

RULES AND REGULATIONS

OF THE

COUNCIL

OF THE

CITY OF NEW ORLEANS



**EFFECTIVE MAY 1, 1956
AS AMENDED THROUGH MAY 19, 2016**

TABLE OF CONTENTS

REGULAR MEETINGS OF COUNCIL - SCHEDULE.....	1
Rule 1.....	1
MEETINGS OF COMMITTEE OF WHOLE.....	1
Rule 2.....	1
SPECIAL MEETINGS OF THE COUNCIL.....	2
Rule 3.....	2
PRESIDING OFFICERS.....	2
Rule 4.....	2
PRESIDING OFFICER SHALL VOTE.....	2
Rule 5.....	2
DUTIES AND POWERS OF THE PRESIDENT OR PRESIDING OFFICER.....	2
Rule 6A.....	2
Rule 6B.....	2
Rule 6C.....	3

ORDER OF VOTING.....	3
Rule 7.....	3
ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT.	3
Rule 8.....	3
JOURNAL OF PROCEEDINGS.....	4
Rule 9.....	4
QUORUM: AGENDA, ORDER OF BUSINESS, PUBLIC HEARINGS.	4
Rule 10.....	4
Note A. Consent Agenda.....	6
Note B. Regular Agenda.....	7
PUBLIC HEARING.....	7
Rule 10.1.....	7
COUNCIL'S CONSIDERATION OF LAND USE DOCKETS.....	7
Rule 10.2A.....	7
Rule 10.2B.....	8
Rule 10.2C.....	9
Rule 10.2D.....	9

Rule 10.3.....	9
GERMANE AMENDMENTS.....	9
Rule 11.....	9
REDUNDANT ACTS.....	10
Rule 11A.....	10
ROLL CALL VOTES: RECUSAL.....	10
Rule 12A.....	10
Rule 12B.....	10
RECOGNITION OF MEMBERS BY CHAIR.....	11
Rule 13.....	11
CHAIR TO DESIGNATE SPEAKER IN CERTAIN CASES.....	11
Rule 14.....	11
APPROVAL OF CERTAIN APPOINTMENTS.....	11
Rule 15.....	11

APPOINTMENTS BY THE FULL COUNCIL.....	12
Rule 15.1.....	12
ROBERT'S RULES OF ORDER.....	13
Rule 16.....	13
SUSPENSION OF COUNCIL RULES; INTRODUCTION OF MOTIONS OR RESOLUTIONS.....	13
Rule 17.....	13
RIGHT OF COUNCIL MEMBERS TO SPEAK; TIME LIMIT.....	14
Rule 18.....	14
Rule 18A.....	14
CALL OF MEMBER TO ORDER.....	15
Rule 19.....	15
APPEALS FROM DECISIONS OF THE CHAIR.....	15
Rule 20.....	15
QUESTION OF PERSONAL PRIVILEGE.....	15
Rule 21.....	15

SPECIAL ORDER OF BUSINESS.....	15
Rule 22.....	15
NUMBER OF VOTES REQUIRED TO ADOPT MOTIONS OR RESOLUTIONS.....	16
Rule 23.....	16
MAKING MOTIONS, SECONDING OF MOTIONS REQUIRED:	
WRITTEN MOTIONS.....	16
Rule 24.....	16
DIVISION OF QUESTIONS.....	16
Rule 25.....	16
RECORD OF MOTIONS.....	17
Rule 26.....	17
TAKING AND ENTERING OF VOTES: EXPLANATIONS OF	
VOTES NOT PERMITTED.....	17
Rule 27.....	17
[Reserved].....	17
Rule 28.....	17

PRECEDENCE OF MOTIONS..... 17

 Rule 29..... 17

MOTION TO ADJOURN..... 18

 Rule 30..... 18

AUTOMATIC RECESS..... 18

 Rule 31..... 18

PREVIOUS QUESTION..... 18

 Rule 32..... 18

MOTIONS TO LAY ON THE TABLE AND TO TAKE FROM THE TABLE..... 19

 Rule 33A..... 19

 Rule 33B..... 19

AUTOMATIC POSTPONEMENT OF ORDINANCES, MOTIONS,
OR RESOLUTIONS..... 19

 Rule 34..... 19

INDEFINITE POSTPONEMENT: MOTION TO DEFER OR POSTPONE WITHOUT ANY REFERENCE TO TIME.....	20
Rule 35.....	20
MOTION TO AMEND.....	20
Rule 36A.....	20
Rule 36B.....	20
Rule 36C.....	20
MOTION FOR RECONSIDERATION.....	21
Rule 37A.....	21
Rule 37B.....	21
SPECIAL COMMITTEES.....	21
Rule 38.....	21
STANDING COMMITTEES.....	22
Rule 39.....	22
Rule 39A.....	22
1. COMMITTEE ASSIGNMENTS.....	22
2. DUTIES OF COMMITTEES.....	23
3. REFERRAL OF MATTERS TO COMMITTEES.....	23
4. DUTIES OF THE CHAIRPERSON.....	23

5. COMMITTEE REPORTS.....	24
6. DIVIDED REPORTS.....	24
7. ACTION REQUIRED	25
8. ASSIGNMENT TO ENTIRE COUNCIL.....	25
Rule 39B.....	25
Rule 39C.....	25
COMMUNICATIONS ATTACHED TO ORDINANCES.....	26
Rule 40.....	26
COUNCIL AGENDA DEADLINE.....	26
Rule 41.....	26
ORDINANCES DISAPPROVED BY THE MAYOR.....	26
Rule 42.....	26
[Reserved].....	27
Rule 43.....	27
TAG LINES FOR MOTIONS, RESOLUTIONS AND ORDINANCES.....	27
Rule 44.....	27

COMPETITIVE SELECTION PROCESS FOR PROFESSIONAL SERVICES CONTRACTS.....	27
Rule 45.....	27
ASSIGNMENT OF WORK TO CERTAIN SPECIAL COUNSEL.....	34
Rule 45.1.....	34
LEGISLATIVE SUMMARY AND AGENDA.....	35
Rule 46.....	35
EMERGENCY PREPAREDNESS.....	36
Rule 47.....	36
COMMENTS TO BE GERMANE.....	36
Rule 48.....	36

REGULATIONS

HEARINGS ON MATTERS INVOLVING POSSIBLE COUNCIL ACTION.	37
Regulation 1.....	37
NOTICE PERTAINING TO HEARINGS.....	37
Regulation 2.....	37
COMMUNICATIONS ON OTHER MATTERS.....	38
Regulation 3.....	38
TIME LIMITS FOR SPEAKERS.....	38
Regulation 4.....	38
DISTURBANCES IN COUNCIL CHAMBER.....	39
Regulation 5.....	39
SOLICITATION OF VOTERS.....	40
Regulation 6.....	40

USE OF COUNCIL CHAMBER.....	40
Regulation 7.....	40
FLAGS TO BE DISPLAYED.....	41
Regulation 8.....	41
TELEPHONES IN COUNCIL CHAMBER.....	41
Regulation 9.....	41
STANDARDS FOR ELECTRONIC COVERAGE.....	41
Regulation 10.....	41
OFFICE SPACE.....	42
Regulation 11.....	42

REGULAR MEETINGS OF COUNCIL – SCHEDULE

Rule 1. The Council of the City of New Orleans shall hold regular meetings in the Council Chamber at City Hall, which shall commence at 10:00 A.M., on the first and third Thursdays of each month, or the schedule may be amended as necessary. The Council may schedule a later time in the day for the meeting, or call additional regular meetings during the months of November and December, by giving at least seventy-two (72) hours advance public notice of a later beginning or additional regular meeting. Should any of said days fall on a legal holiday, such meetings shall be held on the next succeeding business day that is not a legal holiday. In the event of an emergency declared under national, state and local laws and the to extent permitted by law, the Council by majority vote of its members may suspend provisions of these Rules and Regulations. (M-96-307, Adopted 5/16/96); (M-11-160, Adopted, As Amended 5/19/11)

MEETINGS OF COMMITTEE OF WHOLE

Rule 2. Meetings of the Committee of the Whole Council may be held in the Council Chamber at City Hall, which shall commence at 10:00 A.M., on the second and fourth Thursdays, and the fifth Thursday, when such occurs. If such meetings are found to be necessary, they shall be held at the regular meetings of the Council, unless the Council provides such Committee meeting be held on a special day. Should any of the above days fall on a legal holiday, such meetings shall be held on the next succeeding business day that is not a legal holiday. Five members of the Committee shall constitute a quorum. (M-11-160, Adopted, As Amended 5/19/11)

SPECIAL MEETINGS OF THE COUNCIL

Rule 3. Special meetings of the Council may be called by the Mayor or President of the Council or shall be called by the President upon petition of a majority of the members of the Council.

PRESIDING OFFICERS

Rule 4. The President of the Council shall be the presiding officer of the Council. The Vice President of the Council shall preside in the absence of the President.

If both the President and Vice President are absent, then the Council shall nominate and then elect an acting Chairperson of the Council who shall preside until the President or Vice President returns.

PRESIDING OFFICER SHALL VOTE

Rule 5. The presiding officer of the Council shall vote on all questions on which the vote is taken by yeas and nays.

DUTIES AND POWERS OF THE PRESIDENT OR PRESIDING OFFICER

Rule 6A. The President or presiding officer shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal.

Rule 6B. The President may, at any time, during debate or otherwise, declare a recess, provided there are no objections. (M-11-160, Adopted, As Amended 5/19/11)

Rule 6C. When the President of the Council, in the absence of the Vice President, or the Vice President, when presiding, shall desire to vacate the chair, he or she may temporarily designate a chair from the other members; but such substitution shall not continue beyond adjournment. (M-11-160, Adopted, As Amended 5/19/11)

ORDER OF VOTING

Rule 7. Votes at final passage of all members shall be taken by yeas and nays registered on the voting machine without order of precedence, and the names of the Councilmembers voting for or against each proposed motion, resolution, ordinance or amendment shall be entered upon the Journal of Proceedings.

No vote registered on the voting machine shall be announced or entered upon the Journal of Proceedings unless the Council Member for whom the vote is registered is present in the Council Chamber or an adjacent room in the Clerk of Council's Office. No person other than another member of the Council shall vote another Member's voting machine, and another member may only so vote when the Member has authorized the vote and is present in the Chamber or an adjacent room. (M-89-222, Adopted 6/1/89); (M-11-160, Adopted, As Amended 5/19/11)

ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT

Rule 8. At its organizational meeting, the Council shall elect a President and Vice-President, which shall thereafter be rotated annually between the two Councilmembers-at-Large. (M-03-228, Adopted 4/16/03); (M-06-214, Adopted 6/1/06)

JOURNAL OF PROCEEDINGS

Rule 9. The Journal of Proceedings shall record all the transactions of the Council, but shall not be considered a verbatim transcript of Council meetings.

QUORUM: AGENDA, ORDER OF BUSINESS, PUBLIC HEARINGS

Rule 10. A quorum of the City Council, for the transaction of business, shall consist of five members. When a quorum is present, the Council shall proceed to the business before it, which shall be conducted in the following order, subject to the provisions of Rule 25.

Notwithstanding the provisions of this Rule or Rule 1, the Council may provide for the issuance of proclamations and/or other special recognitions on the day of a regular Council meeting between 9:00 A.M. and 9:55 A.M. or at any other designated time, so that the Council's business meeting may begin promptly at 10:00 A.M., prior to convening of any regular meeting, or the Council may convene special meetings dedicated exclusively to non-legislative matters, where a quorum is not required, for the purpose of issuance of proclamations, special recognitions, and other non-legislative ceremonial matters. In the event of a meeting beginning at a later time in the day, such non-legislative and/or ceremonial proceedings shall commence one hour prior to the scheduled meeting time, and end no later than five (5) minutes before the scheduled beginning time. (M-01-328, Adopted 6/7/01); (M-06-258, Adopted, As Amended, 6/22/06); (M-09-269, Adopted, 6/18/09); (M-11-160, Adopted, As Amended 5/19/11)

1. Mayor and/or President's Call - Roll Call - Invocation - Presentation of Colors – Pledge of Allegiance to the Flag - Playing of the National Anthem. (M-96-521, Adopted 8/15/96); (M-07-277, Adopted, As Amended, 7/26/07); (M-10-254, Adopted 7/1/10)
2. Approval of Minutes. (M-10-254, Adopted 7/1/10)

3. Communications. (M-10-254, Adopted 7/1/10)
4. Special Orders Of Business. (M-07-277, Adopted, As Amended, 7/26/07); (M-10-254, Adopted 7/1/10)
 - Special Orders of Business are intended to provide a brief opportunity for Council members to address areas of concern.
 - Special Orders of Business are limited to 3 per council meeting.
 - Special Orders of Business are limited to 15 minutes in total, including but not limited to, presentations by witnesses, public comment, and questions and comments from Council members. Council members requesting a Special Order of Business shall determine how said 15 minutes is allotted and shall facilitate the Special Order of Business.
 - Council members requesting a Special Order of Business shall forward their request to the President of the Council with a copy to the Clerk of Council. Special Orders of Business are placed on the agenda on a first come, first served basis.
 - Cancellation of a Special Order of Business and substitution with a new topic is prohibited.
 - Topics and presentations that require more than fifteen (15) minutes should be heard by the appropriate committee of the Council at a regular or special meeting of the committee.
 - No public comment shall be accepted for Special Orders of Business.
(M-11-239, Adopted 7/7/11)
5. Consent Agenda (See Note A.) (M-10-254, Adopted 7/1/10)
6. Regular Agenda (See Note B.) (M-10-254, Adopted 7/1/10)

7. Adjournment. (M-93-563, Adopted 12/30/93); (M-10-254, Adopted 7/1/10)

Note A. Consent Agenda - The consent agenda is intended to promote the efficiency of Council proceedings by allowing for the adoption of routine or non-controversial matters with one vote thus saving the time of Council Members, other Government employees and citizens attending Council Meetings. Matters which may be placed on the consent agenda shall include, but not be limited to, reports or communications on which no action is required by the Council other than receipt, the setting of hearing dates, and of zoning ordinances which have previously been heard and approved by a unanimous vote, by the Council, and ordinances or motions that have received the approval of the appropriate committee. Judgmental decisions as to which items are appropriate for inclusion on the consent agenda shall be made by the Clerk of Council in consultation with the Council President.

When a meeting agenda contains more than fifty (50) items, for those items on the Consent Agenda, the Clerk shall read at least the number or the title of each Consent Agenda item and its annotation, but shall not be required to read the description or brief of such item. Any person may object to the presence of any item on the Consent Agenda, and request individual discussion on that item, provided that a reason is given for the individual discussion. The name of the person objecting to an item being on the Consent Agenda, and the reasons stated, shall be included in the minutes of the meeting. An item to which such an objection is made shall be removed from the Consent Agenda upon the request of an individual Councilmember and such request shall also be included in the minutes of the meeting.

Any person wishing to address the Council on a matter contained on the consent agenda shall be permitted to do so in accordance with the Rules of the

Council.

A vote cast in the affirmative for the consent agenda shall constitute a vote in the affirmative for each ordinance, motion, or resolution on the consent agenda or as a vote to receive any report or communication appearing on the consent agenda. (M-11-160, Adopted, As Amended 5/19/11); (M-13-367, Adopted 10/24/13)

Note B. Regular Agenda – The Regular Agenda may include Reports, Land Use matters (zoning and planning matters and appeals relating to land use or property), Ordinances on Final Passage, Unfinished Business, New Business, Motions and Resolutions, and Ordinances on First Reading. Land Use matters shall not be considered prior to 11:00 a.m. The Clerk of Council shall group ordinances, motions, resolutions, reports, or communications relating to a specific land use item. (M-10-254, Adopted 7/1/10)

PUBLIC HEARING

Rule 10.1. Notwithstanding the provisions of Regulation #1 of the Rules and Regulations to the contrary, no item shall appear on the agenda for a Council meeting if a public hearing is to be held in connection with the item, unless the item is requested in the form of a motion and is approved by a majority vote of the Council at a Council meeting.

COUNCIL'S CONSIDERATION OF LAND USE DOCKETS

Rule 10.2A. Upon receipt of a report from the City Planning Commission concerning a Zoning Docket, the Council shall set a hearing date for consideration of the matter. If the matter has been recommended “for approval” by the City Planning Commission and no written or verbal opposition to the proposal has been submitted to the City Planning Commission in connection with the Zoning Docket, the matter shall be placed on the consent

agenda unless a member of the Council provides reasons for setting the matter for a hearing. Approval of any Zoning Docket may be placed on the consent agenda at the discretion of the Council. If the matter is scheduled for hearing, the hearing shall be scheduled at least one Council meeting prior to the last regularly scheduled Council meeting in advance of the deadline for action of the Zoning Docket. If a Zoning Docket is set for a hearing, the Clerk of Council shall, prior to the hearing, mail notice of said hearing to anyone who appeared and signed in to speak at the City Planning Commission's public hearing on the matter. (M-98-558, Adopted 9/24/98); (M-11-160, Adopted, As Amended 5/19/11); (M-15-380, Adopted 9/3/15)

Rule 10.2B. At a hearing scheduled for consideration of a Land Use Docket, no more than five speakers shall be allowed on each side of the issue. Each speaker shall be limited to three minutes for making his or her presentation. A speaker may assign any remaining time to another speaker that [s]he may designate, provided that such person has filled out a card and submitted it to the Clerk. But in no event may any speaker be allowed to speak for more than three (3) minutes. Following the conclusion of the hearing on the Land Use Docket, the matter may be deferred to the next regular or special Council meeting for a final decision on the matter. In the event the Council defers its final decision on the matter to the next regular or special Council meeting as provided herein above, the time intervening between the hearing on the Land Use Docket and the decision is intended to allow all parties, individual Members of the Council, the City Planning Commission Staff, and the Law Department to discuss and resolve issues relating to the design of the project or provisos relating to the Land Use Docket so that a motion in written form can be prepared for inclusion on the agenda for the meeting at which the matter is to be decided. Resolution of issues relating to design and provisos may be accomplished through formal or informal means including private meetings between individual Council Members and staff or parties to the

agreement or public meetings or committee meetings involving the affected parties. (M-90-642, Adopted 12/27/90); (M-11-160, Adopted, As Amended 5/19/11); (M-15-380, Adopted 9/3/15)

Rule 10.2C. Technical aspects of zoning proposals and provisos relating thereto shall be referred to the staff of the City Planning Commission for final review and approval following the Council's hearing. Such technical aspects shall include but not be limited to landscaping, signs, color and design of structures, fencing and screening, and other matters relating to the design of the project.

Rule 10.2D. Ordinances relating to zoning matters may be placed on the consent agenda and shall be considered in accordance with the Rules of the Council and the City Charter. (M-89-334, Adopted, As Amended 8/3/89)

Rule 10.3. Any legislative instrument appearing as an agenda item on the Council's Agenda shall be accompanied by a written explanation of the purpose/intent of such legislative instrument. (M-93-375, Adopted 9/2/93)

GERMANE AMENDMENTS

Rule 11. No amendment to an ordinance, motion or resolution shall be discussed or considered until an opening statement and explanation of the ordinance, motion or resolution as introduced has been made by the lead author of the legislative instrument or a person or persons designated by the lead author.

At the discretion of the President of the Council, co-authors of the Legislative instrument may be allowed to speak on the instruments as introduced prior to consideration of proposed amendments to the legislation.

No motion or proposition of a subject different from that under consideration shall be

admitted under color of amendment.

REDUNDANT ACTS

Rule 11A. Any ordinance, motion or resolution which accomplishes the same purpose as a previously adopted legislative instrument or instruments may be ruled out of order by the presiding officer. This rule shall not apply to instruments ratifying, confirming or re-adopting previously adopted acts of the Council upon the recommendation of the City Attorney. (M-90-641, Adopted 12/27/90)

ROLL CALL VOTES: RECUSAL

Rule 12A. While the presiding officer is putting the question, no member shall leave his or her seat until the roll call is completed.

Rule 12B. Every member who shall be present when a question is stated from the Chair shall vote thereon, unless excused by the Council, or unless the member asks to be recused because of a personal interest in the question, in which case the member shall not vote. That member is not prohibited from participating in discussion and debate concerning the matter, provided that disclosure of the conflict or potential conflict is made part of the record in public prior to participation in the discussion or debate and prior to the vote that is the subject of discussion or debate. Any Council Member may suggest that another Council Member should recuse himself or herself and the Council shall be the first judge as to whether recusal is approved. (M-11-160, Adopted, As Amended 5/19/11)

RECOGNITION OF MEMBERS BY CHAIR

Rule 13. Every member, previous to his or her speaking, making a motion or seconding the same, shall enter said request into the electronic voting system for recognition by the Chair. In the event that the electronic voting system is not operational, the member should address himself or herself to the presiding officer, and say, "Mr. President" or "Madame President" and shall not proceed with his or her remarks until recognized and named by the Chair. The member shall confine remarks to the question under debate, avoiding personalities and refrain from impugning the motives of any other member's argument or vote. (M-11-160, Adopted, As Amended 5/19/11)

CHAIR TO DESIGNATE SPEAKER IN CERTAIN CASES

Rule 14. When two or more members request the floor at the same time, the presiding officer shall name the member who is first to speak.

APPROVAL OF CERTAIN APPOINTMENTS

Rule 15. All appointments made by the Council or for which Council approval or confirmation is necessary shall lie over until a statement of the nominee's qualifications has been submitted to the Council on forms provided by the Council. Upon receipt of the statement of qualifications, the Governmental Affairs Committee shall review such statements for consideration. Following review by the Governmental Affairs Committee, its recommendation shall be forwarded to the Council for its consideration.

Communications informing the Council as to appointments which do not require approval or confirmation by the Council shall be received and placed on file, unless other action is taken thereon. (M-92-428, Adopted 11/5/92); (M-11-160, Adopted, As Amended 5/19/11)

APPOINTMENTS BY THE FULL COUNCIL

Rule 15.1. When appointments are to be made by the full Council, the Council Chief of Staff shall advise all Councilmembers of the need for appointments to be made, and each Councilmember may invite one person to submit a notarized questionnaire to the Governmental Affairs Committee for consideration for a particular post on a board or commission. After a period of not less than seven (7) and not more than thirty (30) days from the date that the Councilmembers are advised that a vacancy exists and an appointment is to be made by the full Council, the questionnaires received by the Governmental Affairs Committee staff constitute the pool of nominees, and a list of nominations shall be circulated among all seven councilmembers, with completed questionnaires. All nominations will receive customary review and vetting by the Governmental Affairs staff before being referred to a meeting of the Committee of the Whole, being the full Council. The Committee of the Whole shall convene in open session for the purpose of discussing the personal qualifications of the nominees. As members of the Committee of the Whole, all councilmembers may participate in the discussion. Following the discussion a motion may be made to nominate one of the candidates to fill the appointment. If, after a second and discussion on the motion, that person receives a minimum of four (4) votes, he/she is confirmed for appointment.¹ If the motion fails to receive a minimum of four (4) votes, a new motion to approve an alternate candidate may be put forward. (M-11-160, Adopted, As Amended 5/19/11); (M-13-156, Adopted, 6/6/13); (M-13-367, Adopted 10/24/13)

¹The Rules will have to be suspended by a unanimous vote to add the motion to the agenda.

ROBERT'S RULES OF ORDER

Rule 16. The rules of parliamentary procedure comprised in the latest published edition of "Robert's Rules of Order Revised" shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with the special rules of this Council.

SUSPENSION OF COUNCIL RULES;

INTRODUCTION OF MOTIONS OR RESOLUTIONS

RULE 17. Except as otherwise provided herein, these rules and regulations which have been adopted by this Council, may be temporarily suspended by a vote of two-thirds of all Council Members present. Before a vote is taken on whether these rules shall be suspended, the President shall state the purpose for which these rules are to be suspended. If said purpose is to take up a matter not on the Council's agenda, a unanimous vote of the Councilmembers present shall be required pursuant to R.S. 42:19(b)(ii). Any such matter shall be identified in the motion with reasonable specificity, including the purpose for the addition to the agenda. If said purpose is to introduce any motion or resolution, a brief caption of such motion or resolution shall be read by the Clerk prior to the vote on the motion to suspend these rules. For each such motion or resolution a separate vote on a motion to suspend these rules shall be taken. These rules may be repealed, altered, or amended by concurrence of a majority of all Councilmembers, but a motion for this purpose must be in writing, and must lie over for at least one week after introduction before final passage.

(M-77-140, Adopted, As Amended 6/9/77); (M-08-379, Adopted 7/24/08); (M-11-160, Adopted, As Amended 5/19/11)

RIGHT OF COUNCIL MEMBERS TO SPEAK; TIME LIMIT

Rule 18. Other than for the purpose of asking a question, no member shall speak more than once on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so, provided, however, that the proponent of the matter under consideration, or the Chairperson of the committee whose report is under consideration, as the case may be, shall have the right to open and close debate. No member shall speak longer than ten (10) minutes at any one time, except by majority consent of the Councilmembers present; and, in closing debate on any question, as above provided, the speaker shall be limited to five (5) minutes, except by majority consent of the Councilmembers present. The time limit and the right to speak only once shall not apply when a Councilmember is required to answer questions.

While a member is speaking, no member shall hold any private discourse.

Any member of the Council may yield his or her allotted time to any other member of the Council. (M-09-269, Adopted, 6/18/09)

Rule 18A. The President of the Council may, only prior to commencement of consideration of any issue, establish uniform time limits for members of the Council on the time allotted to members of the Council for asking questions and receiving responses to those questions. In specifying such time limits, the President of the Council shall consider the hour of the day, the number and nature of matters which remain on the Council's agenda, whether or not the matter under discussion constitutes final action by the Council, and other relevant factors. In no event, however, shall the time limit imposed by the President for asking questions and receiving responses be less than fifteen (15) minutes per Councilmember.

(M-90-399, Adopted 9/6/90)

CALL OF MEMBER TO ORDER

Rule 19. A member when called to order by the Chair shall there upon immediately comply with the ruling, subject only to the right of appeals.

APPEALS FROM DECISIONS OF THE CHAIR

Rule 20. Any member may appeal to the Council from a ruling of the Chair, and if the appeal is seconded, the member making the appeal may briefly state the reason for the same, and the Chair may briefly explain his or her ruling, but, there shall be no debate on the appeal and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present vote "No" the decision of the Chair shall be overruled, otherwise, it shall be sustained.

QUESTION OF PERSONAL PRIVILEGE

Rule 21. The right of a member to address the Council on a question of personal privilege shall be limited to cases which the integrity, character, or motives of the member are assailed, questioned or impugned; or to cases in which a topic or question is one of a personal nature to a Council member who wishes to communicate said topic or question for the benefit of the community affected.

SPECIAL ORDER OF BUSINESS

Rule 22. Any matter before the Council may be considered at any time without regard to the order of business, provided a majority of the Councilmembers present vote in the affirmative, but not otherwise.

**NUMBER OF VOTES REQUIRED TO ADOPT
MOTIONS OR RESOLUTIONS**

Rule 23. No proposed motion or resolution shall be adopted except by the affirmative vote of a majority of all members of the Council. If a greater majority is required by applicable law, then the majority stipulated by the applicable law shall be required for adoption of the motion or resolution. (M-87-375, Adopted 10/1/87)

MAKING MOTIONS, SECONDING OF MOTIONS REQUIRED:

WRITTEN MOTIONS

Rule 24. Any member of the Council, or any Council committee, may make a motion, including the Chair. No motion shall be put or debated in the Council or in a committee unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and every motion in the Council, except motions of procedure, shall be reduced to writing, if required by a member, and the proposer of the motion shall be entitled to the floor. (M-11-160, Adopted, As Amended 5/19/11)

DIVISION OF QUESTIONS

Rule 25. If any question under consideration contains several distinct propositions, the Council, by a majority vote of the members present, may divide such questions. If division is voted for an ordinance, the resulting ordinances shall lie over one week as provided for newly-introduced ordinances.

RECORD OF MOTIONS

Rule 26. In all cases where a resolution or motion is entered in the Journal, the name of the member moving the same shall be entered also.

TAKING AND ENTERING OF VOTES:

EXPLANATIONS OF VOTES NOT PERMITTED

Rule 27. The yeas and nays upon any question shall be taken and entered into the Journal.

When the roll has been called on a vote, all debate on the question shall be deemed concluded. (M-90-509, Adopted 11/8/90); (M-11-160, Adopted, As Amended 5/19/11)

Rule 28. **[Reserved]** (M-11-160, Adopted, As Amended 5/19/11)

PRECEDENCE OF MOTIONS

Rule 29. When a question is under debate, the following motion shall be in order and shall have precedence over each other in order, as listed:

1. to adjourn to a day certain;
2. to adjourn;
3. to take a recess;
4. to lay on the table;
5. the previous questions;
6. to refer;
7. to amend;
8. to defer or postpone to a time certain;

9. to defer or postpone (without reference to time);
10. to defer or postpone indefinitely.

Numbers 2, 4, and 5 to be decided with debate.

MOTION TO ADJOURN

Rule 30. A motion to adjourn the Council shall always be in order, except:

1. when a member is in possession of the floor;
2. when the members are voting;
3. when adjournment was the last preceding motion; and
4. when it has been decided that the previous question shall be taken.

AUTOMATIC RECESS

Rule 31. If the Council has not concluded its business at a Council Meeting by 10:00 P.M. of the day on which the meeting was convened, the Council Meeting shall be recessed until 9:00 A.M. the following morning provided that a matter under consideration at 10:00 P.M. shall be concluded prior to the recess.

The provisions of this rule may be waived by a 2/3 vote of the Councilmembers present. (M-87-329, Adopted, As Amended 8/11/87)

PREVIOUS QUESTION

Rule 32. When the previous question is moved on the main question, and seconded, it shall be put in this form: "Shall the main question now be put?" If such motion be carried, all further amendment and all further motions and debate shall be excluded, and the question put without delay, upon the pending amendments in proper order

and then upon the main question.

MOTIONS TO LAY ON THE TABLE AND TO TAKE FROM THE TABLE

Rule 33A. A motion simply to lay a question on the table shall not be debatable. A motion to take any motion or other proposition from the table shall require a majority vote of Council Members present except that it may be proposed at the same meeting at which such motion or proposition was laid upon the table, and in that case, a two-thirds vote of the Council Members present shall be required. (M-11-160, Adopted, As Amended 5/19/11)

Rule 33B. A motion to lay any particular motion or proposition on the table shall apply to that motion or proposition only. An amendment to the main questions or other pending questions may be laid on the table and neither the main question nor such other pending question shall be affected thereby.

AUTOMATIC POSTPONEMENT OF ORDINANCES, MOTIONS, OR RESOLUTIONS

Rule 34. If the Council has not acted on any ordinance, motion, or resolution within sixty (60) days following its introduction, the ordinance, motion, or resolution shall be postponed indefinitely unless set for hearing.

Matters which have been postponed indefinitely may be considered at any regular or special meeting of the Council provided that the matter appears on the agenda for the meeting. Any member of the Council may request that a matter continued indefinitely be placed on the Council agenda and the Clerk of Council shall place the matter on the agenda. (M-86-171, Adopted 6/19/86); (M-11-160, Adopted, As Amended 5/19/11)

**INDEFINITE POSTPONEMENT:
MOTION TO DEFER OR POSTPONE WITHOUT
ANY REFERENCE TO TIME**

Rule 35. When consideration of a motion or other proposition is postponed indefinitely, it shall not be again taken up at the same meeting.

A motion to postpone, without any reference to time, shall not be construed as a motion to postpone indefinitely, but shall be considered to be of the same general nature, and to possess the same general attributes so far as applicable under these rules as a motion to postpone definitely or to a time certain.

MOTION TO AMEND

Rule 36A. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be entertained.

Rule 36B. An amendment modifying the intention of a motion shall be in order; but, an amendment relating to a different subject shall not be in order.

On an amendment to "Strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

Rule 36C. An amendment to the main question or other pending question may be referred to a committee and neither the main question nor such other pending question shall be affected thereby.

MOTION FOR RECONSIDERATION

Rule 37A. A vote or question may be reconsidered at any time during the same meeting, or at the first regular or special meeting held thereafter.

A motion for reconsideration, having been once made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.

Rule 37B. A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law, provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered.

SPECIAL COMMITTEES

Rule 38. The Council may, by a majority vote, or the President, with the approval of a majority of the Council Members, may, from time to time, authorize the appointment of Special Committees, and shall name the Council Member who is to act as Chairperson of said special committee, the term of which committee shall end when it shall accomplish the special purpose for which it is created or until abolished by a majority of the Council Members present. The Clerk of Council shall reduce the verbal motion to writing and provide copies to each Council Member, Council Research, Council Fiscal, Council Utilities, the Chief Administrative Officer, and any affected departments or agencies. (M-98-285, Adopted 5/21/98); (M-00-656, Adopted 10/27/00)

STANDING COMMITTEES

Rule 39. The following standing committees shall be appointed by the President of the Council, subject to Council confirmation by motion:

1. Budget, Audit, and Board of Review Committee
2. Community Development Committee
3. Criminal Justice Committee
4. Economic Development and Special Projects Committee
5. Governmental Affairs Committee
6. Public Works, Sanitation and Environment Committee
7. Transportation and Airport Committee
8. Utility, Cable, Telecommunications and Technology Committee

Except as otherwise provided by this rule, each committee shall consist of five members.

The following rules shall apply to the Standing Committees: (M-14-132, Adopted 4/24/14)

Rule 39A.

1. **COMMITTEE ASSIGNMENTS.** Designation of Council committees, responsibilities, committee chairpersons and members, shall be accomplished, if necessary, by no later than the first regular meeting of June each year. The President of the Council shall make all such designations, subject to Council confirmation by Motion, provided, however, that a majority vote of the members of the Council may, at any regular or special meeting of the Council, redesignate or change any or all such designations. (M-99-569, Adopted, As Amended 10/7/99); (M-00-656, Adopted 10/27/00)

2. **DUTIES OF COMMITTEES.** The committees shall acquaint themselves with the interests of the City specifically represented by the Committee, and shall make recommendations to the full Council on Council Ordinances, Motions, Resolutions, other matters, and such other reports as in their judgment will advance the interests and promote the welfare of the people of the City of New Orleans. (M-99-569, Adopted, As Amended 10/7/99)

3. **REFERRAL OF MATTERS TO COMMITTEES.** Proposed Ordinances, Motions, Resolutions, or other matters may be referred to the appropriate Council committee in any of the following ways:
 - a. Prior to or during any Regular or Special Council meeting, the President, in his/her discretion, or Council by vote, may refer any proposed ordinances, motions, resolutions, or other matters, to the appropriate Standing Committee or Special Committee for further review. (M-07-277, Adopted, As Amended, 7/26/07)
 - b. In the interest of efficiency, draft Ordinances, Motions, Resolutions, or other matters may be considered by the appropriate Standing or Special Committee upon request of the author or authors of such matters or upon request of the committee chairperson.

4. **DUTIES OF THE CHAIRPERSON.** The Chairperson of the standing committee shall have the following duties:
 - a. Schedule and call the meeting after consultation with other committee members; cause an agenda to be prepared after

soliciting input from other committee members who may wish to include items on the committee agenda; publish an agenda no later than twenty-four (24) hours prior to the date and time of the scheduled meeting; call the meeting to order at the appropriate time; record the beginning and ending time of the meeting; and cause minutes of the meeting to be prepared and distributed to the full Council within a reasonable time period. (M-07-277, Adopted, As Amended, 7/26/07); (M-11-160, Adopted, As Amended 5/19/11)

- b. Determine and state the amount of time allowed for speakers, and announce instructions to the speakers at the start of the meeting.
- c. Recognize Councilmembers and others who wish to speak.
- d. Keep to the time schedule.
- e. Stop testimony when repetitive or irrelevant.
- f. Suspend the rules upon concurrence of a majority of committee members.
- g. Preserve order and decorum. (M-99-569 Adopted, As Amended 10/7/99)

5. **COMMITTEE REPORTS.** Reports of committees shall be forwarded to the Clerk of Council and each member of the Council.

6. **DIVIDED REPORTS.** A divided report shall be prepared and filed when there is not unanimity on a recommendation. The divided report will contain the different positions of the committee members subscribing thereto and the position of the majority of the committee shall be listed first. (M-99-569, Adopted, As Amended 10/7/99)

7. **ACTION REQUIRED.** The Clerk of Council shall place on the Regular Council Agenda any Ordinance, Motion, Resolution, or other matter not reported out of a committee within forty-five (45) days from the date of assignment to the committee or a date specified and the Council may then act upon the matter. (M-07-277, Adopted, As Amended, 7/26/07); (M-11-160, Adopted, As Amended 5/19/11)
8. **ASSIGNMENT TO ENTIRE COUNCIL.** The President or a majority of the Councilmembers may assign any matter which otherwise would be assigned to a committee to the full Council for appropriate review and action when the subject to be considered contains many items and related to diverse subjects, or is of significant concern to all the Councilmembers. (M-99-569, Adopted, As Amended 10/7/99)

Rule 39B. When practical or in the interest of improving efficiency, matters coming before the Council may be referred to the appropriate committee for consideration and recommendation(s) prior to consideration by the full Council. (M-09-269, Adopted, 6/18/09)

Rule 39C. When determined by the chairs of the respective committees, or by recommendation of the Council, to be in the interest of efficiency, two or more committees may convene in a joint committee meeting. A joint committee meeting shall be noticed as such. A quorum shall be established for the joint committee if either/any committee has a quorum present, at least one member is present from the other committee(s), and the total membership present constitutes a majority of the membership of the combined membership of the two or more committees comprising the joint committee. For purposes of determining the total number of members of the combined membership, if one councilmember serves on more than one participating committee that councilmember shall only be counted once. In the event of such a joint committee meeting, each member of each committee, or each alternate

serving in the absence of any committee member, shall be entitled to a single vote on any recommendation to the full Council. The vote shall be a combined vote of the membership of the joint committees and shall be recorded as such. (M-13-28, Adopted, 2/7/13)

COMMUNICATIONS ATTACHED TO ORDINANCES

Rule 40. Any communications which is pertinent to a pending ordinance shall be attached by the Clerk to that ordinance and read before voting thereon.

COUNCIL AGENDA DEADLINE

Rule 41. Any item, including but not limited to, any ordinance, motion, resolution, report or communication, which is to be placed on the agenda for any meeting of the Council must be delivered to the Clerk of Council by 12:00 noon three working days prior to the date of the Council meeting. At least thirty-five (35) hard copies, and an identical electronic copy, of every proposed ordinance, motion or resolution shall be furnished to the Clerk of Council. (M-91-313, Adopted, As Amended 7/3/91); (M-11-160, Adopted, As Amended 5/19/11)

ORDINANCES DISAPPROVED BY MAYOR

Rule 42. Ordinances returned with the disapproval of the Mayor shall immediately stand as reconsidered. The Clerk shall enter the objections of the Mayor thereto at large upon the Journal and the Council shall proceed to consider the question. "Shall the Ordinance pass, the objection of the Mayor thereto notwithstanding?" The vote shall be taken by yeas and nays and entered upon the Journal. If two-thirds of all the members vote to pass the ordinance, the presiding officer shall certify the fact thereon over his or her signature.

Rule 43. [Reserved.] (M-11-160, Adopted, As Amended 5/19/11)

TAG LINES FOR MOTIONS, RESOLUTIONS AND ORDINANCES

Rule 44. Any legislative instrument presented to the Clerk of Council's Office for introduction or consideration by the Council shall have a tag line at the end of the document identifying the party, entity or department responsible for drafting such legislative instrument.

(M-98-169, Adopted 4/2/98)

**COMPETITIVE SELECTION PROCESS FOR
PROFESSIONAL SERVICES CONTRACTS**

Rule 45. Pursuant to Section 6-308 (5) (c) of the City Charter, contracts for professional services to be administered by the Council shall include but not be limited to the following professions:

Accountants

Appraisers

Architects

Auditors

Attorneys

Economists

Management Consultants

Public Relations/Media Consultants

Real Estate Consultants

Telecommunications Consultants

Utilities Regulatory Consultants

The following process shall be followed for retention of consultants with expertise in a field as required by the Council for all contracts at or above the threshold amount established by Section 2-7 of the City Code:

1. Upon determination by a majority vote of the entire membership of the City Council that the services of a professional are needed, a Request for Qualifications (RFQ) or Request for Proposals (RFP), as appropriate based on the scope of work to be performed, shall be issued. The Request shall include the deadline for submission of responses. The RFQ or RFP shall additionally require that the person or entity responding to the RFP or RFQ (the respondent) provide the following information:
(M-13-367, Adopted 10/24/13); (M-16-92, As Corrected, 5/19/16)
 - A sworn affidavit listing all persons with an ownership interest in the respondent. An “ownership interest” shall not be deemed to include ownership of stock in a publicly traded corporation or ownership of an interest in a mutual fund or trust that holds an interest in a publicly traded corporation. This affidavit is a public record.
 - A sworn affidavit stating that no other person holds an ownership interest in the respondent via a counter letter.
 - A list of all persons, natural or artificial, who are retained by the respondent at the time of the application and who are expected to perform work as sub-contractors in connection with the respondent’s work for the City Council. The Council may require information on employees or sub-contractors of or ownership interests in the sub-contractor. This list is a public record.

- A sworn affidavit stating that the affiant is in compliance with Section 2-8(c) of the City Code and that no principal, member and/or officer of the contracting entity has within the preceding five (5) years been convicted of or plead guilty to, a felony under state or federal statutes for embezzlement, theft of public fund, bribery, and/or falsification or destruction of public records. This affidavit shall not be required for contracts or cooperative endeavor agreements between the city and the state(s), the city and the federal government, parishes/counties of the state(s), municipalities, and/or the various agencies/political subdivisions of the above. (M-11-160, Adopted, As Amended 5/19/11)
- A comprehensive narrative detailing the respondent's plan to comply with the provisions of Article IV of Chapter 70 of the Code of the City of New Orleans pertaining to local and disadvantaged business enterprises (DBE) goals for the City of New Orleans. (M-11-160, Adopted, As Amended 5/19/11); (M-13-367, Adopted 10/24/13)

The RFQ or RFP shall additionally advise the respondent that the contract with the City Council shall contain a provision that in regard to any sub-contractor proposed to be retained by the respondent to perform work on the contract with the City Council, the respondent must provide notice to the appropriate Council Committee within thirty (30) days of retaining said sub-contractor. The Council may require information on ownership interests in the sub-contractor.

2. The **Request for Qualifications or Request for Proposals** shall be published at least three times in a 10 day period in the Official Journal by the Clerk of Council. The publication may be in brief, if the Request is lengthy, and may be

supplemented by letters of inquiry and/or placement of the request in appropriate additional publications.

3. Interested professionals who respond by the deadline date shall be evaluated by the **Selection Review Committee**. If more than five (5) responses are received, the Selection Review Committee shall review all responses but is authorized to eliminate from consideration, if it deems doing so appropriate, all but the five (5) most qualified and responsive respondents.
4. The committee shall establish appropriate evaluation criteria, which may include but not be limited to the following:
 - (a) training and experience with type of task required;
 - (b) appropriateness of plan submitted;
 - (c) capability of contractor to provide staffing and support;
 - (d) knowledge of local conditions;
 - (e) ability to provide the work in the time period required, as evidenced by past performance and current workload;
 - (f) involvement of members of disadvantaged groups at the professional level;
 - (g) participation by persons living and/or working in New Orleans at a professional level;
 - (h) the need for continuity of services and/or specialized and institutional experience and knowledge.
 - (i) For RFP's, cost of services to be provided. (M-07-277, Adopted, As Amended, 7/26/07); (M-07-413, Adopted, 10/4/07)

5. **The Selection Review Committee** shall forward to the Council Committee under whose jurisdiction the subject matter of the contract falls, if any, a list of up to five top respondents, with an analysis of each respondent's compliance with each criterion. If there is no such Council Committee, the list shall be forwarded to the entire Council.
6. **The Council Committee**, or the Council, if there is no specific committee, may choose one of these respondents and negotiate a proposed contract, including a scope of work to be performed. If a proposed contract cannot be negotiated with the firm/individual initially chosen, one of the other firms/individuals submitted by the Selection Review Committee may be chosen; and a proposed contract negotiated.
7. **The Council Committee** may recommend to the City Council its choice of the firm/individual. The Council, by a majority vote of its entire membership and by motion, may accept or reject the Council Committee's recommendation and choose one of the other firms/individuals submitted by the Selection Review Committee to the Council Committee. If the Council does not choose one of the firms/individuals submitted by the Selection Committee, the selection process shall begin again. In the absence of a Council Committee, this same process shall be followed by the City Council. (M-96-106; Adopted 4/3/96)
8. The **Selection Review Committee** shall consist of the **Council Chief of Staff, the Council Research Officer and either the Council Fiscal Officer or the Director of Council Utilities**, depending on the type of professional service to be performed. The Council, responsible committee, or Chief of Staff may invite

additional knowledgeable persons to participate as member(s) of the Selection Review Committee when particular expertise would be helpful in the evaluation process. The Selection Review Committee shall conduct its meetings in accordance with the Louisiana Public Meetings Law, R.S. 42:4.1, et seq. (M-07-413, Adopted, 10/4/07); (M-08-380, Adopted, 2/5/09)

9. **Exceptions** from this Competitive Selection process shall be made for:
- (a) Professional services contracts for an individual Councilmember's Office.
 - (b) Annual Audit, for which requests for qualifications shall be sent to "Big Four" accounting firms with local offices. (M-07-413, Adopted, 10/4/07)
 - (c) Emergency situations in which a majority of the entire membership of the Council by motions determines that there is an immediate need for a specific contract and that there is not sufficient time to go through the Competitive Selection Process. Emergency situations may include, but are not limited to, legal actions to which action or response is needed or required in 30 days or less or emergency situations as defined in LA. R.S. 38:2211 A (6). (M-96-105) In those emergency instances, where there are available at least 10 working days but not the 30-35 days required for an RFQ/RFP process, an informal process consisting of solicitation of firms/individuals and a shortened review process shall be followed.

(d) Any contracts in existence prior to January 1, 1996 for:

- Renewal or extension of the contract, when continuity of service is essential;
- Amendments to such contracts that may expand but do not materially alter the scope of services and for which specialized and institutional experience and knowledge are required.

(M-07-413, Adopted, 10/4/07)

The Council, by majority vote of its entire membership, shall determine which contracts are eligible for **exemption** under this sub-paragraph. (Substitute M-96-29, Adopted, As Amended 2/15/96);

(M-07-413, Adopted, 10/4/07)

(e) The Council may by motion authorize the amendment of a contract that was under the monetary threshold for use of the competitive selection process to increase the maximum compensation or modify the scope of services if justified by a need to ensure continuity of services for the performance of work related to the original scope of services if the proposed amendment satisfies one or more of the following criteria:

(M-07-413, Adopted, 10/4/07)

- 1) the increase in scope of work adds a task which can best and most efficiently be performed in a timely and effective manner by a contractor having knowledge and experience gained during performance of the scope of the existing contract;
- 2) the increase in scope of work adds a task which is essential to completion of the original scope of work but could not reasonably have been anticipated when the original scope was developed;

- 3) the increase in compensation is needed because the time required to complete the original scope of work exceeded the original estimate, which was reasonable based upon the information available to the Council and its consultant at the time the compensation was agreed upon.
 - 4) the Council may authorize no more than three such amendments to any individual contract. (M-04-236, As Amended, As Corrected, 5/20/04)
10. Upon the completion of each professional services contract, an evaluation report for that contract shall be prepared under the supervision of the Council Chief of Staff by the office utilizing those services. All such reports shall be maintained in the Office of the Council Chief of Staff and shall be provided to the selection committees for future related professional services procurements. (M-16-92, As Corrected, 5/19/16)

ASSIGNMENT OF WORK TO CERTAIN SPECIAL COUNSEL

Rule 45.1.

1. This rule applies only to work assigned to special counsel to the Council retained pursuant to Council Motion M-07-586.
2. Work of special counsel shall be assigned in accordance with the procedure detailed herein below in connection with legal and policy matters pertinent to the Council's independent role as a separate branch of government, when it is determined a) that there are conflicts or potential conflicts between the executive branch and the City Council and/or b) the Council's best interest will be served through the Council's receipt of advice and guidance of special

counsel. The assignments to special counsel shall not be in conflict with any powers or functions that are provided exclusively to the City Attorney or the Law Department under the City Charter.

3. At the direction and under the supervision of the Council's Chief of Staff (COS), the contractor will provide services to the Council as a whole and its Committees. Services of special counsel shall be provided pursuant to the following process: a) by Council motion; or b) upon the request of one or more Councilmembers with the approval of the Council President, or if the Council President makes the request, with the approval of the Council Vice President, subject, however, to disapproval by a majority of all members of the Council at its next regular or special meeting.
4. A Councilmember requesting services from special counsel shall submit a form prepared by the COS to the COS indicating the nature of the services and the estimated cost. The COS shall immediately transmit the form to all Councilmembers. (M-08-258, Adopted 6/19/08)

LEGISLATIVE SUMMARY AND AGENDA

Rule 46. The City Council shall establish its policy priorities annually, which may be done at a Council Retreat to be held in the fall. Upon completion of the Retreat and in consultation with Council members and the Council Communications Consultant, the Council Chief of Staff shall develop, on or before February 15th of the following year, an agenda of action items that reflect the policy decisions established at the Retreat. Further, on or before February 15th of every year the Council Chief of Staff, in consultation with City Council

members and the Council Communications Consultant, shall prepare and distribute to the public, a summary of accomplishments, including legislative action and projects completed during the preceding year by the Council as a whole and by individual Council offices.

(M-07-277, Adopted, As Amended 7/26/07); (M-11-160, Adopted, As Amended 5/19/11)

EMERGENCY PREPAREDNESS

Rule 47. The City Council shall establish an Emergency Preparedness Plan. A draft of such Emergency Preparedness Plan shall be developed by the Council Chief of Staff in coordination with the Office of Emergency Preparedness of the City's Office of Homeland Security, on or before May 15th of each calendar year. The draft Emergency Preparedness Plan shall be submitted by the Council Chief of Staff to the City Council for its review and approval on or before June 1st of each calendar year only in the event that changes to the plan have been recommended. (M-08-523, Adopted, As Amended 11/6/08); (M-13-155, Adopted 6/6/13)

COMMENTS TO BE GERMANE

Rule 48. All comments must be germane to the agenda item addressed. The determination of germaneness shall be made by the presiding officer. (M-11-160, Adopted, As Amended 5/19/11)

REGULATIONS

HEARINGS ON MATTERS INVOLVING POSSIBLE COUNCIL ACTION

Regulation 1. Any person shall be entitled to a reasonable hearing on a) any proposed ordinance, motion or resolution or b) any petition, application, or communication presented to the Council as long as the subject matter is one upon which the Council has legislative and regulatory authority. Persons desiring such a hearing must request same in writing from the Clerk of Council in sufficient time to permit the notice required by Regulation Number 2. The Clerk shall refer all such matters for hearing to the Council committee having jurisdiction over the particular subject matter. In the event the topic is not one over which an existing Council committee has jurisdiction, the request shall be referred to the Council President who shall, in consultation with the Chief of Staff, determine the manner in which the request shall be handled. In each case, the Clerk shall advise in writing the party requesting the hearing of the disposition of his/her request. (M-96-461, Adopted 7/18/96)

NOTICE PERTAINING TO HEARINGS

Regulation 2. Before a hearing is held, all interested parties, including proponents, opponents, the Mayor or the Chief Administrative Officer, and members of the Council shall be notified by the Clerk of Council at least twenty-four (24) hours prior to the hearing. (M-96-461, Adopted 7/18/96)

COMMUNICATIONS ON OTHER MATTERS

Regulation 3. Any communication submitted to the Clerk of Council that does not pertain to a matter which the Council will decide during the meeting at which the communication is requested, shall be referred by the Clerk, after consultation with the Council Chief of Staff, to an appropriate agency, entity, or committee for consideration. In each case, the Clerk shall advise in writing the party submitting the communication of the disposition of his/her request. In the communication of the disposition of his/her request. In the event the rules are suspended and/or the presiding officer otherwise allows a citizen to speak on issues unrelated to matters coming before the Council for decision during that meeting, such opportunity to speak shall be limited to the "Communications" portion of the Council Agenda, shall be limited to a maximum of three minutes, and shall be limited to one speaker. Speakers on the speaker's communication shall not be allowed. (M-96-461, Adopted 7/18/96); (Substitute M-06-384, Adopted, As Amended 9/21/06)

TIME LIMITS FOR SPEAKERS

Regulation 4. The Council shall provide an opportunity in open meetings for the public to address the Council, or any of its committees, on each Agenda item upon which a vote is to be taken for a cumulative total of up to six (6) minutes for each item. Individual speakers shall be limited to no more than three (3) minutes per item. The Presiding Officer may grant or deny speakers additional time, subject to reversal by a majority of the Council. Speakers shall limit their comments to matters relevant to the item on the agenda. The Presiding Officer may rule that the speaker is out of order if the comments are not germane to the item under consideration. A member of the public wishing to speak on more than one agenda item (not including land use matters), shall limit his or her remarks to a total of six (6) minutes per

meeting. All items that a speaker wishes to address shall be itemized on (a) speaker card(s), on which all items shall be listed, with the time to be allocated to each item specified in increments of not less than one minute per item. If multiple speaker cards are submitted on one agenda item, preference will be granted to members of the public who have not spoken previously during the meeting, either during general public comment or on another agenda item. The Presiding Officer, in his or her discretion, may allow a speaker to combine remarks on multiple items so as to speak to them during one appearance at the podium. The Presiding Officer shall have the sole authority to grant a speaker's request to loan, cede, defer, or yield time to another speaker who has not yet addressed the Council.

The provisions of this regulation do not apply to land use matters on the agenda, which are covered by the provisions of Rule 10.2(B).

Each speaker requesting to be heard must submit a card to the clerk. Said card must be signed by author and time-stamped in a manner directed by the clerk. At the appropriate time, the Presiding Officer will call the speaker to address the council, in the chronological order indicated by the time stamp. (Substitute M-06-384, Adopted, As Amended 9/21/06); (M-07-277, Adopted, As Amended 7/26/07); (M-11-160, Adopted, As Amended 5/19/11); (M-15-380, Adopted 9/3/15)

DISTURBANCES IN COUNCIL CHAMBER

Regulation 5. In case of any disturbance or disorderly conduct, the Presiding Officer of the Council shall have the power to require the Council Chamber to be cleared and/or to issue orders which shall ensure compliance with the aforesaid regulations. Actions that may be considered a disturbance or disorderly conduct shall include but not be limited to conduct as defined in Sec. 54-408 of the Code of the City of New Orleans. Any person who fails to comply with the provisions of this regulation may be subject to penalties as per the

Code of the City of New Orleans, Sec. 54-408. (M-07-277, Adopted, As Amended 7/26/07); (M-11-160, Adopted, As Amended 5/19/11); (M-12-75, Adopted, 3/15/12)

SOLICITATION OF VOTERS

Regulation 6. No person shall at any session or meeting of the Council privately solicit any Councilmember to vote for or against any person or proposition.

USE OF COUNCIL CHAMBER

Regulation 7. The use of the Council Chamber shall be restricted to public agencies of the **U.S. Government, the State of Louisiana, and the City of New Orleans, and to organizations and associations whose membership consists exclusively of employees of the City of New Orleans. If the Chamber is available at the time requested by any of the above agencies or associations, approval of its use may be granted by the President of the Council.**

Any organization listed in the first paragraph of the Regulation that seeks the use of the Council Chamber and intends to invite a member or members of the City Council to the meeting, shall obtain the prior written approval of at least four members of the City Council. The request shall be in writing and shall contain an explanation of the subject matter of the meeting. (M-79-231, Adopted 10/4/79)

In the event that use of the Chamber is requested after regular business hours, or if a meeting is anticipated to extend later than regular business hours, the Clerk of Council shall notify the Director of Property Management and the Director of the Office of Homeland Security so that necessary arrangements for its use after hours can be made.

Any request for use of the Chamber by outside groups, with no affiliation to the City of other governmental entity, must be approved by the written consent of at least four members of the City Council, and the requesting group must also obtain the consent of the Department of Property Management and the Office of Homeland Security.

(M-11-160, Adopted, As Amended 5/19/11)

FLAGS TO BE DISPLAYED

Regulation 8. The only flags to be permanently stationed in the Council Chamber of City Hall shall be the flags of the United States, the State of Louisiana, and the City of New Orleans. (Motion adopted 5/28/81)

TELEPHONES IN COUNCIL CHAMBER

Regulation 9. No telephones shall be installed at the dais in the Council Chamber. No mobile or portable phones shall be used at the Council dais. (M-94-500, Adopted 5/5/94); (M-11-160, Adopted, As Amended 5/19/11)

STANDARDS FOR ELECTRONIC COVERAGE

Regulation 10. Any individual who intends to make a video or sonic recording of or broadcast live the proceedings of the City Council is required to register his/her identity and affiliation with the Clerk of Council prior to or during the proceedings intended to be covered for the purpose of being assigned a position or positions within the Council Chamber. No positions will be assigned by the Clerk that will result either in unreasonable obstruction of the view of Councilmembers, staff, other individuals making video or sonic recording or members of the live audience in attendance at the Council proceedings or in an unreasonable

intrusion or blockage of any routes of passage throughout the Council Chamber. The provisions of this regulation shall not apply to any individual seated in the audience section of the Council Chamber, possessing a hand-held sonic or video recording device so long as that individual's actions do not interfere with either the orderly conduct of the Council's proceedings or an unreasonable interference with audience members viewing of or participation in the Council's proceedings. Actions that may be considered unreasonable conduct, obstruction, intrusion, blockage or interference shall include but not be limited to conduct as defined in Section 54-408 of the Code of the City of New Orleans. Non-compliance with this regulation may result in the non-complying individual being given the choice by the President of the Council to either come into compliance or immediately remove himself/herself and his/her equipment from the Council Chamber. (M-93-75, Adopted, As Amended 3/4/93); (M-12-75, Adopted, 3/15/12)

OFFICE SPACE

Regulation 11. In the event two sitting district Councilmembers are elected simultaneously to the offices of Councilmember-At-Large, the sitting district Councilmember with seniority on the Council shall have the right to choose the location of his/her physical office space from the two existing office spaces allocated to Councilmember-At-Large within City Hall. (M-94-336, Adopted 3/17/94)