

NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
FULL BOARD MEETING MINUTES
THURSDAY JULY 28, 2016 – 5:30 P.M.

The regular meeting of the Full Board of the Non-Flood Protection Asset Management Authority was held on Thursday, July 28, 2016 at 5:30 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 Ernst 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 Greg Ernst
Vice Chair Wilma Heaton
Secretary Thomas Fierke
Comm. Mike Stack
Comm. Eugene Green
Comm. Bill Settoon
Comm. Glenn Higgins
Comm. Anthony Richard
Comm. Roy Arrigo
Comm. Rodger Wheaton
Comm. Dawn Hebert
Comm. Carla Major

ABSENT:

Comm. Stan Brien
Comm. Leila Eames

STAFF:

Ken Schwingshaki – Executive Director
Sharon Martiny – Administrative Assistant
Ben Morris – Airport Director
Chanse Watson – Assistant Airport Director
Melissa Bailey – Accounting

ALSO PRESENT:

Gerard Metzger – Legal Counsel
Chris Fenner – Stuart Consulting
George Brisbi – Brisbi's Restaurant
Jonathan Brisbi – Brisbi's Restaurant
Chris Morvant – Dept. of Transportation and Development
Ann Duffy – Lake Oaks Resident
Dawn Wagener – former Non-Flood Employee

OPENING COMMENTS

Chair Ernst informed the Board that the Board and Staff retreat was a success and thanked all who attended. There was discussion regarding the composition of the full Board of the Non Flood Protection Asset Management Authority. There are currently three vacancies on the Board. The Board is required to have one real estate expert (Comm. Eugene Green), one attorney, and one certified public accountant. A certified public accountant must be appointed by either Senator Morrell or Mayor Mitch Landrieu.

Comm. Richard added that discussion included what the Authority can do with the assets it manages and the Committees that oversee those assets.

ADOPT AGENDA

Comm. Fierke offered a motion to adopt the Agenda, seconded by Comm. Settoon. The motion passed.

APPROVE MINUTES

Comm. Arrigo offered a motion to approve the minutes of the July 28, 2016 Board meeting, seconded by Comm. Green. Motion passed.

REPORT BY EXECUTIVE DIRECTOR

The E.D. advised that the Authority is in the midst of the annual audit, which is proceeding as planned. Auditors have currently been requesting, and have received, materials via e-mails to staff. Proposals for the RFP for Shelters 1, 2 & 4 are due no later than July 29, 2016 at 1:00 p.m. Proposals will be reviewed by the appointed Review Committee, graded and presented to the Full Board for review and approval.

COMMITTEE REPORTS

Marina Committee – Chair Settoon reported that temporary repairs to the bulkhead at Orleans Marina are completed. The fencing will be taken down in the near future and sod will be placed in the immediate area. The next step will be to tear down the bulkhead for a more permanent fix.

Commercial Real Estate – Chair Green reported that the Committee will continue discussions regarding acquiring the former Lincoln Beach site from the City of New Orleans. Lincoln Beach was previously owned by the Orleans Levee District, who later swapped the real estate in 1999. It is possible that the Authority may enter into a Cooperative Endeavor Agreement with the City for the site. The Authority will work closely with the City in an attempt to reacquire the site. Demolition of the old police station on Elysian Fields will occur in the near future, with the Flood Authority funding that project.

Airport Committee – Chair Heaton reported that the hearing regarding the flood wall arbitration is scheduled for November 7, 2016, and all members of the Board are invited to attend in Washington, D.C. It has been brought to the attention of the Board that one tenant in the Airport Terminal Building was approximately \$100,000 behind in rent payments. A request was made to staff that an aging report be generated monthly to keep the Board apprised on any tenants who are behind in rent payments. A memo was distributed outlining a policy for subleases of Airport Hangar leases. The policy could be changed, but that is not recommended. The Revival lawsuit regarding property located in Lake Oaks has been settled.

Legal Committee – Committee meeting deferred until August 2016. Comm. Fierke advised of a meeting with staff, which addressed demolition of certain boathouses located in Orleans Marina.

Recreation/Subdivision Committee – Committee meeting deferred until August 2016.

Finance Committee – Committee meeting deferred until August 2016.

EXECUTIVE SESSION

None.

OLD BUSINESS

None.

NEW BUSINESS

01-072816 – Motion to approve execution of a lease in the Lakefront Airport Terminal Building with U.S. Customs and Border Patrol

The E.D. advised that this motion will finalize the lease with U.S. Customs and Border Patrol for space in the Lakefront Airport Terminal Building. The motion will authorize the Authority Chair or Executive Director to execute the lease document.

Comm. Heaton moved to approve execution of a lease in the Lakefront Airport Terminal Building with U.S. Customs and Border Patrol, second by Comm. Fierke. Motion passed.

02-072816 – Motion to approve monetary adjustment of an amount listed in Resolution No. 06-012816 from \$300,000 to \$162,000

The E.D. advised that a Resolution was passed on January 28, 2016 authorizing acceptance of an FAA grant to rehab runways at Lakefront Airport in the amount of \$300,000. The FAA requested the Resolution be amended to reflect the actual amount of the grant, which was \$162,000. Comm. Heaton advised that an increase in the grant amount is expected in the future to request additional funding in the new grant cycle.

Comm. Heaton moved to approve a monetary adjustment of an amount listed in Resolution No. 06-012816 from \$300,000 to \$162,000, second by Comm. Fierke. Motion passed.

03-072816 – Motion to intervene, acknowledge and agree to the grant and existence of a servitude in the proposed Access Servitude Agreement by and between the Southeast Louisiana Flood Protection Authority – East, as the owner and Grantor of the servitude of Stars and Stripes Blvd. to Studio Network-Lakefront, LLC. as Grantee

Chair Ernst explained that the developer of the future South Shore Harbor site requested the servitude to ensure the servitude is granted. The request was required by the lending institution. The barricaded portion of Stars and Stripes Blvd. is the issue to be addressed. The Flood Authority is the grantor of the servitude as that area was not addressed in the Memorandum of Understanding previously executed between the Non-Flood Authority and the Flood Authority. The land is owned by the Flood Authority, but the Non-Flood Authority is intervening due to the lessor. The bank desires to ensure the servitude due to the amount of money being loaned to the developer. The servitude will not impact tenants at South Shore Harbor Marina. Michael Botnick, Legal Counsel, is representing the Non-Flood Authority regarding this issue, Nyka Scott is representing the Flood Authority and Mr. Optowsky is representing the developer, Roldan von Kurnatowsky.

Chair Ernst moved to intervene, acknowledge and agree to the grant and existence of a servitude in the proposed Access Servitude Agreement by and between the Southeast Louisiana Flood Protection Authority – East, as the owner and Grantor of the servitude of Stars and Stripes Blvd. to Studio Network-Lakefront, LLC. as Grantee, second by Comm. Heaton. Motion passed.

PUBLIC COMMENTS

Jonathan Brisbi, Brisbi's Restaurant, appeared to request use of a certain parcel of land located near Brisbi's restaurant for overflow parking due to recent complaints regarding lack of parking during weekends. Mr. Brisbi advised that he would fund beautification of the area, which could be used for overflow parking, which parking would not solely for Brisbi's customers. The general public and visitors of the nearby condominiums would be allowed to utilize the area when need.

Chair Ernst advised that the Commercial Real Estate Committee previously addressed the issue. Chair Green informed that the item was deferred until a survey of the vacant sites in the area is completed. The Authority may solicit bids for vacant parcels of land in the immediate area. The Real Estate Consultant and Executive Director will gather information regarding this issue, and the issue will be brought before the Commercial Real Estate Committee at the August 2016 meeting. Comm. Fierke requested that condominium residents be advised of the request for use of the area for overflow parking, and that input from those tenants be brought before the Board prior to any decision regarding possible overflow parking be granted to Brisbi's.

ADJOURNMENT

Comm. Settoon offered a motion to adjourn, seconded by Comm. Major. Motion passed. The meeting adjourned at 6:09 p.m.