

**DOWNTOWN DEVELOPMENT DISTRICT  
BOARD OF COMMISSIONERS MEETING MINUTES  
Tuesday, November 9, 2021 – 4:00 PM  
Zoom Teleconference**

Meeting called to order by Chair Curtis at 4:05 pm.

Roll was taken and a quorum was present.

**Members Present:** Gregory Curtis, Chris Ross, Cleveland Spears, Judy Barrasso, William Bradshaw, Damon Burns, Jim Cook, Carla Major

**Members Absent:** Coleman Adler, Paul Flower, Leo Marsh

**Staff/Counsel Present:** John Pourciau, Anthony Carter, Sabrina Smith, Leigh Ferguson, Devona Dolliole, Joshua Vairin, Ryan Bordenave, Scott Whittaker & Brittany Carnes (Stone Pigman) General Legal Counsel & Christopher Kane (Adams & Reese) Legal Counsel for Litigation

**Public Comments:** Public comments are read or stated during the agenda item it references. They will be made part of the minutes for this meeting.

**Notice:** The time, location, and agenda had been adequately and publicly noticed.

**Action Items –**

1. Approval of Meeting Minutes from October 5, 2021 Board Meeting
2. Approval of Meeting Minutes from October 13, 2021 Special Board Meeting
3. Approval of Meeting Minutes from November 3, 2021 Special Board Meeting
4. Report of Nomination Committee
5. Approval of September 2021 Financial Reports
6. Final Approval of Bond Sale

**Approval of Meeting Minutes from October 5, 2021 Board Meeting – Action Item\*** - Chair Curtis requested a motion to approve the meeting minutes from the October 5, 2021 board meeting. Commissioner Jim Cook made a motion to table this item until the next regularly scheduled board meeting; Supported by Commissioner Barrasso. Motion tabled.

**Public Comment –** Letter from Aaron Jordan was read into the record.

**Approval of Meeting Minutes from October 13, 2021 Special Board Meeting - Action Item\*** Chair Curtis requested a motion to approve the meeting minutes from the October 13, 2021 Special Board meeting, Moved by Commissioner Cook; Supported by Commissioner Major. The motion carried unanimously.

**Approval of Meeting Minutes from November 3, 2021 Special Board Meeting – Action Item\*** - Chair Curtis requested a motion to approve the meeting minutes from the November 3, 2021 Special Board meeting, Moved by Commissioner Spears; Supported by Commissioner Cook. The motion carried unanimously.

**Presentation by 8<sup>th</sup> District Commander Captain Walls** – We are continuing to have issues in the 100 and 200 blocks of Carondelet St. as well as Julia St. due to the venues at The Republic Hotel. The businesses in the area and the Republic as well as the City Attorney regarding what takes place when there are pop up venues. These venues draw the crowds that end up doing the burn outs, static donuts on the streets, etc. The NOPD is actually looking to identify anyone who commits those crimes. They do have a restrictive chase policy when it comes to engaging individuals who commit those crimes that are not a violent act. If they can be identified the NOPD can arrest them, charge them, and confiscate their vehicle, which NOPD has been doing. We are actually the first District to do this and the others have begun doing so.

There are also Homeless issues under the bridge at Calliope. There was the first meeting at the D-Day Museum to address some of the concerns of some of the citizens and stakeholders as well as the Health Department. It is not really a police issue where they can actually do something. The two tools in their toolbelt are arrest or move and the arrest part of it has been taken away from them with municipal ordinances, which passed recently, changing what they can arrest people for and instead issue a summons for. The eighth district is working with the health department and other organizations to come up with a strategy to address these issues. They took the lead in being mediators and called for the first meeting and they plan to do it on the eighth.

The D-Day Museum purchased the state-owned property under the bridge from Loyola Ave. to Camp St. with the intent to fence the area in. Anyone in that area has to be removed because it has now become private property. That is going to push them somewhere else but they will continue to come to this area because of the food and money that is given to them. This money ends up being used for drugs and alcohol and not necessarily food. They are working with the health department on a marketing project through the City to ask people not to do that and to give to the shelters instead and to encourage the homeless to go to those exact shelters.

Commissioner Barrasso asked about what is going to happen to the areas on the other side of the interstate near Oretha Castle Haley area. There are a lot of complaints from the retailers nearby as well as the retailers and residence in the South Market.

Captain Walls stated that they move the homeless when the area needs to be cleaned but that is the reason they called the meeting at the D-Day Museum is to find a whole community approach to resolving this situation. He stated that there was going to be a campaign back in 2016 to combat this issue. B.B. St. Roman goes out to meet with the homeless and gives them assistance when they want it to try and get them off of the street.

Chair Curtis asked that the team be invited to these meetings. John Pourciau stated that he was in attendance at that first meeting and plans to attend any subsequent meetings that occur. Also, the DDD already had a strong relationship and that will continue.

Commissioner Cook asked that the staff dig back into the marketing with the United Way that came about shortly after Captain Walls left. It may have some of the initial work done in terms of a relaunch and what it could look like. He feels there is an opportunity to divert those that are trying to help in some way to help with longer term solutions instead of enabling the current conduct.

Devona Doliolle, Director of Communications, stated that the program Commissioner Cook was referring to is “Make Change Nola” in partnership with United Way as well as Councilmember Stacey Head, and at that time Councilmember LaToya Cantrell. She feels it would be great to start that up again as a way of encouraging people to give in a different way instead of through panhandling.

**Public Comment:** Cassandra Sharpe stated that the habitation under the bridge was not to be constant. She feels that there should be someone with the City other than the health department and Dr. Avegno that should stay on top of this issue. She stated that no one from the City attended the meeting.

John Pourciau clarified that although there was no one from the mayor’s office, the Director of Sanitation was there along with several members of the health department. He does agree that there should be a central point of contact.

**Presentation by City Representative – Peter Bowen** – He will be happy to connect the dots with the Office of Community Development and the Office of Housing and Homelessness. He feels these particular colleagues should be part of the conversation.

Primary updates from the Office of Business and External Services – Unfortunately the deputization ordinance was deferred at counsel a few weeks ago and will be back up to be heard after the election. It is a top priority for everyone so we can be more robust in real-time enforcement with all of the inspectors being able to issue summons in real-time. His Chief of Staff along with the DDD public safety team in following up with code enforcement and safety and permits so they all can be realigned with some of the best practices that used to exist. He stated that the DDD does a great job of documenting violations both sanitation or code enforcement and we need to step back up and make sure we are taking that evidence and taking swift adjudication actions.

Commissioner asked for clarification on how the deputization work becomes tangible. He recognizes that when we look at the specific building or code violation, we can understand how that translates. How will that exhibit itself from our stand point in the DDD and what should we expect to see?

Mr. Bowen stated that this will assist in expanding who within the administration and staff will be allowed to issue summons. Code Enforcement does not have that power. When sweeps are done coordination is required with NOPD Quality of Life. This will deputize anyone including he and / or the Mayor. In real time the summons can be issued without NOPD, which is really necessary to deal with things like illegal vending such as street performers and sanitation for example.

**Report of Nomination Committee** – Commissioner Spears stated that the nomination committee made the nomination to appoint Commissioner Carla Major as Vice-Chair of the DDD Board of Commissioners. Commissioner Spears made a motion to accept the Committees nomination of Commissioner Carla Major as Vice-Chair to run until June 30, 2022. Supported by Commissioner Ross. Motion passed unanimously.

## **Treasurer's Report**

**Approval of September 2021 Financial Reports – Action Item\*** - Anthony Carter reviewed the following items:

**Line 72: City Sources** – Collections are 1.17% of the amount reforecast for September and 102.98% of the amount reforecast YTD and 101.62% of the total amount reforecast for 2021. Just as a side, the October collection is significantly more robust.

On the expense side all are in line with the reforecast. There are couple of timing issues in terms of invoices that have not been received.

There being no further discussion Chair Curtis requested a motion to approve the September 2021 Financial Report. Moved by Commissioner Ross; Supported by Commissioner Spears. Motion carried unanimously.

**Final Approval of Bond Sale** – Anthony Carter stated that we have been asked by our bond counsel for the board to pass a resolution thereby giving final authority for the issuance of bonds in the amount of \$6.5 million scheduled to take place on the nineteenth. Resolution was read with a roll call vote as follows: 7 Yay (Curtis, Ross, Spears, Barrasso, Burns, Cook, Major) 0 Nay, 1 Abstain (Bradshaw) 3 Absent (Adler, Flower, Marsh) The resolution was adopted.

**Update on Status of 2020 Audit** – No update at this time. They are still waiting on the report from City Department of Finance concerning our receipts and receivables. Auditors spoke to someone with that office as recently as the last week of October. Commissioners were informed that the cycle time is within 14 days of receiving the report from the City. Our deadline to the state is December 31, 2021.

**Update on Status of 2022 Budget** – Anthony Carter stated that we have presented to the City Planning Commission with approval and indicated that it was in line with the master plan for the city. We are scheduled for Friday, November 12, 2021 to present to the City Council.

Commissioner Cook recognized that withing the approve budget there was deficit spending against the revenues and wanted to know had there been an opportunity to go back and evaluate that and will we be addressing that in the City Council and what is the approach to the balancing of the budget?

Anthony Carter stated that he and John Pourciau have done work on resolving that issue. He believes that they do have a resolution of it and that they are prepared to come before this body at the next board meeting and present that solution to them. That information then becomes public record and official when the first reforecast is done.

Chair Curtis stated his appreciation for the hard work done on this matter.

## **Chair's Report**

**Appointment of By-Laws Committee** – Chair Curtis appointed the Executive Committee to be the By-Laws Committee with Vice-Chair as the lead. The Executive Committee consists of Chair, Gregory Curtis, Vice-Chair, Carla Major, Treasurer, Chris Ross and Secretary Cleveland Spears. The offer to serve on the committee was presented to any other board members that

wanted to participate. No others were added. Also, Brittany Carnes, Legal Counsel for Stone Pigman, will assist.

Chair Curtis stated that we follow Robert's Rules of Order but we would like to put more meet on the bones when it comes to that so we can be sure and not always depend on legal counsel.

John Pourciau added that the by-laws' updates need to include when a former board chair is no longer on the board what is the replacement process for that specific piece on the executive committee. Prior to the appointment of Commissioner Major as Vice-Chair if we did not have the other three present members of the Executive Committee, we did not have a quorum.

Anthony Carter stated that just for information, although it was never spelled out, if the Immediate Past Chair was no longer on the board then the Chair that was most recent then that member took that position.

**DBE Discussion** – Chair Curtis asked that we continue the discussion of the dbe and our processes as it relates to that and remember to keep it front and center place it on the next agenda of the board.

**Public Comments Regarding CEO Candidates** - Chair Curtis stating that there have been a few conversations around why there was not going to be a vote at today's meeting. He stated that this a process that was agreed to and it is not to delay the process. After speaking with Tina Winner of Winner Partners, over what her expectations are and whether or not we are in jeopardy of how far we have gotten into the process. She reassured him that we are where we need to be.

We are continuing to receive feedback with additional meetings taking place during this week. We want to allow feedback from those meetings then have a meeting Friday for the vote and a discussion over the weekend with Davon. After the final discussion with him he is actually prepared to begin mid-December.

John Pourciau informed the members that he and Davon would be having virtual meetings with two other groups that were not previously given the chance to meet with Davon. Those meetings will be taking place Wednesday, November 10<sup>th</sup> and Thursday, November 11<sup>th</sup>. They will be with the STEM community downtown. We have a few follow-up meetings with the hospitality community, the economic development sectors and in addition to that they are setting up two meetings with LCMC, Ochsner, LSU Health Sciences Center, Tulane, Delgado, and Idea Village representatives. The reason is to allow Mr. Barbour to meet as many sectors within the District as possible.

Commissioner Major wanted confirmation that there was a cutoff date and time to receive this information to allow for a vote on Friday. Chair Curtis stated that that is the idea and he is trying to balance the recognition by commissioners that have brought forth the urgency in the process as well as the need for public feedback. It is best to get buy in from as many folks as possible and the feedback is overwhelmingly positive.

John Pourciau added that we put out a public announcement through our channels trying to received additional comments prior to today's meeting.

The choice of further meeting date and time would be discussed further in Executive Session.

**Public Comment** – Letters from Sally Shushan, Keith Bartlett, and Michael Duplantier were read into the record.

**President's Report** – Chair Curtis stated that due to time constraints the written reports by the department directors will be accepted without verbal discussion and he hopes that we will get back on track for the first meeting in 2022, which is February 2022.

**Old Business** – No old business

**New Business** – Sabrina Smith, Finance & Administration Manager, announced her retirement from the DDD after 28 ½ years. Her last day of employment is December 31, 2021.

**Executive Session** – Chair Curtis requested a motion to move into Executive Session to discuss the following items: (1) Legal matters relative to Civil District Court Case #2018-3901, Downtown Development District of the City of New Orleans v The City of New Orleans, et al. and (2) Consider the character fitness and/or professional competence of Davon Barbour for the position of President & CEO. Moved by Commissioner Spears; Supported by Commissioner Ross. Roll call was taken with a vote as follows: 8 yay (Curtis, Ross, Spears, Barrasso, Bradshaw, Burns, Cook, Major), 0 nay, 3 absent (Adler, Flower, Marsh). The motion passed to move into executive session.

Chair Curtis Requested a motion to come out of executive session. Moved by Commissioner Major; Supported by Commissioner Cook. Roll call was taken with a vote as follows: 6 yay (Curtis, Ross, Spears, Burns, Cook, Major), 0 nay, 5 absent (Adler, Barrasso, Bradshaw, Flower, Marsh). The motion passed to move out of executive session.

**Adjournment** – Chair Curtis requested a motion to adjourn the meeting. Moved by Commissioner Major, Supported by Commissioner Cook. Motion passed unanimously.

Meeting adjourned at 6:14 pm.