



Board of Commissioners Meeting Minutes

Monday, 08 March 2021

2:10 pm – 3:52 pm

Via Teleconference:

<https://meetings.ringcentral.com/j/2047589217>

Meeting ID: 204 758 9217

Video:

<https://meetings.ringcentral.com/personallink.html>

Audio:

+1 (469) 445 0100

Commissioners Present:

Susan Klein
Heidi Raines
David Bilbe

Jane Cooper
Gail Cavett
Mamie Gasperecz
Christian Pendleton

Steve Caputo
Robert Watters
Frank Zumbo

Commissioners Absent: Matthew Emory and Jeremy DeBlieux

Executive Director: Karley Frankic

Guests:

Eric Smith, CNO
Erin Holmes, VCPORA
Paul Rioux, BGR Research Analyst
Allen Johnson, FMC
Unidentified Attendee "ingest"

Brittany McGovern, FQBA
Beverly Faulk
Chris Young, FQBL
Amanda Roberts, Fox 8

- I. **CALL TO ORDER: ROLL CALL: INTRODUCTION OF ATTENDEES** – Vice-Chairman Raines called the meeting to order at 2:10 pm, Ms. Frankic read the Agenda as noticed and Ms. Klein called the roll.

- II. **PUBLIC COMMENT:** Written public comments and live comment requests should be submitted electronically via email to publiccomments@fqmd.org. Emailed public comments will be accepted from the time the agenda is released until conclusion of its reading. Emailed public comment received after the reading of the agenda will not be considered. Each submission must contain: 1) the commenter's first and last name, 2) the commenter's address, 3) whether the commenter is being paid in connection with his or her comments, and 4) the agenda item to which the comment pertains. Any public comment submission or live comment request missing this information will not be read aloud or recognized for live comment. Live comment during a teleconference meeting via the following formats shall be accepted

- Electronically raise their hand to request to comment. Upon being recognized to speak by the chair their microphone should be turned on. After speaking the microphone shall be returned to mute.
- Post comments relevant to the action item in the ‘Chat Box’.
- Live comment speakers will be given two minutes to comment. The speaker may be muted by the moderator at the conclusion of the two-minute limit.

No public comments were received.

III. FEBRUARY REGULAR BOARD MEETING MINUTES APPROVAL: Ms. Klein

Ms. Cooper motioned (**M1**) to “approve the final draft of the February 8, 2021 Board Minutes as submitted...”, seconded by Ms. Gasperez and unanimously approved.

IV. PRESENTATION & APPROVAL OF FEBRUARY 2021 TREASURER’S REPORT – Ms. Frankic for Mr. DeBlieux.

- Financials - The Balance Sheet shows the SPPP account at \$31,177.94, the General Operating account at \$177,987.56 and the FQMA account at \$2,831.68 for a total of \$211,998.18. There is a zero balance in Account Receivables, and Total Liabilities and Equity at \$224,252.01. He noted Ms. Frankic’s efforts have kept our losses below projections. Mr. Watters motioned (**M2**) to “approve the February 2021 Treasurer Reports as submitted...”, seconded by Ms. Gasperez and unanimously approved. On Accounts Payable, the OSPE was \$15,734.72 and SDT Productions was \$10,093.10. The total SPPP expenses were \$46,655.27. Mr. Pendleton noted the timeline of the Supplemental Police Patrol Program (SPPP) funding was off by two-three weeks due to the use of historical numbers that changed in the current situation. Otherwise, all figures and finances continue to be clean and transparent.

V. APPROVAL OF LOUISIANA COMPLIANCE QUESTIONNAIRE FOR THE 2020 AUDIT:

Ms. Frankic noted this is an annual requirement. Mr. Raines motioned (**M3**) to “approve for submission the Louisiana Compliance Questionnaire of the 2020 FQMD Audit as required...”, seconded by Mr. Caputo and unanimously approved.

VI. CHAIRMAN’S COMMENTS – Mr. Pendleton

- Welcome of Mr. Bob Simms as the Mayor’s residential appointee to the Commission - Mr. Pendleton recognized his past years of service to the FQMD and the French Quarter and noted he was excited to have him as a Commissioner. Mr. Pendleton and Ms. Frankic reviewed the Board orientation packet with Mr. Simms last Friday.
- The FQEDD Cooperative Endeavor Agreement (CEA) was submitted to the City three-four weeks ago. Mr. Joshua Cox responded ten-fourteen days ago for the City. Ms. Raines read some excerpts from that response. There are seven or more concerns including the structure to resolve grievances with the FQEDD as the arbiter, checks and balances, key performance indicators (KPI’s), the annual budget, and quarterly reporting. Foundational aspects included the structure for reimbursement to not put the City of New Orleans (CNO) General Fund at risk by going through the CNO OPSE (Office of Police Secondary Employment). Selection of City employees for duty would also be resolved through OPSE, surplus of funds past the ballot language of the designated \$2,000,000.00 still requires negotiation to address other public safety issues including

code enforcement and homeless services. The issue of breach and termination of contract requires more negotiation as well as the cooperative process between the FQMD, the CNO and the FQEDD Governing Authority (City Council) since the time allotted for the call was reached. Ms. Raines noted that a 10% administrative fee is standard with the City requesting 3%. Historically, the administrative cost to run this program was 10-15%. The prior 3% fee meant that cost was underfunded. FQMD is asking for 7% with a cap of \$150,000.00, because if pre-COVID statistics are used the fee is closer to 4-5% after the \$150,000.00 cap. However, Mr. Pendleton noted the full response is available to the Commissioners upon request who may then share with their stakeholder organization leadership. He felt the meeting was positive, with the bulk of the City comments coming mostly from Mr. Joshua Cox and Mr. Eric Smith. Mr. Pendleton reiterated FQMD is doing everything possible to finalize the FQEDD CEA for clarity prior to the April ballot vote. He recognized Commissioner Cavett and other stakeholders are working independently with District 8 Capt. Caprera to address specifics of the patrols to promote smooth transitions for optimal service and public safety. Mr. Pendleton noted the shootings this weekend are a reminder of the importance of police presence required for optimal safety.

VII. EXECUTIVE DIRECTORS REPORT – Ms. Frankic

Ms. Frankic noted the Committee Chairs and the Parity Team shall report on work product from the past month and this report details progress that is separate and apart from those reports.

a. Administrative

- i. Audit: Besides being a requirement of the board’s enabling legislation, the annual legislative audit is important to our mission of being transparent with FQMD’s finances and we have completed successful audits every year. Eriksen Krentel has been the Board’s legislative auditor for many years, and we are engaging them again for the 2020 annual audit. They will be working closely with the Board’s accountant, John Foard, and Ms. Frankic to complete the process.
- ii. Ethics Training: All but one commissioner has completed and provided their certificate to Secretary Klein and staff:

Bilbe	Caputo	Cavett	Cooper	DeBlieux	Emory	Gasperecz	Klein	Pendleton	Raines	Simms	Watters	Zumbo
Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Preservation

- i. FQMA CEA: The French Quarter Museum Association is meeting on Monday, March 8th, and will consider the need to renew the Cooperative Endeavor Agreement with FQMD to act as the fiscal agent for the group.

c. Public Safety

- i. Security District Research: She met with the Mid-City Security District and had a call with the Lakeview Crime Prevention District in the past month. Both groups have been incredibly helpful and transparent with understanding their structure and operations as we reevaluate the structure of the Supplemental Police Patrol Program in light of the April election and the ballot measure to utilize the French Quarter Economic Development District (FQEDD) sales tax for funding supplemental police patrols. Both districts are appointee based political subdivisions of the State of Louisiana. Both receive and have sole control over public tax funds for their operations. Both districts utilize overtime officers, as opposed to details, and have a fulltime NOPD Coordinating Officer that manages the day-to-day operations of the patrols. Their operations are the model by which the Cooperative Endeavor Agreement that FQMD drafted and sent the City for the FQEDD sales tax was based.

- ii. Homeless Needs Assessment: Angela Owczarek of the Travelers Aid Society of Greater New Orleans presented at this past month's Security & Enforcement Committee meeting and Ms. Frankic had several conversations with her about the need to understand the makeup of the French Quarter's homeless population, the types of services that population needs, and which of those services individuals would take advantage of. This needs assessment shall provide FQMD a data based foundation to consider how best to allocate resources for the FQEDD sales tax, if and when the revenues exceed the \$2,000,000.00 threshold for patrol funding. While there are many programs that fall into public safety, homeless assistance services are one area where we may be able to reduce calls for service for chronic misdemeanor offenses that is humane and just. Currently, Ms. Owczarek has indicated that the primary request of FQMD is in the form of the calls for service data we have collected over six years of running the SPPP. However, her proposal has not yet been funded and if there is a means for which the Board can assist, they would be grateful.
- d. Quality of Life
 - i. CDBG-DR Appropriation: the Louisiana State Legislature approved a \$1,000,000.00 appropriation in Bill 1 of last year's spring special session. The funds were intended to provide gap funding during the COVID-19 financial crisis, but the funds are restricted to Hurricane Katrina impact. After a conversation with the State Office of Community Development (OCD) it was found that the funding could not be used for FQMD operations, or sidewalk and street repairs. However, the funds could be used to replace the flooded minibuses that ran the Vieux Carré line. FQMD is close to completing the pre-application for OCD with assistance from the New Orleans Regional Transit Authority (NORTA). The pre-application will allow OCD to release the Notice to Proceed to Pan American Engineers to complete the application to the Federal Government. This is done at no cost the FQMD. The draft pre-application outlines the purchase of four sprinter buses with FQMD's \$1,000,000.00 appropriation and about \$6,400,000.00 for startup and operational costs for NORTA. FQMD can include the expense of staff time in the application. We hope to have the pre-application done shortly with the hopes for having service up at the new year.
 - ii. KQC Sponsorship: Last year the Board approved the Keep the Quarter Clean (KQC) campaign as a program to develop a sense of ownership around the cleanliness of the District. Ms. Frankic requested the FQMD appointing entities to consider a donation to launch the "Keep the Quarter Clean" campaign this year. It is modeled on the Young Leadership Council's highly successful Proud to Call it Home campaign. As we look to the recovery and reopening of the French Quarter, it is important that visitors go home and have only positive things to say about the condition of the Quarter.
- e. Commercial & Residential Vitality
 - i. Financial Impact Study: Last week Mr. Frankic met with GNO Inc. to discuss their assistance with a French Quarter Economic Impact Study. They recommended against a \$45,000 academic study and to instead hire a professional company at around \$150,000 - \$200,000 which would be more comprehensive, rigorous, and accurate study. They estimated that it would take about three months to complete the study. While GNO Inc cannot directly fund the study, they are going to make introductions to potential funders that have an interest in economic development and a strong interest in the French Quarter. More information will be provided as this project comes together.

- ii. Slow the Quarter Charette shall be tonight by the City at 6 pm. Required registration is at nola.gov/neoevents to receive the Zoom web login. The dial-in Number is (646) 558-8656 and the meeting ID is 863 1478 1323.

f. Meetings attended:

2/9	French Quarter Pedestrianization Stakeholder Call with the City
2/9	FQBA Quality of Life Committee Meeting
2/9	MAX Meeting
2/10	DDD Meeting re: shared programming
2/10	Delivered Smart Car titles to the City completing donations
2/11	FQEDD (City Council) Meeting
2/16	MAX Meeting
2/17	Security & Enforcement Committee Meeting
2/19	Meeting with Mid-City Security District
2/22	Security & Enforcement Committee Meeting
2/23	MAX Meeting
2/24	Meeting with Bureau of Governmental Research
2/24	Meeting with State Senator Kirk Talbot
2/25	Interview with Newell Normand and Chair Pendleton
3/1	Meeting with Mid-City Security District
3/1	Meeting with GNO. Inc. re: financial impact study
3/1	Finance & Development Committee Meeting
3/2	MAX Meeting
3/3	Livability Committee Meeting
3/3	Meeting with District C
3/4	Call with Trepwise re: FMC strategic planning
3/5	Meeting with City re: FQ EDD
3/5	Robert Simms commissioner onboarding with Chair Pendleton
2/9	French Quarter Pedestrianization Stakeholder Call with the City
2/9	FQBA Quality of Life Committee Meeting

- h. Discussion: Mr. Simms noted successful SPPP activity. Also, a day before the City took over SPPP inventory was removed and he feels these items should be returned. Mr. Pendleton noted FQMD and Mr. Eric Smith spoke regarding vehicle spare parts. Mr. Watters commented vehicle spare parts should be inventoried and turned over to the City. Ms. Frankic shared the State audit, requirement that all items turned over must be inventoried and valued. Ms. Raines said FQMD should follow all items of compliance while working with the City to accommodate the SPPP. Mr. Pendleton tasked Ms. Frankic to check with the State Auditor on compliance to facilitate.

Mr. Watters requested District businesses receive their fair share of patrols and suggested 50%. Mr. Simms agreed to equitable patrols for all areas of the District. Ms. Cooper asked if the security team is working on this issue to include evening Bourbon Street patrols.

French Quarter Citizens (FQC) & Vieux Carré Property Owners, Renters and Associates (VCPORA) held their first collaborative meeting in advance of the ballot vote.

VIII. REPORT BY CHAIR, FINANCE & DEVELOPMENT COMMITTEE - Ms. Raines

- a. The bulk of the March 1, 2021 meeting dealt with the FQ EDD SPPP budget. A draft at various strata amounts to include public safety allocations past the \$2,000,000.00 threshold was reviewed. The patrol budget was reviewed considering variables of post-COVID rebuilding, seasonal sales, and the possible one-three month lag on FQEDD sales tax collections. Therefore,

a reserve must be held for low value months. Other factors include vehicle maintenance and vehicle replacement required before the end of this year. It was noted the City maintains Ford vehicles. The Security and Enforcement Committee is reviewing vehicle purchase options. Given all these factors, the Finance and Development Committee produced a working draft budget.

- b. French Quarter Financial Impact Study: Reported by Ms. Frankic in her report.
- c. CDBG-DR Appropriation: Reported by Ms. Frankic in her report.

IX. REPORT BY CHAIR, GOVERNMENT AFFAIRS COMMITTEE – Ms. Frankic for Mr. DeBlieux

- a. At the February 17, 2021 meeting the FQEDD CEA was discussed and the importance of having it finalized prior to the April election to promote voter support to continue the SPPP. It was determined that FQMD did not have the financial resources for marketing of this initiative by a public relations firm but would provide factual information to stakeholder organizations to push information to their members.
- b. Commissioners Bilbe and Cooper will be working a State legislative package for operational funding.

X. REPORT BY CHAIR, LIVABILITY COMMITTEE – Ms. Gasperecz

- a. The Committee met on February 3, 2021 and Ms. Gasperecz thanked the Commissioners and volunteers for their involvement in the Committee's ambitious plans. She hopes partnerships will produce plans that are self-supportive and perhaps generate revenue.
- b. The Tulane Historic Preservation Graduate School: They have agreed to be involved as one partner. These interns would work on three of the Committee goals which are surveying the 100 blocks, expanding the sidewalk assessments to include the area around the Aquarium, and to update the Vieux Carré street light assessment. The Downtown Development District (DDD) has good data on the 100 blocks.
- c. Sidewalk Assessment Study: A meeting is scheduled with the City Council Public Works Committee to present the FQMD Sidewalk Assessment Study. FQMD plans to give input on sidewalk repairs to the Vieux Carré Commission (VCC) and the Historic District Landmarks Commission (HDLC). Conversations have begun with Director Bryan Block.
- d. "Reimagining the French Quarter": Ms. Holmes, VCPORA Executive Director presented on this topic in committee. The City "Slow the Quarter" charette is tonight as mentioned previously.
- e. Sanitation: Presented in Ms. Frankic's report. Also, the City sanitation contract is up for bid.
- f. NORTA Vieux Carré circulator Shuttle: Presented in Ms. Frankic's report.

XI. REPORT BY CHAIR, SECURITY and ENFORCEMENT COMMITTEE – Ms. Cavett for Mr. Emory

- a. FQ EDD Operations Plan: Ms. Cavett reported Mr. Emory tasked she and Mr. Watters to bring together a security working group. The working group took into consideration all previous Board and Committee concerns along with SPPP data. The summary below with given along with the full presentation which is an attachment to these minutes.
 - Full-time NOPD overtime officer utilization for the SPPP is recommended over detail officers. Overtime officers reduces Commissioner liability, contributes to a unified security plan, co-ordination with LEEDS, affords the 8th District more scheduling flexibility and provides full-time NOPD 24/7 supervisory control, whereas FQMD is not a 24/7 entity. Overtime rates are flexible and OPSE rates are not.
 - SPPP Zone 5 was created for extra Bourbon Street police presence. Bourbon Street is

also patrolled during the day under Zone 1 when it is not a pedestrian mall.

- The entire French Quarter is patrolled by Zone except for the French Market, since they have their own patrols.
 - Stepped-phase staffing to coordinate with funding of various levels was presented.
 - An SPPP \$250,000.00 quarterly budget is initially projected by mid-2022 for forty-four officer patrol hours per day, up from the current thirty-two hours.
 - An SPPP \$500,000.00 quarterly budget projected for 2023 is based on CNO information. This would provide ninety-two officer patrol hours per day.
 - Vehicles replacement options were shown.
- b. FQ EDD - Budget Development Recommendations: To provide a checks and balance inclusive public forum for all stakeholders to work collaboratively to ensure the EDD Blue Light Patrol Program and the EDD Trust Fund are managed with transparency and accountability:
- Expand SEC working team and redefine as “FQMD/CNO EDD Trust Fund Advisory Group” with monthly public meetings.
 - Current SEC working team - Gail Cavett, Robert Watters, Steve Caputo, Bob Simms, Glade Bilby and NOPD Capt. Caprera.
 - Add - EDD Governing Authority and City representatives to participate in the meetings
 - Report to SEC and FQMD Board at monthly board meeting.
- c. FQ EDD Advisory Group – Process
- Monthly - Review and Reconcile EDD Trust Fund Income and Expenses.
 - Develop operational plans and budget recommendations based on revenue stream projections and expenditures.
 - Review NOPD staffing costs, vehicle purchases, maintenance, fuel, tires, parts, and other supplies and operating expenses.
 - Develop NOPD Blue Light Patrol Operations Plans.
 - Develop NOPD patrol shifts, zone coverage, and officer staffing.
 - Review and develop program performance indicators and stats.
 - Develop recommendations for monthly advance EDD Trust Fund disbursements to the City for officer costs and vehicle expenses mentioned in the attached document. Funds deposited into City Special Account and reconciled at monthly meetings (City provides Balance Sheet for special account).
 - Review and reconcile monthly Trust Funds received and disbursed by FQMD. (FQMD provides Balance Sheet for special account).
 - If FQMD and the City disagree on decisions for the above-mentioned items, both parties can present their information to the EDD Governing Authority at the Agreement Monitor meetings.
- d. Ms. Cavett recommended that since Mr. Pendleton, Ms. Raines, and Ms. Frankic are in active negotiations with the City, these recommendations should be used as guidance. She said this provides a transparent structure for CEA negotiations that will educate District stakeholders and electors prior to the April election and validate FQMD’s stewardship of the FQEDD sales tax delivery. Ms. Cavett motioned to “approve the FQEDD Operations Plan as presented.”

DISCUSSION: Ms. Klein believed that since only Ms. Cavett and Mr. Simms know all the nuances of the SPPP that they should be part of the negotiations, in addition with the possible addition of Mr. Watters and Captain Caprera. She felt this would enhance negotiations with the

City and FQMD should not risk any missteps before the election.

Mr. Pendleton felt the first two meeting with the City were fundamentally to listen to their concerns. He would like to resolve the breach of contract and administrative fee concerns before other details are dealt with. At that point he said Ms. Cavett and a business representative could join in the City meetings.

Ms. Cavett thanked Mr. Pendleton for calling her following the first meeting, because some of that information was used in the presentation today. She stated because various aspects of the FQEDD is being worked on by different FQMD committees, it validates this one SEC group that is open to the public and speaks to having one entity that deals specifically with the FQEDD Trust Fund and the SPPP to bring clarity, unity, and transparency to the process. Also having in person meetings with Captain Caprera proved invaluable to the development of these recommendations which he would not be able to do if the SPPP utilized detail officers. What was presented could be a model the City could utilize in other districts, since it addresses many of the City's concerns.

Mr. Pendleton agreed with 99% of Ms. Cavett's comments including having one entity and asked Mr. Simms and Mr. Emory as the Mayor's representatives they could perhaps see if the City would agree to NOPD overtime officers versus officer details. Also, he has no problem with a specific group being tasked with this issue, but each committee should provide recommendations on their aspect of the issue. Responding to Mr. Simms question, Mr. Pendleton said the City did not want to be put into a situation where they would be owed money for patrols and jeopardize the General Fund, but instead preferred OPSE detail officers.

Mr. Simms shared there were numerous factors with using OPSE officers that would be problematic for Commissioners, their organizations, and the community. He noted Ms. Cavett presented a mechanism whereby General Funds would not be jeopardized and the FQEDD SPPP could be staffed with NOPD overtime officers.

Mr. Cavett said if we agree to FQEDD Trust Fund monthly advances for the SPPP to the City which will be reconciled at the specified joint monthly meetings there will be no endangerment To the City General Fund. Mr. Pendleton replied that the City is concerned because it is a fluctuating sales tax and they see that as risk.

Mr. Pendleton believes this work can be done within the Security and Enforcement Committee which holds open public meetings and not create a new one.

Ms. Raines and Mr. Caputo requested more time to process what was presented. Ms. Cavett offered to meet with the negotiators to explain the recommendations. Mr. Watters noted Ms. Cavett did a tremendous amount of work on this, but Mr. Pendleton and his team should work out the major CEA details with the City and then patrol plans can be addressed. Mr. Caputo said these recommendations should be kept, being drawn upon as needed.

Ms. Cavett thanked everyone for their comments and withdrew her motion. Ms. Frankic shall distribute the presentation upon receipt from Ms. Cavett. Mr. Pendleton thanked Ms. Cavett and

the other group members for all their work on this. He noted he will be calling on her for the next steps with the City so she can hear firsthand City concerns. Ms. Raines added the first meeting with the City was very high level to build a platform to hear their concerns and the next meeting will build upon that.

XII. New Business – None to report or discuss.

XIII. Next meeting date: 13 April 2021

XIV. ADJOURNMENT – Ms. Gasperez motioned (**M4**) to “adjourn the March 2021 Regular Meeting of the FQMD Commission at 3:52 p.m.”, seconded by Mr. Caputo and unanimously approved.

Respectfully submitted,

(signed original available)

Susan Klein, Secretary