

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: September 11, 2025

CALENDAR NO. 35,227

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER THOMAS (BY REQUEST)

AN ORDINANCE to authorize the Mayor of the City of New Orleans to enter into Amendment No. 3 to the Intergovernmental Agency Agreement (“IGA”) between the Mosquito, Termite, & Rodent Control Board and the State of Louisiana Military Department (“LMD”) to extend the IGA’s term for three (3) years, as more fully set forth in the form attached hereto as Exhibit “A” and made a part hereof; and otherwise to provide with respect thereto.

WHEREAS, pursuant to the authority contained in Article 7, Section (14)(C) of the Louisiana Constitution of 1974, and statutory authority supplemental thereto, the State of Louisiana and its political subdivisions, including the City of New Orleans (“City”), may enter into agreements with each other or with any public or private corporation or individual; and

WHEREAS, pursuant to Section 9-314 of the Home Rule Charter of the City of New Orleans, the City may enter into agreements with any public or private association, corporation, or individual for activities in support of economic growth or other public purposes; and

WHEREAS, The State of Louisiana Military Department owns Jackson Barracks Louisiana National Guard Installation, located at 6400 Saint Claude Avenue, New Orleans, LA 70117; and

WHEREAS, The City and the State of Louisiana Military Department desire to enter into the attached Amendment No. 3 to the IGA relative to the valued public purpose of protecting the designated Jackson Barracks properties from subterranean termites; and

WHEREAS, The City and the State of Louisiana Military Department desire to enter into this Amendment No. 3, extending the term of the IGA for three (3) years and to set forth certain other matters in connection therewith; **NOW, THEREFORE**

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That the Mayor, on behalf of the City and the Mosquito, Termite, & Rodent Control

Board, is hereby authorized to enter into Amendment No. 3 to its IGA with the State of Louisiana Military Department, relative to the valued public purpose of protecting the designated Jackson Barracks properties from subterranean termites, to extend the IGA's term for three (3) years, in the form attached hereto as Exhibit "A".

SECTION 2. That said Amendment No. 3 is attached hereto as Exhibit "A" and incorporated and made a part hereof.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS_____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

ASSISTANT CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED:

EXHIBIT A

**AMENDMENT NUMBER THREE TO THE
INTERGOVERNMENTAL AGENCY AGREEMENT BETWEEN
THE CITY OF NEW ORLEANS
AND
THE MILITARY DEPARTMENT, STATE OF LOUISIANA**

[COVER PAGE]

AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL AGENCY AGREEMENT
BETWEEN
THE CITY OF NEW ORLEANS
AND
THE MILITARY DEPARTMENT, STATE OF LOUISIANA

THIS THIRD AMENDMENT (the “Amendment”) is entered into by and between the City of New Orleans, represented by LaToya Cantrell, Mayor (the “**City**”), and the Military Department, State of Louisiana, represented by Colonel (Ret) Michael P. Deville (the “**Contractor/LMD**”). The City and the Contractor are sometimes each referred to as a “**Party**,” and collectively, as the “**Parties**.” The Amendment is effective as of August 22, 2025 (the “**Effective Date**”).

RECITALS

WHEREAS, on August 23, 2022, the City and the Contractor entered into a Cooperative Endeavor Agreement for the valuable public purpose of protecting designated Jackson Barracks properties from subterranean termites (the “**Agreement**”); and

WHEREAS, the City and the Contractor, each having the authority to do so, desire to enter this Amendment to extend the term of the agreement for three (3) years; and

NOW THEREFORE, for good and valuable consideration, the City and the Contractor amend the Agreement as follows:

1. **Extension.** In accordance with Article IV and Article XIV, Section (F) of the Agreement, the term is extended for an additional three (3) years from the Effective Date through August 21, 2028.

2. **Compensation to the City.** The Parties reaffirm Article III, Section (D) of the Agreement: the renewal price for a structure, up to three stories, is \$1.75 per linear foot each year. The renewal price for buildings, four stories or taller, is \$2.00 per linear foot, based on the roof line.

3. **Audit and Other Oversight.** It is agreed that the Contractor will abide by all provisions of City Code Section 2-1120, including but not limited to City Code Section 2-1120(12), which requires the Contractor to provide the Office of Inspector General with documents and information as requested. Failure to comply with such requests shall constitute a material breach of the contract. In signing this contract, the Contractor agrees that it is subject to the jurisdiction of the Orleans Parish Civil District Court for purposes of challenging a subpoena.

4. **Cost Recovery.** In accordance with Section 2-8.1 of the Municipal Code entitled “Cost recovery in contracts, cooperative endeavor agreements, and grants,” to the maximum extent permitted by law, the Contractor shall reimburse the City or disgorge anything of value or economic benefit received from the City if the Contractor fails to meet its contractual obligations.

5. **Convicted Felon Statement.** The Contractor swears that it complies with City Code Section 2-8(c). No Contractor principal, member, or officer has, within the preceding five

(5) years, been convicted of, or pled guilty to, a felony under state or federal statutes for embezzlement, theft of public funds, bribery, or falsification or destruction of public records.

6. **Non-Solicitation Statement.** The Contractor swears that it has not employed nor retained any company or person, other than a bona fide employee working solely for it, to solicit or secure this Amendment. The Contractor has not paid nor agreed to pay any person, other than a bona fide employee working for it, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from this Amendment.

7. **Prior Terms Binding.** Except as otherwise provided by this Amendment, the terms and conditions of the Agreement remain in full force and effect.

8. **Counterparts.** This Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original copy of this Amendment, but all of which, when taken together, shall constitute one and the same agreement.

9. **Electronic Signature and Delivery.** The Parties agree that a manually signed copy of this Amendment and any other document(s) attached to this Amendment delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment. No legally binding obligation shall be created with respect to a Party until such Party has delivered or caused to be delivered a manually signed copy of this Amendment.

[SIGNATURES CONTAINED ON NEXT PAGE]

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the City and the Contractor, through their duly authorized representatives, execute this Agreement.

CITY OF NEW ORLEANS

BY: _____
LATOYA CANTRELL, MAYOR

Executed on this _____ **of** _____, **2023.**

FORM AND LEGALITY APPROVED:
LAW DEPARTMENT

BY: _____

PRINTED NAME: _____

STATE OF LOUISIANA
THE MILITARY DEPARTMENT

BY: _____
COLONEL (RETIRED) MICHAEL P. DEVILLE, DIRECTOR,
CONTRACTING AND PURCHASING

FEDERAL TAX ID

Calendar No. (Rev)
(Exp)

Name Carrie Cottone Ext. 8-2426
Person responsible for routing

**CHECK SHEET TO BE USED FOR
CLEARING ORDINANCES, MOTIONS, AND RESOLUTIONS
BEFORE SUBMISSION TO COUNCIL CLERK**

The originating agency shall attach a copy of each proposed ordinance, motion, or resolution to the check sheet for processing in the sequence indicated after preparing a synopsis. The detailed memorandum of explanation shall also be attached to this check sheet.

SYNOPSIS OF DOCUMENT: To authorize the Mayor of the City of New Orleans to enter into an
Amendment to the IGA between the Mosquito, Termite and Rodent Control Board and Louisiana Military
Department to extend the term of the IGA for three (3) years.

1. Claudia Regel Claudia Regel
Department Head
2. [Signature]
Department of Law
3. [Signature]
Chief Administrative Officer
4. _____
Director of Council Relations
5. _____
Initials of Sponsoring Council Member

COUNCIL ACTION

Council Members Present: _____

Absent: _____

AMENDMENTS:

FINAL ADOPTION:

MOVED: _____

2ND: _____

YEAS: _____

NAYS: _____

ABSENT: _____

RECUSED: _____

7. _____
Reviewed by the Chief Administrative Officer after adoption by the City Council and prior to the Mayor's signature.



LEGISLATIVE SUMMARY

TO ACCOMPANY ORDINANCES

BEFORE SUBMISSION TO CLERK OF COUNCIL

Requesting Department or Agency: _____

Name of Contact Person: _____

Telephone Number: _____

Email Address: _____

Initials of Sponsoring Councilmember(s): _____

DETAILED SYNOPSIS OF THE ORDINANCE

Please generally describe the purpose, intent, and effect of the proposed ordinance.



LEGISLATIVE SUMMARY

If the Ordinance is to effectuate a contract, CEA, or other similar agreement (hereafter contract), please provide the following additional information.

☐

If this section is not applicable, please check this box.

The parties involved:

The obligations, expectations, and deliverables of the parties involved:

Any fiscal implications for the City with the contract:

The public purpose and need for the contract:

The duration of the contract:



LEGISLATIVE SUMMARY

If the Ordinance is to effectuate an amendment to the Codes of the City of New Orleans, please provide the following additional information.

☐

If this section is not applicable, please check this box.

The existing provision(s) of the Code being proposed for amendment:

The general content/requirements of the existing Code provision:

How the proposed ordinance will alter the existing Code provision(s):

Why these changes are needed:

REQUESTED ADOPTION DATE: _____

Reference: Council Rule 41 & City Code Section 2-813