

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
REGULAR BOARD MEETING MINUTES
THURSDAY, SEPTEMBER 22, 2022 at 5:33 PM**

PRESENT:

Chair Anthony Richard
Vice-Chair Esmond Carr
Secretary Howard Rodgers
Commissioner Stanley Brien
Commissioner Robert Drouant
Commissioner Adonis Expose
Commissioner Wilma Heaton (Arrived at 5:38 PM)
Commissioner Dawn Hebert
Commissioner Renee Lapeyrolerie
Commissioner Robert Lupo
Commissioner Pat Meadowcroft (Arrived at 5:38 PM)
Commissioner Michelle White

ABSENT:

Commissioner Brian Egana
Commissioner Monika Gerhart
Commissioner Jennifer Herbert
Commissioner Sandra Thomas
Commissioner Carlos Williams

STAFF:

Louis Capo – Executive Director
Vanessa McKee – Assistant to the Executive Director/Board Secretary
Bruce Martin – Airport Director
Adam Gulino– Director of Engineering and Operations

ALSO PRESENT:

Gerard G. Metzger – Legal Counsel to the LMA
David Jefferson “Jeff” Dye – Legal Counsel to the LMA
Al Pappalardo - PCI
Ray Landeche – Optimum Solutions
Harold Matherne... - LOSID
Ashley Haspel – on file
Karl Hudson – Orleans Marina
Anil Raj – SSH CBS
Sherri Raj – SSH CBS
Holli Radki – SSH CBS
William “Bill” Settoon
Steve Green – SSH CBS
Martin and Christine StreLau

Charles Marsaid
Ray Blancher
Nathan Junius – Linfield Junius & Hunter
Ronnie Vinson
Russell Avery
Phalon Cornish – President LOCA

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, September 22, 2022, at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana 70126, after due legal notice of the meeting was sent to each Board member and the news media and posted.

I. **Call to Order**

Chair Richard called the meeting to order at 5:33 P.M.

II. **Pledge of Allegiance**

Secretary Rodgers led in the Pledge of Allegiance.

III. **Roll Call**

Executive Director Louis Capo called the roll, ten board members were present and a quorum was established.

IV. **Opening Comments – Chair Richard**

Chair Richard welcomed everyone in attendance. He stated he drafted a letter and requested that it be emailed and added to the board packets that will serve as his opening comments.

September 17, 2022

Dear Commissioners:

I am writing this letter because of the need to ascertain that my silence is not a sign of weakness or a lack of information. I want to talk about 1) the reason I am supporting a complaint to the Louisiana Attorney General office, 2) some of the contents of recent newspaper articles containing Lakefront Management Authority topics and 3) not overlooking the real issue facing the Lakefront Management Authority.

I spoke to one of the Lakefront Management Authority legal advisors about a meeting that I felt was very inappropriate. After listening to me, I was told that because the commissioners in attendance composed a quorum for two LMA committees, the meeting was in violation of the Louisiana Opening Meetings Law. Following some time to research my concern, the legal advisor informed me that he had a legal obligation to report the violation to the appropriate body. I agreed and supported the legal advisor's position. Also, I supported the position to make the report directly to the Louisiana Attorney General office because 1) the complaint involved LMA commissioners and an

unbiased opinion was needed, 2) this was the least of three options to report the compliant and 3) hopefully inappropriate meetings by Lakefront Manager Authority commissioners will stop.

Subsequent to the filing of the complaint, one of the commissioners who had invited me to the meeting chose to be interviewed by a local newspaper reporter. I have no right to question that decision. What bothers me is an implication in one of the articles that I participated in the meeting. Knowing that I had emphatically refused to answer a commissioner's question about the inappropriate topic lets me know what I am facing. My character was unjustly attacked, but I'll handle that at the appropriate time with the appropriate people. I have no doubt about my integrity. As a matter of fact, I did not accept an invitation for an interview because I don't believe LMA official business should be discuss outside of its committee and/or board meetings. Just beware of anyone making his or her case publicly.

Even though a lot of emphasis is being place on one's authority to file the compliant to the Louisiana Attorney General office, let's not overlook the real issue. I know as a fact that two of the commissioners in the inappropriate meeting have for at least over eight months been discussing the inappropriate topic of the meeting. I know because in December of last year shortly following my election to chair the LMA board, these same two commissioners came to my office with the same inappropriate request. So you see the real issue is the unprofessional manner of handling the business of the LMA.

Finally, in a previous career I worked as an Internal Auditor. I was the director of two different agencies and I served on a number of boards. My integrity and competence have always been recognized as appropriate and never questioned.

Sincerely,

*Anthony W. Richard, Chairperson
Lakefront Management Authority*

V. Motion to Adopt the Agenda

Chair Richard called to adopt the Agenda.

A motion was made by Secretary Rodgers and seconded by Commissioner Drouant.

Chair Richard opened the floor for discussion, objections, and abstentions, hearing none the motion passes unanimously.

Chair Richard called for a motion to adopt the minutes.

VI. Motion to Approve the Regular Board Minutes from July 28, 2022:

A motion was made by Secretary Rodgers and seconded by Commissioner Brien.

Abstentions:

Commissioner Robert Drouant was not on the board at that time.

Commissioner Michelle White was not on the board at that time.

Commissioner Robert Lupo was not on the board at that time.
Commissioner Renee Lapeyrolerie

Commissioner Hebert requested a name correction on the July 28th minutes. Spelling corrected to Sharon Robles.

There were four abstentions and six years with Chair Richard's vote. The motion passed.

VII. Directors' Reports

Mr. Capo read following into the record:

Chair Richard and Commissioners

The LMA is still a relatively new political subdivision having only been formed 12 years ago and whereas these assets are much older. From the beginning in January 2007, when the Louisiana legislature and voters approved the separating of the Orleans Levee District into a Flood Protection Authority and a Non-Flood Protection Authority there has never been any consideration given to properly fund this organization. Our budget currently stands at \$8.4 million and to properly fund and maintain an organization of this type and with the diverse properties and real estate under our control, we need at least \$15-\$20 million dollars annually. Commissioners, from the beginning, we have operated on a shoestring budget that was woefully underfunded to meet our mission and goals. In 2011 we could no longer fund the police department and had to transfer the department back to the Orleans Levee District. In 2013-2014 we could no longer fund the operations for the Ted Hickey Bridge and had to transfer the bridge to LA DOTD. This organization is responsible and has the obligation to manage \$10's of millions of dollars in assets that are non-revenue producing and we still manage \$10's of millions of dollars in assets that produce very little or no revenue. We prudently and fiscally manage the assets with the revenues we receive. These assets were destroyed in Hurricane Katrina, the damage to the properties combined reached approximately \$74 million and we submitted approximately 170 project worksheets to FEMA for assistance in rebuilding these assets.

Moreover, and to provide a level of context and comparison, FYE June 30, 2005, the political subdivision, the Orleans Levee District received approximately \$30 million in annual revenue and had approximately 280 employees to operate that one organization. During the same period, South Shore Harbor Marina received approximately \$515,000 in tenant rents and \$4.2 million in gaming fee revenue. That \$4.2 million was consistent going back to the start of gaming operations at South Shore Harbor.

Only recently we have been able to hire staff for key positions. However, of late we have experienced high volume of staff turnover in some key positions with 3 engineers and 2 Executive Assistants/ Board Secretaries. Upon the resignation of one employee, it has been widely stated that one current board openly called them out in a public meeting thus causing the feeling of humiliation by that action. Abusive practices and interference from some board members have contributed to this problem and must stop. All staff at the LMA know and have been watching what has transpired, and now it's beginning to affect them.

Delayed maintenance and delayed repairs are a fact of life in all organizations. Just look at Entergy's rusted steel power line support falling into the MS River. The LMA operates largely outside the flood protection levees and has responded to 7 hurricanes and tropical storms since I became Executive Director in January 2019 all the while having three engineers in this short time, and we must not lose sight of the fact we also went through the pandemic shutdown of our city and the nation during 2020 and 2021. Those major events had a significant impact on our staff, operations, and budgets.

There is no doubt that there will be other problems in the future caused by delayed maintenance and delayed repairs. I use the analogy of just keeping gas in the car to keep it on the road versus perfectly performing all preventive maintenance such as rotating the tires, and tune-ups much less turning it into a finely tuned race car. What matters most, is how we address these problems when they come up. We can look no further than last Friday when the OSFM issued the Cease and Desist. Staff along with our attorneys developed a plan, submitted the plan to the OSFM and at 11:30 P.M. Friday night the plan was approved by the OSFM. Working a parallel course, staff also secured a fire watch detail from the New Orleans Fire Department. That was done so that our tenants would have access to their slips and vessels as soon as possible during this C & D order. There are numerous examples that I can name outlining issues and staff's responses. Staff has prepared a Deferred Maintenance/Needs listing and it's my understanding that our engineer in October 2021 distributed the list to LMA board members and to at least one commissioner on the Flood Protection Authority. This list is fluid with projects coming off and new projects being added.

There is a lot more that I can say but for the sake of time I welcome the opportunity to meet individually with each board member and tell the story of the LMA, our needs and our vision to make all our assets something for New Orleans to be proud of.

In closing, our staff are good and honest hard-working individuals. We choose to be here, and we are grateful for the opportunity. Again, we ask staff to perform their duties and functions with a bare minimum of resources and staff has risen to the occasion.

I would like to point out that during these past 9 months this organization and individuals were maligned by some with allegation on financial improprieties. No outside entity has found, uncovered any wrongdoing. These baseless public allegations were unfounded and could affect these individuals' professional reputations.

The 3 women in finance department and myself have over a combined 120 years of professional accounting experience. The Supervisor for the department has been a licensed CPA since 1986. Mistakes will happen when you manage approximately 900 leases but improprieties never.

Thank you all for this opportunity and I looking forward to working and speaking one on one with each board member.

Mr. Capó also reported on the following items in his report:

- The possibility of a storm approaching in the Gulf of Mexico. Staff is watching the weather reports and is ready to mobilize and go into action as conditions warrant.

- We are advertising today for the SSH Pier repair damage caused by H. Ida. Bids are due back on October 17th. The project cost was put into the budget in March and became effective in July of this year.
- We are wrapping up the electrical repairs to the SSH pedestals. The contractor has completed his assessments. We should have his final report by midweek next week. He is mapping and documenting from the vaults to each pedestal. We should have a complete understanding and a recommendation on the electrical at SSH.
- Fried Chicken Festival will be on October 1-2. The promoters are also watching the weather and looking at another date should we experience in climate weather. We had a good meeting with OLDPD regarding security logistics and all measures to secure the perimeter and the entrance of the festival grounds. NOPD will also be providing security to the festival perimeter and surrounding neighborhoods. Orleans Parish Sheriffs will be securing the interior of the Electronic signs that will be positioned today to notify the public that Lakeshore Drive will be closed from the Elysian Fields circle to Franklin Avenue. Only first responders will be allowed access at that point. There will be 60 port-o-lets. The promoters seem to have done their due diligence to have a safe and successful event.
- The CEA with the Division of Administration has been signed for the Seabrook boat launch. As soon as we get the signed CEA back we will begin work on the design to get it repaired.
- This Saturday from 9 am – 12 noon will be a Beach Sweep trash pick-up event.
- We have been moving expeditiously to get the lighted Exit signs at the South Shore Harbor Covered Boat Slips installed. 26 signs were purchased yesterday. They were hung today and are waiting to be hard-wired.

Commissioner Hebert asked Mr. Capo had conversations with any representatives of the neighborhoods regarding the festival.

Mr. Capo explained that he always directed the vendors of these events to meet independently with the neighborhoods to discuss the event activities. His conversations were pointed toward talks with the promoters and OLDPD to try to limit the impact on the residents as much as possible. The plans are in place and now comes implementation.

Chair Richard asked to take a moment to recognize District D City Councilman Eugene Greene. Chair Richard presented Councilman Greene with a plaque in appreciation for his past 10 years of service on the LMA Board of Commissioners.

Councilman Eugene Greene accepted his plaque with honor and spoke of the productive work the board was able to accomplish during his ten years of service on the board. This organization is important to the continued development of District D which is everything north of Allen

Toussaint. He thanked the board for his award and also for their continued service support and is looking forward to working with you in any capacity he can to achieve future LMA's future goals.

VIII. Committee Reports

Airport – Chair Renee Lapeyrolerie reported we had one item on the agenda as a presentation by Infrastructure Consulting Engineers (ICE) on the plan for the upcoming Airport drainage and hot spot projects which will be done in phases.

Finance – Chair Anthony Richard reported that the finance committee recommended three items are on tonight's agenda for discussion. We also had an overview of the agency's current financial standing.

Legal – Chair Robert Drouant reported that there was a quorum and one item up for discussion about The Lighthouse lease which has since withdrawn its request to amend the lease at this time.

Commercial Real Estate – Chair Howard Rodgers – There was no meeting due to No Quorum. However, we do have action item #3, Mes Amis Quilt Shop, LLC for discussion and vote on tonight's agenda regarding a lease renewal with an increase in rent.

Marina – Chair Dawn Hebert requested that Chair Lapeyrolerie, who chaired this month's Marina committee meeting give report on September 13th.

Chair Lapeyrolerie reported that we were updated by staff on old business regarding Marina security and safety issues. Jeff Dye gave an update on South Shore Harbor Covered Boat Slips.

Commissioner Hebert reported that she called a Special Committee meeting on September 20, 2022, at 5:30 PM, when she learned that there was a Cease and Desist Order, issued to the SouthShore Covered Boat Slip tenants this past weekend. She apologized to the tenants for having to endure a second Cease and Desist order.

Many of the tenants are here tonight and gave good information and suggestions to assist with getting back into their homes. Issues were brought up by the tenants regarding some of the citations in the Fire Marshal's report. She was happy to report that staff has addressed some of the deficiencies at the Covered Boat Slips. The tenants are working with staff on issues in the Fire Marshal's report and have filed an appeal. She appreciated the tenant's input thus far.

Commissioner Herbert stated that her biggest issue was the sprinkler system. She has requested a timeline on when the LMA go get the tenants back into their homes. She also expressed concerns about the potential bad weather that may come into the Gulf and asks if the tenants will at least be allowed to secure their vessels.

Mr. Capo addressed Commissioner Hebert's concerns as follows:

- We have filed an appeal, in conjunction with the tenants. The appeal is currently being processed.
- In the event of a storm situation, we could ask for emergency relief in the Cease and Desist to allow tenants to secure their vessels and property at the Covered Boat Slips in the short term.
- If there is an approaching tropical event, we cannot deny mariners safe harbor and will allow our tenants to dock in covered slips.
- Long-term solutions will be developed as the appeal process progresses and more assessments take place.

Commissioner Hebert asked that the tenants be kept apprised of any updates as they occur and thanked the tenants again for their support.

Chair Richard commended Commissioner Hebert and Commissioner Carr for taking the lead and conducting the Special Board Meeting regarding the covered boat slips.

He explained that his knowledge prior to the second cease and desist order was that the staff was working to resolve the issues of the Fire Marshal's previous order to get the tenants back onto their boats. He is glad that the tenants and LMA staff have teamed up to file an appeal and would like to see Mr. Raj identify a few people to team up with staff to continue to address the issues that have been identified as deficiencies if so, we could continue to work towards having the cease and desist order lifted.

Recreation/Subdivision – Chair Esmond Carr reported that his committee meeting had no action items. We were updated on neighborhood projects and public comments.

Vice Chair Carr addressed the board by expressing his concern that some Commissioners do not have an equal opportunity to comment in meetings.

He discussed an open letter to address the AG complaint in the packet but not the AG's response which was received on September 17th. He passed out the AG's response letter to the board members to read and requested that it be entered into the public record. He encouraged the board to read the response and question why it was not distributed to the board.

Vice Chair Carr requested that the Legal committee review the response letter at their next meeting.

Chair Richard addressed Commissioner Carr's statement regarding the AG Response letter, by stating that there were some discrepancies in the response, a decision was made to hold distributing to the board until we received feedback on our additional questions.

He also stated, to address Commissioner Carr's statement that all commissioners do not have the same opportunity to comment is untrue. He asked Commissioner Carr if his comments had anything to do with the Chair's opening comments which were about feedback.

Chair Richard closed by pointing out the irony of constant negativity from members on this board.

Chair Richard recognized Commissioner Lupo to take the floor.

Commissioner Lupo addressed the board, with a personal apology to the board for the meeting that was held at his office. A few board members approached him with concerning information from the public. The original concept of the meeting was a discussion to develop a plan to move forward to help the director and staff resolve these issues. None of the participants thought they were in jeopardy of breaking protocol for the quorum of a committee meeting. We all were aware that we didn't want to break protocol for a full board meeting.

He went on to say that he found the recent events leading up to this discussion to be disturbing and capricious and asked Attorney Dye who made the request that you file that document with the Attorney General.

Jeff Dye replied that Chair Richard, asked me to draft a letter on behalf of the LMA but that was after consultation concerning the facts of the meeting.

Commissioner Lupo then asked Chair Richard if that was correct.

Chair Richard replied "yes".

Commissioner Lupo then asked Chair Richard, if he thought it was appropriate to do that before discussing with the people who were there, after also attending the meeting and not saying anything about the possibility of breaking protocol.

Chair Richard explained that he thought it was appropriate for two reasons.

- 1) He was advised that this was a Legal Ethical issue and Mr. Dye, at that point, had a legal obligation to act on behalf of the LMA.
- 2) Since there were individuals involved in the complaint, we went to that body to get an unbiased opinion on it. There were two other options for consideration; to file a lawsuit and the other would have been to file a complaint with the D.A.'s Office. We decided to seek an opinion.

Chair Richard added that we should not be discussing the process but rather we should talk about the inappropriateness of discussing personnel matters in that type of setting. He asked if it was understood that he made it clear that we should not be having personnel discussions.

Chair Ricard also expressed that he was reluctant to attend the meeting but did so out of respect for Vice Chair Carr. He thought it was a meet and greet and a discussion of ideas but after hearing the topic of discussion, I made it very clear that the topic of discussion was inappropriate.

Commissioner Lupu stated that Chair Richard absolutely did say that it was an inappropriate discussion.

Chair Richard continued by stating that he's not asking or expecting the AG to take action he is, however, asking the board members to conduct themselves professionally. If a commissioner has an issue to discuss they should follow procedures and bring it to the full body for action. He questioned why we aren't discussing how unprofessional that was as opposed to how the process should go. The problem is the meeting should not have taken place at all.

Commissioner Lupu and **Chair Richard** disagreed over the specific terminology Chair Richard used "personnel problems" or "it was inappropriate to discuss removing the executive director".

Chair Richard adamantly quoted himself to say his statement was that "it was inappropriate to discuss removing the executive director". He went on to say that he was unsure if anyone else in attendance felt the same but he felt used. What is most upsetting to him is that two of the commissioners who were at that meeting, came to his office eight months ago, back in December before he began his term as Chair with the same discussion about firing the Executive Director.

Chair Richard further stated that the decision to fire the Executive Director should be brought to the full board for discussion not a handful of people with the same objective. He questioned how is it that everything that comes up is the fault of the Executive Director when this should be a team effort. As commissioners with an array of expertise on this board, we were appointed to serve as support staff to help make decisions to work through issues to benefit the mission and goals of the LMA. I hear many complaints but how many commissioners have reached out to actually help?

Commissioner Lupu asked if there were six people present at that meeting, and Mr. Dye didn't question any of the other attendees, why when you wrote this letter to the AG, didn't you mention that the chair would have been in the exact same position as the other five attendees of having broken protocol.

Attorney Jeff Dye stated that it's a minimal impression and a strategy. It is not something that is discoverable in a court of law and doesn't have to give my minimal impressions or the thought process for drafting that letter. The letter does speak for itself and states that Chair Richard was present. Chair Richard was not part of any of the

committees that formed a quorum. He then quoted page 7 of the bylaws on open meetings:

“...all meetings of members of the authority, or any committee shall be conducted in conformity of the open meetings law”...

Also adding that the chair, under the bylaws in Article IV, Section IV, subparagraph two,...” **the duty of the Chair is to assure all state laws pertaining to the purposes and functions of the authority and the resolutions and ordinance of the authority are faithfully observed and executed**”. Mr. Dye stated that the chair had the authority and the obligation to execute the laws of the State of Louisiana on behalf of the Lakefront Management Authority.

He stated that he is an officer of the court who represents the Lakefront Management Authority as his client. He doesn't represent the board or any individuals on or associated with the board or staff. The rule of professional responsibility that governs having an organization as a client is Rule 1.13. His obligation under that rule is not to conduct interviews with any person at that meeting. He is obligated to go to the highest-ranking authority within that organization with the authority to act on that organization's behalf. He has a fiduciary obligation under the rules to do precisely what he did.

He feels that at this point, he has gone above and beyond to explain this matter in public. This subject was meant to be kept private several of the board and staff were contacted to do interviews and all have declined. At the appropriate time, it could have been put on the agenda to be discussed publicly.

Chair Richard explained when questioned by Mr. Dye regarding his input at the meeting, he made it clear that this was not appropriate and did not get involved with the discussion. He also feels that this should stop but it still continues. The issue remains that it is inappropriate to have LMA business discussions outside of the appropriate forum.

Commissioner Lupo agreed that the chairman made that perfectly clear in the meeting and the board agreed with you. However, he took issue with Chair Richard saying that this was something he had to do... Commissioner Lupo then read three excerpts from the AG response letter for the record.

1. **“Any open meetings complaint initiated by or on behalf of a government authority must be made pursuant to a resolution adopted by the authority making the complaint”**

Which you did not.

2. **“The unusual nature of a public body submitting an open meetings complaint against its own members has raised concerns regarding the representation of**

the accused members and or the standing committees of the board identified in your letter”

Which you did not.

- 3. “This letter serves notice that this office does not intend to take any further action for the reasons stated above”.**

Commissioner Lupo took issue that his name and the other four members’ names were cast differently than Chair Richard’s name in the letter and that it was presented as an agenda to fire the executive director and also that we should be held liable and criminally charged. That is important to me Mr. Chair.

Chair Richard responded as he stated earlier that a reply had to be sent to that letter. As stated in the letter, he recommended that we not take any action no further action will be taken at this time. Let’s get back to the real issue and keep it an open dialogue on LMA matters going forward.

Commissioner Carr asked if we could bring similar issues could be brought to Legal Committee for discussion before Jeff Dye is instructed to write a letter for an opinion.

Jeff Dye stated that the September 16th AG’s letter refers to **open meetings complaints that must be made pursuant to a resolution**. That statement is not in the open meetings law and would like to ask to be provided with written law to that effect. There are other provisions in this letter that question other formalities of this body’s authority.

Commissioner Meadowcroft stated that she was very embarrassed. She has served on many boards across the country and has never seen where a segment or group of people decided to have a meeting without notifying all commissioners. She was offended and outraged by being discriminated against. She announced that she would have to leave the meeting due to another obligation and apologized for leaving

IX. Public Comments

Holli Radke commented on the covered boat slips, maritime law provides for a safe harbor for bad weather.

Jeff Dye responded to Mrs. Radke’s comments. The Fire Marshal was invited but is in New York at this time. Safe Harbor maritime law is real. We are watching the weather system and are prepared to write the Fire Marshal to allow access to slip holders to protect their vessels.

Ms. Radke also asked about having another fire watch.

Chair Richard stated that he will temporarily suspend public comment to allow for questions due to the sensitivity of this issue and asked the attorney to explain the fire watch detail

Jeff Dye explained the fire watch plan. The next fire watch is planned for this Saturday and Sunday.

Ms. Radke expressed the difficulty of the Cease and Desist order to the Covered Boat Slips and the need to retain their storage units but is happy to help in any way possible.

Chair Richard stated that we have every intention of making the leases clear

Harold Matherne, Lake Oaks resident, stated his disappointment with those board member's meetings which violated the open meeting law. He implored the board to go back and read their own governing bylaws.

Ray Blancher CBS#20, was grateful for the opportunity to express his views at the Special Board Meeting. He also thanked the board and staff for working with the CBS tenants to get us back onto our boats.

Mr. Charles Marcella talked about a painting down the hall that he did a documentary about it which is in eighth place and may become a finalist in the National Italian-American competition. He submitted a handout for the record. He also passed out another handout regarding Act209 of 1906 which is legislation regarding the development of Westend Park near Orleans Marina. He also had a letter from Commissioner Jay Dardenne's office which stated that Act209 of 1906 is still in place. He has obtained that a CEA was signed to develop and improve the area. He has done a lot of research on grants that are available to keep it as open green space.

Commissioner Drouant asked that Mr. Marcella to give a copy of that information to Mrs. Mckee to distribute to the board and staff.

Mr. Bill Settoon, as a former board member, stated that he is certain that the Westend Park, including the land where the restaurants were, is under the control of the New Orleans Municipal Yacht Harbor.

Mr. Anil Raj offered his continued support as a professional and also a resident to assist the LMA staff in any way they can. Safety is a concern for everyone involved. A joint appeal was filed by the tenants and the LMA. He appreciated Mr. Capo and his staff's immediate response to the Fire Marshal's report. He asked the board to address the rumor of plans to do something else with that building.

Chair Richard does not know of any such discussion by staff or board members to use that structure for any other purpose than a CBS. However, we do need clarity on the classification of that structure not to use for any other purpose but hopefully so that these deficiencies would no longer apply.

Mr. Capo added that there have been many discussions about the building's original purpose and possibly making it a two-sided structure as a way to resolve the deficiencies.

Don Cheramie apologized for his earlier outburst. He also thanked the chairman for defending rumors about people who are doing their job. He and Rick Renfro met with Mr. Capo and since Mr. Capo was seeking a second opinion on the sprinkler system that Mr. Cheramie recommended Mr. Capo to contact Jefferson Sprinkler. They called and scheduled a time to come out. He thanked the staff for appealing the Fire Marshal's report but expressed concern about numbers ten and eleven in the appeal. He spoke about tearing storage sheds down. We will do what we have to, be it inspections or whatever necessary but we need our storage house sheds. He thanked the board members who are continuously addressing these discrepancies.

Rick Renfro Slip #5. Stated that we have been working hard with Mr. Capo and are very pleased with the progress. However, he also has an issue with the number ten. He addressed that reclassifying the structure is not an option for the tenants. He addressed the rent and lease issues and also asked about their lease renewals.

Chair Richard addressed the CBS tenants and expressed that this issue will be addressed with a sense of urgency until it is complete, the Cease and Desist order is lifted, and the tenants are back on their boats.

Commissioner Heaton asked, for clarity, if Mr. Renfro was asking to have his drawings and lease submitted and added to the next committee meeting for a lease amendment to have his drawings included in his existing lease. To which Mr. Renfro replied yes.

Karl Hudson asked about an email and text notification system that was in place last year during hurricane season and if he still has the contact information from last year.

Mr. Capo replied that the Iris System is still in place.

Mr. Karl Hudson also asked at what point do we address the ongoing safety issues at the Orleans Marina.

Chair Richard asked Mr. Hudson to come to the next Finance meeting for a detailed discussion.

Mr. Karl Hudson stated that he and chair Ricard discussed electrical safety issues at Orleans Marina shortly after he became chair. We've also discussed sinkholes.

Ashley Haspel asked the board members if her information regarding the lights at the park was included in tonight's packet. She wanted all board members, especially the newer members to have the information regarding her repeated requests to address fixing the park lights.

She also expressed concern about being harassed by a former commissioner on the board and asked the board to step in and assist. When asked if she could request a copy of his emails, she was told that she cannot make a public request on his personal email. She sent a Cease and Desist letter to Attorney Dye, Mr. Metzger, Chair Richard, and Vice-Chair Carr asking him to stop communicating with her.

X. Old Business – NONE

XI. New Business

1. Motion to approve a budget amendment for FYE June 30, 2022, to reduce ad valorem tax revenue from \$2,100,000.00 to \$1,775,000.00.

A motion was offered by Commissioner Richard and seconded by Commissioner Rodgers.

Hearing no questions or comments, Chair Richard called for a vote. All members were in favor and the motion passed unanimously.

2. Motion to approve a contract with Stuart Consulting Group, Inc. to provide professional services in connection with the FEMA Public Assistance Programs for hurricane damage claims and grant management services, for a term of one year, commencing on July 1, 2022, and ending on June 30, 2023.

A motion was offered by Commissioner Ricard; seconded by Commissioner Rodgers.

Chair Richard called for questions and comments from the board.

Commissioner Lupo asked for a brief informational explanation of the details of what they are doing.

Chris Fenner (Stuart Consulting Group) stated since the summer of 2010 they have been working with LMA to manage the construction of two new hangars and also the renovation of the terminal building, the Mardi Gras Fountain, and later the FEMA grants. Construction of the James Wedell Hangar was completed during the period from 2010 to 2014. Since then, we have been working to close out the remaining project sheets. We are currently holding on closing the final six project sheets due to questions from FEMA regarding Flood Plane Elevation. We have been working with FEMA, the City of New Orleans, and GOHSEP to sort through the issues. Two weeks ago, we received confirmation from the City of New Orleans that the Flood Plane issues will be resolved and have forwarded the information to FEMA. We are now waiting for a response from FEMA to close out the remaining project sheets.

Commissioner Carr asked questions regarding retroactive approval of the contract and if there is any monetary value associated.

Mr. Fenner replied that it's a continuation of services that would not increase the budget. It's a very small amount of work needed that is associated with closing out the final six project sheets. The majority of what we are doing at this point is answering questions from FEMA which equate to a few hours in a month.

Commissioner Lupo asked if this would be a part of FEMA reimbursables.

Mr. Capo replied, yes. The reconciliation will be done at the very end of the closeout.

Chair Richard called for a vote and hearing no objections the motion passed.

- 3. Motion to approve a lease with Mes Amis Quilt Shop, LLC and Denise Taylor of Suite 6505 in the Lake Vista Community Center (LVCC), for a primary term of one year, commencing on October 1, 2022, with a one-year option to renew, for a rental rate of \$18.00 per square foot during the primary term of the lease, totaling an annual rent of \$18,936.00, payable in monthly installments of \$ 1,578.00, and with rent during the option term equal to the rent charged for suites in the LVCC on the commencement date of the option term, and under the standard terms and conditions for leases in the Lake Vista Community Center.**

A motion was offered by **Commissioner Rodgers**; seconded by **Commissioner Heaton**.

Chair Richard called for questions and comments.

Commissioner Drouant asked if all of the facilities in that building structure rent leases. He stated that he has looked over some of the leases and they are well written.

Chair Richard called for a vote, objections, and abstentions; hearing no objections the motion passed.

Chair Richard announced GEAUX BIZ NOLA an event for participation on Wednesday, September 28, 2022, in support of our officers who place their lives on the line daily.

XII. Announcement of next Regular Board Meeting Thursday, October 27, 2022, at 5:30 PM

Rick Renfroe asked how should they proceed with their quarterly rent which is due on October 1st since we are not living in our homes.

Gerry Metzger, there will be a rent abatement and for the long-term tenants an extension of the lease which must go before the Commercial Real Estate Committee.

XIII. Adjourn at 7:42 PM.

A motion to adjourn was offered by **Commissioner Carr**; seconded by **Commissioner Heaton**. A were in favor.

MOTION: XI 01-09222022

RESOLUTION: XI 01-09222022

BY: COMMISSIONER RICHARD

SECONDED BY: COMMISSIONER RODGERS

September 22, 2022

1) Motion to approve a budget amendment for FYE June 30, 2022, to reduce ad valorem tax revenue from \$2,100,000.00 to \$1,775,000.00.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, by Resolution XI-03-03242022, the Management Authority approved the General Operating budget for the Fiscal Year Ending June 30, 2022.

WHEREAS, a review of the operations to date indicates that for accounting purposes, a budget amendment is necessary to be in budgetary compliance in the general operating budget:

Decrease in Revenue – Ad Valorem Tax Revenue

Budgeted:	Actual:
\$2,100,000.00	\$1,775,000.00

WHEREAS, the foregoing amendment is determined to reflect the projected operating requirements based on the latest revenue estimates.

WHEREAS, the Finance Committee at its September 15, 2022, meeting reviewed the revisions set forth above to the Fiscal Year Ending June 30, 2022 General Operating Budget and voted to recommend that the Management Authority approve this amendment to the Fiscal Year Ending June 30, 2022 Budget.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the amendment set forth above to the Fiscal Year Ending June 30, 2022, General Operating Budget.

BE IT HEREBY FURTHER RESOLVED, that the Chair or Executive Director be and is authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: RICHARD, CARR, RODGERS, BRIEN, DROUANT, EXPOSE, HEATON, HEBERT, LAPEYROLERIE, WHITE

NAYS: NONE

ABSTAIN: NONE

ABSENT: EGANA, GERHART, HEBERT, THOMAS, MEADOWCRFT, WILLIAMS

RESOLUTION PASSED: Unanimously

This resolution was declared adopted this 22nd day of September 2022.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on September 22nd, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: XI 02-09222022

RESOLUTION: XI 02-09222022

BY: COMMISSIONER RICHARD

SECONDED BY: COMMISSIONER RODGERS

September 22, 2022

2) Motion to approve a contract with Stuart Consulting Group, Inc. to provide professional services in connection with the FEMA Public Assistance Programs for hurricane damage claims and grant management services, for a term of one year, commencing on July 1, 2022 and ending on June 30, 2023.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

WHEREAS, Stuart Consulting Group, Inc. is the current provider of professional services in connection with the FEMA Public Assistance Programs for hurricane damage claims and grant management services and has been providing these services satisfactorily since Hurricane Katrina in 2005 for the Management Authority;

WHEREAS, Stuart Consulting Group, Inc. in addition to being the current provider of FEMA damage claims and grant services is also a qualified engineering consulting firm;

WHEREAS, the contract for these services that Stuart Consulting Group, Inc. had with the Management Authority expired on June 30, 2022;

WHEREAS, at the Finance Committee Meeting held on September 15, 2022, the Staff of the Management Authority recommended, and the Finance Committee voted to recommend, that the Management Authority approve a contract for these services with Stuart Consulting Group, Inc., for a term of one year commencing on July 1, 2022 and ending on until June 30, 2023; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and the District to approve a contract with Stuart Consulting Group, Inc., for a term of one year, commencing on July 1, 2022 and ending on June 30, 2023, to provide professional services in connection with the FEMA Public Assistance Programs for hurricane damage claims and grant management services.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves a contract with Stuart Consulting Group, Inc. to provide professional services in connection with the FEMA Public Assistance Programs for hurricane damage claims

and grant management services, for a term of one year, commencing on July 1, 2022 and ending June 30, 2023.

BE IT FURTHER HEREBY RESOLVED that the Chairman or Executive Director be and is hereby authorized to sign any documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Richard, Carr, Rodgers, Brien, Drouant, Exposé, Heaton, Hebert, Lapeyrolerie, Lupo, White

NAYS: None

ABSTAIN: None

ABSENT: Egana, Gerhart, Hebert, Thomas, Meadowcroft, Williams

RESOLUTION ADOPTED: Unanimously

This resolution was declared adopted this 22nd day of September 2022.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on September 22, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: XI 03-09222022

RESOLUTION: XI 03-09222022

BY: COMMISSIONER RODGERS

SECONDED BY: COMMISSIONER HEATON

September 22, 2022

3) Motion to approve a lease with Mes Amis Quilt Shop, LLC and Denise Taylor of Suite 6505 in the Lake Vista Community Center (LVCC), for a primary term of one year, commencing on October 1, 2022, with a one-year option to renew, for a rental rate of \$18.00 per square foot during the primary term of the lease, totaling an annual rent of \$18,936.00, payable in monthly installments of \$ 1,578.00, and with rent during the option term equal to the rent charged for suites in the LVCC on the commencement date of the option term, and under the standard terms and conditions for leases in the Lake Vista Community Center.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Lake Vista Community Center (“LVCC”) located in the City of New Orleans on Spanish Fort Boulevard is one of the non-flood protection assets of the District managed by the Management Authority;

WHEREAS, Denise Taylor and Mes Amis Quilt Shop, LLC, a Louisiana limited liability company, (collectively “Lessee”), have leased for several years Suite 6505 in the Lake Vista Community Center (the “leased premises”) and their current lease for the leased premises expired on August 31,2022;

WHEREAS, Lessee offered to enter into a new lease for the leased premises for a primary term of one(1) year, commencing of October 1, 2022 and expiring on September 30, 2023, with a one-year option to renew, for a rental rate during the primary term of \$18.00 per square foot, totaling \$18,936.00 per annum, payable in monthly installments of \$1,578.00, and with rent during the option term equal to the rent charged for suites in the LVCC on the commencement date of the option term, and under the standard terms and conditions for leases of suites in the Lake Vista Community Center;

WHEREAS, the proposed lease for the leased premises was considered by the Commercial Real Estate Committee of the Management Authority at its meeting held on September 15, 2022, and the Committee voted to recommend that the Management Authority approve the proposed lease under the terms and conditions set forth above; and,

WHEREAS, the Management Authority after considering the proposed lease and recommendation of Staff and the Commercial Real Estate Committee resolved that it was in the best interest of the District and Management Authority to approve the proposed lease under the terms and conditions set forth above with the Lessee.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves a lease of Suite 6505 in the Lake Vista Community Center with Denise Taylor and Mes Amis Quilt Shop, LLC, for a term of one (1) year, commencing on October 1, 2022 and expiring on September 30, 2023, with a one-year option to renew, for a rental rate during the primary term of \$18.00 per square foot, totaling \$18,936.00 per annum, payable in monthly installments of \$1,578.00, and with rent during the option term equal to the rent charged for leases in the LVCC on the commencement date of the option term, and the lease shall include the standard terms and conditions for leases of suites in the Lake Vista Community Center.

BE IT HEREBY FURTHER RESOLVED that the Lakefront Management Authority Chairman or Executive Director be and is hereby authorized to sign any documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Richard, Carr, Rodgers, Brien, Drouant, Exposé, Heaton, Hebert, Lapeyrolerie, Lupo, White

NAYS: None

ABSTAIN: None

ABSENT: Egana, Gerhart, Hebert, Thomas, Meadowcroft, Williams

RESOLUTION ADOPTED: Unanimously

This resolution was declared adopted this 22nd day of September 2022.

*****I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on September 22, 2022, held in New Orleans, LA, at which a quorum was present.