overhead bridges and roadways. All litter, trash and debris uncovered by the mowing operation shall be picked up within 48 hours of the mowing operation. All litter, trash and debris shall be collected and piled or bagged off of the travel lanes and paved shoulders of the State Roadways and must be removed from the right-of-ways by the close of business the same workday that it is collected. **Municipality** shall provide, at its own expense, all equipment necessary to perform the duties provided for in this Agreement, including but not limited to, all trash bags, mowing and trimming equipment and herbicide applicators. **Municipality** shall record and document the amount of litter collected and report these amounts to the appropriate DOTD District Engineer at the time invoices are submitted for payment.

For purposes of this agreement litter, trash and debris shall mean all trash, debris, litter, junk, rubbish, paper, cardboard, glass, cans, discarded items, garbage, old

tires, treads, dead trees, wood materials, concrete, etc. The Municipality will not be required to pick up every isolated cigarette butt, chip of glass or similar small objects.

The **Municipality** shall mow grass and cut or otherwise control mowable vegetation along ditches, around signs, guardrails and bridge ends, trim overhanging grass along curbs, and remove litter and debris within the designated, dedicated or apparent right of way. For purposes of this Agreement, Mowable vegetation is defined as any trees, vegetation, brush, etc., that is two inches in diameter or less measured five inches above the ground. Mowing and litter removal shall be accomplished a minimum of four (4) times per year. The dates of the mowing operations shall be set forth on the Mowing Plan submitted by Municipality to Roadside Development Coordinator assigned to the DOTD District where the mowing operations are to take place.

Natural stands or planted stands of wildflowers shall not be cut until after seed heads have formed unless, in the opinion of **DOTD** District Administrator, the flowers are causing a traffic hazard or have a very undesirable appearance.

If, during the term of this Agreement, **DOTD** alters or makes repairs to State Roadways covered by this Agreement, **DOTD** will initiate contact with the **Municipality** to revise mowing and litter pick-up practices for the applicable State Roadway.

The **Municipality** shall be responsible for payments to its employees and contractors who perform work pursuant to this Agreement and shall be responsible for payroll taxes and benefits due each employee who is assigned to work pursuant to this Agreement.

Nothing herein is intended to create a statutory employer relationship between **DOTD** and the employees or contractors of the **Municipality**.

ARTICLE III: Use of Herbicide/Chemicals in Mowing Operations

The **Municipality** may utilize Vegetation Management Plans involving the use of herbicides/chemicals by the **Municipality**, provided that the **Municipality** obtains written approval from the **DOTD** District Administrator. The Municipality may elect to enter into a contract with third parties to administer herbicides. The following conditions shall apply to all Vegetation Management Plans involving the use of herbicides/chemicals whether performed by the **Municipality** or its contractor:

All liability arising from the use or misuse herbicides/chemicals pursuant to this Agreement shall be the responsibility of the **Municipality** and, when applicable, the **Municipality's** contractor making said chemical applications.

Municipality shall notify **DOTD** of its intention to apply chemicals for growth retarding purposes. Said notification shall be in writing and shall be included in the Municipality's Roadside Management Plan. The Roadside Management Plan shall include projected mowing and spraying schedules for the yearly contract. All herbicide applicators must possess a Category 6 Pesticide Applicators license obtained through the Louisiana Department of Agriculture and Forestry. A copy of licenses shall be included in the **Municipality's** Management Plan if the work is to be performed by **Municipality** employees. If herbicide/chemical application will be performed by **Municipality's** contractor, proof of insurance and required Louisiana licensing procedures shall be followed. The **DOTD** reserves the right to inspect and approve all forms of application equipment when making herbicide/chemical applications to **DOTD** Roadways and rights of ways.

All herbicide/chemical applications performed from the traveling roadway shall be performed in accordance with **DOTD's** "Safety Policy and Procedure Manual". This shall include, but is not limited to, the use of arrow boards and crash attenuators when applications are made from the inside lane or fast-moving lane on divided highways. The **DOTD** reserves the right to approve all herbicides/chemicals used in herbicide/chemical treatments to **DOTD** rights of ways. A list of herbicides/chemicals and the quantities to be used are contained in the **DOTD** Policy for Roadside Management. The **DOTD** reserves the right to disallow the use of Integrated Roadside Management practices in sensitive areas or sites or sites deemed by **DOTD** as unsuitable for such practices.

The **Municipality** or its contractor shall consult with the **DOTD** Roadside Development Coordinator, on an annual basis, to verify whether any of these conditions exist.

The maximum number of generalized herbicide applications, shall be limited to two (2) per growing season.

The maximum number of generalized seed-head suppression applications shall be limited to two (2) per growing season.

A combination of the above two types of spraying maybe allowed, but no more than two in any given growing season.

Further, there shall be a contract mowing cycle interspersed between any two herbicide applications.

Spot Treatments:

Spot treatments for weed control shall be allowed. Products used for spot treatments shall have no injurious effects to the predominant turf grass. Chemical control of grasses and weeds around signs, guardrails, light standards, revetments and bridge ends will be allowed. The Municipality shall obtain prior approval from the District Roadside Development Coordinator for the chemicals used by the **Municipality** for spot treatments.

All concerns or questions relating to the use of herbicides shall be directed to the **DOTD** District Administrator.

ARTICLE IV: Reimbursement

DOTD will reimburse the **Municipality** on a semi-annual basis for work performed pursuant to this Agreement. The documentation required in Article II shall be submitted with each invoice. Payment will be withheld until the documentation is submitted and approved by **DOTD**.

ARTICLE V: Payments

Municipality shall be reimbursed by **DOTD** the amount of Eight Hundred Seventy Five and 00/100 Dollars, (\$875.00) per cycle, per mile for Interstate Roadways; Five Hundred and 00/100 Dollars, (\$500.00) per cycle, per mile for divided State Roadways; and Two Hundred Fifty and 00/100 Dollars (\$250.00) per cycle, per mile for undivided State Roadways. All such payments shall be for work performed under the provisions of Article II - Litter and Trash Collection of this Agreement.

The total mileage to be maintained by the **Municipality** pursuant to this Agreement and for which the **Municipality** is entitled to reimbursement by **DOTD** is 7.64 miles. Of this, 0.00 miles are Interstate Roadways; 2.36 miles are divided State Roadways and 5.28 miles are undivided State Roadways. The total maximum amount for which the **Municipality** may claim reimbursement is **TEN THOUSAND DOLLARS, (\$10,000.00)**. It is understood and agreed that the rates per cycle, per mile at which the **Municipality** is to be reimbursed are without regard to the type of wearing surface of the traffic lanes or other features of the State and Interstate Roadways covered by this Agreement.

ARTICLE VI: Substandard Performance

If, in the opinion of the **DOTD** District Administrator, the **Municipality** has failed to properly fulfill its obligation with respect to any or all State Roadways covered by this Agreement, and after the **Municipality** has been notified in writing and given adequate

opportunity to correct the condition, the **Municipality** has failed or refuses to correct said problem, the **DOTD's** District Administrator may order the **DOTD** maintenance forces to perform such work as, in his or her opinion, is necessary for the proper maintenance of the State Roadways and the **DOTD** may deduct the cost thereof from any monies due or that become due to **Municipality**.

ARTICLE VII: Indemnification

The **Municipality** shall defend, indemnify, save and hold harmless the State of Louisiana, through the Department of Transportation and Development, its offices, agents, servants and employees, including volunteers, from and against any and all claims, demands, suits, judgments of sums of money, attorneys' fees, court costs, expense and liability, to any party or third person, including, but not limited to, amounts for or arising out of injury or death to any person for loss of life, injury, damage, loss or destruction of any property, or damages for tort or breach of contract or any other basis of liability growing out of, resulting from, or by reason or any act, omission, operation or work of the **Municipality**, its agents, contractors, servants and employees, or on account of negligence in safeguarding the work or through use of unacceptable materials in maintaining the work, or because of any negligent act, omission or misconduct of the municipality, or because of claims or amount recovered from infringement of patent, trademark or copy right, or from claims or amounts arising or recovered under Worker's Compensation Act, or other law, ordinance, order or decree, or any and all costs, expense and/or attorneys' fees incurred by the municipality or **DOTD** as a result of any claims, demands, and/or causes of action while engaged upon or in connection with the performance of this Agreement by the **Municipality** or its contractors, employees, agents and assigns under this Agreement, except for those claims, demands, and/or causes of action arising out of the sole negligence of the Department or its agents, representatives and/or employees. The **Municipality** agrees to investigate, handle, respond to, provide defense for and defend, any such claims, demand or suit at its sole expense and agrees to bear all other costs and expenses related thereto, even if such claim, demand or suit is groundless, false or fraudulent.

ARTICLE VIII: Funding Contingency

The continuation of this Agreement is contingent upon the appropriation of funds by the Louisiana State Legislature to the **DOTD** to fulfill the requirements of this Agreement. If the Legislature fails to appropriate sufficient monies to provide the continuation of this Agreement, or if such appropriation is reduced by veto of the Governor or by any means provided in the appropriations act to prevent the total appropriation for the year from exceeding revenues for that year or for any other lawful purpose, and the effect of such reduction is to provide insufficient monies for the continuation of this Agreement, this Agreement shall be reduced or terminate on the date said funds are no longer available.

ARTICLE IX: Limitation On Use of State Funds

The **Municipality** agrees to use the funds provided by the State through **DOTD** only for the services authorized in this Agreement and in accordance with constitutional and statutory restrictions on the use of State funds for public purposes.

ARTICLE X: Term and Cancellation

This Agreement shall begin on **July 1, 2024**, and shall end on **June 30, 2025**, but may be terminated earlier under any or all of the following conditions:

By mutual agreement and consent of the parties hereto.

By the **DOTD** as a consequence of the failure of the **Municipality** to comply with the terms or quality of work in a satisfactory manner.

By either party upon failure of the other party to fulfill its obligations as set forth in this Agreement.

By either party giving thirty (30) days written notice to the other party.

By the **DOTD** upon withdrawal or reduction of funding by the Louisiana Legislature or by any other lawful manner.

By either party as the result of an Act of God that prohibits performance, by either party, of duties proscribed in this Agreement.

If termination is made under condition four (4), above, after work has begun, the **Municipality** will be paid for all services rendered to date of termination.

DOTD may, at its option, suspend the services performed pursuant to this Agreement, without penalty of any kind, and without terminating the Agreement. Should the **DOTD** desire to exercise this right of suspension, it may do so by providing the **Municipality** with prior written notice of its intent to suspend the Agreement, thirty (30) days in advance of the effective date of suspension. The Agreement may be reinstated and resumed in full force and effect by **DOTD** by providing the **Municipality** with sixty (60) days written notice to that effect.

ARTICLE XI: Claims for Liens

The **Municipality** shall hold the **DOTD** harmless from any and all claims for liens for labor, services or materials furnished to the **Municipality** in connection with the performance of his obligations under this Agreement.

ARTICLE XII: Compliance With Laws

The **Municipality** agrees to abide by the requirements of the following as applicable: Title VI and Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, Federal Executive Order 11246 as amended, the Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, the Fair Housing Act of 1968 as amended, and the **Municipality** agrees to abide by the requirements of the Americans with Disabilities Act of 1990.

ARTICLE XIII: Agreement Modifications

Any changes or modifications to the terms of this Agreement must be made by a fully executed Supplemental Agreement.

ARTICLE XIV: Disputes

Any dispute concerning a question of fact in connection with the work not disposed of by this Agreement or by agreement of the parties shall be referred to the **DOTD's** Secretary or his duly authorized representative for determination, whose decision in the matter shall be final and conclusive on the parties to this Agreement.

ARTICLE XV: Record Keeping, Reporting and Audits

The **Municipality** shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred relative to this project and shall make such materials available at their respective offices at all reasonable times during the Agreement period and for three years from the date of final payment under this

Agreement, for inspection by the **DOTD** Audit Control Section, the Legislative Auditor, and/or the Office of the Governor, Division of Administration Auditors under State and Federal Regulations effective as of the date of this Agreement and copies thereof shall be furnished if requested.

ARTICLE XVI: Covenant Against Contingent Fees

The **Municipality** warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the **Municipality** to solicit or secure this Agreement and that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the **Municipality**, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

The **DOTD** shall have the right to annul this Agreement without liability or, in its discretion, deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee if the **Municipality** breaches or violates this warranty.

No member of or delegate to Congress or resident commissioner shall be entitled to any share or part of this Agreement or to any benefit that may arise there from, but this provision shall not be construed to extend to a contract if made with a corporation for its general benefit.

ARTICLE XVII: Subletting, Assignment or Transfer

The **Municipality** shall not subcontract any of his duties or responsibilities under this Agreement without the express written consent of DOTD.

The **Municipality** shall not assign any interest in this Agreement and shall not transfer any interest in same, whether by assignment or novation, without prior written consent of the DOTD, provided however, that claims for money due or to become due to the **Municipality** from DOTD may be assigned to a bank, trust company, or other financial institution without prior written consent. Notice of any such assignment or transfer shall be furnished promptly to the DOTD.

ARTICLE XVIII: Successors and Assigns

This Agreement shall be binding upon the successors and assigns of the respective parties hereto.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective officers, thereunto duly authorized as of the day and year first above written.

THUS DONE AND SIGNED at _____, Louisiana, this ____ day of _____, 2024.

WITNESSES

Municipality

BY: _____
(Signed Name)

(Printed Name)

Municipality _____

Address _____
() _____ (Phone)
() _____ (Fax)

Tax ID. # _____

THUS DONE AND SIGNED at _____, Louisiana, this ____ day of _____.

WITNESSES:

DOTD

_____ **BY:** _____
Dalton Williams, III
DISTRICT ADMINISTRATOR

EXHIBIT "A"

**LIST OF ROUTES FOR MAINTENANCE AGREEMENT
MANDEVILLE
2024-2025**

DESCRIPTION	MILEAGE	
US 190 (Bayou Castine to Carondelet St.)	2.41	Undivided
LA 22 (Beau Chene Blvd. to 685' west of West Service Rd. of N. Causeway Blvd)	2.30	Undivided
Frontage Road (SW Corner of US 190 and LA 22)	0.57	Undivided
US 190 (Carondelet St. 685' west of West Service Rd. of N. Causeway Blvd)	2.36	Divided
TOTAL UNDIVIDED MILES:	5.28	
TOTAL DIVIDED MILES:	2.36	
TOTAL MILES:	7.64	

“Exhibit B”

Municipality _____ Fiscal Year _____

SRM No. _____

Date from _____ Date to _____

The Municipality will be required to report daily work activities on on the form provided (Exhibit “B” attached) and shall include the work completed (mowing) and litter amount in cubic yards collected each day for the duration of the cycle or period of time that the work is being performed. Completed form shall be maintained by the municipality and shall be submitted to the DOTD district contact with the semi-annual

DATE	TRASH, yd ³	ACRES MOWED

Signed By: _____

Printed Name: _____

THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER KRELLER; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____

ORDINANCE NO. 24-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AFFECT THE DEANNEXATION OF A PORTION OF GROUND SITUATED IN GREENSBURG LAND DISTRICT, SECTION 34, TOWNSHIP 7 SOUTH RANGE 11 EAST REMOVING FROM THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Planning Department has received a petition by Emerald Corner, LLC seeking the de-annexation of a Parcel of Ground being more fully described as a Portion of Ground Situated in Greensburg Land District, Section 34, Township 7 South Range 11 East containing 0.18 Acres or 7,913 square feet as surveyed by Land Source Incorporated and dated July 20, 2023 from the corporate limits of the City of Mandeville attached as Exhibit A;

WHEREAS, Emerald Corner, LLC owns property that is not annexed into the City of Mandeville; and

WHEREAS, the immovable property identified in the submitted petition for de-annexation is vacant, has no registered voters, and does not have any commercial value.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mandeville that the municipal limits of the City of Mandeville be and they are hereby decreased to remove the below described immovable property which is hereby de-annexed into St. Tammany Parish:

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining, situated in the City of Mandeville, State of Louisiana, better described as follows, to-wit:

A CERTAIN PIECE OR PORTION OF LAND together with all the buildings and improvements thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Greensburg Land District, Section 34, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, containing 0.182 Acres (7,913 sqft) and more fully described as follows, to-wit:

Commence at a point and corner at the intersection of the southerly right-of-way of LaSalle Street with the easterly right-of-way of N. Causeway Boulevard; thence, along the southerly right-of-way of LaSalle Street, N 88°30'21" E a distance of 255.08 feet to a point and corner, said point

also being the Point of Beginning;

Thence, along the southerly right-of-way of LaSalle Street, N 88°31 '32" E a distance of 69.27 feet to a point and corner; thence, departing said right-of-way, S 01 °28'20" E a distance of 192.99 feet to a point and corner; thence, S 88°39'35" W a distance of 12.74 feet to a point and corner; thence, N 17°48'04" W a distance of 201.07 feet to the Point of Beginning.

BE IT FURTHER ORDAINED, that following the de-annexation of the above-described immovable property into the corporate limits of St. Tammany Parish that the boundaries of the City of Mandeville shall thereafter be as set forth and described on the process verbal attached hereto and made a part hereof.

BE IT FURTHER ORDAINED, that all sections and provisions of this ordinance be deemed separate and severable, and that in the event that any one or more of the provisions of this ordinance be deemed unenforceable or unconstitutional by any final judgment, order, or decree of any court of competent jurisdiction, that such finding shall have no effect on the remaining sections and provisions of this ordinance.

BE IT FURTHER ORDAINED that the Clerk of this Council be and they are hereby authorized and empowered to take any and all actions which they, in the exercise of their discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

and the ordinance was declared adopted this ____ day of _____ 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

March 19, 2024

VIA EMAIL AND HAND DELIVERY

City of Mandeville
Attn: Ms. Cara Bartholomew
Planning and Development Director
3101 East Causeway Approach
Mandeville, LA 70448

Re: De-Annexation of .18 Acres from the City of Mandeville, as described on attached Legal and Survey

Dear Cara:

In accordance with your recent discussions with Mr. Paul Mayronne regarding the above-referenced property, please allow this letter to serve as our request to de-annex the subject property from the corporate limits of the City of Mandeville. In accordance therewith, I am attaching hereto a survey and legal description of the subject property. In addition, please be advised that there are no resident property owners or registered voters residing on the property, and the property is vacant. In addition, I am attaching hereto a recorded Cash Sale where Emerald Corner, LLC acquired the subject property. As evidenced by the sale instrument, Emerald Corner, LLC is the sole owner of the subject property.

Thank you for processing our request. If there should be any fees associated with this request, please so advise and we will have a check issued to your office. Should you need anything further from us, please do not hesitate to contact us.

Sincerely,

Emerald Corner, LLC

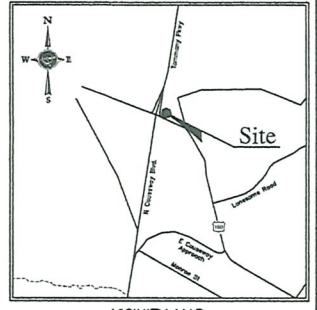
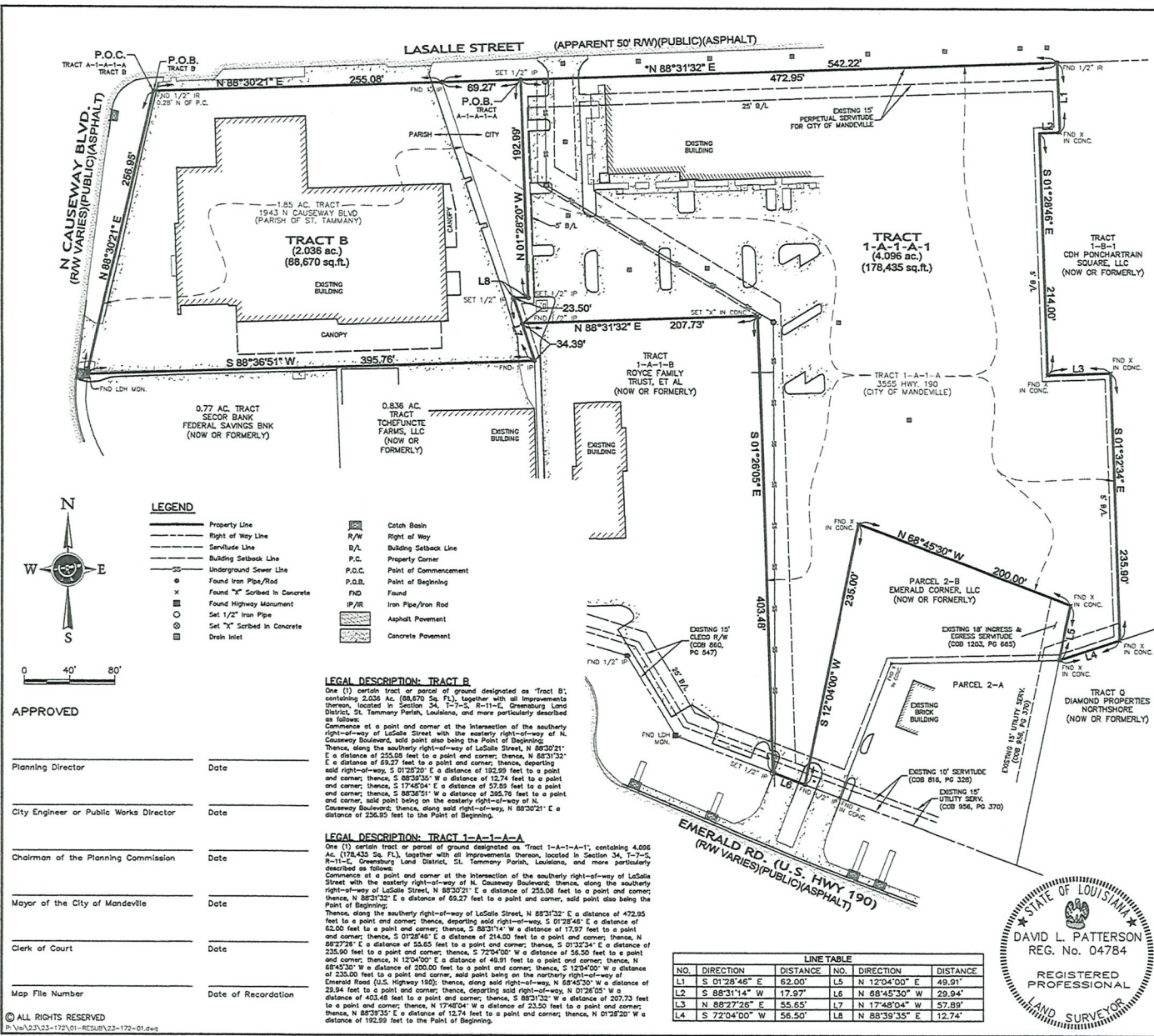
By: 

B. Clark Heebe, Manager

By: 

Brett S. Davis, Manager

cc: Mr. Rick Flick
Mr. Paul J. Mayronne



- GENERAL NOTES:**
- Flood Note: In accordance with FEMA Flood Insurance Rate Map Panel No. 2202020314D for City of Mandeville, St. Tammany Parish, Louisiana, last revised May 16, 2012, the property shown hereon is located in Flood Zone "X". Nearest adjacent Base Flood Elevation = 15 feet (NAVD 1988). The current base flood and inundation elevations are subject to change and should be verified with the Department of Development prior to issuance of building permits. Flood Insurance Rate Maps are revised frequently and can be found online at: msc.fema.gov
 - FLOOD AREAS DEFINED:**
Zone "X": Areas determined to be outside the 0.2% annual chance flood plain.
 - Zoning: B-2 (Business Highway) (Tract A-1-A-1) & HC-3 (Highway Commercial)(1.85 Ac. Tract B) Zoning Information should be verified with City/Parish Planning Commission.
Yard Requirements: B-2
Minimum Front Yard: 25 feet
Minimum Rear Yard: 15 feet
Minimum Side Yard: 5 feet
 - Reference Maps:
A. Map Showing Reacquisition of Tract 1-A-1 into Tracts 1-A-1-A & 1-A-1-B, by David L. Patterson, P.L.S., dated Nov. 15, 2019 (File No. 5982A)
B. Survey of an Undesignated Portion of Ground Chinchuba Subdivision, by Doding, Marques & Associates, Inc., dated Jan. 25, 2002
 - (*) represents the Basis of Bearings. Bearings are based on reference map "A" (above). Distances are U.S. Survey Feet.
 - No attempt has been made by LandSource, Inc., to verify title, actual legal ownerships, deed restrictions, servitudes, easements, or other burdens on the property other than that furnished by the client or his representative.
 - Utilities: The underground utilities shown hereon have been located from visible utility features, and/or previous construction drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. The surveyor has not physically located the underground utilities, except for above ground visible utility features.

MAP SHOWING EXCHANGE OF PROPERTY BETWEEN 1.85 AC. TRACT & TRACT 1-A-1-A INTO TRACTS B & 1-A-1-A-1 LOCATED IN SECTION 34, T-7-S, R-11-E, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA FOR EMERALD CORNER, LLC

CERTIFICATION:
This is to certify that this plot is made in accordance with LA. revised Statutes 33:5051 ET SEQ. and conforms to all parish ordinances governing the subdivision of land and conforms to a Class B Survey in accordance with the State of Louisiana "Standards of Practice for Property Boundary Surveys".

ADVANCE ISSUE
David L. Patterson, P.L.S.
La. Registration No. 04784

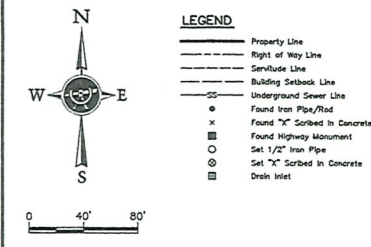
Printed on: **Jul. 10, 2023**
Date: _____

NO.	DIRECTION	DISTANCE	NO.	DIRECTION	DISTANCE
L1	S 01°28'46" E	62.00'	L5	N 12°04'00" E	49.91'
L2	S 88°31'14" W	17.97'	L6	N 88°45'30" W	29.94'
L3	N 88°27'26" E	55.65'	L7	N 17°48'04" W	57.89'
L4	S 72°04'00" W	56.50'	L8	N 88°39'35" E	12.74'



LEGAL DESCRIPTION: TRACT B
One (1) certain tract or parcel of ground designated as "Tract B", containing 2.036 ac. (88,670 Sq. Ft.), together with all improvements thereon, located in Section 34, T-7-S, R-11-E, Greensburg Land District, St. Tammany Parish, Louisiana, and more particularly described as follows:
Commence at a point and corner at the intersection of the southerly right-of-way of LaSalle Street with the easterly right-of-way of N. Causeway Boulevard, said point also being the Point of Beginning; thence, along the southerly right-of-way of LaSalle Street, N 88°30'21" E a distance of 255.08 feet to a point and corner; thence, departing said right-of-way, S 01°28'46" E a distance of 62.00 feet to a point and corner; thence, S 88°31'14" W a distance of 17.97 feet to a point and corner; thence, S 88°27'26" E a distance of 55.65 feet to a point and corner; thence, S 17°48'04" W a distance of 57.89 feet to a point and corner; thence, S 88°39'35" W a distance of 12.74 feet to a point and corner; thence, S 88°31'32" E a distance of 207.73 feet to a point and corner; thence, along the southerly right-of-way of N. Causeway Boulevard, thence, along said right-of-way, N 88°30'21" E a distance of 255.08 feet to the Point of Beginning.

LEGAL DESCRIPTION: TRACT 1-A-1-A-1
One (1) certain tract or parcel of ground designated as "Tract 1-A-1-A-1", containing 4.096 ac. (178,435 Sq. Ft.), together with all improvements thereon, located in Section 34, T-7-S, R-11-E, Greensburg Land District, St. Tammany Parish, Louisiana, and more particularly described as follows:
Commence at a point and corner at the intersection of the southerly right-of-way of LaSalle Street with the easterly right-of-way of N. Causeway Boulevard, thence, along the southerly right-of-way of LaSalle Street, N 88°30'21" E a distance of 255.08 feet to a point and corner; thence, S 88°31'32" E a distance of 207.73 feet to a point and corner; thence, along the southerly right-of-way of N. Causeway Boulevard, thence, along said right-of-way, N 88°30'21" E a distance of 255.08 feet to a point and corner; thence, S 01°28'46" E a distance of 62.00 feet to a point and corner; thence, S 88°31'14" W a distance of 17.97 feet to a point and corner; thence, S 88°27'26" E a distance of 55.65 feet to a point and corner; thence, S 17°48'04" W a distance of 57.89 feet to a point and corner; thence, S 88°39'35" W a distance of 12.74 feet to a point and corner; thence, S 88°31'32" E a distance of 207.73 feet to a point and corner; thence, along the southerly right-of-way of N. Causeway Boulevard, thence, along said right-of-way, N 88°30'21" E a distance of 255.08 feet to the Point of Beginning.



APPROVED

Planning Director _____ Date _____

City Engineer or Public Works Director _____ Date _____

Chairman of the Planning Commission _____ Date _____

Mayor of the City of Mandeville _____ Date _____

Clerk of Court _____ Date _____

Map File Number _____ Date of Recordation _____

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Fax: (225) 752-0995
www.landsource.com

NOTE TO BE REMOVED UPON FINAL SIGNATURE
FOR CONSTRUCTION, RECORDATION, OR THE BASIS FOR THE RESUBMISSION OF A PLAN.

DATE: 06-29-2023
JOB NO.: 23-172-01
OWN. BY: MDD
CDD. BY: DLF
SHEET NO. 01

LEGAL DESCRIPTION: AREA TO BE DE-ANNEXED

One (1) certain tract or parcel of ground designated as "Area to be De-Annexed", containing 0.182 Ac. (7,913 Sq. Ft.), together with all improvements thereon, located in Section 34, T-7-S, R-11-E, Greensburg Land District, St. Tammany Parish, Louisiana, and more particularly described as follows:

Commence at a point and corner at the intersection of the southerly right-of-way of LaSalle Street with the easterly right-of-way of N. Causeway Boulevard; thence, along the southerly right-of-way of LaSalle Street, N 88°30'21" E a distance of 255.08 feet to a point and corner, said point also being the Point of Beginning;

Thence, along the southerly right-of-way of LaSalle Street, N 88°31'32" E a distance of 69.27 feet to a point and corner; thence, departing said right-of-way, S 01°28'20" E a distance of 192.99 feet to a point and corner; thence, S 88°39'35" W a distance of 12.74 feet to a point and corner; thence, N 17°48'04" W a distance of 201.07 feet to the Point of Beginning.

**THE FOLLOWING ORDINANCE WAS INTRODUCED BY COUNCIL MEMBER
ZUCKERMAN; AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____**

ORDINANCE NO. 24-18

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MANDEVILLE ESTABLISHING PROCEDURES FOR CITY COUNCIL BUSINESS AND
COUNCIL CHAMBER DECORUM AND PROVIDING FOR OTHER MATTERS IN
CONNECTION THEREWITH**

WHEREAS, Section 2-06(c) of the Mandeville Home Rule Charter states the City Council shall determine by Resolution its own rules and order of business;

WHEREAS, the City Council desires to provide proper notice and transparency in the introduction, discussion and adoption of resolutions and ordinances that come before the Council;

WHEREAS, the City Council desires to clarify agenda notice requirements and procedures relating to how ordinances and resolutions are placed on Council agendas;

WHEREAS, the City Council desires to formalize the agenda process to be efficient and enhance communication between the Administration and the Council;

WHEREAS, the City Council desires to provide for orderly, respectful, and professional public meetings; and

WHEREAS, the City Council desires to provide for the safety of all members and representatives of the City Council and Administration participating in City Council business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mandeville that the following rules are established and shall be codified into the Mandeville Code of Ordinances as Chapter 2, Section 11 and Section 12 as follows:

SECTION 2-11 RULES OF CITY COUNCIL PROCEDURE

1. The officers of the City Council shall be the Council Chairperson and the Council Vice-Chairperson and shall be selected from the Council Members elected at large. The Council Chairperson and Council Vice Chairperson shall be elected by a majority vote of the City Council. Following election of a Council Chairperson at the first meeting of a new Council, in accordance with the Charter, a vote will be taken each year at the first meeting in July for the purpose of electing a Council Chairperson.

a. The Council Chairperson shall have the following duties:

- i. to preside at all sessions of the Council, unless otherwise agreed upon by majority vote of the Council;
- ii. to open each session of the Council by taking the chair and calling the Members to order;
- iii. to cause the Council to proceed with its business in the proper order under the rules if a quorum is present, and to announce the business before the Council as the Council proceeds upon each order of business.

- iv. to preserve order and decorum; to speak on points of order, in which case he or she shall have preference over other Members;
 - v. to decide all points of order and to inquire with the parliamentarian to resolve any disputes concerning points of order according to Robert's Rules of Order;
 - vi. to explain or clarify any rule of procedure upon request; and/or elicit the assistance of the parliamentarian for these purposes;
 - vii. to state or direct the Clerk to state each motion as it is made;
 - viii. to recognize Members of the Council, the Mayor and other members of city government, and the public in accordance with Robert's Rules and the rules adopted by the City Council for the governance of its meetings;
 - ix. to state and put to a vote all questions requiring a vote and to announce the vote;
 - x. to sign all ordinances and other documents which require his or her signature; and
 - xi. to do and perform such other duties as may be required by the laws of this state or by the charge of the City or by the City Council.
- b. The duties of the Council Vice Chairperson shall be to preside at meetings of the Council in the absence of the Council Chairperson and shall exercise those duties (set forth in Section 1a i-ix) of the Chairperson necessary to facilitate the orderly conduct of the council meeting over which the Chairperson presides.
2. The date, time, and place of Council meetings may be changed by the Council Chairperson upon his or her discretion or upon request of other Council Members, subject to meeting all requirements for proper public notice.
3. The regular order of business for meetings of the City Council shall be as follows:
- a. Meeting called to order
 - b. Roll call
 - c. Invocation and Pledge of Allegiance
 - d. Announcements
 - i. Council
 - ii. Mayor
 - iii. Department heads (as requested)
 - e. Presentations
 - f. Consent agenda
 - i. The consent calendar shall be in two parts, and any item may be removed from the consent calendar by Council Members for individual consideration prior to the adoption of the consent calendar. Part One shall be for agenda items that do not necessarily require individual debate, discussion or consideration; Part Two shall be for items that do not require a public hearing, but may require individual debate, discussion or consideration by the Council prior to Council action.
 - (a) Consent Agenda Part One:
 - (i) Approval of minutes from previous meetings
 - (ii) Introduction of ordinances: ordinances for introduction shall be introduced by title only, sponsored by a Council Member, shall not require public reading, and be presented in full written form at the time of introduction.

- (b) Consent Agenda Part Two:
 - (i) Approval of alcoholic beverage permit applications
 - (ii) Special event applications
 - (iii) Change orders and substantial completion certifications for City Public Works projects
 - g. Unfinished Business
 - i. Any deferred agenda item
 - ii. Adoption of ordinances introduced at previous meeting
 - h. New Business
 - i. Nomination and approval of Board Members to City Commissions
 - ii. Resolutions
 - i. Public Comment
 - j. Finance Report and Projects in Progress: these reports shall alternate. The Projects in Progress report shall be on the 1st regularly scheduled monthly meeting and the Finance Report shall be on the 2nd regularly scheduled monthly meeting.
 - k. Executive Session, if any
 - l. Adjournment
- 4. On any question of council procedure, where these rules are not applicable, all meetings shall be conducted in accordance with Robert's Rules of Order Newly Revised, 12th Edition.
- 5. Public comment will be allowed for agenda items prior to any vote with a 3-minute limit per person. Public comment will be allowed for non-agenda items at the end of each meeting with a 3-minute limit per person. Ceding one's time to another is not permitted.
 - a. If additional time is requested by an individual, for an agenda or non-agenda item, a majority vote of the Council will be required to extend the time limit for that individual.
 - b. To avoid repetition, groups interested in an agenda item should elect a spokesman to represent the views of the group. In the event a spokesman is elected, the Council Chairman shall establish a reasonable time for that spokesman for public comment.
 - c. To the extent that public comment is repetitive in nature, the Council Chairperson has the right to request that said comment be limited to statements not previously shared during the meeting.
 - d. The Council Chairperson is expressly granted the authority to require any person wishing to address the Council to submit to the Council Clerk a completed and signed request to speak card. In the event that speaker cards are utilized, any request to speak card must be received prior to the conclusion of the agenda item designated for such public comment.
 - e. No Council Member or other City government representative shall interrupt the

person offering public comment, and all questions shall be addressed to such person only at the conclusion of his or her remarks and he or she has returned to his or her seat. Any response to a question raised on a non-agenda item shall be limited to information that is already released to the public domain and/or a matter of public safety, health and welfare.

6. Slides or presentations by members of the public are not permitted in Council Chambers or other designated meeting places except through advance submission to a Member of the Council under an advertised agenda item, in accordance with the provisions of the State Open Meetings Law, review by the City Attorney, and final approval by the Council Chairperson.

SECTION 2-12 RULES OF DECORUM FOR CITY COUNCIL MEETINGS

1. All members of the Council, City Government, and the audience shall confine themselves to decorous language in addressing the Council. Members of the audience shall not engage in disruptive conversations or other behavior not recognized by the Chairperson, nor heckle individuals recognized as having the floor. Any violation of these rules will subject the offender to immediate removal from the chambers.
2. Placement of political or campaign literature or paraphernalia inside Council Chambers or the designated meeting place in advance, including placing materials on empty seats or posting materials on walls or fixtures, is prohibited. Any violation of these rules will subject the offender to immediate removal from the Chambers.
3. There shall be no signs, banners, or other demonstrative displays in Council Chambers. Any handheld sign not otherwise excluded herein, brought to the Council Chambers by the public shall only be displayed in the council lobby and not brought into the Council Chamber area. Any violation of these rules will subject the offender to immediate removal from the Chambers.
4. All videos taken at any public meeting held in the Council Chambers, except those by City staff, shall only be taken from an area designated in the Chambers for said purposes by the Chairperson. Any violation of these rules will subject the offender to immediate removal from the chambers.
5. Use of cell phones during Council Meetings is prohibited. Members of the public shall silence their phone.
6. There shall be no solicitation of any kind to the public, Council Members or other City government representatives prior to, during, or after Council meetings inclusive of Council parking lots and city property. The Council Chairperson shall prevent the public from any such solicitation prior to, during, and after Council Meetings and shall put in place other such measures as may be deemed necessary and appropriate for the safety of Council Members and City government representatives.
7. There shall be no food allowed inside Council Chambers.
8. The Council Chairperson shall ensure at a minimum that a police officer is present at all Council Meetings and said police officer has the authority to cause the immediate removal from the Chambers of any individual in violation of these rules.

With the above ordinance having been submitted to a vote, the vote thereon was as follows:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

and the resolution was declared adopted this _____ day of _____, 2024.

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER ZUCKERMAN; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____

ORDINANCE NO. 24-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO GRANT A NON-EXCLUSIVE FRANCHISE AGREEMENT TO UNITI FIBER GULFCO, LLC, FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A FIBER-OPTIC TRANSMISSION LINE WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF MANDEVILLE, LOUISIANA AND TO PROVIDE FOR RELATED MATTERS IN CONNECTION THEREWITH

WHEREAS, UNITI FIBER GULFCO, LLC, an Delaware limited liability company (hereinafter referred to as the "the Company") desires to construct a fiber-optic transmission line and/or small cell network within certain public rights-of-way within the City of Mandeville; and

WHEREAS, the Company agrees and recognizes that it is required to obtain consent in the form of a non-exclusive franchise agreement from the City of Mandeville in order to construct the proposed fiber-optic transmission line within the corporate limits of the City of Mandeville; and

WHEREAS, the City of Mandeville adopted specific procedures for the placement of public and private utilities in city rights-of-way in Sections 13-6 through 13-9 of its Code of Ordinances, and Uniti Fiber GulfCo, LLC, agrees to abide by and comply with the City's Code of Ordinances in conducting any business under the non-exclusive franchise agreement; and

WHEREAS, the City Council believes it is in the best interest of the City of Mandeville to grant the Company's request and grant a non-exclusive franchise agreement for the construction of the proposed fiber-optic transmission line and/or small cell network in accordance with the terms and conditions contained herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANDEVILLE, AS FOLLOWS:

The City Council of the City of Mandeville does hereby grant to UNITI FIBER GULFCO, LLC a non-exclusive franchise agreement in accordance with the agreement (attached hereto and made a part hereof) to construct, install, maintain and operate a fiber-optic transmission line and small cell network in the City of Mandeville in and along certain rights-of-subject to the terms and conditions set forth in the attached agreement.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the Honorable Clay Madden, Mayor, be and is hereby authorized to execute the attached non-exclusive franchise

agreement with Uniti Fiber GulfCo, LLC.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

and the ordinance was declared adopted this ____ day of _____ 2024

Alex Weiner
Interim Clerk of Council

Jason Zuckerman
Council Chairman

SUBMITTAL TO

The foregoing Ordinance was SUBMITTED by me to the Mayor of the City of Mandeville this ___ day of ___, 2024 at _____ o'clock a.m.

Clerk of Council

APPROVAL OF

The foregoing Ordinance is by me hereby APPROVED, this ___ day of ___, 2024 at _____ o'clock a.m.

CLAY MADDEN, MAYOR

VETO OF

The foregoing Ordinance is by hereby VETOED, this ___ day of ___, 2024 at _____ o'clock a.m.

CLAY MADDEN, MAYOR

RECEIPT FROM

The foregoing Ordinance was RECEIVED by me from the Mayor of the City of Mandeville this ___ day of ___, 2024 at _____ o'clock a.m.

Clerk of Council

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the ___ day of _____, 2024, at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this ___ day of _____, 2024.

Clerk of Council