**LOWER 9th WARD ECONOMIC DEVELOPMENT DISTRICT**

**Monthly Board Meeting Minutes**

**October 16, 2024**

**5:30 PM to 7:00 PM**

**Andrew P. Sanchez & Copelin-Byrd Multi-Service Center**

**1616 Fats Domino Ave, New Orleans, LA. 70117**

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1. **Chairman Waiters called the meeting to order at 5:40 p.m.**
2. **Roll Call- Commissioners Present:** K. Parker, Y.Martin, S Mosgrove,

W. Waiters, O. Tucker, W. Calhoun

R Davis, L. Waters, J. Morris,

**Commissioners Absent:** K. Henry, L. Tate.

Commissioner Tucker asked to note that Commissioner Tate absent be an excused absent due to medical reasons. Commissioner Henry was not present at roll call, but did join the meeting. Quorum was met

1. **Approval of Agenda.** Chairman call for the approval of the agenda. Motion by Tucker , 2nd by Davis for the agenda to be adopted 9 yeas, No nays Agenda was adopted.
2. **Approval of July 1, 2024 Minutes.** (Quorum was not reached at August nor September’s meeting.).

Secretary Calhoun motion to amend the minutes to reflect the motion did pass. on page 5 under section VII-New Business; paragraph C of July 1, 2024 minutes. Commissioner Calhoun motion was to review and evaluate projects in CEA 170 budget that does not have a determined Vendor or organization identified. Comm’r Tucker seconded the motion. There were 8 commissioners present at the July 1,2024 meeting. The vote on that motion was a roll call vote. The members voted (1) Waiter-Yes, (2)Tate-Yes, (3) Morris- abstain, (4) Martin-Yes, (5) Parker- abstain, (6) Tucker-No, (7) Mosgroove-No, (8) Calhoun Yes.  4-yeas, 2-nays, 2 abstentions.  Comm’r Morris change her abstention to a no vote. 4 yeas, 3 nays, 1 abstention.  Majority vote was 4 yeas. Chair erroneously rule the motion failed. Motion passed

Secy. Calhoun motion that the July 1,2024, minutes be accepted as read with the necessary correction and amendments. 2nd by Comm’r Tucker. Comm’r Tucker asked to speak to the motion. He stated if the amendment is accurate that there is a 4 to 3 vote for passage of the motion, He is ok with it. Comm’r Davis asked for clarification on the abstention. It was explained that there were two abstentions Comm’r Morris and Comm’r Parker. Comm’r Morris changed her abstention to a No vote. Motion passed with 9 yeas and No nays.

1. **Chairman’s Report**
2. Meeting Rules of Order.Chairman said the following: only one person speak at time and must be recognized by the chair. No Over talking the person that has the floor. A time limit of 2 minutes maybe given for public comments.
3. Ethics, Conflict of Interest and Confidentiality documents, Administration Assistance Ms. Igenue had prepared confidential and conflict of interest documents for board member's signature. All board members must complete Ethics training yearly in person or online. The following Commissioners are not in compliance L. Waters, G. Morris, K. Parker, R. Davis.

Comm’r Henry suggested that we should ask NOLABA to conduct an in person ethics training and that it should be part of our board’s retreat.

Comm’r Tucker said he spoke with Chandra Teddleton of NOLABA on yesterday and she is willing to come any day to conduct the ethics training. He also stated having the training as part of the board’s retreat is a good idea.

Chair asked had a tentative date been established for the retreat

Comm’r Morris said she is the point of contact for the retreat and she will contact NOLABA on tomorrow (Oct.17 or Friday Oct. 18) to establish a date for the retreat, Comm’r Henry suggested that we ask our administrative assistant to send out a doodle poll to get a sense of availability of the board members.

Comm’r Morris said she will contact NOLABA and report to the board.

Comm’r Davis said he was confused were we trying to establish a date for ethics training or for the board retreat and ethics training as part of the retreat agenda. Both For the Board retreat and Ethics Training,

Commissioners were encouraged to complete ethics training as soon as possible.

1. **Finance Report**

Chairman stated that as of today the current balance in the checking account $58,120.12. Comm’r Tucker. Asked for a point of order. To asked why he was giving this report and not the Treasurer. His response was she had not attended the Executive Committee meeting on October 9, 2024. Nor had spoken to him concerning a finance report. Comm’r Tucker.asked Comm’r Morris does she have a report to give to the board. Comm’r Morris said No, she had not received the necessary documentation to do a report. She had been to bank and a bank employee said she did not need to come to the bank to sign the documents. She has concerns about being in compliance with the bylaws and State law on Checks that were signed without the treasurer signature.

Comm’r Davis called for a point of order, to make a motion for the chair, secretary, and treasurer to set a time to meet at Liberty Bank to resolve the Treasurer’s signatory issue. And give a status report at the next meeting. 2nd by Comm’r Parker. The chair, secretary and treasurer agreed to meet at the Gentilly street branch on October 24, 2024, at 10:00 a.m. No Question on the motion. Roll call vote 9 yeas, No nays motion pass. Comm’r Tucker motion to table finance report until the next Board meeting. 2nd by Comm’r Davis. No question on the vote. 10 yeas No nays, motion carry. Comm’r Henry joined the meeting.

Next Agenda Item

**VII. Old Business**

1. Office Rental: Chair stated we need a permanent address. Comm’r Morris said at the July board mtg she had spoken with Comm’r Parker concerning using his office address for our mailing address. Comm’r Davis recommended that we get our own post office box and not use Comm’r Parker office. Chairman said, State law requires us to have a physical address. Comm’r Henry suggested renting a personal storage mailbox that gives you a physical address. Comm’r Parker was asked for his input. He saw no conflict with using his office for the board’s mailing and physical address, He stated he did not have room for equipment storage, such as computers and printers. But could store one file cabinet. Comm’r Calhoun asked we will no longer pursue office space. Comm’r Morris made a motion not to pursue office space until the end of current fiscal year June 30, 2025. 2nd by Comm’r Henry. Call for discussion. Comm’r Morris said the Deslonde Street office space was under utilized and the funding for this expenditure can be used elsewhere. Discussion continued concerning the storage of hard copies, Comm’r Henry stated that there is no need to store hard copies. That digitized copies are sufficient. Comm’r Tucker stated in his experience as a government contractor that you need to store original signed documents,

Comm’r Morris was asked to restate her motion. Comm’r Tucker asked does the motion prohibited us from seeking an outside storage area for hard copies. Comm’r Davis said the motion should include that provision. Comm’r Morris amended her motion. The motion not to pursue office space until June 30th 2025. Not to exclude storage space for original and hard copies documents. Call for question. No question. Roll call vote 10 yeas No nays. Motion pass.

Comm’r Tucker noted that public comment before the vote was not taken and going forward we should make sure public comment is done before the vote.

Next Agenda Item

1. **New Business**

**Board Committee Reports**

**Capital Outlay:** Chairman asked committee chairman Tucker for his committee report. Chairman Tucker said the committee has not met since the 1st quarter of the year. He stated to have committee members to do the work and the board cannot move the work forward because of a lack of quorum would be a waste of time for the committee members. Committee chairman asked were there any questions. Secretary Calhoun motion for acceptance of Capital outlay report. 2nd by Comm’r Morris. Call for question, hearing none. Call for public comment. Call for roll call vote 10 yeas No nays, Capital Outlay report accepted

Next Agenda Item

**CEA Projects, and NORA Announcement.**

NORA held a meeting on Oct.11 at the TEP center 5909 St. Claude Ave. to introduce their consultants Bobby Boone, who has been contracted to do a market analysis of the lower Ninth Ward for best use of the 1.8 million dollars provided by our city council. Several commissioners were in attendance and gave their input on the feasibility study.

At the July 1, 2024 board meetings our CEA funding allocation reporting had been extended. Secretary Calhoun made a motion to review CEA projects that did not have vendors nor organizations identified, Projects listed in CEA 170 attachment B page 3. How to best use that funding. A committee would be needed to carry out that review. The board agreed to give the capital outlay committee the responsibility of the CEA review.

Next Agenda Item

**By-Laws Committee report**

Chairman Waiters asked committee chair, Comm’r Henry to give the bylaws committee report, she said the committee met on August 29, 2024. The following committee members were in attendance: Comm’r Davis, Comm’r Martin, community member Arlene was unable to attend in person and was informed of the committee recommendations. She also setup a zoom link for community participation. There wasn’t any participation on the zoom link.

The committee reviewed the bylaws in its entirety. They considered moving the public comment period, they realized the public comment period is fixed in the open meeting law. They reviewed section 7.1.4A which states that a quorum shall constitute a 2/3 majority of membership. They discussed how a quorum is determined. Under the current bylaw 2/3 majority is 7,3

To lower it to 7 the bylaw would have to be changed to 50% plus one. She stated she received an email from a community member stating that you can’t have a fraction of a person you must round up to next whole number.

If it remains at 2/3 you must have 8 members for a quorum. Committee recommendation was for it to remain at 2/3. The committee also suggested that bylaws training as stated in 5.8(e) be included in the board retreat. The chairman asked is their recommendation 50% plus 1 or 2/3. Comm’Calhoun said that simple majority is used in the open meeting law is not defined as 50% plus one. Comm’r Waters asked Comm’r Henry for clarification of the 50% plus one. Half of 11is 5,5 plus one is 6.5 and must be round up to 7. Vice chair recognized Comm’r Mosgrove. He asked Comm’r Henry to state the committee’s recommendation. The recommendation is for 2/3. Comm’r Morris asked to comment on article 11 sec.1 that the second sentence be amend to,

The Board may authorize the Chair to enter into any contract or execute and deliver any instrument in the name and on behalf of the Board.

Comm’r Henry interjected that policy and procedures should be included in the bylaws.

Comm’r Calhoun asked to return to the discussion on quorum. After reading Robert Rules of order concerning the rationale for a quorum, He stated the board has not conducted any business because we could not reach quorum for the past 3 months. Comm’r Henry commented we should address the reasons we can’t meet quorum instead of reducing the number for a quorum.

Comm’r Morris said sec.5.5.1 of the bylaws says A Board Member’s failure to attend 3 meetings.can be recommended for removal from the board. She stated there is confusion in the language to vote for removal for an absentee board member, the board can only make a recommendation to the member’s appointing authority for removal, the board has no authority to remove a member. after discussion the confusion concerning the bylaw were made clear and did not need to be amended.

Comm’r Tucker said that bylaws committee report was completed. And that we should vote on each recommendation. Comm’r Calhoun made a motion to change the quorum from 2/3 to a simple majority, 2nd by Comm’r Waters. Discussion ensued concerning the motion Comm’r Tucker asked Comm’r Calhoun to define simple majority. He defined simple majority as it is defined by.Louisiana Legislative Auditors, Revise Statute 42:13 (A 7). “Open Meetings Law” paragraph 1. defines simple majority.

It says “The default definition of a quorum is simple majority of the total membership of the public body. For example. For town council has 5 aldermen a quorum is 3” This is the legal definition for a Simple Majority by the state of Louisiana. And not 50% plus one as stated by Comm’r Henry and the bylaws Committee. Comm’r Waters asked if the board can set its own simple majority.

Comm’r Tucker called for question. He explained that it is parliamentary term, to end discussion. His motion was 2nd by Comm’r Morris. Comm’r Waters had his hand raised to speak, prior to call for question.and should be allowed to speak. Comm’r Waters asked Comm’r Henry for clarity on being in compliance with the State of Louisiana and what are the rules reference to a simple majority. Comm’r Henry said that in reference all governmental entity uses simple majority as it in stated in the open meeting law and simple majority is 50% plus one. She further explained the 50% plus l calculation.

Comm’r Calhoun asked are we not governed by Robert Rules of Order. Comm’r Henry said no, we are governed by the state of Louisiana and only utilize when our bylaws and charter does not address an issue. Comm’r Tucker Called for the vote to end debate. 2nd by Comm’r Morris. Roll call vote 7 yeas and no nays 1 abstention. (Comm’r Davis had left the meeting.) Motion passed

Vote on Comm’r Calhoun Motion to change quorum from 2/3 to a simple majority. vote 1yea, 6 nays 1 abstention. Motion failed. Quorum will remain at 2/3 of board members.

1. **Announcements**

William Peck announced the opening of the Food Lab Restaurant @ 5131 St.Claude. Ride to the Polls on Saturday Oct. 19, 2024 @ Fats Domino and St. Claude beginning at 9:am.

1. **Public Comments**

Community Member- W. Peck Comments were When the appointing official leaves office does his appointee seat become vacant. He noted that this board represents the community. That there is to much bickering amongst board members

Community Member- L. Edwards Commented that she was in favor of the quorum remaining at 2/3.

Community Member- Johnson commented she would like to be notified when there are meetings so she can participate

1. **Adjournment**

Motion by Comm’r Tucker 7:25 p.m**.**

**Lower Ninth Ward Economic Development Commissioners**

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| --- | --- | --- |
| **Appointing Entity Title/Name** | **Commissioner Appointed** | **Present/ Absent** |
| **Mayor LaToya Cantrell** | **Yvonne Martin** |  |
| **Mayor LaToya Cantrell** | **Stephen Mosgrove** |  |
| **City Council Oliver Thomas** | **Mr. Otis Tucker** |  |
| **City Council Oliver Thomas** | **Dr. Kendall Parker** |  |
| **State Representative Candance Newell** | **Mr. Randolph Davis** |  |
| **State Representative Candance Newell** | **Ms. Keisha Henry** |  |
| **State Senator Joe Bouie** | **Ms. Jean Morris** |  |
| **State Senator Joe Bouie** | **Mr. William Waiters** |  |
| **Lower Ninth Ward**  **Neighborhood Association** | **Ms. Leona Tate** |  |
| **Table Connect Group** | **Rev. Willie Calhoun** |  |
| **Table Connect Group** | **Mr. Leon Waters** |  |

**For more information, please contact**

**William P. Waiters, L9EDD Chairperson bwaiters@lowerninenola.com**