

NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
Minutes of the Legal Committee Meeting
Tuesday August 15, 2017 – 4:30 P.M.

The regular meeting of the Legal Committee of the Non-Flood Protection Asset Management Authority was held on Tuesday August 15, 2017 at 4:30 p.m., in the 2nd Floor Conference Center, Lakefront Airport Terminal Bldg., 6001 Stars & Stripes 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 Major called the meeting to order at 4:35 p.m. and led in the pledge of allegiance. The roll was called which constituted a quorum.

Present

Chair Carla Major
Comm. Chris Morvant
Comm. Roy Arrigo
Comm. Rodger Wheaton

Staff:

Jesse D. Noel, P.E. – Executive Director
Sharon Martiny – Administrative Assistant

Also Present:

Gerard G. Metzger - Legal Counsel

Adopt Agenda

Comm. Arrigo moved to adopt the Agenda, second by Comm. Morvant. Motion passed.

Approval of Prior Minutes

Comm. Morvant moved to approve the July 2017 Legal Committee meeting minutes, seconded by Comm. Arrigo. Motion passed.

Director's Report

E.D. Noel advised that Lakeshore Landing is hosting a "Sneak Peak" event on September 2, 2017 from 3:00 – 7:00 p.m. There will be food trucks and a free concert included in this event that is open to the public.

Old Business

None

New Business

1) **Discussion regarding delinquent rents from Marina slip tenants**

E.D. Noel addressed the marina fees and advised of three reports generated by the Marina Software that will help monitor monies owed to the Authority: Orleans Marina and South Shore Harbor Status Reports (list of all current tenants and outstanding balance), a Balance Summary (all current and former tenants that owe money), and a Lease Tracking Spreadsheet. Tenants with arrears that have executed leases on file have a payment plan in place. The next step will remove tenants with current leases that are up-to-date on rent, and determine a path forward to collect rents from those who owe the Authority money. Staff will determine whether to use a private collection agency, attorney or the Louisiana Revenue Service Collection Division to collect past due rents owed to the Authority. Staff will attempt to send those with outstanding balances a formal letter with a statement enclosed advising of the debt in an attempt to collect those monies.

Mr. Metzger noted that the Customer Balance summary included boathouse tenants that if contacted will more than likely remit payment. Those boathouse tenants were used to receiving quarterly invoices. Mr. Noel stated that the invoices were stopped, but courtesy invoicing will be reinstated in the future.

Executive Session

**Brook Webber and Rachel Webber v
Orleans Levee District, Division of Non-Flood Assets and
The Non-Flood Protection Asset Management Authority
Docket No: 2017-6540, Civil District Court, Orleans Parish**

Mr. Metzger advised that the Committee would enter into Executive Session under Title 42 §17.8.2, which permits an Executive Session for discussion on strategy session and litigation when an open meeting would have a detrimental effect on bargaining or the litigating position of a public body. There is a hearing on this matter scheduled for August 10, 2017 so this matter does fall in the purview of that exception. A motion is needed to enter into Executive Session along with a second. After a 2/3 vote of the Committee, the Committee can proceed with Executive Session.

Comm. Movant offered a motion to enter into Executive Session, second by Comm. Wheaton. The vote was unanimous and the Committee entered into Executive Session.

After exiting Executive Session, Chair Major announced that no action or votes were taken.

Announce Next Legal Committee Meeting

Chair Major announced that the next Legal Committee meeting is scheduled for Tuesday, September 19, 2017 at 4:30 p.m.

Adjournment

Comm. Wheaton offered a motion to Adjourn, seconded by Comm. Morvant and unanimously adopted. The meeting adjourned at 5:00 p.m.