

**LAKEFRONT MANAGEMENT AUTHORITY
LEGAL COMMITTEE AGENDA
THURSDAY, JULY 20, 2023 – 2:30 P.M.**

Lakefront Airport Terminal Building, 2nd Floor Conference Center
6001 Stars and Stripes Blvd., New Orleans, LA 70126

PRESENT: Commissioner Robert Drouant – Chair
Commissioner Jennifer W. Herbert - Vice-Chair
Commissioner Adonis Expose'
Commissioner Carlos Williams (Arrived at 2:38 PM)

STAFF: Louis Capo – Executive Director
Vanessa McKee – Assistant to the Executive Director
Adam Gulino – Director of Operations and Engineering

ALSO
PRESENT: Gerry Metzger – LMA Counsel
Jeff Dye – LMA Counsel
Raleigh Bourg – Boathouse Tenant

The Legal Committee of the Lakefront Management Authority on Thursday, July 20, 2023, at 2:30 PM at 6001 Stars and Stripes Blvd., New Orleans, LA 70126.

- I. **Called to Order at 2:30 PM by Chair Drouant.**
- II. **Pledge of Allegiance led by Chair Drouant**
- III. **Roll Called by Mr. Capo. (3) members were present for a quorum.**
- IV. **Opening Comments – Chair Drouant**
- V. **Motion to Adopt Agenda**

A motion was offered by Commissioner J. Herbert and seconded by Commissioner Expose. All were in favor. The motion passed.

VI. Approval of Minutes

1. Legal Minutes – June 15, 2023

A motion was offered by Commissioner J. Herbert and seconded by Commissioner Expose. All were in favor. The motion passed.

2. Joint Recreation/Legal/Commercial Real Estate Committee Forum on Ponchartrain Beach – Saturday, May 20, 2023

A motion was offered by Commissioner J. Herbert and seconded by Commissioner Expose. All were in favor. The motion passed.

3. Legal Minutes May 18, 2023

A motion was offered by Commissioner J. Herbert and seconded by Commissioner Expose. All were in favor. The motion passed.

VII. Public Comments - Limited to (2) Minutes - NONE

VIII. Legal Counsel Report

Gerry Metzger submitted and discussed his legal status report stating that there were no new developments on the cases in his report.

Mr. Metzger informed the committee that The Assessor's Office is proposing taxes on the Levee District's property again. This issue was remedied last year but has come up again. There was a tax sale on 126 S. Roadway (the old Schubert's). Mr. Dye will schedule a meeting with the Assessor to discuss a permanent resolution.

Jeff Dye submitted his report on both ongoing litigation and transactional matters. There were several developments in the litigations which were discussed in detail.

IX. New Business

1. Discussion on Legal Contracts and review of RFQ.

Chair Drouant asked if the commissioners had an opportunity to review the RFQ for tonight's discussion.

Commissioner J. Herbert pointed out (2) typographical errors and on page 5 item #4, to include that public reprimand is inclusive of any disciplinary action.

Commissioner Exposé asked if the DBE policy would be added as an addendum to the RFQ.

Mr. Capo replied that he would add the DBE policy once adopted by the board. He also wanted to add a 'request for contact information' for tracking and additional information distribution purposes. He asked if everyone agreed with the timeline.

Ms. McKee suggested calling Firefly to address the behind-the-scenes information he would like to add.

Chair Drouant suggested pushing the date back 30 days to October to allow the Legal Committee time to review and grade the submissions. He also said that there was no baseline requirement on the length of time they have been in practice.

Jeff Dye added that there is a statutory minimum of 8 years to qualify to run for judge.

The committee all agreed to include a minimum of 5 years of practice in the qualifications of the RFQ.

Mr. Capo informed the board that the next legal committee would be on October 19th. The October board meeting is on the 26th. The deadline for questions is August 28th. Submissions due on 13th at 10:00 a.m. Legal committee review at 2:30 pm on October 19th and the board approval will be on October 26th.

Chair Drouant confirmed that the committee all agreed with the adjusted timeline.

The committee all agreed to leave the questions and submission timelines in place but to extend the review period for longer than eight days. They felt it wasn't enough time for due diligence to review the RFQs.

X. Executive Session

1. Covered Boat Slip Tenants Written Threats of Litigation, Non-Payment of Rent, No-Signed Leases, and Ongoing Litigation in *Patrick Crain v. Lakefront Management Authority*, No. 2023-02556, Division "D", First City Court for the City of New Orleans.

Mr. Metzger read the rules for entering into an Executive Session onto the record and informed the committee that this case meets the requirements to enter into executive session.

A motion to enter into an Executive Session was offered by Commissioner J. Herbert and seconded by Chair Drouant at 3:03 p.m.

A motion to come out of the Executive Session was offered by Commissioner J. Herbert and seconded by Chair Drouant at 3:19 p.m.

Chair Drouant announced the next meeting and called for adjournment.

XI. Announcement of the next Legal Committee Meeting

- 1) Thursday, August 17, 2023, at 2:30 PM

XII. Adjourn at 3:20 p.m.

A motion to adjourn was offered by Commissioner J. Herbert and seconded by Commissioner Expose. The meeting adjourned at 3:20 p.m.