

**Minutes of Non-Flood Protection Asset Management Authority
Legal Committee Meeting
March 13, 2018 @ 4:30 p.m.**

Present:

Chair Carla Major
Vice Chair Rodger Wheaton
Commissioner Roy Arrigo
Commissioner Chris Morvant

Staff:

Executive Director Jesse Noel
Executive Assistant Kim Vu

Also Present:

Wilma Heaton – Chair of NFPAMA
Gerry Metzger – Legal Counsel
Peter Butler – Flightline (settlement lawsuit)
Wendy Bell– Flightline (FLF)
Chris Fenner – Stuart Consulting Group (SCG)

The Legal Committee of the Non-Flood Protection Asset Management Authority met on Tuesday March 13, 2018 at 6001 Stars and Stripes Blvd. in the Lakefront Airport Terminal Building on the second-floor conference room. Chair Major called the meeting to order at 4:37 P.M.

Opening Comments – Chair Major

Chair Major welcomed everyone and thanked everyone for coming to the legal committee meeting. She stated that she would like to move forward with the agenda.

Motion to Adopt Agenda:

Motion to adopt agenda moved by Arrigo, second by Commissioner Wheaton, and all were in favor.

Motion to approve minutes from November 14, 2017:

Motion to approve minutes from November 14, 2017 moved by Commissioner Wheaton, second by Commissioner Arrigo and all were in favor.

Public Comments:

- 1) Mr. Peter Butler is the attorney representing Flightline Ground Inc for the pending Flightline vs. NFPAMA case. He wanted to discuss matters with the legal committee regarding efforts to settle the case. He introduced Ms. Wendy Bell as the new manager of Flightline. Mr. Butler explained that there are four requirements from Flightline in settling the case: credit for insurance, building roof and flooding issues, rent reduction, and lease extension. Commissioner Wheaton stated that the legal committee will discuss this case in the executive session before coming to terms of settlement with Flightline Ground Inc.

Legal Counsel's Report:

Mr. Metzger issued his routine monthly report to the legal committee on the status of all cases.

Old Business:

None

New Business:

- a) Motion to recommend approval of a settlement agreement in the civil proceedings captioned and entitled, Stephen Carrier v. Alvena, NFPAMA, et al., No: 16CV3702, United States District Court for the Eastern District of Louisiana

Motion to recommend approval of settlement to board was moved by Commissioner Arrigo, second by Commissioner Wheaton and all were in favor.

- b) Motion to recommend filing a concursus proceeding in connection with the civil proceedings captioned and entitled, Leigh of All Trades, L.L.C. d/b/a By land or Sea Construction, LLC v. NFPAMA, et al., No: 2017-12188, Civil District Court for the Parish of Orleans, State of Louisiana, Div. "N-8."

Motion to recommend filing a concursus moved by Commissioner Wheaton, second by Commissioner Arrigo, and all were in favor.

- c) Discussion of legal claims and actions related to the demolition of boathouses in the Orleans Marina

E.D. Noel discussed the status of the demolition of boathouses and the demolition costs associated with it. The legal committee asked legal counsel, Mr. Metzger, to re-visit this issue at the following month's committee meeting.

- d) Discussion of first amendment to Asset Management Plan

E.D. Noel received requests from Commissioner Ernst to revise the AMP. The legal committee has reviewed the requested revisions. The commissioners agreed on a semi-annual review of the AMP in the months of July and January to incorporate any further revisions to the plan.

Executive Session:

The motion to move into executive session was moved by Commissioner Morvant, second by Commissioner Arrigo and all were in favor of going into executive session.

- a) Flightline Ground, Inc. v. Orleans Levee District, Division of Non-Flood Assets and the Non-Flood Protection Asset Management Authority, No: 14-5419, Civil District Court for the Parish of Orleans, State of Louisiana, Div. "H."
- b) Rubin, et al v. NFPAMA, et al; No: 2016-07582, Surreply Memorandum In Opposition To Motion For New Trial On Behalf Of The NFPAMA And J.P. & Sons Dredging L.L.C.

The motion to move out of executive session was moved by Commissioner Arrigo, second by Commissioner Wheaton and all were in favor.

Chair Major made the announcement of next Legal Committee Meeting to take place on Tuesday April 17, 2018 at 4:30 P.M.

Motion to adjourn moved by Commissioner Wheaton, second by Commissioner Arrigo and the meeting was adjourned at 5:46 p.m.