



Government Affairs Committee Meeting Notes

September 20, 2019

Committee members present: David Bilbe, Jeremy DeBlieux, Brian Furness, Brittany Mulla McGovern, Kim Rosenberg

Committee members absent: Christian Pendleton

Guests present: Daniel Taylor

Meeting was called to order at 3:02pm.

DeBlieux moved to approve the February 21, 2019 Committee Meeting Notes, Rosenberg seconded.

David Bilbe – yay

Jeremy DeBlieux – yay

Brian Furness – yay

Brittany Mulla McGovern – yay

Kim Rosenberg – yay

The Notes were approved unanimously.

DeBlieux inquired on the genesis of updating the By Laws, Rosenberg responded that there have been updates in state law which should be reflected in the By Laws.

DeBlieux reviewed the suggested amendments previously circulated to the Committee by Rosenberg (bulleted and/or highlighted):

- ARTICLE I, D. Pursuant to La. R.S. 25:799 (A)(1), the FQMD shall continue in existence until June 30, 2028, unless such date is extended by law.

Bilbe suggested ARTICLE V, A. (12) be updated from New Orleans Metropolitan Convention and Visitors Bureau, Inc. to New Orleans & Company. Rosenberg amended the line item to

- (12) One person who is employed full-time or owns or operates a business, in the District, appointed by the New Orleans Metropolitan Convention and Visitors Bureau, Inc. (NOCVB) [New Orleans & Company (NO&C)].
- ARTICLE VI, B. 1. No Board Member shall continuously serve in the office of Chair or the office of Vice-Chair for longer than two (2) consecutive years. Service in office for less than a full calendar year shall not be counted towards the two (2) consecutive years.
- ARTICLE VI, C., 2. No Board Member shall continuously serve as an officer for longer than eight (8) consecutive years; however, after a year has passed, the officer shall be eligible for re-election as an officer. Service in office for less than a full calendar year shall not be counted towards the eight (8) consecutive years.
- Adding the following line items to ARTICLE VI, E. –
 - Negotiating the compensation of FQMD staff
 - Supervising FQMD staff and overseeing all personnel matters.
- Adding the following line items to ARTICLE VI, F. –
 - Succeeding to the office of Chair if the office becomes vacant prior to the expiration of the one-year term of the office.

Furness suggested adding “open” to the recording and maintaining of minutes to the Secretary’s duties in ARTICLE VI, G. Rosenberg amended the line item to

- Recording and maintaining minutes of all **open** meetings of the Board of Commissioners and posting them on www.fqmd.org.
- ARTICLE VIII, D. Each Commissioner holds a position of public trust. Accordingly, each Commissioner owes fiduciary duties to the District including, but not limited to, acting in the best interest of the District, and acting with independence, impartiality, and good faith.
- ARTICLE VIII, E. Each Commissioner has the fiduciary duty to maintain the confidentiality of executive sessions and/or the confidentiality of non-public records including, but not limited to, by not discussing or divulging the confidential matter with a non-Commissioner.
- ARTICLE IX, B. Consistent with La. R.S. 25:799 (C)(8), the Board of Commissioners shall meet in regular session eleven (11) times a year on the **second** Monday of January, February, March, April, May, June, July, September, October, November, and December. However, if the **second** Monday falls on a holiday, a religious holy day or significant special event in the City of New Orleans, the regular meeting shall be held on **another** Monday of the month.

DeBlieux suggested public notice revisions to ARTICLE X, B., along with those previously submitted. Rosenberg amended the line item to

- ARTICLE X, B. Consistent with La. R.S. 42:19(A)(1)(b), **written public notice shall be issued** and **an agenda posted** of all Board, Committee, **Task Force**, Citizen Advisory Group and other public meetings of the District at least one business day in advance of the meeting. The notice shall identify the Board, **Committee, etc.**, that is convening the meeting and include the items on the agenda, and the date, time and place of the meeting. Each item on the agenda shall be listed separately and described in reasonable specificity. Upon unanimous approval of the members present, the Board, **Committee, etc.**, may take up a matter not on the agenda as long as it is not a subterfuge to defeat the foregoing requirements.
- ARTICLE XIV, A., 1. The Chair of the Board of Commissioners shall nominate prospective Committee, Task Force and Citizen Advisory Committee (Committee) members, including officers (**for example, Chair**, Vice-Chair, or two (2) Co-Chairs), to the Board of Commissioners for the Board to appoint. The Board may set term limits for the officers of a Committee. All Committees, Task Forces and Citizen Advisory Committees shall be, for the purposes of La. R.S. 42:11 through La. R.S. 42:28, considered a Citizen Advisory Committee.
- ARTICLE XIV, B. Officers and members of a Committee, Task Force, or Citizen Advisory Group, shall obtain prior approval from the Board of Commissioners or the Chair when speaking on **an** issue on behalf of the District, Board of Commissioners.
When meeting with an elected or appointed official, employee or public body, or the press, a Committee officer or member has full right to exercise their first amendment rights and **shall** clarify whether they are commenting as themselves or making a pre-approved statement on behalf of the **D**istrict. Officers are asked to use discretion when exercising their first amendment rights as they may be publicly recognized as an FQMD officer. No member of an FQMD Committee or subcommittee shall engage in written or verbal communication stating a specific FQMD position or conclusion without prior approval of the Board or the Chair.
- ARTICLE XIV, C., 1., c. All votes of the Committee shall be viva voce. **Pursuant to La. Attorney General Opinion No. 19-0022**, a show of hands **does not comply** with the viva voce requirement.

DeBlieux noted that the suggested “ARTICLE XIV, D. Remarks and discussions during Committee meetings shall be courteous and respectful in language and deportment.” was redundant as it is stated in ARTICLE XIV, C., 6. Rosenberg removed the suggested line item.

- ARTICLE XIV, F., 3. Upon unanimous approval of the members present at a meeting, a Committee **may** take up a matter not on the agenda as long as it is not a subterfuge to defeat the foregoing notice requirements.
- ARTICLE XIV, G. Pursuant to La. R.S. 25:799 (K)(2), a person who serves as a member of the District **and acting in good faith** shall not be individually liable for any act or omission as provided in R. S. 9:2792.4 or any other provision of law.

Rosenberg suggested italicizing the Latin and amended the line item to

- ARTICLE XV, C. Pursuant to La. R.S. 25:799 (H), nothing in La. R.S. 25:796, *et seq.*, is intended nor shall be deemed to change or affect the structure or organization or the particular distribution and redistribution of the powers and functions of the home rule charter of the City of New Orleans.

Rosenberg moved to forward all amendments to the Board of Commissioners, Furness seconded.

David Bilbe – yay

Jeremy DeBlieux – yay

Brian Furness – yay

Brittany Mulla McGovern – yay

Kim Rosenberg – yay

Forwarding the By Law amendments to the Board of Commissioners was approved unanimously.

DeBlieux stated that Commissioner Sue Klein asked the Committee to advocate for N. Rampart Street be removed from the State truck route. DeBlieux offered to contact Councilmember “District C” Kristin Gisleson Palmer to aid the request through the City Delegation to the Department of Transportation.

Rosenberg moved to forward the request of CM Palmer’s assistance in removing the truck route on N. Rampart street from Canal Street to Elysian Fields Avenue to the Board of Commissioners for approval, Furness seconded.

David Bilbe – yay

Jeremy DeBlieux – yay

Brian Furness – yay

Brittany Mulla McGovern – yay

Kim Rosenberg – yay

The removal of the State truck route and request of CM Palmer’s assistance was approved unanimously.

Meeting adjourned by acclamation at 3:41pm.