

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE
COMMERCIAL REAL ESTATE COMMITTEE MEETING
THURSDAY JANUARY 12, 2017 – 1:30 P.M.**

The regular meeting of the Commercial Real Estate Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, January 12, 2017 at 1:30 p.m., in the Lake Vista Community Center, 2nd Floor, 6500 Spanish Fort Blvd., New Orleans, Louisiana after due legal notice of the meeting was sent to each Board member, the news media, and a copy of the call was posted.

Chair Green called the meeting to order at 2:07 p.m. and led in the Pledge of Allegiance. The roll was called which did not constitute a quorum.

Present:

Chair Eugene Green
Comm. William Settoon

Absent:

Comm. Leila Eames
Comm. Cedric Grant

Staff:

Chuck Dixon – Marina Director
Sharon Martiny – Administrative Assistant

Also Present:

Gerry Metzger – Legal Counsel
Al Pappalardo – Real Estate Consultant
Jonathan Brisbi – Brisbi Development, LLC
George Brisbi – Brisbi Development, LLC
Taylor Casey – Municipal Yacht Harbor
Barry Tharp – Truty Tharp Corp.

Adopt Agenda

Due to lack of quorum, the Agenda was followed but not adopted.

Approve Minutes

Due to lack of quorum, approval of the December 8, 2016 Commercial Real Estate Committee meeting minutes was deferred until the January 19, 2017 special Commercial Real Estate Committee meeting.

Public Comments

None.

Old Business

1) **Discussion regarding Lincoln Beach**

Chair Green noted that many years ago, this Authority did a land swap with the City of New Orleans, requested the Committee recommend to the full Board a reverse land swap.

Mr. Metzger addressed a Statute (Title 38, Sec. 336) dealing with Levee Districts their Authorities. Subsection G is the Grant of Authority to Orleans Levee District to reclaim Lake Pontchartrain to the north of Robert E. Lee Blvd, and that is how the Lakefront was built. The Statute granted the Board plenary authority to sell and lease property to defray the cost of reclamation project. In 1986 Subsection G was enacted which permitted the exchange of the property. The Levee Board transferred its interest to New Orleans Canal, Inc., a private company. New Orleans Canal, Inc. transferred two strips of ground (60 ft. and 40 ft.) on NBC to the Levee District. This transfer required authority by the legislature of Louisiana. Without legislative authority this Authority cannot again exchange the property, and two attorney general opinions state the same.

The City of New Orleans owns Lincoln Beach. After Lincoln Beach was transferred to the private owner it was held in perpetuity until the 1990's. The property went to a tax sale, and the City of New Orleans now has title of that parcel. The Levee District could not get a vote to redeem the property and at some point a quit claim deed was signed. Mayor Moriel signed for the City and received title. The property is approximately 15.4 acres. The City cannot donate property because it violates the State Constitution. An exchange of the property requires express legislation and sale or lease of the property requires an attorney general opinion.

Chair Green noted that the Board would have to pass a motion authorizing the Committee to contact legislators to consider and/or request a land swap. The valuable parcel of land has been vacant for 50 years, and is a tremendous asset.

Chair Green suggested the Committee move forward on this issue, second by Comm. Settoon.

2) Discussion regarding proposal by Brisbi Development, LLC for the lease of Parcel K

Mr. Metzger advised that the sole response received was from Brisbi Development, LLC), and the proposal is non responsive as to the lease terms. The responded requested a five (5) year rent abatement period. The RFP contemplated payment of rental upon signing of lease. The opinion was rendered in December.

Chair Green noted that other developers may have participated if there was a rate abatement period, but the RFQ was specific as to the amount the Authority was to receive during a certain period of time. The RFQ cannot be amended, and in some respects the proper thing to do is reissue the RFP with specifics relative to rent abatement.

Al Pappalardo, Real Estate Consultant, noted that Parcel K has limited costs; the Authority has no maintenance on that parcel and pays no taxes. There would be no costs to offset with a rent abatement. The Committee could re-advertise the RFP with a minimum rent. The Authority would like to get activity back in that area. It is up to the Board to accept and negotiate the sole proposal received. A full quorum would be better suited for this discussion. Chair Green noted the possible legal issue on terms of responsiveness, and suggested a special Commercial Real Estate Committee meeting on January 10, 2017 at 9:30 a.m. to discuss the various issues.

New Business

3) Request by Municipal Yacht Harbor to extend agreement to use the Lake Vista Community Center for one additional year to hold Municipal Yacht Harbor Board meetings

Taylor Casey (Municipal Yacht Harbor "MYH") advised that the MYH Board meeting room has yet to be completed. The current MOU expires March 31, 2017. MYH is requested to extend the MOU for one additional year, with some cushion depending on the bidding and permit process for the MYH building. Comm. Settoon recommend extending the MOU for one additional year with a one year option, and suggested the item be put on the January 19, 2017 CRE Agenda as a motion item.

Executive Session

None.

Announcement of next Commercial Real Estate meeting

Chair Green announced that the next Commercial Real Estate Committee meeting is a special meeting scheduled for Thursday January 19, 2017 at 9:30 a.m.

Adjournment

Due to lack of quorum, there was no adjournment. The meeting ended at 3:15 p.m.