



Wednesday, January 15, 2020; 2:00pm  
Hotel Monteleone, Royal Salon  
214 Royal Street  
New Orleans, Louisiana

## Board Meeting Minutes

### Commissioners Present:

Christian Pendleton

Jane Cooper (Lv. 3:30)

Mamie Gasperez

Frank Zumbo

Susan Klein

Jeremy DeBlieux

Matthew Emory

Juliet Laughlin

Gail Cavett

Steve Caputo

Robert Watters (Arv. 2:10)

**Commissioners Absent:** Heidi Raines, David Bilbe

**Executive Director:** Karley Frankic

### Guests:

Beverly Fulk, FQMD SEC

Glade Bilbe, FQC

Amy Stelly, VCPORA

Jack Green Wood, VCPORA

Eric Smith, CNO, CAO

Brittany Mulla-McGovern, FQBA

Damien Clark, Legislative Research, CM Palmer

Erin Holmes, VCPORA

Lee Tucker, Jackson Square Artist

David Speights, FQ Resident

- I CALL TO ORDER – ROLL CALL: INTRODUCTION OF ATTENDEES.
- II PUBLIC COMMENT: It was announced all guests must sign in, and anyone wishing to comment on actionable items must indicate the item(s) on which s/he wishes to comment.
- III APPROVAL OF DECEMBER MINUTES – Ms. Klein noted one correction, being the date of today's meeting in the year 2020 and not 2019. Mr. Caputo motioned to **(M1)** "approve the December Minutes as corrected...", seconded by Mr. Zumbo and unanimously approved.
- IV TREASURER'S REPORT - Mr. DeBlieux distributed the financials for the Operating and the Task Force accounts. All expenditures are acceptable with no odd or irregular entries. The Supplement Police Patrol Program (SPPP) account balance is \$327,584.51 and the General Operating balance is \$274,120.21. The 3% Administrative Fee in the SPPP Account is a "catch up" figure. The \$10,865.74 balance in the budget is a carry-over from a budgeted (\$6,724.64) unrealized loss. The SPPP budget shows a \$47,458.00 decrease in actual Police Patrol costs as compared to the budget. Also, the actual Security Administration is roughly \$80,000 less than budgeted since a full-time position was not filled.

In total, the SPPP net income is \$164,470.49. Finally, Vehicle maintenance is \$17,516.000 over budget. Mr. DeBlieux noted FQMD's accounting has been converted to an accrual basis, is more stream-lined, and categories have been reviewed and cleaned-up. Mr. Emory motioned (M2) to "approve the December financial reports as distributed and explained by Mr. Deblieux...", seconded by Ms. Cavett and unanimously approved.

## V CHAIRMAN'S COMMENTS

- a. Licensing with SDT Productions, LLC – Mr. Pendleton noted that he, Ms. Frankic and Mr. Watters had a very positive meeting with Mr. Torres. He acknowledged Mr. Simms contributions to the Security Task Force (STF), but that he felt is appropriate to meet directly with the business owner. He was given a figure of about \$45,000.00 annually which would all encompassing, including updates and maintenance. Increasing patrol officers is also a cost factor. Mr. Simms noted that two major STF app invoices are from Google (geo-coding) and Microsoft (data storage) and these figures fluctuate with usage amounts. Whenever Apple forces an update it triggers SDT app maintenance to reestablish connections and this happens more frequently, and Mr. Torres has not been charging FQMD for this. Mr. Pendleton noted unlike the past, he will be transparent with the Board on negotiations before any contracts are signed. Mr. Simms shared that the iPad program utilized by the officers is not as functional as it should be, and this will also require updating once an agreement is reached. Mr. Pendleton requested that parameters be established before his negotiations are finalized, then to be ratified by the Board. These parameters shall be established following the next meeting with Mr. Torres. Mr. Simms shared that the SDT agreement is drafted and just awaiting an agreed upon figure and is similar to the St. Tammy Parish Sheriff's agreement which underwent much administrative and legal scrutiny. Mr. Watters shared that he felt the figure should settle somewhere between \$42,000.00 and \$45,000.00. St. Tammany Parish is paying \$50,000.00 without the level of interaction (only 2 of the 3 apps) the STF requires.
- b. Board Discussions – Chairman Pendleton noted he will allow difficult, robust conversations at our meetings, but shall occur in a respectful atmosphere, as the Board works through sensitive issues.

## VI EXECUTIVE DIRECTORS REPORT

- a. Ms. Frankic thanked the Board Members for completing ethics training and financial disclosures and returning to she and Secretary Klein.
- b. French Quarter Improvement Fund
  - i. There were two meetings with New Orleans & Company.
  - ii. Ms. Frankic met with Mr. Stephen Perry and then with Mr. Walt Leger and Mr. Christian Sonnier.
    - 1) They agreed with FQMD's proposal for the FQ Improvement Fund expenditures.
    - 2) The CEA expires at the end of 2020 and Mr. Leger is already looking at the language to rewrite the renewal. They are concerned that no parties are complying with the reporting requirements within the current CEA.
    - 3) They expect better communication for approval of fund allocation from the City.
    - 4) They are committed to funding FQMD administrative funding including the portion from the former New Orleans Tourism and Marketing Corporation (NOTMC).
- c. Meeting with District C Councilmember Kristin Palmer
  - i. She is also supportive of FQMD's proposal for the FQ Improvement Fund expenditures.
  - ii. Councilmember Palmer met with New Orleans & Company after meeting with FQMD to discuss the fund allocations and management.
- d. Meeting with The City of New Orleans (CNO) representatives Mr. Joshua Cox, Mayor's Director of Strategic Initiatives and Mr. Eric Smith, CAO's office:
  - i. Reviewed FQMD's proposal for the FQ Improvement Fund expenditures.

- ii. Concerned that FQMD is not allowed to receive additional funding for the SPPP (French Quarter Task Force) based on City's Legal Department interpretation of Section 3 indicating that funding is capped at \$1.2M. New Orleans & Company indicated they are willing to allocate additional funds to SPPP via the FQ Improvement Fund, as FQMD recommends.
  - iii. Mr. Cox stated the City is very interested in the results of the Security Study and looking forward to some form of unified command of the current nine security programs in the French Quarter.
  - iv. They would like to receive the Security Assessment.
- e. Ms. Frankic and Mr. Pendleton met with Mayor LaToya Cantrell:
  - i. She would like to have more communication on our work and accomplishments.
  - ii. Ms. Frankic expects a response within a week from the City and then it would go to New Orleans & Company for review and possible approval.
- f. A meeting with Darryl Berger resulted in the continued donation of office space for the foreseeable future.
- g. Met with Mr. Joshua Faubert of Ericksen Krentel Certified Public Accountants:
  - i. A letter of engagement was signed by the Mr. Pendleton for the 2019 audit.
  - ii. The audit checklist was received, and Ms. Frankic has begun to pull together the required materials.
- h. Ms. Frankic is working closely with the Executive Team and Committee Chairs to align goals for 2020, to be reported by the Committee Chairs. Those goals shall be crafted into a 2020 Strategic Plan that will be used throughout the year to measure performance matrixes.
- i. Ms. Frankic shall continue working with Laura Bryan, CNO Director of Transportation on the North Rampart initiative for designated truck route removal. Ms. Klein noted that even with use of the Governor Nichols wharf, the trucks must use Elysian Fields Avenue to access the wharf.

*AMENDED AGENDA: Mr. Watters motioned (M3) to “amend the Agenda to allow Commissioner Cooper to make a land use presentation since she must leave early to teach her Tulane class...”, seconded by Ms. Cavett and unanimously approved.*

## XII DISCUSSION OF THE BOARD OF COMMISSIONERS POWERS RELATED TO ZONING, PERMITTING AND LAND USE MATTERS

- a. Ms. Cooper stated her presentation was specifically on the permitting of Willie's Chicken Shack (WCS) on the corner of Toulouse and Chartres as a “standard restaurant” and how it does not meet that criteria as defined in the City of New Orleans (CNO) Comprehensive Zoning Ordinance (CZO). Photographs were used to validate the point of her presentation. The CNO Board of Zoning Adjustments (BZA) will rule on the issue at their next open meeting on February 10, 2020. It was noted, the FQMD has no governing authority over land use issues.
  - i. Fast-food restaurants are not permitted in the Vieux Carre'.
  - ii. This location does not permit its operation as a bar.
  - iii. The appeal is against CNO Safety and Permits (S&P) not upholding the definition of a “standard restaurant” and issuing permits outside the CZO mandated criteria. The appeal is seeking to have S&P interpret the CZO in a systematic and comprehensive way to protect our Vieux Carre's tout ensemble and authenticity. Additionally, this compliments FQMD's mission and empowering legislation.
  - iv. WCS has standardized signage, furnishings and architecture it utilizes over various locations; self-service condiments, paying before food before consumption; seating placement designed to be stationary; food not cooked to order.

- v. S&P issued WCS a permit as a “standard restaurant” with assurances that WCS would made changes to their operations to meet the criteria, which they have not done.
- vi. Commissioner and guest comments and responses:
  - 1) Some felt WCS fell between a standard and a fast restaurant.
  - 2) FQMD should offer an opinion on S&P’s interpretation of land use and not on a specific business.
  - 3) With reference to putting a building back into commerce, the building owner is a long-time, established commercial property owner who knows what the regulations were before placing his tenant.
  - 4) S&P does not have the manpower to audit the 51% food rule on “standard restaurants”. As a chain, inventory and sales are more easily manipulated, pre-reporting to the CNO, Department of Revenue.
  - 5) FQMD should uphold the authenticity and tout ensemble of the FQ.
  - 6) The CNO should not lower the standard to encourage venue’s that attract patrons that have a negative effect on our fine dining establishments.
  - 7) Most felt FQMD should take the position that the laws on the books should be enforced and applied consistently.
  - 8) FQMD should take positions on important matters that protect and improve our neighborhood.
  - 9) WCS violates five out of eight requirements for a “standard restaurant”.
  - 10) Economic growth should be encouraged, if it is good for the neighborhood an in-line with the law.
  - 11) WCS opened in August 2019; a BZA appeal was filed on September 30, 2019. It has been deferred three times, once due to CNO Budget Hearings, once by the owner and once by the CNO cyberattack. In that time, another business has opened up and S&P requests have not been satisfied.
  - 12) Perhaps a CZO text amendment is needed to add more enforceable definitions.
  - 13) The BZA appeal deals with interpretation of the law, not it’s enforcement.
  - 14) Some FQMD long-range projects will bring this body back to land use issues.
  - 15) This BZA determination is final and cannot be appealed at the CNO level.
- b. Following Ms. Cooper’s presentation and much discussion, Ms. Cooper motioned (**M4**) to “support consistent application of definitions and regulations outlined in the current Comprehensive Zoning Ordinance (CZO) by upholding it in its intent, letter and application...” seconded by Ms. Klein with eight Commissioners (Ms. Cooper, Ms. Klein, Mr. Pendleton, Ms. Laughlin, Mr. Zumbo, Ms. Cavett, Mr. Caputo, and Ms. Gasperetz) voting yea, Mr. Watters and Mr. DeBlieux voting nay and Mr. Emory abstaining. The resolution carried.

## VII SECURITY AND ENFORCEMENT COMMITTEE – Goals

It is our desire to develop quantifiable goals, determinable targets and measured outcomes:

- a. We support and encourage the return of the New Orleans Police Department 8<sup>TH</sup> District officer count to the pre-Hurricane Katrina count of 165 fulltime officers.
- b. Increase FQTF revenue via consolidating security services.
- c. Launch legal and/or material initiatives to reduce illegal guns within the district.
- d. Ensure that the crash rated impact bollards on Bourbon Street and traffic barricades on Royal Street are deployed on a daily schedule and on an emergency basis.
- e. Release Security Assessment for public consumption.
- f. Develop list of actionable items from the Security Assessment and execute items on the list.

VIII LIVABILITY COMMITTEE – Goals

- a. Secure allocation of funding and contracts to repair damaged sidewalks:
  - i. Wear and tear damage by City of New Orleans.
  - ii. Sewerage & Water Board, Entergy, and Cox sidewalk cuts by the perpetrating utility company.
- b. Play and active role in renegotiating City contract for sanitation services as participants. (Ms. Cavett volunteered to work on this.)
- c. Secure allocation of funding and contracts to scope catch basins and storm drains for blockages and collapses.
- d. Secure funding and verify installation and repair of streetlights.
- e. Secure funding and verify implementation of Sanitation Ranger and Quality of Experience Officer for the French Quarter.

IX GOVERNMENTAL AFFAIRS COMMITTEE – Goals

- a. Lobby State legislature for permanent funding.

<b>State of Louisiana Potential Funding and Uses of Funds</b>	
<b>Additional &amp; Supplemental Sanitation</b>	<b>Amount</b>
Funds to hire a monitor of City's sanitation contract vis a vie FQ	\$ 75,000
Funds for increased street and sidewalk cleaning	\$ 250,000
<b>Additional SPPP Funding</b>	
Double the detail shifts	\$ 1,200,000
Additional vehicles and vehicle maintenance	\$ 200,000
Program management	\$ 250,000
<b>Quality of Life</b>	
(2) Full-time NOPD QOL officers to enforce current QOL ordinances in FQ	\$ 150,000
<b>Administrative Costs</b>	<b>\$ 150,000</b>
<b>TOTAL FUNDING REQUEST</b>	<b>\$ 2,275,000</b>

As the French Quarter is a sustaining economic engine for the State, the Committee shall work with Mr. Walt Leger at New Orleans & Company and Lt. Governor Billy Nungesser. These additional and supplemental services are to assist City services, not to replace them. As the Commission previously determined, any funding shall be vetted through the Finance and Development Committee as the Board previously determined

- b. Renegotiate sunseting CEAs:
  - i. New Orleans & Company and FQMD "General Operating Funds" (Shall incorporate the former New Orleans Tourism & Marketing Corporation contract income for general operations) expiration date: 1/22/2020 (currently \$150,000 annual allocation).
  - ii. City of New Orleans, Convention & Visitors Bureau (New Orleans & Company) and FQMD expiration date:12/31/2022 for expenditures of the Hotel Assessment.
  - iii. French Quarter Museum Association expiration date: 12/31/2020.
- c. Resolve next steps with Louisiana Civil Service enrollment requirements.

Chairman Pendleton requested that Commissioner DeBlieux be notified if any Commissioner or Committee representative meets with government officials regarding FQMD business.

- X FINANCE & DEVELOPMENT COMMITTEE – Ms. Raines is out of town on business, committee shall meet next Monday. *The 2020 Budget shall be input into the accounting software.* In collaboration with the FQMD Board, Committee Chairs and Executive Director, the Finance & Development Committee will:
- a. Oversee and participate in the creation of a strategic plan for FQMD to document and establish a multi-year direction for the organization. The strategic plan will record FQMD’s current mission, vision, as well as long-term goals and the action plans used to reach them.
  - b. Support FQMD in the areas of financial review, program feasibility + structure, and financial sustainability by providing budgeting and strategic planning for current programs, proposed programs, and proposed funding opportunities.
  - c. Draft a standardized summary on all proposed programming and funding for the FQMD Board to review and approve.

XI 2020 COMMITTEES MEMBER NOMINATIONS –  
Committee and Advisory members must take the annual Louisiana State Board of Ethics training and not have more than 50% unexcused meeting absences. Also, members “shall not vote or participate in the discussion or debate on any issue in which they have a conflict of interest. ‘Conflict of interest’ as used herein includes any interest that would materially affect, directly or indirectly, their financial interests or those of a member of their family or household, business or employment, or a personal, family, or client interest.” Each meeting should document those present and votes may only be made with a quorum present. Task Forces and Citizen Advisory Committees may record notes versus minutes, but both must be listed on the FQMD website. *Source: BYLAWS, ARTICLE XIV, COMMITTEES, TASK FORCES AND CITIZEN ADVISORY COMMITTEES*

- A. SECURITY & ENFORCEMENT: Gail Cavett Vice-Chair; Glade Bilbe
- B. LIVABILITY: Dave Jorgenson, Lee Tucker
- C. GOVERNMENTAL AFFAIRS: Juliet Laughlin, Frank Zumbo
- D. FINANCE & DEVELOPMENT: Sue Klein

As Mr. Watters noted, all Committees, Task Forces and Citizen Advisory Committees should be balanced between business and residential interests. Also, at one time Committees were structured as Citizen Advisory Committees for meetings to utilize notes versus the more formal minutes. The Board should decide what structure these groups should follow according to the FQMD Bylaws and State of Louisiana Open Meeting Law.

Mr. Deblieux motioned (M5) to “approve the following persons to serve on FQMD Committees; Mr. Glade Bilbe for Security & Enforcement, Mr. Dave Jorgensen and Mr. Lee Tucker for Livability, Ms. Juliet Laughlin and Mr. Frank Zumbo for Government Affairs and Ms. Sue Klein for Finance and Development...”, seconded by Ms. Cavett and unanimously approved.

Mr. DeBlieux motioned (M6) to “approve Ms. Gail Cavett as the Vice-Chair for the Security & Enforcement Committee...” seconded by Ms. Laughlin and unanimously approved.

XIII NEW BUSINESS

- a. Mr. Pendleton discussed administrative and program compliance assistance for Ms. Frankic. Utilizing intern assistance for the Livability Committee was also discussed. Mr. Emory motioned

(M7) to “approve the solicitation of up to two unpaid interns to assist the Executive Director in FQMD tasks...” seconded by Ms. Cavett and unanimously approved.

- b. Ms. Laughlin was previously been tasked to contact Lt. Governor Nungesser for funding through his office. She met with the Lt. Governor and his aide, Michael Ince.. With Ms. Frankic’s assistance, she shall prepare a proposal that will be brought before the Government Affairs Committee, with final vetting through the Finance and Development Committee. It shall include line items of FQMD’s accomplishments and what funding shall further accomplish. The Lt. Governor shared that no lobbyist is needed for this funding request, as it does not go to the legislature, and is at his disposal at distribute. This would be a one-time source of funding. However, he volunteered himself and his staff in soliciting recurring funding from the State Legislature.
- c. Ms. Fulks noted that the Lighting Report can be deferred until the February Board Meeting and Mr. Pendleton agreed.
- d. Mr. Simms noted that he has been volunteering for five years now with the Security Task Force (STF) and that he will not abandon FQMD, but he would like to see movement on management of this FQMD initiative. Also, the vehicle inventory must be determined regarding purchase and maintenance as there are no back-up vehicles. One or two vehicles shall be required this year. He will present vehicle proposals at the next meeting. Mr. DeBlieux asked that if there are extraordinary expenses to run it past an officer. He will still be involved once someone is hired.
- e. Mr. Speights recommended that an annual report be produced.

#### XV EXECUTIVE SESSION –

- a. Mr. Watters motioned (M8) to “adjourn to Executive Session at 4:41 pm pursuant to R.S. 42:17A. (3) to discuss the development of the course of action regarding security plans of the FQMD...” seconded by Mr. DeBlieux and unanimously approved.
- b. Reconvened the Regular Meeting by acclamation at 4:45 pm. No action was required or taken.

#### XVI NEXT MEETING: Monday, February 10, 2020

XVII ADJOURNMENT: Mr. DeBlieux motioned at 4:55 pm (M9) that “the meeting be adjourned...”, seconded by Ms. Klein and unanimously approved.

Respectfully submitted,

Susan Klein (signed original available)

Susan Klein, Secretary