

**DOWNTOWN DEVELOPMENT DISTRICT
BOARD OF COMMISSIONERS MEETING
Wednesday, September 7, 2022 – 4:05 PM – 6:30 p.m.
In Person**

Roll taken, Quorum present – Meeting called to order at 4:05 p.m. ended at 6:26 p.m.

Members Present: Gregory Curtis, Carla Major, Chris Ross, William Bradshaw, Kristi Taglauer, Leann Moses, Cleveland Spears, Coleman Adler, Damon Burns

Members Absent: Paul Flower, Judy Barrasso

Staff/Counsel Present: President Davon Barbour, Anthony Carter, Darren Harris, Hunter Hebert, T. Trent Dang, Stuart Taylor, Francia Barradas, Scott Whittaker (Counsel, Stone Pigman), Brittany Carnes (Stone Pigman)

Other Staff Present: N/A

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

Call for Public Input Cards:

- Letter submitted on Tuesday, September 6, 2022, from Aaron J. Jordan was read into the record. Mr. Jordan is upset that the minutes from board meetings are not posted in a timely manner
- Crista Rock email submitted on Saturday, September 3, 2022. Expressed concern about the way she was treated by the Director of Communications and wondered whether her contract with the DDD as a videographer was canceled. (President Barbour did reach out to Ms. Rock prior to the board meeting. Chair Curtis would like to leave it to Mr. Barbour to handle)

Public Comments:

Ryan Bordenave:

- Gave a history of his time with the DDD and expressed support of Davon Barbour and the administration, however, he is disappointed in the unfair treatment of his friend and colleague Joshua Vairin and would like an investigation into the termination of Joshua Vairin even though he acknowledges that Louisiana is an at will state. Chair Curtis assured Mr. Bordenave that President Barbour will act with counsel to address your concerns

Scott Polakoff:

- Conveyed his appreciation for the DDD staff and what the DDD is trying to accomplish
- Safety is the primary focus of the residents/taxpayer
- Congratulated the DDD on the hiring of new security patrol set to start in October
- Should resident taxpayers' monies should be used to fund the Low Barrier Shelter?
- What is the direct benefit to the DDD residents when it comes to the LBS?
- 500K could be better spent on safety of residents, he suggested that those monies could also be used for extra security patrols

- He reiterated that he thinks the LBS is fantastic, however, have any of the board members been to the LBS? Mr. Polakoff has tried to contact the head of the LBS/START to arrange a tour of the shelter - zero response. He does not think that as a resident his tax money should go to an organization that will not respond to a resident. Having said that, the LBS is hugely important to the city. His question is should residents of the DDD be double taxed once for whatever the city is going to pay for and a second time by the DDD residents?

Steve Pettus:

- Working on Canal St. for a little over 30-years
- He believes it is worse than it has ever been
- Clogged drains
- Type of conditions accepted from sub-contractors
- Poor conditions of the sidewalks
- Better job is needed with holding contractors accountable for their work
- Operators are allowed to screw tables into the sidewalks
- They are taking possession of property that is owned by the city and run by the DDD
- Note the differences between the uptown side and the French Quarter
- Citizens refuse to hold themselves accountable it falls on government to do that
- Need to engage in code enforcement
- DDD is fighting an uphill battle to have people invest in this area

Action Items

- Approval of meeting minutes from August 2, 2022, board meeting
- Approval of meeting minutes from August 10, 2022, special board meeting
- Appointment of executive committee member
- Approval of July 2022 Financial Reports
- Resolution for authorized cheque signers
- Approval of 2022 budget re-forecast
- Approval of extension of sidewalk cleaning contract

Approval of Minutes from August 2, 2022, Board Meeting

Chair Curtis asked for a motion to approve. Vice-Chair Major motion to approve, second by Commissioner Bradshaw. Motion approved

Approval of Minutes from August 10, 2022, Special Board Meeting

Chair Curtis asked for a motion to approve. Motion to approve by Commissioner Taglauer, second by Commissioner Bradshaw. Motion approved

Chair Curtis agreed with both Commissioner Moses and Commissioner Bradshaw to invite both CAO Montano and Captain Ganthier next meeting.

DDD BOARD OF COMMISSIONERS MEETING
WEDNESDAY, SEPTEMBER 7, 2022

Chair Curtis added a 5th commissioner - Commissioner Paul Flower to the executive committee, without objection.

Treasurer's Report –Anthony Carter

- **Approval of Financials from July 2022, Board Meeting- Action Item:**

- RTA fees is outstanding
- City taxes are 0.00 % of the amount budgeted for July
- Landscaping invoices for March, April and June not received
- Sidewalk Cleaning/Tree maintenance invoices not received
- Police detail invoices not received
- Nothing from Lower Barrier Shelter
- Office space rent reduced by 50%

Motion to approve by Finance Committee, second by Commissioner Spears. Motion approved

- **Resolution for Authorized Check Signer – Action Item**

- Anthony Carter read the resolution to add Commissioner Flower and T. Trent Dang as authorized check signers. Roll Call. Resolution adopted

- **Approval of 2022 Budget Reforecast– Action Item**

The re-forecast was presented to the Finance/Executive Committee last week. Their recommendations and comments are included in the version being presented to the board. Significant items:

- Line 59 events projected revenues reduced due to change in format of the events
- Line #2 & #3 interest rates on funds on deposit and investments have begun to rebound
- Personnel costs for all departments are affected because staffing levels are being brought back to their pre-covid levels
- Line #87 unable to reach an agreement with city to fully fund a full-time sanitation ranger/code enforcement officer
- Line #98 an increase due to installing/replacing banners and their brackets
- Sidewalk improvement/cleaning increase – rate of pay increase, and sidewalk program
- Special event clean-up – reduction due to lack of number of events and attendees, hence the reduced need for services
- Surveillance Camera program - DDD have not received applications for installation of cameras, will work with NOPJF
- NOPD detail decrease in staffing has created a problem for the DDD to fill shifts
- Private security - an increase in usage of the current private security services and procurement of an additional provider to assist with the lack of police details
- Economics lines #167,168,169,172 increase due expenditure on technology, economic research
- DDD events – increase in costs due to a revamped program & videography services
- Sponsored events – a reduction in number of events requesting sponsorship

DDD BOARD OF COMMISSIONERS MEETING
WEDNESDAY, SEPTEMBER 7, 2022

- Digital Media line#192 – creation of a DDU website – nonprofit arm will be the mechanism by which we receive Wisner funding
- Line #194 communications - refresh of existing collateral, strategic marketing plan and production of the State of Downtown report
- Line #247 cost is lower for litigation with the city re retirement funds
- Line #260 Professional services – annual escrow fee \$1500 a quarter and cost for the search of a CEO
- No funding in original budget - Line #264& 261- staff development travel to ICSC/IDA conferences
- Line #300 – bond proceeds funding used for capital purchase of trash receptacles which was paid out of operating funds
- Line#301 – represent funds from current and prior years which will fund the DDD infrastructure plan
- Line #310 capital purchase of 90-trash cans and four new laptops

Motion to approve from Finance Committee second Commissioner Moses. Motion approved

Status of 2021 Audit –

- Received tax information from the city. DDD auditors completing the 2021 audit. DDD will meet the September 30th deadline

Chair's Report – Gregory Curtis

- Approval of Extension of Sidewalk Cleaning contract – **Action Item**
 - This was discussed extensively in the finance/executive committee meetings contract changes are addressed on page 3.

Commissioner Spears motion to approve, seconded by Commissioner Bradshaw. Motion approved

- Presentation by MDRG – Downtown Perceptions Survey
 - The research addressed the perceptions of the downtown stakeholders and general population opinions and perceptions of downtown NO
 - Both felt that downtown is the place to go for dining, arts, and entertainment
 - There are concerns about safety, lighting
 - There is negativity about traffic, cost of living, housing, cleanliness
 - Stakeholders are more aware of the DDD and its programs than the general population
 - Recommendation from the report:
 - Highlight the positive aspects of affordable restaurants, family activities, arts, entertainment options
 - Communicate the walkability of downtown, affordable housing
 - Publicize what DDD is doing to keep visitors safe
 - Continue to encourage/promote a sense of security in the district

- Commissioner Bradshaw would like more data/information on how these metrics compare to other cities. President Barbour shared that DDD has new analytic tools that will provide more information

President's Report – Davon Barbour

Homelessness is continuing to affect the community. Receiving emails regarding the homelessness along the Calliope corridor. DDD is collaborating with stakeholders, Council Member Harris, State Representative Duplessis. He is a new member of the UNITY board. UNITY will apply for recent competitive federal funding from the Department of Urban Development. If successful, it will bring \$15mil over a 3-year period also, \$5mil over each year thereafter.

1. Economic Development – Darren Harris

- a. Infrastructure we are working on stormwater plan to come back from the city
- b. Real estate development - staff has recently met with Tulane for monthly update
- c. Updated all DDD business tabs on website
- d. Re-introducing storefront arts program with Xavier University

2. Communications – T. Trent Dang

- a. DDD receiving favourable press,
- b. Executive team featured in Biz NOLA.
- c. Davon Barbour three opportunities on television
- d. Three very favourable quotes in NOLA.com, talking about DDD efforts in improving safety
- e. Continuing to work with Kern Studios on the holiday event
- f. State of Downtown planned for October 14th. Contract signed with Harrah's. Currently working with the honourees to schedule video shoots for the event

3. Operations – Hunter Hebert

- a. Public Safety/Public Space – Vets Securing America start date is October 1st
- b. Coordinated with NOPD to arrest a repeat lewd conduct offender
- c. Homeless outreach with Travel Aids Society so far, this year they have made 1200 engagements
- d. Mayors' strike force team has begun painting projects
- e. Team is working on inventorying public assets to upload in to District360 e.g.:
 - i. Light posts on Canal St.
 - ii. Big belly trashcans
- f. Stakeholder engagement- DDD met with United4NOLA – one of their main focuses is to see bold and transformative capital projects

Commissioner Burns remarked that people want to see physical and transformative change. He recommended that it be at the top of the list. Commissioner Bradshaw agreed.

Chair Curtis requested Commissioner Burns help in crafting the language he suggested, for all contracts moving forward

DDD BOARD OF COMMISSIONERS MEETING
WEDNESDAY, SEPTEMBER 7, 2022

Commissioner Spears asked if the DDD knew when the city plans to open the lane on Canal St where the Hard Rock was. President Barbour met with the new city Deputy CAO for Infrastructure. No exact time frame for opening of the lane. It is his understanding that there will be sidewalk improvement. DDD is currently investing in five buildings adjacent to the Hard Rock site through DDD façade program. Monthly meetings have been established with DDD/DPW.

Old Business – N/A

New Business - N/A

Executive Session –

Motion to move into Executive Session by Commissioner Ross Moved by Commissioner Bradshaw. Roll taken. Legal Matters discussed. Roll Call. No decisions were made.

Motion to allow to allow Chair Gregory Curtis and President Davon Barbour to negotiate with the City of NO on behalf of the DDD the five provisos in the legal matter. Motion by Commissioner Ross, Second by Commissioner Burns. Motion carried

Adjournment – Vice Chair Major requested a motion to adjourn. Seconded by Commissioner Spears. Motion carried. The meeting adjourned at 6:30 p.m.

Francia Barradas

From: Aaron Jordan <aj2investigate@aol.com>
Sent: Tuesday, September 6, 2022 9:48 AM
To: gregoryjcurtis@yahoo.com; Judy Y. Barrasso; William Bradshaw, II; Paul Flower; LeAnn Moses; Davon Barbour; T. Trent Dang; Darren Harris; Hunter Hebert; Meaghan Nguyen; John Roussell; Stuart Taylor; Francia Barradas
Subject: Public Comment Card - DDD Board Meeting for September 7, 2022, Agenda Item# VI
Attachments: DDD Public Comment Card dated September 6th 2022.docx

Dear DDD Board Members & Staff:

Pursuant to The Louisiana Open Meetings Law, please find attached the public comment card that I request to be read during the DDD Board Meeting of Wednesday, September 7, 2022, at 4:00 p.m., regarding Agenda Item# VI.

Thank you,

AARON J. JORDAN

September 6, 2022

Public Comment Card Submitted by Aaron J. Jordan, DDD Board Meeting,
Wednesday, September 7, 2022, at 4:00 p.m., Regarding Agenda Item# VI.

Dear Members of the DDD Board:

Before you vote on Agenda Item# VI, I would like to bring to the attention of this Board and the public that the DDD has failed to timely post the Minutes from its Board Meetings to its website, in violation of The Louisiana Open Meetings Law. These Minutes are required by law to be posted in a reasonable amount of time, however, the DDD has waited over four-months to post these Minutes, keeping the public and downtown taxpayers in the dark as to its actions. I have filed a written complaint with the Louisiana Attorney General's Office regarding this failure on the part of the DDD and its staff. Miraculously, after I notified the Attorney General, the DDD managed to post past due Minutes from April through June of 2022. It is rather ironic that the DDD spends taxpayer money to hire a panel of high-priced attorneys from the prominent law firm of Stone Pigman to sit in at its Board Meetings as legal counsel. However, these high-priced Stone Pigman attorneys were not savvy enough to realize that the DDD's staff was failing to timely post the Minutes from these Board Meetings to its website, as required by The Louisiana Open Meetings Law. It is my understanding that the DDD's Director of Finance and Administration Anthony Carter is the responsible party at the DDD tasked with ensuring that the Board Minutes are posted to the website in a timely manner. Once again, Mr. Carter has failed in his duties and obligations to the DDD, the Board, and the downtown taxpayers. Mr. Carter should have been terminated from the DDD long ago, however, he remains there as a symbol of the DDD's insane woke agenda to promote failure and excuses instead of success and results. I'm sure CEO Barbour will have a list of tired excuses ready, as he usually does, to gloss over and dismiss the DDD's failures and Mr. Carter's ineptness. In closing, I would urge downtown taxpayers to demand better from the DDD and insist that Mr. Carter is terminated before he can do any further harm.

Sincerely,

AARON J. JORDAN

Good afternoon Commissioners

Most of you know me and it is great to see you again.

For those who don't know me, my name is Ryan Bordenave. I had the pleasure of working for the Downtown Development District for 14 years. My tenure in the economic development department was a spectacular experience. At the end of 2021, I concluded my run with DDD and entered into private real estate development, commercial real estate transactions and I continue to manage my small media business.

My time with the organization was a great experience and a part of me is still here at DDD.

In recent weeks, I have provided Darren and Megan, the new members of the economic development team with an in-depth look of some of the work that I left behind. We even participated in a two part walking tour of Canal Street. They received the Ryan Bordenave download of all things Canal. But my involvement in DDD affairs, now that I am an alum, is not why I am here today.

Last week, an internal circumstance occurred that has angered me and left me quite confused. And I felt compelled to share with you my knowledge of the circumstance and make you aware of the situation.

In 2014, I had the pleasure of delivering a DDD presentation to the Alumni Association of Brother Martin High School, where I am a graduate. I was the keynote speaker and the nature of the presentation was centered on the DDD and its work.

At the conclusion of the event, I was approached by a young alum with a great energy – Joshua Vairin. He had recently received his marketing degree from LSU and he was eager to start his career. After chatting with him, I gave him a business card and prompted him to reach out to discuss potential internship opportunities. Josh did call me and I introduced him to the former Marketing Director, Devona Dolliole. She did indeed offer him the internship.

Josh concluded the internship with DDD after several months and secured a marketing role with Perez Architects.

In 2017, we had an opening in DDD's marketing department. Josh was excited for the opportunity and interviewed with Kurt Weigle and Devona Dolliole. He was ultimately hired for the job.

Josh performed this role and grew with the job. He received promotions from both Kurt and Davon. Over time his coordinator role was elevated to the position of manager. When the former marketing director could not perform her role due to illness or personal circumstances, Josh always stepped up and delivered. Among his many jobs, he was the managing producer of the DDD's Christmas events, directed the design of the current DDD website and never missed an episode of "What's Up Downtown," the weekly newsletter.

Approximately four months ago, Tien Trent Dang was hired to serve as the new Director of Marketing and Communications for DDD.

I came to quickly understand, after several conversations with Josh, that the dynamics of the relationship between he and Tien Dang started off very rocky from the start. Josh sought my counsel on

how to best work out the kinks with his new director. He even shared that during a conversation between the two, Tien stated, "Is this the hill that you want to die on."

The linchpin in the relationship occurred when Josh met with Davon, sharing that he felt harassed by Tien Dang. Whatever the outcome of any subsequent conversation between Davon and Tien, Josh stated to me that the relationship spiraled even further south and felt that Tien was retaliating against him. The beginning of the end began last month when Josh received a written warning on performance issues. Josh shared the document with me and upon review, I felt that the issues were minimal and should been resolved with a coaching session.

Approximately 30 days following the written warning, on Wednesday August 31, Tien Dang terminated Josh's employment at the Downtown Development District. It is incredible how this situation went from a written warning of "fixable issues" to a termination in 30 days. And while I am aware that Louisiana is an at-will state, there was no consultation, no follow up on job improvement and no coaching from management.

I believe that Tien Dang came into the organization with an immediate intention to clean house and erase any references of prior projects, partners and personnel. Long time contractors Cheryl Gerber and Christa Rock, DDD's photographer and videographer were also relieved of their duties in the short time that Dang has been employed here. There is no doubt in my mind that Dang had a desire to relieve Joshua Vairin of his duties, no matter his performance or productivity. He likely has someone in mind for the role and Vairin was in the way of those plans. The question is – who does he have in mind?

I also believe that Tien went to Davon and painted a very unfavorable picture of Josh that was not thoroughly looked into. DDD's management did not properly investigate the claims and took Dang's complaints at face value. Josh did not have the opportunity to respond or defend himself in the accusations. And that is unfortunate. A dedicated, knowledgeable employee was lost due to the power and influence of a director only on the job for four months.

Instead of coming into the organization, learning the dynamics, and getting a firm understanding of the marketing department's history, Dang came in with the attitude that it was going to be his way or the highway. And as a result of that, he terminated a five year tenured employee who consistently performed, had the very best intentions and who had a vast institutional knowledge of the DDD's marketing and communications department.

I find it appalling that when Josh asked the reason for the termination, the response was "we don't have to give you an explanation." Upon making that statement, Dang walked out of the conference room, proceeded to his office and wasted no time sending an email to the entire staff that Josh was no longer employed by the DDD. Josh was actually still on DDD property and still conversing with Stewart Taylor, DDD's Administrative Manager, when the email was sent to staff. He did not even give Josh the courtesy to leave the office before informing the staff of the separation. The optics were poorly executed.

The next day, Josh received an email from Davon stating that the email communication regarding his departure from the organization was sent in error to DDD staff.

In closing:

Josh is someone that I have mentored and collaborated with. He has become a colleague and a friend. While it was shocking for all of us, both former and current colleagues. Josh is moving on from his time with DDD. The marketing and social media that I was managing for my real estate firm is being passed on to him. It will free me up and allow him to continue the work that he knows.

To the board of commissioners: I wanted you to be aware of the unfair treatment given to Mr. Vairin. DDD is a public organization and not a private corporation. In my 14 years of employment, I never saw a member of the professional staff lose their job over such petty circumstances. I felt it was important to make you aware of this situation.

To Davon: I am in total support you and your administration here at DDD. Whatever you need, I am hear for you and the team. I know this is your first time leading a public BID and all I ask is that you thoroughly investigate any claim made by one employee against another. Please don't take the complaint at face value.

To Mr. Dang: I have one word for you sir, KARMA.

Thank you for your time.

Davon Barbour

From: Anthony Carter
Sent: Monday, September 5, 2022 10:29 PM
To: Davon Barbour; Francia Barradas
Subject: Fwd: Comment for the board meeting

For Wednesday's meeting.

Sent from my iPhone

Begin forwarded message:

From: Crista Rock <crista.rock@gmail.com>
Date: September 3, 2022 at 4:45:46 PM CDT
To: Anthony Carter <acarter@downtownnola.com>
Subject: Comment for the board meeting

Hey Anthony!

I heard that there was a board meeting this coming week and I was wondering if my comments below could be read to the board?

—
In 2010 the DDD, Kurt Weigle and staff approached me to see if I had any interest in helping produce a documentary called "Nola Bound". I was a very small production company at the time and I had just left WDSU to start my business. The DDD believed in me and gave me my first shot! We had the pleasure of premiering Nola Bound at the Joy Theater and it was a huge success with quite a few of the "bounders" moving to the city.

Ever since then I've been dedicated to helping the DDD visually and through storytelling whatever way I could. I am passionate about my city and I'm proud to say that I've worked with the DDD for over 11 years now. I strive to keep my rates well below the average for the DDD. I do not do this for any other client. The DDD has had these low rates without increase for over 8 years. During the height of the pandemic I worked on helping promote Downtown by shooting 2 on air commercials for roughly \$500 each (that's about \$8000 less than it should have been) all because I wanted to help and show support for my city.

On July 26th I received an email from Trent as follows-

I'm new over here at the DDD and as we prepare for our September Luncheon I wanted to touch base with you to discuss your history with the DDD.

Can you please put some time on my calendar using the link below?

Thanks,

Trent

I was very confused by what seemed to be someone very new being somewhat rude and unwelcoming in their first message to me. So I responded in a very fun & witty way describing my love for our city and how happy I was that Trent was on board! He responded with-

"can you put some time on my calendar using the link below? Thanks!"

Needless to say, I set a time on my calendar for a date to talk to Trent. I was confused by why Josh wasn't involved in any conversations we had and why Trent was so dismissive of me. During our phone call he was rude, condescending and made me feel very unwelcome at the table. He told me that the DDD was going in a different direction. I don't know what that means. I am not able to bid on the DDD RFP'S any longer? Was my contract canceled? I honestly still don't know, but what I do know is that as an artist in this city word gets around fast when someone treats others poorly. While I may not ever get the chance to work with the DDD again, I'd like to take this time and say it was a privilege and honor to work with such an incredible staff for so many years. Thank you all for being such huge supporters of art and love in our city. Peace & Love,
Crista Rock

--

Crista Rock
www.cristaphoto.com
504-717-5912

2 more extensions