

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY  
BOARD MEETING MINUTES  
THURSDAY AUGUST 24, 2017 – 5:30 P.M.**

The regular meeting of the Full Board of the Non-Flood Protection Asset Management Authority was held on Thursday, August 24, 2017 at 5:30 p.m., in the 2<sup>nd</sup> Floor Conference Center – Lakefront Airport Terminal Building, located at 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 Heaton called the meeting to order at 5:36 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

**PRESENT:**

Chair Wilma Heaton  
Vice Chair Eugene Green  
Comm. Thomas Fierke  
Comm. Rodger Wheaton  
Comm. Anthony Richard  
Comm. William Settoon  
Comm. Greg Ernst  
Comm. Leila Eames  
Comm. Roy Arrigo  
Comm. Dawn Hebert  
Comm. Chris Morvant  
Comm. Sean Bruno

**ABSENT:**

Comm. Stanley Brien  
Comm. Carla Major  
Comm. Cedric Grant  
Comm. Pat Meadowcroft

**STAFF:**

Jesse D. Noel, P.E. – Executive Director  
Ngoc Ford – Deputy Director  
Sharon Martiny – Administrative Assistant  
Chanse Watson – Asst. Airport Director  
Dave Howard – Airport Manager  
Tony Collins – Airport Fire Dept.

**ALSO PRESENT:**

Gerard Metzger – Legal Counsel  
Al Pappalardo – Real Estate Consultant  
Monte Shalett – LVPOA  
Ray Landeche – Lakeshore Resident  
Joe Hassinger – Chair, Flood Authority  
Tim Avegno – Eagan Insurance  
William Rafferty – House of Representatives  
Steven Massicot -

**ADOPT AGENDA**

Comm. Fierke offered a motion to adopt the Agenda, second by Comm. Arrigo. Motion passed.

**APPROVE MINUTES**

Chair Heaton noted that the Insurance Committee meets annually, so members of that Committee will be asked to approve those minutes tonight to get them into the record and posted on the website.

Comm. Fierke offered a motion to approve the June 22, 2017 Board meeting minutes, second by Comm. Richard, and objected by Comm. Ernst due to insufficient content to reflect the issues brought forth. Comm. Ernst moved to defer the June 22, 2017 Board meeting minutes, second by Arrigo.

Comm. Arrigo offered a motion to approve the July 27, 2017 Board meeting minutes, second by Comm. Richard.

Comm. Fierke moved to defer the Joint Finance/Insurance Committee meeting minutes of May 9, 2017, second by Comm. Bruno. Comm. Fierke offered a motion to approve the Insurance Committee meeting minutes of May 25 2017, second by Comm. Bruno. Motions passed. The vote was unanimous from the two committees.

### **OPENING COMMENTS**

Chair Heaton advised that bids for the Police Station at Elysian Fields and Lakeshore Drive were received. The budget for the new Police Station is \$3 million, and bids came in between \$2.5 and \$3.7 million. The issue will be on Flood Authority Agenda in September. Having a police presence in that area once again will be good for the entire community. One item that will be addressed on this Agenda is the request for a Cooperative Endeavor Agreement to allow the police to move into 6521 Spanish Fort during construction of the new Police Station. The reserve police will remain at Spanish Fort once the new Station is complete. The Flood Authority will pay the utilities and make approximately \$50,000 in repairs to Suite 6521 by adding new flooring and air condition.

### **PUBLIC COMMENTS**

None

### **PRESENTATION**

None

### **COMMITTEE REPORTS:**

**Airport** – Comm. Fierke advised that he was the sub-committee to facilitate the Commemorative Air Force, who are eager to come to KNEW. It is possible that a travel agency will use the first floor space in the Terminal Building to sell tickets so the CAF will have a presence prior to securing an aircraft.

**Marina** – Chair Arrigo advised that the Marina Committee did not meet in August, and there is no New Business on the Agenda. There is a marina-related lawsuit coming through the Legal Committee. Due to several complaints of abandoned vehicles, the Authority will begin to enforce lease obligations to ensure abandoned vehicles are not left in the parking lot at the Marinas.

**Commercial Real Estate** – Comm. Green advised of three items under New Business. Lakeshore Landings is making great progress at the old Bally's site, and the public is invited to a concert on September 2, 2017 from 3:00 – 7:00 p.m. Other items will be addressed as they come up on the Agenda.

**Recreation/Subdivision** – Chair Wheaton advised that work will begin on the Lake Terrace Fountain in the next 4-6 weeks. Work continues on Shelter No. 1 and there is a meeting in the near future with the surrounding neighborhoods regarding same. The Authority will install access gates at Shelter Nos. 1 and 2 to prevent vehicular traffic and vandalism behind those shelters after dark.

**Legal** – Mr. Metzger advised that the Legal Committee discussed the future of the Webber case.

**Finance** – Comm. Richard advised that the Executed Director gave an update on the three audits and provided reports detailing collection of back rent for Marina tenants.

**Nominating Committee** – Chair Bruno advised that no recommendations were turned in to Chair Major other than those for the current slate, who are recommended to remain in place for 2017-2018.

### **DIRECTOR'S REPORT**

E. D. Noel reported that work continues on the Asset Management Plan, and a rough draft will be provided to the Board for comment in October.

**OLD BUSINESS**

None.

**NEW BUSINESS**

**01-082417 -- Motions and recommendations on nominations for the annual election of Chairman, Vice Chairman and Secretary for the Non-Flood Protection Asset Management Authority for a term of one (1) year term starting September 1, 2017 through August 30, 2018**

Chair Heaton requested motions from floor, and none were given. Comm. Ernst noted last year's contentious election, and commented that the SLFPA-E appointee should not be the Chair for NFPAMA as it is a conflict of interest.

Comm. Green offered a motion to select Wilma Heaton as Chair for 2017-2018, second by Comm. Arrigo and opposed by Comm. Ernst. Comm. Bruno offered a motion to select Eugene Green as Vice Chair for 2017-2018, second by Comm. Wheaton. Comm. Richard offered a motion to select Thomas Fierke as Secretary for 2017-2018, second by Comm. Wheaton. Motions passed. Resolution 01-082417 was adopted to wit:

**MOTION: 01-082417**  
**RESOLUTION: 01-082417**  
**BY: COMMISSIONER MAJOR**  
**SECONDED BY: COMMISSIONER GREEN**

August 24, 2017

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District;

**WHEREAS**, as provided under Article IV, Section 1 of the By-Laws of the Authority, officers are elected each year at the regularly scheduled August Management Authority Meeting;

**WHEREAS**, after motion made and duly seconded, the members of the Authority elected Wilma Heaton as Chairman, Eugene Green as Vice Chairperson and Thomas G. Fierke as Secretary commencing on September 1, 2017 through August 31, 2018.

**BE IT HEREBY RESOLVED**, that Wilma Heaton be and is hereby elected to serve as Chairman, Eugene Green as Vice Chairperson and Thomas G. Fierke as Secretary of the Authority commencing on September 1, 2017 through August 31, 2018.

**BE IT HEREBY FURTHER RESOLVED**, that the Authority Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, HEBERT, MORVANT, BRUNO**

**NAYS: ERNST**

**ABSENT: BRIEN, MAJOR, GRANT, MEADOWCROFT**

**RESOLUTION PASSED: YES**

This resolution was declared adopted this 24<sup>th</sup> day of August, 2017.

**02-082417 -- Motion to approve the Term Sheet with Oceana USA, LLC for a proposed project on Ocean's leasehold on the New Basin Canal and authorize the NFPAMA Executive Director, Legal Counsel and Real Estate Consultant to negotiate an amendment to Oceana's lease based on the terms and conditions of the Term Sheet for consideration and approval by the NFPAMA**

Comm. Green advised that the Authority presently leases space on the New Basin Canal to Oceana USA, LLC, who approached the Authority regarding a condominium development on that space. The CRE Committee reviewed the terms that will be included in the lease, which will be negotiated between Oceana, Legal Counsel, the Executive Director and the Real Estate Consultant. The proposed Term Sheet includes four 10-year lease options and removal of language limiting the number of residential units. The lease must come back to the CRE Committee for approval along with the Coast Guard and US Army Corps of Engineers. Mr. Metzger advised that the Oceana lease was signed in 2009 and included four 10-year options to renew. Oceana is requesting an additional four 10-year options. The Term Sheet is a non-binding document.

Comm. Green offered a motion to approve the Term Sheet with Oceana USA, LLC for a proposed project on Ocean's leasehold on the New Basin Canal and authorize the NFPAMA Executive Director, Legal Counsel and Real Estate Consultant to negotiate an amendment to Oceana's lease based on the terms and conditions of the Term Sheet for consideration and approval by the NFPAMA, second by Comm. Eames. The Resolution was adopted to wit:

**MOTION:** 02-082417  
**RESOLUTION:** 02-082417  
**BY:** COMMISSIONER GREEN  
**SECONDED BY:** COMMISSIONER EAMES

August 24, 2017

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, Oceana USA, L.L.C. ("Oceana") leases certain premises on the west side of the New Basin Canal in the City of New Orleans as a boat mooring area, which property is a non-flood protection asset of the Orleans Levee District managed and controlled by the Management Authority (the "leased premises");

**WHEREAS**, the written lease with Oceana, dated on August 11, 2009, is for a term of ten (10) years ending on June 30, 2019, with four ten (10) year options to renew, and provides that the leased premises may only be used as a boat mooring area (the "Lease" or "Oceana Lease");

**WHEREAS**, Oceana requested an amend of its Lease to permit it to develop a commercial/residential project on the leased premises (the "leased premises") and also requested that the term of the Lease be amended to provide for a primary term of ten (10) years commencing on the 1<sup>st</sup> day of July, 2009 and ending on the 30<sup>th</sup> day of June, 2019, with eight (8) – ten (10) year options to renew and one (1) additional nine (9) year option to renew;

**WHEREAS**, the Management Authority staff, Real Estate Consultant, and Counsel drafted a Term Sheet for the requested amendment of the Oceana Lease for the proposed Project, a copy of which is attached to this Resolution (the "Term Sheet");

**WHEREAS**, the Commercial Real Estate Committee of the Management Authority considered the Term Sheet at its meeting held on August 22, 2017 and voted to recommend that the Management Authority approve the Term Sheet for an amendment of the Oceana Lease and authorize the Executive Director, Real Estate Consultant and Legal Counsel to negotiate an amendment of the Oceana Lease, in accordance with the terms and conditions set forth in the Term Sheet, and also recommended that the amendment of the Lease negotiated be subject to approval by the Management Authority; and,

**WHEREAS**, the Management Authority after considering the recommendation of the Commercial Real Estate Committee resolved that it was in the best interest of the Orleans Levee District to approve the recommendations of the Commercial Real Estate Committee.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves the Term Sheet to amend the Lease with Oceana USA, L.L.C., a copy of which is attached to this Resolution, and does hereby authorize the Executive Director, Real Estate Consultant and Legal Counsel of the Management Authority to negotiate an amendment of the Oceana Lease, in accordance with the terms and conditions set forth in the Term Sheet, and the amendment of the Lease negotiated with Oceana USA, L.L.C. shall be subject to approval by the Management Authority.

**BE IT FURTHER HEREBY RESOLVED**, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign any documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, EAMES, ARRIGO, HEBERT, MORVANT, BRUNO

**NAYS:** NONE

**ABSENT:** BRIEN, MAJOR, GRANT, MEADOWCROFT

**RESOLUTION PASSED:** YES

This resolution was declared adopted this 24th day of August, 2017.

**03-082417 -- Motion to approve a lease with Lakeview Creative Arts Center, LLC for Suites 6512 and 6514 in the Lake Vista Community Center**

Comm. Green advised that Lakeview Creative Arts Center, LLC presently leases Suite 6512 and has requested to expand to Suite 6514. Suite 6514 is approximately 1,120 s.f., and the rental rate is \$16.00 per s.f. for 24 months with one option to renew for an additional 24 months.

Comm. Green offered a motion to approve a lease with Lakeview Creative Arts Center, LLC for Suites 6512 and 6514 in the Lake Vista Community Center, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION:** 03-082417  
**RESOLUTION:** 03-082417  
**BY:** COMMISSIONER GREEN  
**SECONDED BY:** COMMISSIONER FIERKE

August 24, 2017

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, the Lake Vista Community Center is one of the non-flood protection assets owned by the Orleans Levee District under the management and control of the Management Authority;

**WHEREAS**, Lakeview Creative Arts Center, L.L.C. (formerly Full Force Dance Company, L.L.C. d/b/a Lakeview Creative Arts Studio) ("Lakeview Creative Arts" or "Lessee") leases Suite 6512 Spanish Fort Blvd. in the Lake Vista Community Center, consisting of 1,120 square feet of space, used solely and exclusively for a school offering lessons in creative arts and offices for the school;

**WHEREAS**, Lessee requested to lease 6514 Spanish Fort Boulevard consisting of 1,120 square feet of space, and enter into a lease for both Suites 6512 and 6514 Spanish Fort Boulevard;

**WHEREAS**, the term of the proposed lease will be for two years, commencing on September 15, 2017 and ending on September 14, 2019 ("Primary Term"), with one 2-year option to renew, commencing on September 15, 2019 and ending on September 14, 2021 ("Option Term");

**WHEREAS**, the rent for the lease of the Leased Premises during the Primary Term, will be \$16.00 per square foot, for an annual rental of \$35,840.00, payable in twenty-four (24) monthly installments of \$2,986.67, in advance of the beginning of each month, and the annual rent during the Option Term shall be set at the fair market value annual rental for locations in the Lake Vista Community Center upon the commencement of the Option Term and payable monthly as set forth above;

**WHEREAS**, the leased premises located at 6514 Spanish Fort Blvd. will have to be renovated for operation of the school, and Lessee agreed to make the required renovations, at its expense, subject to the approval of Lessor, and in consideration for the improvements to be made at Lessee's expense, Lessor agreed to grant Lessee a rent abatement on the rent due on the leased premises located at 6514 Spanish Fort Boulevard during the first three (3) months of the Lease;

**WHEREAS**, the Management Authority resolved that it was in the best interest of the Orleans Levee District to enter into a lease for Suites 6512 and 6514 Spanish Fort Blvd. in the Lake Vista Community Center with Lakeview Creative Arts under the terms set forth above,

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves a lease with Lakeview Creative Arts Center, L.L.C. (formerly Full Force Dance Company, L.L.C. d/b/a Lakeview Creative Arts Studio) for 6512 and 6514 Spanish Fort Boulevard in the Lake Vista Community Center under the terms and conditions specified above and the standard terms and conditions of leases in the Lake Vista Community Center with the Management Authority.

**BE IT FURTHER HEREBY RESOLVED**, that the Chairman or Executive Director of the Management Authority be and is hereby authorized to sign a written lease agreement with Lakeview Creative Arts Center, L.L.C. (formerly Full Force Dance Company, L.L.C. d/b/a Lakeview Creative Arts Studio) under the terms set forth above and any and all other documents necessary to carry out the foregoing.

The foregoing was submitted to a vote, the vote thereon was as follows:

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, EAMES, ARRIGO, HEBERT, MORVANT, BRUNO

**NAYS:** NONE

**ABSENT:** BRIEN, MAJOR, GRANT, MEADOWCROFT

**RESOLUTION PASSED:** YES

This resolution was declared adopted this 24<sup>th</sup> day of August, 2017.

**04-082417 -- Motion to approve a Cooperative Endeavor Agreement with SLFPA-E to authorize the Orleans Levee District Police Department to establish a sub-station at 6521 Spanish Fort Boulevard in the Lake Vista Community Center**

Comm. Green advised the Authority owns the Lake Vista Community Center. This issue was brought before the CRE Committee, but a quorum was not present. Board approval is required for this matter. A substation located in the LVCC will provide a service to the community and enhance patrols along Lakeshore Drive and in the surrounding subdivisions.

Chair Heaton noted that the CEA will allow police to occupy the premises at 6521 Spanish Fort. The Flood Authority will pay the utilities, but the rent will be covered under the CEA as there are repairs needed in that Suite. The floor will be leveled and new flooring will be installed at a cost of under \$50,000. Chair Heaton thanked Flood Authority Chair Joe Hassinger for his assistance on this project.

Comm. Green offered a motion to approve a Cooperative Endeavor Agreement with SLFPA-E to authorize the Orleans Levee District Police Department to establish a sub-station at 6521 Spanish Fort Boulevard in the Lake Vista Community Center, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION:** 04-082417  
**RESOLUTION:** 04-082417  
**BY:** COMMISSIONER GREEN  
**SECONDED BY:** COMMISSIONER FIERKE

August 24, 2017

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

**WHEREAS**, the Lake Vista Community Center (“LVCC”) is one of the non-flood protection assets of the Orleans Levee District under the management and control of the Management Authority;

**WHEREAS**, the Police Substation of the Orleans Levee District Police Department located on Elysian Fields Avenue in the City of New Orleans is scheduled to be demolished and a new Substation built at the same location on Elysian Fields Avenue;

**WHEREAS**, the Southeast Louisiana Flood Protection Authority – East (“SLFPA-E”), as the governing authority of the Orleans Levee District, and manages the Orleans Levee District Police Department, has requested a Cooperative Endeavor Agreement with the Management Authority for the use of Municipal Address 6521 Spanish Fort Boulevard in the LVCC as a Police Substation;

**WHEREAS**, SLFPA-E has agreed at its expenses to make improvements on the leased premises, subject to the approval of the Management Authority, to make the leased premises suitable for a Police Substation;

**WHEREAS**, SLFPA-E has also agreed to pay for all utilities for the leased premises;

**WHEREAS**, the proposed Cooperative Endeavor Agreement will be for a term of one (1) year and may be extended by the mutual agreement of the Management Authority and SELFPA-East; and,

**WHEREAS**, the Management Authority after considering the terms of the proposed Cooperative Endeavor Agreement set forth above resolved that it was in the best interest of the SLFPA-E to approve a Cooperative Endeavor Agreement with SLFPA-E under the terms set forth hereinabove.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves a Cooperative Endeavor Agreement with the Southeast Louisiana Flood Protection Authority-East for the use of Municipal Address 6521 Spanish Fort Boulevard in the Lake Vista Community Center by the Orleans Levee District Police Department for a Police Substation under the terms and conditions set forth above in this Resolution.

**BE IT FURTHER HEREBY RESOLVED**, that the Chairman or Executive Director of the Management Authority be and is hereby authorized to sign any and all documents to carry out the above. The foregoing was submitted to a vote, the vote thereon was as follows:

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, EAMES, ARRIGO, HEBERT, MORVANT, BRUNO

**NAYS:** NONE

**ABSENT:** BRIEN, MAJOR, GRANT, MEADOWCROFT

**RESOLUTION PASSED:** YES

This resolution was declared adopted this 24<sup>th</sup> day of August, 2017.

**05-082417 -- Motion to approve and ratify the Consent Judgment entered in those proceedings captioned and entitled, “*Brook Webber and Rachel Weber v. Orleans Levee District, Division of Non-Flood Protection Asset Management Authority, No: 2017-6540, Civil District Court for the Parish of Orleans, State of Louisiana, Division I.*”**

Chair Heaton advised that five staff personnel attended the hearing ready to testify for the Authority as the slip tenant is being evicted. The Authority agreed to grant the tenant additional time to vacate the slip, but is reserving all rights to collect rent. Mr. Metzger advised that the tenant has not paid rent for some time. The parties agreed to dismiss the Mandamus and enter into the eviction notice with both parties reserving all rights. Chair Heaton thanked Mr. Metzger for his work on this issue.

Comm. Major offered a motion to approve and ratify the Consent Judgment entered in those proceedings captioned and entitled, "*Brook Webber and Rachel Weber v. Orleans Levee District, Division of Non-Flood Protection Asset Management Authority, No: 2017-6540, Civil District Court for the Parish of Orleans, State of Louisiana, Division I.*", second by Comm. Arrigo. The Resolution was adopted to wit:

**MOTION: 05-082417**  
**RESOLUTION: 05-082417**  
**BY: COMMISSIONER MAJOR**  
**SECONDED: COMMISSIONER ARRIGO**

**August 24, 2017**

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, South Shore Harbor Marina ("Marina") is one of the non-flood protection assets managed and controlled by the Management Authority;

**WHEREAS**, the Management Authority is authorized to establish rental rates or other types of docking charges for boat slips in any marina owned and operated by the Orleans Levee District pursuant to Louisiana Revised Statutes Title 38, Section 336(B)(4);

**WHEREAS**, Brook Webber (the "tenant") executed a lease for Boat Slip 19 West on Pier 8 on August 2, 2013 for a term of one (1) year, with an option to renew for one (1) additional year (the "lease");

**WHEREAS**, after the lease expired on June 30, 2015, the tenant remained in possession of the premises and the lease reconducted to a month-to-month lease as provided under Louisiana law;

**WHEREAS**, earlier this year a dispute arose with the tenant concerning the payment of rent for the lease of the slip in the Marina;

**WHEREAS**, on July 6, 2017, the tenant filed a Petition for Declaratory Judgment, Mandamus and Damages, alleging that he and his wife were not responsible for certain rental payments, requesting the issuance of a writ of mandamus to order the Management Authority to issue to him and his wife an annual slip lease in the Marina, commencing on July 1, 2017, and requesting an award of damages, attorney fees and costs, in those proceedings captioned and entitled "*Brook Webber and Rachel Weber v. Orleans Levee District, Division of Non-Flood Protection Asset Management Authority, No: 2017-6540, Civil District Court for the Parish of Orleans, State of Louisiana, Division "I"*";

**WHEREAS**, the Management Authority in response to the lawsuit filed by the tenant filed an Answer to the Petition for Declaratory Judgment, Mandamus, and Damages, a Reconventional Demand for back due rent owed by the tenant, for attorney fees and costs as authorized under the written lease, and also filed a Rule to Evict the tenant;

**WHEREAS**, the Mandamus and Rule to Evict were set for hearing on August 10, 2017;

**WHEREAS**, the Court held a conference with counsel prior to the hearing and following this conference, and pursuant to the recommendation of the Court, the tenant agreed to a Consent Judgment dismissing his Petition for Mandamus, consenting to judgment ordering his eviction within 90 days and reserving to both parties all other claims asserted in the legal proceedings pending before the Court;

**WHEREAS**, the Chairman and Executive Director of the Management Authority were present in Court on the date of the hearing to testify and agreed to the terms and conditions of the Consent Judgment recommended by the Court;

**WHEREAS**, the terms of the Consent Judgment were recited in open Court by the parties and counsel for the parties were ordered to prepare a Consent Judgment for signature by the Court;

**WHEREAS**, counsel for the parties prepared a Consent Judgment pursuant to the order of the Court, a copy of which is attached to this Resolution;

**WHEREAS**, the Legal Committee at its meeting held on August 15, 2017 considered the terms and conditions of the Consent Judgment and unanimously voted to recommend that the Management Authority approve and ratify the Consent Judgment; and,

**WHEREAS**, the Management Authority after considering the terms and conditions of the Consent Judgment resolved that it was in the best interest of the Management Authority and Orleans Levee District to approve and ratify the Consent Judgment.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, the Management Authority approves and ratifies the Consent Judgment agreed upon by the parties in those proceedings captioned and entitled, "*Brook Webber and Rachel Weber v. Orleans Levee District, Division of Non-Flood Protection Asset Management Authority, No: 2017-6540, Civil District Court for the Parish of Orleans, State of Louisiana, Division "I,"*" a copy of which is attached to this Resolution.

**BE IT HEREBY FURTHER RESOLVED**, that the Management Authority Chairman or Executive Director be and is hereby authorized to execute any and all documents necessary to carry out the above. The foregoing was submitted to a vote, the vote thereon was as follows:

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST,  
EAMES, ARRIGO, HEBERT, MORVANT, BRUNO

**NAYS:** NONE

**ABSENT:** BRIEN, MAJOR, GRANT, MEADOWCROFT

**RESOLUTION PASSED:** YES

This resolution was declared adopted this 24th day of August, 2017.

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**ANNOUNCE NEXT MEETING**

Chair Heaton announced the next full Board meeting will be held on Thursday September 28, 2017 at 5:30 p.m.

**ADJOURNMENT**

Comm. Richard offered a motion to adjourn, seconded by Comm. Fierke. Motion passed. The meeting adjourned at 6:38 p.m.