Screen pursuing twin towers appeal

By GIBBS ADAMS
Advocate staff writer

Mayor Pat Screen on Thursday overrode a Metro Council vote to abandon appeal of a court ruling on the $54 million twin towers project proposed for the Centroplex parking lot.

But Councilman Larry Bankston, author of the council action, said that if Screen's decision amounts to a veto, he will move to override it. Bankston noted that at Wednesday's meeting his measure had eight votes — which amounts to the two-thirds necessary to override a mayoral veto.

Bankston said he did not know whether the council's action could be vetoed by Screen because it was placed on the agenda as an "item" rather than an ordinance.

Parish Attorney Lynn Williams notified the 1st Circuit Court of Appeal in a letter Thursday that the city-parish would abandon the appeal, and he advised attorney Gordon Pugh that the city-parish would not pay for further legal services in the suit.

But, on the advice of Pugh, Screen wrote the court that he has instructed Pugh to pursue the appeal "in order to obtain a final judicial determination of the validity of the contracts involved."

The conflicting actions of the mayor and parish attorney followed an 8-4 vote Wednesday by the Metro Council to abandon further appeal of the case in which District Judge Daniel W. LeBlanc ruled the contracts for the development to be illegal.

Screen, who had promoted the development from the outset, said Thursday his action was taken in an effort to avoid the possibility that the city-parish could face a lawsuit by the developers for damages.

Bankston said he sees no point in an appeal because he believes LeBlanc's decision is legally correct.

LeBlanc ruled that assignment of public land for industrial inducement purposes requires a two-thirds vote of the governing body — support Bankston said the project's proponents probably could never get.

LeBlanc also said the public bid law should have been followed. Bankston said that following the public bid law would have left the Riverfront

Centroplex Development Group being low bidder.

Screen, on the other hand, said the city and the developers already have lodged the appeal.

"It is not a political or personal decision," Screen said. "I checked with Williams, and I acknowledge the council has the right to pass the resolution. But as chief executive officer, I have the right to pursue the appeal.

"Even if the city-parish did nothing, the developers are appealing the case. If we did not act in good faith and pursue the appeal and there was a negative result, the city-parish could face damages."

Screen said the developers claim to have spent $1 million already in furtherance of the plan to develop the Centroplex parking lot.

LeBlanc last week granted a summary judgment to JTS Realty Corp. — a competitor of Riverside Centroplex Development Group — and others who filed the suit contesting the actions of the Metro Council.

CONTINUED FROM 1A