

**MINUTES OF THE  
LAKEFRONT MANAGEMENT AUTHORITY  
REGULAR BOARD MEETING MINUTES  
THURSDAY, DECEMBER 16, 2022 at 5:33 PM**

**PRESENT:**

Chair Anthony Richard  
Vice-Chair Esmond Carr  
Secretary Howard Rodgers  
Commissioner Stanley Brien  
Commissioner Robert Drouant  
Commissioner Brian Egana  
Commissioner Adonis Expose (Left at 6:30 PM)  
Commissioner Wilma Heaton  
Commissioner Dawn Hebert  
Commissioner Renee Lapeyrolerie (Left at 6:16 PM)  
Commissioner Pat Meadowcroft  
Commissioner Michelle White (Left at 6:30 PM)  
Commissioner Sandra Thomas (Left at 6:30 PM))  
Commissioner Carlos Williams

**ABSENT:**

Commissioner Monika Gerhart  
Commissioner Jennifer Herbert

**STAFF:**

Louis Capo – Executive Director  
Vanessa McKee – Assistant to the Executive Director/Board Secretary  
Bruce Martin – Airport Director  
Adam Gulino– Director of Engineering and Operations

**ALSO PRESENT:**

Gerard G. Metzger – Legal Counsel to the LMA  
David Jefferson “Jeff” Dye – Legal Counsel to the LMA  
Al Pappalardo - PCI  
Ray Landeche – Optimum Solutions  
Harold Matherne - LOSID  
Ashley Haspel – Lake Terrace  
Karl Hudson – Orleans Marina  
Holly Radtke – SSH CBS

Ray Blancher – CBS

Micheal Laeibert - Managing Director of Ponchartrain Beach Foundation (PBF)

Phalon Cornist - LOCA

---

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, December 16, 2022, 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. **Call to Order**

Chair Anthony Richard called the meeting to order at 5:33 P.M.

II. **Pledge of Allegiance**

Vice-Chair Carr led in the Pledge of Allegiance.

III. **Roll Call**

Executive Director Louis Capo called the roll, fourteen board members were present and a quorum was established.

IV. **Opening Comments – Chair Richard**

**Commissioner Howard Rodgers** asked to observe a moment of silence for those who were affected or perished as a result of this week’s tornados in our immediate area.

**Chair Richard** thanked Commissioner Rodergs for his suggestion to keep those who have suffered from the tornados in thought. He was glad to see so many in attendance and hoped to have a good meeting.

V. **Motion to Adopt the Agenda**

**Chair Richard** called to adopt the Agenda.

A motion was made by Vice-Chair Carr; seconded by Commissioner Meadowcroft.

**Chair Richard** called for discussions; hearing none called for a vote. All were in favor. The motion passed unanimously.

**Chair Richard** called for a motion to adopt the minutes.

***VI. Motion to Approve Minutes:***

1. **Special Nomination Committee** – November 15, 2022: **Approved**
  - A motion to approve as made by Commissioner Rodgers; seconded by Commissioner Brien.
2. **Recreation Committee** - November 9, 2022: **Deferred**
  - Deferred to January's Committee Meeting
3. **Marina Committee** – November 9, 2022: **Deferred**
  - Deferred to January's Committee Meeting

***VII. Directors' Reports***

**Mr. Capo** also reported on the following items in his report:

- **Update on the recent weather event.**
  - No damage to the Marinas and no sunken boats were reported.
  - Airport McDermott Hangar water intrusion on the flat part of the roof. The part of the roof that was replaced due to H. Zeta sustained no further damage.
- **Certified Letter:** The tenant who sent the certified letter to some of the commissioners has settled her rent issue and has agreed to a new lease at the new market rate in January.
- **The Budget Process:** the budget process will start with the budget to actuals in January and February. It must be approved by March 2023.
- **Audit:** Mr. Capo spoke with the auditor in charge today. They will be coming to our January meeting. We did not receive our report yet. However, he did say that we have no audit findings.

**Commissioner Meadowcroft** congratulated Mr. Capo and the staff on achieving a zero-findings audit. She understands the daunting process of audits and looks forward to reading the comments.

***VIII. Committee Reports:***

**Airport Committee – Char Lapeyrolerie: Deferred**

**Marina Committee – Chair Hebert: Deferred**

**Recreation Committee – Chair Carr: No Quorum**

**Legal Committee – Chair Drouant** reported that the Legal Committee was rescheduled from its original meeting time to Tuesday, December 13, 2022, at 5:00 PM where a quorum was present. He stated that there were several items on the agenda.

- The most significant item on the agenda was the recommendation to increase Attorney Jeff Dye’s contract from the original amount of \$100,000 to \$170,000 due to substantial ongoing legal matters. This motion was discussed at great length. It would not change the timeframe or terms of the contract. The increase in salary addresses the substantial items that were not anticipated when the contract originated.

For these reasons, the Legal Committee voted on the recommendation and unanimously decided to recommend the motion to increase Mr. Dye’s contract by \$70,000 for a contractual total not to exceed \$170,000 for the 2022-2023 fiscal year.

Additionally, the committee also recommended that the attorneys send their monthly reports to the entire board rather than just the Legal Committee.

- Each of the attorneys reported on updates as follows:
  - Ongoing litigation
  - Cases that have been settled
  - Case Monitoring
  - Parcel – L Lease Negotiations
  - Ponchartrain Beach Lease Negotiations
- Discussion on LMA’s responsibility regarding upkeep and maintenance of neighborhood lights and signage. The neighborhoods will continue to work

with LMA and its engineer to address and resolve any issues with repairs and replacement of these items.

- **Commissioner Drouant** completed his committee's report by summarizing the discussion on the process and purpose of Letters of No Objection. The neighborhood presidents presented several scenarios where they discovered that CNO has issued residents building permits without the property owners going through the proper channels with LMA to first obtain a Letter of No Objection. Upon lengthy discussion the LMA and the residents.

**Commercial Real Estate Committee – Chair Rodgers: Deferred**

**Finance Committee – Chair Richard: Deferred**

**Nominating Committee – Chair Rodgers Report and Election of Officers:**

- **Motion to elect the Officers of the Lakefront Management Authority to serve a one-year term beginning January 1, 2023, and expiring on December 31, 2023**

**Chair Richard** called for a motion to elect the Officers of the Lakefront Management Authority from January 1 to December 31, 2023.

**A motion was offered by Commissioner Rodgers; second by Commissioner Thomas.**

**Gerry Metzger** advised the board of the election process. The first step would be to get a motion and the second to begin the process for the election of officers. Commissioner Rodgers should then announce recommendations from the Nomination Committee. After which, floor nominations may be made. Discussion, public comment, and vote.

**Chair Richard** turned the meeting over to Chair Rodgers to report the Nomination Committee's recommendations for the election of officers.

**Chair Rodgers** reported that the Nomination committee met on November 15, 2022, at noon and accepted the nominations of Brian Egana and Anthony Richard for chairman; Esmond Carr for Vice-Chair, and Howard Rodgers for Secretary. After hearing from the nominees, the Nomination Committee voted to recommend Anthony Richard for Chairman and Esmond Carr for Vice-Chair. Mr. Rodgers also reported that he was nominated as Secretary of the Board and would recuse

himself during that process.

**Gerry Metzger** stated that those are the nominations recommended by the Nomination Committee.

**Chair Richard** announced that he would take nominations from the floor for the chairman position.

**Commissioner Lapeyrolerie** nominated Brian Egana for Chair.

**Chair Richard** asked for any other nominations for chairman. Hearing none opened the floor for discussion.

**Commissioner Rodgers** asked Attorney Metzger for clarity as to whether he would have to renominate Anthony Richard for chairman at this time.

**Gerry Metzger** replied that no further steps were necessary since Mr. Richard was recommended by the Nomination Committee for the chairman position. You are now in the period of discussion and then public comment.

**Chair Richard** addressed the board and public, stating that he appreciated having the opportunity to serve as chair over the last eleven months and thanked the people who had enough faith in him to place him in this position. Having retired from social services over ten years ago, he continues to serve the community through his accounting office. He still serves on a few boards and enjoys sharing his knowledge and experience with others. He will accept what the majority of this board decides tonight. He has enjoyed working with the commissioners and staff. Moving forward, he hopes for continuity and positive participation from everyone to continue doing what's best for LMA, the residents, and other stakeholders.

**Chair Rodgers** invited Brian Egana to say a few words next.

**Commissioner Egana** addressed the board and the public by stating that he was thankful for the nomination opportunity and considers it an honor to participate in this democratic process. He was appointed to this board in February and thanked the person who nominated him. He felt he learned more about the other commissioners on this board in the last four weeks through dialogue about being nominated for chairperson. He stated that he expressed to Chair Ricard that he would not stop his advocacy and support for the LMA regardless of the outcome today. He stated if he was elected as chair, he would bring his twenty-five-plus years of public and private sector experience and more than ten years of serving on

boards in leadership positions. As a resident of New Orleans East, he has looked at the ability and talent within the organization and believes that he would focus on strengthening the organization's governance structure by utilizing the bylaws as the tool to implement policy as opposed to the practices that often take place.

**Commissioner Egana** closed by stating that he welcomed the opportunity to assist Chair Richard by utilizing his expertise if he is reelected. He also felt he has gotten to know the other commissioners and where they would be better suited to use their talents to serve the constituents, the community, and this organization.

### ***IX. Public Comments***

**Chair Richard** called for public comment.

**Ashley Haspel**, president of Lake Terrace Property Owners Association. Stated that she is in opposition to reelecting Chair Richard to serve as chair in 2023. She commented that she felt there is a lack of communication between the board and the citizens.

**Ray Blacher**, South Shore Harbor former tenant of CBS#20, asked how would Mr. Egana handle the situation at the covered boat slips differently if he was elected as chairman.

**Commissioner Egana** asked if he was allowed to respond.

**Chair Richard** made an exception to allow a response to Mr. Blacher's question.

**Commissioner Egana** asked Mr. Blacher to clarify his question.

**Mr. Blacher** responded that four liver boarders are now out in the marina since the Fire Marshal's Cease and Desist in September; he wanted to know how Mr. Egana would address getting those tenants back onto their covered boat slips if he was elected as chairman. He also asked if Mr. Egana was aware that this had happened.

**Commissioner Egana** responded; "no sir". Not being in a leadership position on either committee, learns of matters at the board meetings. He would first access with staff where we are and what we need to do to address and resolve the issues before us.

**Commissioner Rodgers** asked for a point of clarification regarding Ms. Haspel's statement about playing a recording about the chairman not being present for all meetings. He asked Mr. Metzger if the chairman is required to attend all committee meetings.

**Mr. Metzger** replied that this matter is not addressed in the laws

**Ms. Haspel** further clarified that she played a recording of a discussion she had with the chairman regarding a former commissioner harassing her where he stated that his job was to run the meetings.

**Chair Richard** added that those were not his words. He said that the conversation became personal after a barrage of emails that were initiated by Ms. Haspel and the former commissioner and it was not the position of the chairman to intervene. She was well within her right to take whatever legal action she felt necessary.

**Ray Landeche** 7424 Canal Blvd., was here to represent himself. He stated that he has attended the last two Nomination Committee meetings where the two candidates who were interviewed for Chairman seem to be qualified. He fully supports the board's deciding vote and further suggested that the candidate that is not selected as chairman be considered for the vice chair position. He is not in support of the current candidate-elect for vice chairman.

**Gerry Metzger** advised that Mr. Capo can now take a vote by roll call for Chairman.

**Commissioner Rodgers** called for a voice roll call vote for Chairman.

**Mr. Capo** called the roll to vote for Anthony Richard as Chairman for 2023.

**YAYS:** RICHARD, RODGERS, BRIEN, DROUANT, EXPOSE,  
HEATON, J. HERBERT, MEADOWCRFT, THOMAS

**NAYS:** CARR, EGANA, LAPEYROLERIE, WHITE, WILLIAMS

**ABSENT:** GERHART, D. HEBERT

**Mr. Capo** announced that Chair Richard has been reelected by a vote of 9-YAYS to 5-NAYS.



**Chair Richard** was congratulated on his reelection and asked to move to vice chair.

**Commissioner Rodgers** reported that the recommendation from the Nomination Committee for Vice-Chair is Commissioner Esmond Carr.

**Chair Richard** called for any nominations for Vice-Chair from the floor.

**Commissioner Sandra Thomas** nominated Brian Egana for vice-chair.

**Commissioner Egana** asked if he was required to accept the nomination.

**Chair Richard** stated that it is his decision to accept or not.

**Commissioner Egana** declined the nomination for Vice-Chair.

**Commissioner Heaton** nominated Commissioner Meadowcroft for Vice-Chair.

**Chair Richard** called for any other nominations. Hearing none, he announced that the nominations for the Vice-Chair position were closed and opened the floor for discussion. He invited Vice-Chair Carr to say a few words.

**Vice-Chair Carr** stated that he appreciated the opportunity to represent this board as Vice -Chair over the past year and welcomes the nomination for consideration to be reelected as Vice-Chair for 2023.

As Vice Chair, he felt that a major difficulty of the past year has been due to a lack of communication with the Chair and staff. Moving forward, he hoped that the committee chairs and the board would take a more vocal and active role to work with everyone to move the board forward. He closed by stating that he hoped to get the opportunity to serve as Vice-Chair again or to continue as a member of the board. However, he would continue to serve this board beside whomever the board selects as Vice-Chair.

**Chair Richard** invited Commissioner Meadowcroft to address the board and the public.

**Commissioner Meadowcroft** addressed the board by stating that she has previously served on many boards and is honored to be nominated from the floor for Vice-Chair. She felt that the Vice-Chair has the responsibility to advise the

Chair, to also work with the rest of the board to take their suggestions. She also believed that the challenge for 2023 is to pull the board together to ensure that we make the best decisions for the citizens we represent.

Having served on numerous boards and neighborhood organizations; she understands the challenges of balancing commerce and the neighborhoods.

She has served as chair of Ponchartrain Conservancy (PC) for the last two years. She has also been on the Board of Directors for six years which is due to expire in January thus giving her more time to dedicate to LMA. She stated that she began her time in leadership at Ponchartrain Conservancy with them operating in the red. Ponchartrain Conservancy serves the community through scientific studies, they make the best decision to move forward with either water quality or the restoration of wetlands and coasts. She stated that she was proud to say the PC has operated in the black during her two years as chair.

Prior to that, she worked abroad in the retail industry improving the leadership platform and also implementing the centralization plan for J C Penny. She was also successful in her efforts to turn the financials around for Walmart bringing them from a \$1.5 million deficit to operating in the black before leaving.

She closed by saying that she has both financial experience and community experience that it would take to help move this board in a positive direction. It was most difficult to go from a corporate environment to a nonprofit or community involvement because was that you cannot fire the people who didn't do their job. She had to convince and encourage them instead to do it better. She would offer, as Vice-Chair the experience of both hands.

**Chair Richard** called for public comments.

**Michael Laeibert** spoke in favor of Commissioner Pat Meadowcroft as the new Vice-Chair of the Board.

**Ann Duffy** spoke in favor of Commissioner Esmond Carr's reelection as Vice - Chair.

**Holly Radtke** spoke in favor of Commissioner Esmond Carr's reelection as Vice - Chair.

**Harold Matherne**, a resident of Lake Oaks, spoke in favor of Commissioner

Esmond Carr's reelection as Vice -Chair.

**Ray Landeche** announced his resignation as the president of the Lake Shore subdivision due to a lack of consideration and communication by the other presidents and Commissioner Carr. He said that Sonya Duhé would be the new president of Lake Shore.

**Phalon Cornist**, president of Lake Oaks, spoke in support of Esmond Carr's reelection as Vice-Chair.

**Commissioner Wilma Heaton** spoke in support of Commissioner Pat Meadowcroft as Vice-Chair citing that she has known Ms. Meadowcroft for over 30 years and has watched her successes from Corporate America to local community boards and knows that she has the continuity that it would take to bring the board together. She also acknowledged Commissioner Egana for stepping up to the challenge of being nominated for Chair. She stated that she felt with Commissioner Meadowcroft coming off of the Ponchartrain Conservancy's board, she would be able to dedicate more time to LMA, working closely with the chair to bring this board together to accomplish the mission of the agency. She closed by stating that it is important to say that she believed that all commissioners on this board are dedicated and care about each of the neighborhoods and wanted them to be represented equally.

**Chair Richard** called for final comments from the board. Hearing none called for a voice roll call vote for Vice-Chair. She asked for the commissioners to support Commissioner Meadowcroft for vice chair.

**Mr. Capo** called the roll to vote for Esmond Carr as Vice-Chairman for 2023.

**YAYS:** CARR, EGANA, RODGERS, DROUANT, EXPOSE,  
J. HERBERT , THOMAS, LAPEYROLERIE, WHITE,  
WILLIAMS

**NAYS:** RICHARD, BRIEN, HEATON, MEADOWCROFT

**ABSENT:** GERHART, HEBERT

**Mr. Capo** announced that Vice-Chair Esmond Carr has been reelected by a vote of **10-YAYS to 4-NAYS.**

**Chair Richard** congratulated Vice-Chair Carr on his reelection as Vice-Chair and called for the election for Secretary.

**Commissioner Rodgers** announced that there was one name recommended by the Nomination Committee of Howard Rodgers.

**Chair Richard** called for any nominations from the floor. Hearing none, closed the nominations and announced that Commissioner Howard Rodgers, who ran unopposed, **won the election by acclamation.**

**Chair Richard** thanked all of the commissioners for their participation in this process. He came prepared to accept the outcome of today. No one in a leadership position is any better than anyone else. It takes team participation. He said that he appreciates and welcomes the ideas and suggestions of others for the betterment of LMA. Although he's had decades of experience, it doesn't mean he has all the answers. He has learned a great deal in the last year and hopes to become more of an asset in the year to come.

He closed by stating that he looked forward to working with everyone and hopes that he is held to his word.

**Commissioner Lapeyrolerie** left the meeting at 6:16 PM

**Chair Richard** called for General Public Comments

## **X. Public Comments**

**Holly Radtke, CBS #8,** read an excerpt of an email from Adam Gulino **"...has begun preparations of plans and specifications for the project to rehab the existing system including the existing sheds and other structures within the covered slips..."**. She stated for the record, that her husband has been in federal law enforcement for over thirty years and she only removed their shed due to the threat of fines and/or arrest, which would jeopardize the pension that he has worked for his entire adult life. She also wanted assurance that their shed, which has been removed, would be included in the plans to be replaced.

**Vice-Chair Carr** asked who was the email from.

**Mrs. Radtke** stated that it came from Adam Gulino as an update.

**Agam Gulino** stated that the sprinkler system is going out for bid next Wednesday. The Fire Marshal is still pending approval. LHJ is expecting a favorable response to the submitted plans.

**Chair Richard** stated that the Fire Marshal's report is coming up on the agenda shortly. Without misrepresenting the LMA, he fully understood her comments that she was forced to remove her shed and would like this matter to be addressed accordingly by the board attorneys and staff.

**Mr. Jeff Dye** stated that the plans that Linfield, Junius, and Hunter submitted to the Fire Marshal have not been fully vetted to go through the approval process by the LMA or the City of New Orleans. He cautioned the board not to make any representations of reimbursements or making people whole.

**Chair Richard** asked that Adam Gulino and Mr. Dye have a conversation beyond this meeting to discuss and address her concerns.

**Ray Blancher**, CBS #20, wanted to know what is the update and possible time frame of the liver board tenants tentatively getting back to their homes. He also stated that he was very disappointed that some board members did not know about what was going on at the covered boat slips.

**Chair Richard** responded to Mr. Blancher by stating that there would be a more detailed report on the covered boat slips momentarily.

## ***XI. New Business***

- 1. Motion to approve the Amendment of the Professional Legal Services Contract with David Jefferson Dye, L.L.C. to increase the budget for legal services and reimbursement of expenses to a sum not to exceed \$170,000.**

**A motion was made by Commissioner Jennifer Herbert and seconded by Commissioner Thomas.**

**Chair Richard** called for questions and comments.

**Vice-Chair Carr** spoke in opposition to approving the resolution to increase Attorney Jeff Dye's contract. He challenged the board to review the actions of Attorney Dye over the last year citing what he felt were personal attacks on him and some other board members.

**Commissioner Carr** requested that oversight be placed on Attorney Dye and his firm to have any actions or decisions be monitored and reviewed by the Legal Committee and approved by resolution to prevent future inappropriate actions and to keep tight control of expenditures.

**Commissioner Sandra Thomas** asked what was the status of the negotiations with Sewerage and Water Board with regard to the astronomical water bill. She thought it was quite inciteful that he brought the suggestion to the table to research federal funding sources to assist in alleviating the burdensome bill.

**Mr. Dye** thanked Commissioner Thomas for the question and gave brief detail of his firm, the work they've been doing with LMA over the last four years with regard to the existing contract, and the resolution to increase the amount of the contract.

He also stated that the Sewerage and Water Board has produced the requested billing information with regard to the \$4.1 water bill. After reviewing the documents, The LMA accounting staff found several billing discrepancies and inconsistencies based on the month-to-month rates of consumption. He closed by stating that staff is currently in negotiations with SW&B and therefore could not go into any further detail due to ongoing legal strategy.

**Vice-Chair Carr** asked if staff would identify the line items in the budget when the money will come to cover the contract increase.

**Mr. Capo** showed a PowerPoint of the General Funds ledger and detailed the line items where the money would be moved up or down to cover the contract's \$70,000 increase as follows:

- Materials and Supplies
  - Fountain and Pool Supplies line item will be reduced by \$10,000 leaving a balance of \$5000 in the account.
  - Roads, Streets, and Materials

- Maintenance Supplies line item will be reduced by \$15,000 leaving a balance of \$5000 in the account
- Professional Services
  - Engineering and Architectural line item will be reduced by \$25,000 leaving a balance of \$25,000 in the account
- Machinery and Equipment
  - Auto line item will be reduced by \$20,000 leaving a balance of \$30,000 in the account

**Mr. Capo** stated that this movement up and down in the general fund will give us \$70,000 to increase the contract.

**Commissioner Meadowcroft** asked for clarification on whether this item came by recommendation by the Legal Committee.

**Chair Richard** clarified that it did come recommended by the Legal committee however we must entertain discussion and public comments on the subject at this time.

**Chair Richard** called for a vote. **There was one objection by Vice-Chair Carr and no abstentions. The motion passed.**

## **2. Motion to approve the Lakefront Management Authority's 2023 Meeting Schedule**

**A motion was made by Secretary Rodgers, seconded by Commissioner Williams.**

**Mr. Capo** pointed out that we may have to address the meetings that are scheduled in February due to Mardi Gras.

**Commissioner Egana** stated that he currently serves on one committee and he was unsure if the committee assignments would change. He asked that staff work with the committee chair to notify commissioners of any changes in the meeting schedules as soon as possible.

**Commissioner Heaton** stated that Commissioner Egana makes a good point. She did not have the honor of working with Mrs. McKee as chair because she came after her term was over. However, she has observed Mrs. McKee, on numerous occasions, calling and emailing the board for a quorum. She further asked that the board be more responsive to those communications from the staff so that they may take the necessary actions about our meetings.

**Chair Richard** called for any other comments and discussion. Hearing none, called for a vote. All were in favor with no objections or abstentions. **The motion passed unanimously.**

## ***XII. Old Business***

### **1. Update on the Office of State Fire Marshal Cease and Desist Order – previously discussed**

**Adam Gulino** reported that LMA has submitted the plans for the CBSfire suppression sprinkler system to the State Fire Marshal for final approval. After working closely with the State Fire Marshal's Chief Architect, Linfield Hunter and Junius is very confident that we will receive their approval. We forward will move forward with the advertisement for bids for the fire suppression system. The bids will close on January 16<sup>th</sup> which will be in time to go before the full board meeting on January 26<sup>th</sup>. Beyond that, if all goes well, we are looking at approximately 100 days of construction followed by a final inspection by the Fire Marshal to lift the Cease and Desist order.

**Chair Richard** confirmed that the end date would be approximately May 2023. He asked for any other questions or comments before moving to the next item on the agenda.

### **2. Update on Parcel L**

**Attorney Jeff Dye** reported that the Lakefront management team entered into a lease agreement to negotiate the lease for Parcel -L. They sent the standard lease agreement to Coaxum for red lines. At this time, Coaxum wants to deviate from the LMA's standard lease terms and conditions. The LMA staff sent their response in October in the form of a letter outlining the items that the LMA staff does not have the authority to negotiate. We have not received any further response from Coaxum Enterprises.

**Commissioner Egana** asked for clarification that we have not received any further correspondence from Coaxum since we sent the letter in October 2022.



**Mr. Dye** responded in the affirmative.

**Chair Richard** stated that it was his appreciation that the Parcel-L lease would go back to the full board in January for a discussion as to the next steps if no agreement had been reached by both parties that fit the normal standard terms of the LMA lease.

### **3. Update on Ponchartrain Beach Lease**

**Mr. Dye** reported that the negotiations are progressing. The LMA staff sent their redline draft this past Monday. Ponchartrain Beach Foundation's legal is now in the review of the latest redlines. Mr. Metzger had a conference call with them this morning and we are set to meet next week to iron out two small items in preparation to go before the committees.

**Chair Richard** stated, as a reminder that the community requested a public meeting to discuss the drafted lease. Staff will work on the logistics of a combined committee meeting for a public hearing,

**Commissioner Egana** asked for clarity on the plans that the communities have been asking for.

**Mr. Dye** explained that the term "plan" has been used in different ways. In the context of the requirements of the lease, the plan is a requirement that has specific contents such as parking, security sanitation, etc.

**Gerry Metzger** added that these items will all be addressed in the final draft of the lease.

**Vice-Chair Carr** asked for confirmation if there is a drafted plan for review.

**Mr. Metzger** responded that the plan had not been drafted.

### **4. Update on SW&B outstanding issues – previously discussed**

**XIII. Announcement of next Regular Board Meeting**  
**Thursday, January 27, 2022, at 5:30 PM**

**Chair Richard** announced the next board meeting and called for a motion to adjourn the meeting.

**XIV. Adjourn at 7:42 PM.**

A motion to adjourn was offered by Commissioner Thomas; seconded by Commissioner Heaton. All were in favor.

The meeting adjourned at 7:42 PM.

**MOTION: VIII 01-12152022**

**RESOLUTION: VIII 01-12152022**

**BY: COMMISSIONER RODGERS**

**SECONDED BY: COMMISSIONER THOMAS**

**December 15, 2022**

**1) Motion to elect the Officers of the Lakefront Management Authority to serve one-year terms commencing on January 1, 2023, and expiring on December 31, 2023.**

**RESOLUTION**

**WHEREAS**, the Lakefront 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;

**WHEREAS**, Louisiana Revised Statutes Title 38, Section 330.12.1, Sub-Section (F) provides that the Management Authority shall elect from its members a Chairman and a Secretary and shall also elect a Vice-Chairman to serve in the absence of the Chairman;

**WHEREAS**, Article IV, Section 2 of the By-Laws of the Management Authority provides that officers are to be elected each year at the regularly scheduled December Management Authority Meeting;

**WHEREAS**, the Nominating Committee of the Management Authority at a meeting held on November 15, 2022, at which a quorum was present, voted to recommend Commissioner Anthony Richard as Chairman, Commissioner Esmond Carr as Vice Chairman, and Commissioner Howard Rodgers, III as Secretary; and,

**WHEREAS**, after nominations were made and discussion had, the members of the Management Authority elected ANTHONY RICHARD as Chairman, ESMOND CARR as Vice Chairman and HOWARD RODGERS as Secretary, each to serve a one-year term commencing on January 1, 2023 and expiring on December 31, 2023.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, that ANTHONY RICHARD be and is hereby elected to serve as Chairman, ESMOND CARR as Vice Chairman and HOWARD RODGERS as Secretary of the Management Authority, for a one-year term commencing on January 1, 2023 and expiring on December 31, 2023.

**BE IT HEREBY FURTHER RESOLVED** that the Management 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, and the vote thereon for the election of each officer was as follows

**CHAIRMAN Anthony Richard (RE-ELECTED)**

**YEAS: RICHARD, RODGERS, BRIEN, DROUANT, EXOSE, HEATON, HERBERT, MEADOWCROFT, THOMAS**

**NAYS: CARR, EGANA, LAPEYROLERIE, WHITE, WILLIAMS**

**ABSTAIN: NONE**

**ABSENT: HEBERT, GERHART**

**VICE CHAIRMAN Esmond Carr (RE-ELECTED)**

**YEAS: CARR, RODGERS, DROUANT, EGANA, EXPOSE, HERBERT,  
LAPEROLERIE, THOMAS, WHITE, WILLIAMS**

**NAYS: RICHARD, BRIEN, HEATON, MEADOWCROFT**

**ABSTAIN: NONE**

**ABSENT: HEBERT, GERHART**

**SECRETARY Howard Rodgers ran unopposed and was elected by acclamation.**

**YEAS:**

**NAYS:**

**ABSTAIN:**

**ABSENT**

**RESOLUTION ADOPTED: PASSED**

This resolution was declared adopted this 15th day of December, 2022.

\*\*\*\*\*

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on December 15, 2022, held in New Orleans, LA, at which a quorum was present.

**MOTION: X 01-12152022**

**RESOLUTION: X 01-12152022**

**MOTION BY: COMMISSIONER JENNIFER HERBERT**

**SECONDED BY: COMMISSIONER SANDRA THOMAS**

DECEMBER 15, 2022

**1) Motion to Amend the Professional Legal Services Contract with David Jefferson Dye, L.L.C. to increase the budget for legal services and reimbursement of expenses to a sum not to exceed \$170,000.**

**RESOLUTION**

**WHEREAS**, the Lakefront Management Authority (“Management Authority”), a political subdivision of the State of Louisiana and the governing authority of the non-flood assets of the Orleans Levee District, entered into a written Professional Legal Services Contract with David Jefferson Dye, L.L.C. (the “Contract”) the 16<sup>th</sup> day of October, 2018, and the Resolution for the Contract was approved by the Office of the Attorney General of the State of Louisiana as required under Louisiana law;

**WHEREAS**, the Contract was for a term of one (1) year commencing on July 1, 2019 and ending on June 30, 2020, with two one (1) year options to renew, established a budget for attorney’s fees and expenses in the amount of \$50,000 per fiscal year, and set forth other terms and conditions for professional legal services;

**WHEREAS**, the Board in February 2020 approved the amendment to the Contract to increase the budget established for fees and reimbursement of expenses to \$100,000 per fiscal year;

**WHEREAS**, the legal services required over the past five (5) months have exceeded the budgetary forecast for this time period due to the negotiation and preparation of proposed leases for the development of Parcel “L” and the revitalization of Pontchartrain Beach as well as regulatory compliance matters including particularly the covered boat slip building and the Office of State Fire Marshal;

**WHEREAS**, the legal services under the Contract are anticipated to eclipse the amended budget established for fees and reimbursement of expenses by early December

2022 due to ongoing work on the Parcel “L” and Pontchartrain Beach Leases, the covered boat slip building, and ongoing and new litigation in multiple matters;

**WHEREAS**, the Staff of the Management Authority recommended that the Contract be amended to increase the contract amount by \$70,000, for a not to exceed contract amount of \$170,000; and,

**WHEREAS**, a quorum of the Legal Committee met on Tuesday, December 13, 2022 and voted unanimously, after discussion and the opportunity for public comment, in favor of recommending the amendment to increase the cap on compensation for the Legal Services Contract; and

**WHEREAS**, the Management Authority resolved that it was in the best interest of the Management Authority and Orleans Levee District to approve an amendment of the Contract under the terms and conditions specified hereinabove.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Lakefront Management Authority approves an amendment of the Professional Legal Services Contract with David Jefferson Dye, L.L.C. to increase the budget of the Contract for legal services and reimbursement of expenses to the sum of \$170,000, with all other terms and conditions to remain the same.

**BE IT FURTHER HEREBY RESOLVED**, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign an amendment of the Professional Legal Services Contract and any and all other documents necessary to carry out the above.

**YAYS: RICHARD, RODGERS, BRIEN, DROUANT, EGANA, EXPOSE, HEATON, HERBERT, MEADOWCROFT, THOMAS, WHITE, WILLIAMS**

**NAYS: CARR**

**ABSENT: HEBERT, GERHART, LAPEYROLERIE**

**RESOLUTION ADOPTED: PASSED**

This resolution was declared adopted the 15th day of December 2022.

.....

I hereby certify that the above and the foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on December 15, 2022, held in New Orleans, LA, at which a quorum was present.