

**LAKEFRONT MANAGEMENT AUTHORITY
LEGAL COMMITTEE MINUTES
THURSDAY, APRIL 18, 2024 – 2:30 P.M**

**6001 Stars and Stripes Blvd.
New Orleans, LA 70126**

PRESENT: Commissioner Richard Drouant – Chair
Commissioner Stanley Cohn
Commissioner Adonis Exposé
Commissioner Carlos Williams

ABSENT: Commissioner Jennifer W. Herbert – Vice Chair

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
Al Pappalardo – Real Estate Consultant
Stephen Peychaud – Charbonnet Associates, Sr. Planner

The regular monthly Legal Committee meeting of the Lakefront Management Authority was held on Thursday, April 18, 2024, at 2:30 PM at the Lakefront Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, LA 70126 after due notice of the meeting was sent to each board member, the news media, and posted.

- I. **Called to Order at 2:32 PM.**
- II. **Pledge of Allegiance led by Commissioner Williams.**
- III. **Roll Called by Mr. Capo. (4) members present quorum established.**
- IV. **Opening Comments – Chair Drouant thanked everyone for coming**

V. Motion to Adopt Agenda

A motion was offered by Commissioner Cohn and seconded by Commissioner Exposé.

Hearing no questions or comments, Chair Drouant called for a vote. All were in favor. The motion passed.

VI. Motion to Approve Minutes

1. Legal Minutes – October 2023

A motion was offered by Commissioner Exposé and seconded by Commissioner Williams.

With no questions or comments, Chair Drouant called for a vote. All were in favor. The motion was passed.

VII. Public Comments - Limited to (2) Minutes – No Comments

VIII. Legal Counsel's Update

Gerry Metzger reported the following:

- Rubin case is settled pending a reimbursement check to Alcus.
- City of New Orleans case has had no movement on the judgment.
- J&J deferred to Mr. Dye for the report.
- He discussed items to go before the board for approval at the April board meeting.
- He added that the main items he worked on were preparing resolutions and contracts for the meeting.
- Assisted with the sale of N-5 which will bring in transfer fees.
- Ongoing work with Flightline's lease of the National Guard Hangar
- Ongoing work Jazz Aviation who is seeking leasehold financing. They will be requesting an additional 10-year option to be added to their existing lease as a requirement to obtain funding.

Jeff Dye reported the following:

- J & J Partners status is ongoing
- Iron Triangle – We are ready to file a motion for summary judgment
- Weber Case – referred to the AG’s Office for an opinion
- (3) collection matters referred to the AG’s Office
- Bylaws – work ongoing
- Fulfilling numerous public requests
- Alcus matter is settled
- Ackel (W-7 & W-8) recently purchased W-4, W-5 and W-6
- 406 S. Radway – status ongoing. Scheduled for further discussion at today’s Commercial Real Estate meeting. Mr. Ackel is also requesting a lease amendment on W-7.
- Bohemia Spillway

Chair Drouant asked if the requesting attorneys had been billed for the public record requests under the revised statute.

Mr. Dye said to his knowledge they had not. He felt that the costs would mostly be associated with hard copies. He added that 5% of his time had been spent on public records requests from outside and inside of the agency.

Chair Drouant asked if the requesting attorneys had identified their clients.

Mr. Dye said that one attorney informed them from the beginning. However, the other attorney refused to identify his client citing attorney-client privilege.

IX. New Business

- 1. Motion to recommend the amendment of the Professional Legal Services Contracts by increasing the Budget for Fiscal Year 2024 to a sum not to exceed \$70,000 with Gerard G. Metzger (APLC) and to a sum not to exceed \$125,000 with David Jefferson Dye.**

A motion was offered by Commissioner Cohn and seconded by Commissioner Exposé.

Chair Drouant stated that the ‘not to exceed’ amount was a range that the attorneys would be able to continue to work on ongoing cases.

Mr. Metzger said he was confident that he would be able to work well within the requested increase.

Mr. Dye stated that the requested increase is necessary to continue work on ongoing cases.

Commissioner Cohn commented on his understanding of how trial preparation eats into finances.

Mr. Capo added that the Legal team is currently billing at \$225/hr. The AG's Office recently increased the billable rate to \$325 and hour. Our legal team has agreed to continue to bill at the \$225 and hour rate which is a savings to LMA.

With no questions or comments, Chair Drouant called for a vote. All were in favor. The motion was passed.

2. Motion to recommend an increase in the legal budget for FYE 2024 from \$248,000 to \$348,500.

A motion was offered by Commissioner Cohn and seconded by Commissioner Exposé.

Mr. Capo commented that he amended legal budget of \$348,500 is commensurate with budgets from past fiscal years.

With no questions or comments, Chair Drouant called for a vote. All were in favor. The motion passed.

Chair Drouant announced the next meeting and called for adjournment.

**X. Announcement of the next Legal Committee Meeting
1. Thursday, May 16, 2024 – 2:30 PM.**

XI. Adjourn at 3:12 PM.

A motion was offered by Commissioner Cohn and seconded by Commissioner Exposé.

With no questions or comments, Chair Drouant called for a vote. All were in favor. The motion was passed and the meeting adjourned at 3:12 pm.