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COUNCILMEMBER AT-LARGE

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New Orleans City Council

February 28, 2024

Hon. LaToya Cantrell
Mayor
1300 Perdido Street
New Orleans, LA 70112

Via e-mail

Re: Pontalba Unit 530B/ Ordinance Cal. No. 34,309

Dear Madame Mayor:

On August 24, 2023, the City Council overruled your veto of Ordinance Cal. No. 34,309 and adopted revisions to Section 2-930 of the City Code that transfer management and control over the entirety of the Upper Pontalba Building to the French Market Corporation (“FMC”).

The new Section 2-930(c) requires that “all units” within the building be leased “to the public for fair-market rent . . . without preference to any City employee or elected official.”

Additionally, on August 10, 2023, the Council adopted Motion No. M-23-315 directing all relevant City departments, including the Office of the Mayor, the Department of Property Management, and the Law Department, to take all necessary steps to transfer management and control of Unit 530B to the FMC and further directing the FMC to occupy and secure the unit within 10 days.

It has come to our attention that Unit 530B has not yet been surrendered to the FMC and that furniture and personal effects remain in the premises. It is also my understanding that you and members of your executive protection detail possess the only keys to the unit. Until the property is cleared and the keys are turned over, FMC cannot begin the repairs necessary to lease the unit, as required by law. It is particularly important that FMC be given access immediately, given that the property is in need of major renovations to cure water damage.

We have tried for several months to work with members of the administration to secure the handover of the property in a manner that is as orderly and respectful as possible, even suggesting that the City subsidize the cost of moving and storing property so that FMC can proceed while minimizing any inconvenience or disruption to you. To date, those efforts have proven fruitless.

We had hoped (and continue to hope) that this process could occur without further legislative action or litigation, so as not to invite further acrimony between our branches and not to cause you any public embarrassment. We cannot, however, continue to allow a valuable public asset to lie dormant. Six months to surrender occupancy of the property and to come into compliance with the law seems more than reasonable.

I am therefore formally requesting that you clear the property of any and all personal possessions or City-owned property and turn all keys over to the FMC or provide the Council in writing with a firm date (no later than March 11) when the removal of the property and turnover of the keys will be complete. If I do not hear back from you with confirmation that the handover is complete or receive a firm date for completion of removal by the Council agenda deadline on **March 4 at noon**, then I have little choice but to file a motion to bring this matter to resolution, including a directive that the City Attorney institute eviction and/or mandamus proceedings.

I cannot stress how strongly I hope to avoid the need for a public escalation of this issue and will again restate my willingness to support relocation and storage managed through the City. I urge you to complete the handover so that the property can return to commerce and we do not have to waste further public resources enforcing an unambiguous legal duty. The Council cannot, however, continue to do nothing when the requirements of the law are clear.

Sincerely,


JP Morrell
New Orleans City Council Vice President

Cc: Gilbert Montano, Chief Administrative Officer
Donesia Turner, City Attorney
Leslie Alley, Executive Director, French Market Corporation