

**AKEFRONT MANAGEMENT AUTHORITY  
LEGAL COMMITTEE MINUTES  
THURSDAY, NOVEMBER 9, 2023 – 2:30 P.M**

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

**PRESENT:** Commissioner Robert Drouant  
Commissioner Jennifer Herbert  
Commissioner Stanley Cohn  
Commissioner Adonis Exposé

**ABSENT:** Commissioner Carlos Williams

**STAFF:** Louis Capo – Executive Director  
Vanessa McKee – Assistant to the Executive Director  
Bruce Martin – Director of Aviation  
Adam Gulino – Director of Operations and Engineering  
Cindy Grace, LMA Finance  
Kristin Clinard, LMA Finance

**ALSO**

**PRESENT:** Gerry Metzger – LMA Counsel  
Jeff Dye – LMA Counsel  
Stephen Peychaud-Charbonnet and Associates  
Sedrick Hawkins – James Cater & Associates  
Tommy Farnsworth – Flightline  
Byron K. Jefferson - LTPOA

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The Legal Committee Meeting of the Lakefront Management Authority was held on Thursday, November 9, 2023, 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. **Called to Order at 2:30 PM.**
- 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 thanked all in attendance.

V. **Motion to Adopt Agenda**

A motion was offered by **Commissioner Cohn** and seconded by **Commissioner Herbert.**

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

VI. **Public Comments** – No public comments.

VII. **Legal Counsel's Update**

**Mr. Gerry Metzger** reported on the following:

1.

VIII. **New Business**

- 1) **Motion to recommend approval of Legal Service Contracts for a term of one year, commencing on November 1, 2023, with two (2) one-year options to renew, and with fees for legal services in accordance with the Maximum Hourly Fee Schedule of the Office of the Louisiana Attorney General.**

A motion was offered by **Commissioner Herbert** and seconded by **Commissioner Exposé.**

**Mr. Capo** added that this contract would be from November 1, 2023 to June 30, 2024 and then the one year option would begin on July 1, 2024 in order to keep the contracts in line with the fiscal year.

**Chair Drouant** asked for a report on the interviews that were conducted on the five candidates.

**Commissioner Herbert** talked about the legal candidates interviews that she and Mr. Capo conducted. They felt good about the candidates. They learned a great deal about their specialties. They discussed co-counseling opportunities. She said they also discussed each of the firms DBE participation.

**Commissioner Exposé** asked how the work would be distributed.

The committee discussed how to categorize the firms by specialties.

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

- 2) **Motion to recommend approval of a Memorandum of Understanding on the management of the assets of the Orleans Levee District with the Southeast Louisiana Flood Protection Authority-East.**

**A motion was offered by Commissioner Herbert and seconded by Commissioner Exposé.**

**Mr. Dye** and Mr. Metzger recommended a motion to defer due to both parties had not come to an agreement.

**Chair Drouant** asked if the committee wished to defer.

**Commissioner Cohn offered a motion to defer, Commissioner Herbert seconded. All were in favor. The motion was deferred.**

**Chair Drouant** expressed his preference to have public comments on each action item.

**Mr. Capo** explained there are two opportunities for public comment. The public may comment in general during public comment and also after board member discussion during each motion before the vote is taken.

**Mr. Brian Jefferson** commented that he was here to request the date of the next Rec and Sub meeting.

**Mr. Capo** announced that the next scheduled Rec and Sub meeting will be at 4:30 pm on December 5<sup>th</sup>. The Chair of each committee may elect to defer the meeting if there are no actionable items to discuss.

**Commissioner Cohn** asked if there was a particular concern to discuss and added that there is a meeting scheduled every month which could be deferred if there are no actionable items to discuss.

**Chair Drouant** also added that if there is no committee meeting, the public is also welcome to make comments at the monthly board meeting.

- 3) **Motion to recommend the approval of settlement terms on the Williams Hangar Hurricane Ida wind claim with Starr Surplus Insurance.**

**A motion was offered by Chair Drouant and seconded by Commissioner Cohn.**

**M. Jeff Dye** informed the committee that there was a very productive meeting with the insurance adjuster, and he is expecting to have proposed settlement terms to present. He suggested deferring this motion. He also suggested that Mr. Capo be authorized to agree to and sign the settlement offer otherwise we would need to revisit the legal committee and the full board.

**Commissioner Cohn** asked if an executive session was necessary to discuss the case.

**Mr. Metzger** stated that an executive session would not be necessary as there is no adverse information related to the case. He agreed with Mr. Dye's suggestion to defer this motion pending a settlement agreement and also that Mr. Capo should be authorized by the board to be able to accept and sign the settlement agreement.

**A motion to amend the motion on the floor was offered by Chair Drouant, seconded by Commissioner Herbert.**

A motion to authorize the Executive Director to confect the settlement terms on the Williams Hangar was offered by Chair Drouant; and seconded by Commissioner Herbert.

Hearing no question or comments, the Chairman called for a vote. All were in favor. The motion passed.

A motion to amend the agenda to add item #4 to the agenda was offered by Commissioner Cohn; and seconded by Chair Drouant.

Motion would read:

4. Motion to authorize approval to settle Duplessy vs. Meyers case.

Hearing no questions or comments, the chairman called for a vote. All were in favor the motion was added to the agenda.

Mr. Metzger informed the committee that the Duplessy vs. Meyer et al case has been ongoing for several years. Meyer's Shipyard was located at the Orleans Marina where the shipyard docked its vessels causing damage to the walkways to the boathouses. There were also allegations that the LMA had not repaired the walkways.

Mr. Metzger also said he received a call from the lead counsel on the case that he was authorized to settle the claim for upward of \$100K and asked if LMA could get approval to settle its portion of the case for \$20K. The plaintiff's lead counsel is interested in settling the case as well.

Chair Drouant asked the committee if it had any questions or comments. Hearing no further questions, called for a vote. All were in favor. The motion passed.

Chair Drouant announced the next Legal Committee meeting and called for adjournment.

**IX. Announcement of the next Legal Committee Meeting**

- 1) (*Special Date*) Thursday, December 7, 2023 – 2:30 P.M.

**X. Adjourn at 3:02 pm**

**A motion was offered by Commissioner Cohn and seconded by Commissioner Herbert. The meeting adjourned at 3:02 pm.**