

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
BOARD MEETING MINUTES
THURSDAY JUNE 22, 2017 – 5:30 P.M.**

The regular meeting of the Full Board of the Non-Flood Protection Asset Management Authority was held on Thursday, June 22, 2017 at 5:30 p.m., in the 2nd 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 5:45 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. Stanley Brien
Comm. Rodger Wheaton
Comm. Anthony Richard
Comm. Greg Ernst
Comm. Leila Eames
Comm. Roy Arrigo
Comm. Dawn Hebert
Comm. Carla Major
Comm. Cedric Grant
Comm. Sean Bruno
Comm. Pat Meadowcroft

ABSENT:

Secretary Thomas Fierke
Comm. William Settoon
Comm. Chris Morvant
Comm. Charles Henry

STAFF:

Jesse D. Noel, P.E. – Executive Director
Ngoc Ford – Deputy Director
Sharon Martiny – Administrative Assistant
Chanse Watson – Asst. Airport Director
Tony Collins – Airport Fireman

ALSO PRESENT:

Gerard Metzger – Legal Counsel
Al Pappalardo – Real Estate Consultant
Tim Avegno – Eagan Insurance Agency
Charles Kennedy, Jr. – Kennedy Insurance
Monte Shalett – LVPOA
Matt Byrd – Arthur J. Gallagher
Ann Duffy – Lake Oaks Resident
Stephanie Hilferty – Lake Vista Resident
Ray Landeche – Lakeshore Resident
Dennis McSeveny – Lake Terrace Homeowners Association

ADOPT AGENDA

Comm. Bruno offered a motion to adopt the Agenda, second by Comm. Wheaton. Motion passed.

APPROVE MINUTES

Comm. Arrigo offered a motion to approve the Board meeting minutes of May 25, 2017, second by Comm. Eames. Motion passed.

OPENING COMMENTS

Chair Heaton advised the Board that (where is rest?)

PUBLIC COMMENTS

Dennis McSeveney noted for the record that he is in support of Shelter Nos. 1 and 2 being brought back into commission.

PRESENTATION

None

COMMITTEE REPORTS:

Airport – Chair Heaton advised that the Non Flood Authority received the initial arbitration brief. FEMA answered and the Authority's final answer is due Tuesday June 27, 2017.

Marina – Comm. Arrigo reported that the Pennick Dock repairs are near completion. The pier repairs at Orleans Marina are currently underway and the boathouse demolition is approximately 50% complete.

Commercial Real Estate – Comm. Green advised of a request by Oceana for development of a condominium development on the west side of the New Basin Canal. Oceana will return to the Commercial Real Estate Committee in July for further details regarding the development, which will consist of 36 units that have parking available under each unit. The Real Estate Consultant, Legal Counsel and Executive Director are working with Brisbi Development, LLC (Parcel K) and le Triomphe (N. Peninsula) to develop term sheets for the lease and development of those two parcels of land. The E.D. will also obtain a survey of the former Naval Reserve site to determine how much land is available for development at that site. Schubert's Marine has requested authorization for development of a restaurant utilizing a portion of the leased area, which will require a lease amendment.

Recreation/Subdivision – Chair Wheaton advised of a meeting with all neighborhood presidents addressing concerns regarding zoning issues with Shelter Nos. 1 and 2. The Committee has agreed to defer the text amendment request until all issues are vetted with the surrounding neighborhoods and all concerns are addressed.

Legal – Comm. Major advised that the Legal Committee did not meet due to lack of Agenda Items. Legal Counsel Gerry Metzger produced a written summary to all Legal Committee members of ongoing litigation.

Finance – Comm. Richard reported that the collection of past due rents at the Orleans and South Shore Harbor Marinas continues. Current rents are reviewed to ensure that all current rent is paid. E.D. Noel advised that payment plans have been made with tenants that are in arrears. In order for a new lease to be executed, the tenant must have all arrears paid or a payment plan in order.

DIRECTOR'S REPORT

E.D. Jesse Noel reported that the Asset Management Plan is underway and a draft is anticipated in September. The Authority will consider the request for staff to move the administrative offices out of the LVCC and into Suite 233, which was recently vacated by SLFPA-E staff. Shelter No. 4 has been pressure washed and painted, while Shelter Nos. 1, 2 and the Seabrook boat launch remain a priority. Minor flooding was reported near Shelter No. 1 as there is no backflow preventer in that area, which flooding is common at that Shelter.

OLD BUSINESS

None.

NEW BUSINESS

01-062217 - Motion to approve and ratify the issuance of Change Order No. 1 to Construction Management Enterprises, LLC for the Orleans Marina Demolition Project

E.D. Noel noted that Construction Management Enterprises was awarded the contract for the boathouse demolition. The contract did not include asbestos remediation. Asbestos was discovered underneath tiles at certain boathouses. The tiles were tested by a LDEQ certified company and found to be positive for asbestos. The cost of remediation is approximately \$12,000. As this cost is in the purview of the E.D., the Marina Committee elected to issue the Change Order and proceed with remediation.

Comm. Arrigo offered a motion to approve and ratify the issuance of Change Order No. 1 to Construction Management Enterprises, LLC for the Orleans Marina Demolition Project, second by Comm. Eames. The Resolution was adopted to wit:

MOTION: 01-062217
RESOLUTION: 01-062217
BY: COMMISSIONER ARRIGO
SECONDED: COMMISSIONER EAMES

June 22, 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 Orleans Marina is one of the non-flood assets of the District under the management and control of the Management Authority ("Airport");

WHEREAS, the Executive Director of the Management Authority solicited BIDS from contractors for demolition of certain boathouses at Orleans Marina in accordance with Bidding Documents prepared by Design Engineering, Inc., dated November 7, 2016 (the "Boathouse Demolition project");

WHEREAS, the lowest BID for the boathouse demolition was submitted by Construction Management Enterprises, LLC, a limited liability company, for the price and sum of \$350,000.00;

WHEREAS, the Management Authority at its January 26, 2017 Board Meeting adopted a Resolution approving a contract with Construction Management Enterprises, LLC for the boathouse demolition at Orleans Marina;

WHEREAS, possible asbestos was uncovered during the demolition of certain boathouses located in Orleans Marina, which was an unforeseen condition at the time BIDS were received for the project;

WHEREAS, Construction Management Enterprises, LLC submitted a cost proposal for a Change Order to remove the asbestos found in certain boathouses at Orleans Marina in the amount of \$12,557.00;

WHEREAS, the Change Order in the amount of \$12,557.00 was reviewed, and executed by the Executive Director, and ratification of same was recommended by the Marina Committee at the June 6, 2017 Marina Committee meeting; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and Orleans Levee District to approve and ratify the Change Order for the work required to remove the asbestos uncovered in certain boathouses located at Orleans Marina in the amount of \$12,557.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves and ratifies the issuance of a Change Order to Construction Management Enterprises, LLC, in the amount of \$12, 557.00, for removal of asbestos located in certain boathouses in Orleans Marina in connection with the boathouse demolition project.

BE IT FURTHER HEREBY RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to execute any and all documents necessary to accomplish the above.

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

YEAS: HEATON, GREEN, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

02-062217 - Motion to withdraw the Text Amendment application for Shelter House Nos. 1 and 2 submitted to the City Planning Commission

Comm. Wheaton advised of a text amendment that was submitted by the Authority for Shelter Nos. 1 and 2. Area residents would like a conditional use permit, but the CPC advised that a conditional use is considered spot zoning. The Committee agreed to withdraw the text amendment and meet with the surrounding neighborhood associations to discuss concerns regarding the zoning of Shelter Nos. 1 and 2. An overlay is a possible option, but a joint meeting will be held with all neighborhoods to consider the options before new zoning is applied for. Monte Shalett (LVPOA President) noted that there is also concern from residents of public park space being converted to commercial or private use. Stephanie Hilferty (Representative) noted that loud music and alcohol sale are also concerns.

Comm. Wheaton offered a motion to withdraw the Text Amendment application for Shelter House Nos. 1 and 2 submitted to the City Planning Commission, second by Comm. Ernst. The Resolution was adopted to wit:

MOTION: 02-062217
RESOLUTION: 02-062217
BY: COMMISSIONER WHEATON
SECONDED BY: COMMISSIONER ERNST

June 22, 2017

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("Management Authority" or "Board") 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, Shelter House No. 1 located on Lakeshore Drive in the City of New Orleans is one of the non-flood protection assets of the Orleans Levee District managed and controlled by the Management Authority;

WHEREAS, on December 15, 2016 the Board adopted a resolution approving a lease with Bernadotte Ventures, L.L.C. for Shelter House #1 and the adjacent parking lot and land (the "Leased Premises") to operate a restaurant, as defined as a standard restaurant in the Comprehensive Zoning Ordinance of the City of New Orleans;

WHEREAS, under the terms of the Lease the Lessee is obligated to pursue, request and secure the regulatory approvals and permits necessary to operate a restaurant on the Leased Premises;

WHEREAS, the Leased Premises are located on the west side of Lakeshore Park between West End and Bayou St. John and is zoned S-LP or Suburban Lake Area Neighborhood Park, which zoning does not permit the use of Shelter House No. 1 as a restaurant;

WHEREAS, the Management Authority at its February meeting authorized staff and the Chairman of the Board to approach the New Orleans City Planning Commission to explore the creation of restaurants in the area zoned S-LP subject to conditional use and the number of restaurants within that S-LP zoned district be limited to two in number, and that they shall be located in the existing locations of Shelters 1 & 2.

WHEREAS, the Management Authority at its February meeting also authorized the Chairman or Executive Director to sign any other documents necessary to return Shelters 1 and 2 to service as public concessions and restaurants, including an agreement to allow the zoning to remain "as is", with a proviso that Shelters 1 and 2 be grandfathered as existing shelters that have been used as public concessions and restaurants since 1936.

WHEREAS, pursuant to the authority granted under the February Resolution and the recommendation of the City Planning Commission, the Executive Director on April 12, 2017 submitted a Land-Use Requests Application for a Text Amendment to amend the text of the S-LP Section of Table 14-1 of the Comprehensive Zoning Ordinance of the City of New Orleans to include a Public Market, Standard Restaurant, Live Entertainment and Retail Goods Establishment as permitted uses with each containing a footnote that the permitted uses are restricted to the existing Shelter 1 and Shelter 2 facilities at their original constructed locations in Lakeshore Park;

WHEREAS, the Executive Director has requested that the Board authorize him to withdraw the Land-Use Requests Application submitted to the City Planning Commission because of concerns raised by both the community and the staff of the City Planning Commission; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the District and Management Authority to withdraw the Land-Use Requests Application submitted by the Executive Director to the City Planning Commission.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the withdrawal of the Land-Use Requests Application submitted by the Executive Director to the City Planning Commission of the City of New Orleans dated on April 12, 2017.

BE IT FURTHER HEREBY RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to take any and all actions and 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, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

03-062217 - Motion to approve a lease with Sen. J. P. Morrell at Lakefront Airport Terminal

Chair Heaton advised that this issue was vetted before the Airport Committee. Sen. J.P. Morrell currently rents space in the Airport Terminal Building. The lease is up for renewal on July 1, 2017, and Sen. Morrell has elected to enter into a new one year lease for that space.

Comm. Heaton offered a motion to approve a lease with Sen. J. P. Morrell at Lakefront Airport Terminal, second by Comm. Major. The Resolution was adopted to wit:

MOTION: 03-062217
RESOLUTION: 03-062217
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER MAJOR

June 22, 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 Management Authority manages, operates and administers the New Orleans Lakefront Airport, which is a non-flood protection asset owned by the Orleans Levee District, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, ("Airport");

WHEREAS, the Management Authority leases office space that is available in the Terminal at the Airport (the "Terminal");

WHEREAS, Senator J. P. Morrell, in his official capacity as Louisiana State Senator for District 3 ("Lessee"), has leased Office 221 in the Terminal for the past two years as an office for Louisiana State Senate District 3 and desires to enter into a new one (1) year lease for Office 221, which contains 300 square feet, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of one (1) year, commencing on the 1st day of July, 2017, with a base annual rental of \$9,276.00, payable in equal monthly installments of \$773.00 each; said lease will also provide that the lessee will be responsible to pay an additional rent consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which as of the commencement date of the lease will be \$158.25 per month, resulting in a total monthly rental of \$931.25 during the one year term of the lease (the "Lease");

WHEREAS, because the Lessee is an elected public official and the nature of the occupancy is a public office, Lessee shall have the right to cancel this lease upon 90-day advance written notice to the Management Authority, as Lessor;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on June 22, 2017 unanimously voted to recommend approval of the Lease with Senator J. P. Morrell, under the terms set forth above; and,

WHEREAS, the Management Authority after considering the recommendation of the Airport Committee resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed Lease with Senator J. P. Morrell, in his official capacity as Louisiana State Senator for District 3, under the terms and conditions set forth above.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease of Office 221 in the Terminal at the New Orleans Lakefront Airport with Senator J. P. Morrell, in his official capacity as Louisiana State Senator for District 3, effective July 1, 2017, for a primary term of one (1) year with a 90 day cancellation clause, and with a base annual rental of \$9,276.00, payable in equal monthly installments of \$773.00 each; and, said lease will also provide that the lessee will be responsible to pay an additional rent consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which as of the commencement date of this lease will be \$158.25 per month, resulting in a total monthly rental of \$931.25 during the one (1) year term of the Lease.

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, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

04-062217 - Motion to approve the representations made by management in the Louisiana Compliance Questionnaire for the Non-Flood Protection Asset Management Authority for the fiscal year ending June 30, 2017

E.D. Noel advised that this Questionnaire is required by political subdivisions and boards of the State of Louisiana who are required to complete, adopt and submit the Louisiana Compliance Questionnaire (For Audit Engagements of Government Agencies) as part of the financial audit of Louisiana state and local governments. This is the same questionnaire used in previous years.

Comm. Richard offered a motion to approve the representations made by management in the Louisiana Compliance Questionnaire for the Non-Flood Protection Asset Management Authority for the fiscal year ending June 30, 2017, second by Comm. Major. The Resolution was adopted to wit:

MOTION: 04-062217
RESOLUTION: 04-062217
BY: COMMISSIONER RICHARD
SECONDED BY: COMMISSIONER MAJOR

June 22, 2017

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("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, political subdivisions and boards of the State of Louisiana are required to complete, adopt and submit the Louisiana Compliance Questionnaire (For Audit Engagements of Government Agencies) each year as part of the financial audit of Louisiana state and local governments and quasi-public agencies;

WHEREAS, the attached draft of the completed Questionnaire was prepared by staff;

WHEREAS, the completed Questionnaire requires the signature of an authorized officer of the Authority;

WHEREAS, after consideration of the draft responses to the Questionnaire, the Authority resolved that it is in the best interest of the Authority and Orleans Levee District to adopt the responses prepared by staff and authorize the Chairman, Secretary or Vice Chairman to sign the attached Louisiana Compliance Questionnaire as part of the audit for the fiscal year that ends on June 30, 2017.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Authority adopts the Louisiana Compliance Questionnaire (For Audit Engagements of Government Agencies), a copy of which is attached to this Resolution, and authorizes the Chairman, Vice Chairman or Secretary to sign, and the Executive Director to submit, the Louisiana Compliance Questionnaire, as part of the audit for the fiscal year that ends on June 30, 2017, and any and all other documents necessary to accomplish the above.

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

YEAS: HEATON, GREEN, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

05-062217 - Motion to select the Times-Picayune as the Official Journal for publications for the Non-Flood Protection Asset Management Authority for a one year term commencing on July 1, 2017 as required under Louisiana Revised Statutes Title 43 Section 171

E.D. Noel advised that quotes were obtained from both the Times Picayune (.90¢ per inch) and the New Orleans Advocate (\$1.36 per inch) for the official journal. Mr. Metzger advised that the official journal must have a principal office in the Parish of Orleans and must publish weekly. Comm. Major noted that the Advocate publishes daily, and would be the more prudent choice as the Authority must publish RFQ/Ps that have certain time frames within which to advertise. Given that the Advocate publishes daily, it gives the Authority a more frequent selection of dates in which to advertise.

Comm. Major offered an amendment to replace the Advocate as the Official Journal, second by Comm. Eames. Comm. Major offered a motion to select The Advocate (as amended) as the Official Journal for publications for the Non-Flood Protection Asset Management Authority for a one year term commencing on July 1, 2017 as required under Louisiana Revised Statutes Title 43 Section 171, second by Comm. Eames. The Resolution was adopted to wit:

MOTION: 05-062217
RESOLUTION: 05-062217
BY: COMMISSIONER MAJOR
SECONDED: COMMISSIONER EAMES

June 22, 2017

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("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, La. Rev.Stat. 43:171 provides that levee districts and other political subdivisions shall have the proceedings of their boards and the financial statements required by and furnished to the Louisiana Legislative Auditor published in a newspaper, which shall be selected at its meeting in June of each year for a term of one year;

WHEREAS, the Authority as a political subdivision is required to comply with the provisions of La. Rev.Stat 43:171;

WHEREAS, La. Rev.Stat. 43:171 further provides that the newspaper shall meet certain criteria relative to location and publication;

WHEREAS, The New Orleans Advocate is a newspaper in the Parish of Orleans that meets the aforementioned statutory criteria for publishing the proceedings of the Authority; and,

WHEREAS, the Authority after considering this matter resolved that it was in the best interest of the Authority to select The New Orleans Advocate as its official journal.

THEREFORE, BE IT HEREBY RESOLVED, that The New Orleans Advocate be and is hereby selected as the official journal for publications by the Non-Flood Protection Asset Management Authority, for a term of one (1) year, commencing July 1, 2017, as required under La. Rev.Stat. 43:171.

BE IT FURTHER HEREBY RESOLVED, that the 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, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

06-062217 - Motion to authorize the Executive Director to renew flood insurance policies which expire on various dates for several NFPAMA properties and to ratify payment of same

Comm. Wheaton noted that the flood insurance matter is complicated. There are 12 policies, eight of which expire June 30, 2017. All flood insurance premiums have gone up significantly (Williams Hangar, Airport Terminal Building, South Shore Harbor) with the exception of the LVCC, which is within flood protection. The Airport Terminal Building is one of the more expensive facilities as it is outside levee protection. The Insurance Committee, at the meeting held earlier today, recommended staying with the LVCC \$5,000 deductible for \$500,000 in flood coverage. The Authority was able to obtain flood insurance on structures outside of flood protection due to the fact that FEMA funded repairs on many of the buildings. Due to those repairs funded by FEMA, the Authority is required to obtain and maintain flood insurance on those properties.

Comm. Wheaton offered a motion to authorize the Executive Director to renew flood insurance policies which expire on various dates for several NFPAMA properties, second by Comm. Brien.

The Resolution was adopted to wit:

MOTION: 06-062217

RESOLUTION: 06-062217

BY: COMMISSIONER WHEATON

SECONDED BY: COMMISSIONER BRIEN

June 22, 2017

RESOLUTION

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

WHEREAS, at its May 25, 2017 meeting, the Insurance Committee reviewed coverages for the District facilities under the Authority's management and determined that twelve flood insurance policies are procured each year;

WHEREAS, the amount of flood insurance is fixed BY FEMA requirements;

WHEREAS, the premiums for flood insurance are also fixed by National Flood Insurance Program and are not subject to reduction or negotiation;

WHEREAS, as part of the budget process, the Authority annually reviews current insurance coverages and premiums and adopts a budget including the costs for the required flood insurances policies;

WHEREAS, the Authority selected an insurance agent of record by competitive process to advise and assist the Authority and staff in obtaining proper flood insurance coverages; and,

WHEREAS, Eagan Insurance Agency, LLC reviewed the expiring flood insurance policies and recommended the Authority renew flood insurance for several District properties.

THEREFORE, BE IT HEREBY RESOLVED that the Authority authorizes the Executive Director to renew flood insurance for various NFPAMA properties, subject to the review and approval of the Insurance Committee of the Management Authority.

BE IT FURTHER HEREBY 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, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

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07-062217 - Motion to renew property insurance (wind and fire) which expires June 30, 2017

Chair Heaton noted that substantial savings could be had by the Non Flood Authority if the Flood Authority purchased all property insurances (with the exception of flood) for all Authorities through Gallagher. This is recommended as the Authority has an obligation to give taxpayers the most for their money. Comm. Wheaton advised that Eagan Insurance has been the Insurance Agent of Record for the Non Flood Authority since Eagan was selected via the RFQ process in 2014.

Comm. Arrigo offered a substitute motion for SLFPA-E to purchase the property insurances and the NFPAMA would purchase those policies from SLFPA-E, second by Comm. Hebert.

After comments from the Board, Tim Avegno (Eagan Insurance), Charles Kennedy (Kennedy Financial), and Matthew Byrd (Gallagher) a roll call vote was taken for the amended motion, which failed, as follows:

Yes: Arrigo, Heaton, Meadowcroft

No: Wheaton, Hebert, Green, Major, Richard, Bruno, Eames, Ernst, Brien, Grant

A roll call vote was taken for the original motion, which passed as follows:

Yes: Wheaton, Hebert, Green, Major, Richard, Bruno, Eames, Ernst, Brien, Grant

No: Arrigo, Heaton, Meadowcroft

Comm. Wheaton offered a motion to renew property insurance (wind and fire) which expires June 30, 2017, second by Comm. Bruno. The Resolution was adopted to wit:

MOTION: 07-062217

RESOLUTION: 07-062217

BY: COMMISSIONER WHEATON

SECONDED BY: COMMISSIONER BRUNO

June 22, 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 property insurance coverages expire on or about July 1, 2017 and Eagan Insurance Agency has shopped the market for these coverages and has obtained the following quotes:

- | | |
|---------------------------------------|--------------|
| 1. Property Insurance (Wind and Fire) | \$355,577.75 |
| 2. Fuel Farm Insurance | \$ 36,262.51 |

WHEREAS, Eagan Insurance Agency has shopped the market for these coverages and has obtained the following quotes;

WHEREAS, for Property Insurance (Wind and Fire), Eagan has obtained a quote of \$355,577.75, which includes a wind deductible that was reduced to 3% for Hurricane events from AMRISC;

WHEREAS, for Fuel Farm Insurance, Eagan has obtained a quote of \$36,262.51 from AMRISC.;

WHEREAS, the properties and functions to be insured are owned by the District and under the jurisdiction, management and control of the Management Authority.

WHEREAS, the coverage on each policy will be reviewed and an endorsement will be issued to increase policy limits if needed at a later date;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Non-Flood Protection Asset Management Authority authorizes the procurement of Property Insurance (Wind and Fire) coverage from AMRISC, for an estimated total annual premium of \$355,577.75, which includes a wind deductible reduced to 3% for named Hurricane events; Fuel Farm Insurance from AMRISC., for an estimated total annual premium of \$36,262.51;

BE IT FURTHER HEREBY RESOLVED that coverage on each policy will be reviewed and an endorsement will be issued to increase policy limits if needed at a later date.

BE IT FURTHER HEREBY 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 roll call vote, the roll call vote thereon was as follows:

YEAS: WHEATON, HEBERT, GREEN, MAJOR, RICHARD, BRUNO, EAMES, ERNST, BRIEN, GRANT

NAYS: ARRIGO, HEATON, MEADOWCROFT

ABSTAIN:

ABSENT:

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

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08-062217 - Motion to renew the following insurance policies: commercial auto, firetruck auto, workers compensation, airport owner/operator, public official liability, general liability, marina liability, and to purchase excess liability insurance which expire June 30, 2017

Comm. Wheaton offered a motion to amend to add excess general and auto liability, and pollution liability coverages, second by Comm. Bruno. Comm. Wheaton offered a motion to adopt the motion, as amended, second by Comm. Bruno. The Resolution was adopted as follows:

MOTION: 08-062217
RESOLUTION: 08-062217
BY: COMMISSIONER WHEATON
SECONDED BY: COMMISSIONER BRUNO

June 22, 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 following insurance coverages expire on or about July 1, 2017 and Eagan Insurance Agency has shopped the market for these coverages and has obtained the following quotes:

- | | |
|--|--------------|
| 1. Marina Liability Insurance | \$ 32,625.00 |
| 2. General Liability Insurance | \$ 29,333.75 |
| 3. Airport Owner/Operator Liability Insurance | \$ 23,927.00 |
| 4. Public Official Insurance | \$ 18,932.76 |
| 5. Workers Compensation Insurance | \$ 31,485.00 |
| 6. Excess General Liability and Auto Insurance | \$ 20,056.00 |
| 7. Business Auto Insurance | \$ 36,828.00 |
| 8. Business Auto Insurance (Fire Truck) | \$ 3,260.00 |
| 9. Pollution Liability | \$ 11,010.16 |

WHEREAS, for Marina Liability Insurance, Eagan has obtained a quote of \$32,625.00 from Liberty Mutual Insurance Co.;

WHEREAS, for General Liability Insurance, Eagan has obtained a quote of \$29,333.75 from Landmark American Insurance Co.;

WHEREAS, for Airport Owner/Operator Liability Insurance, Eagan has obtained a quote of \$23,927.00 from Ace Property and Casualty Insurance Co.;

WHEREAS, for Public Official Insurance, Eagan has obtained a quote of \$18,932.76 from Indian Harbor Insurance Co.;

WHEREAS, for Workers Compensation Insurance, Eagan has obtained a quote of \$31,485.00 from LWCC;

WHEREAS, for Excess General Liability and Auto Insurance, Eagan has obtained a quote of \$20,056.00 from Starstone National Insurance Co.,

WHEREAS, for Business Auto Insurance, Eagan has obtained a quote of \$36,828.00 from Milwaukee Casualty Ins. Co.

WHEREAS, for Business Auto Insurance (Fire Truck), Eagan has obtained a quote of \$3,260.00 from National Liability & Fire Insurance Co.

WHEREAS, for Pollution Liability, Eagan has obtained a quote of \$11,010.16 from Crum and Forster Specialty Insurance Co.

WHEREAS, the coverage on each policy will be reviewed and an endorsement will be issued to increase policy limits if needed at a later date;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Non-Flood Protection Asset Management Authority authorizes the procurement of Marina Liability Insurance coverage from Liberty Insurance Company, for an estimated total annual premium of \$32,625.00; General Liability Insurance coverage from Landmark American Insurance Co., for an estimated total annual premium of \$29,333.75; Airport Owner/Operator Liability Insurance coverage from Ace Property And Casualty Insurance Co., for an estimated total annual premium of \$23,927.00; Public Official Insurance coverage from Indian Harbor Insurance Co., for an estimated total annual premium of \$18,932.76; Workers Compensation Insurance coverage from LWCC, for an estimated total annual premium of \$31,485.00; Excess General Liability and Auto Insurance from Starstone National Insurance Co., for an estimated total premium of \$20,056.00; Business Auto Insurance from Milwaukee Casualty Ins. Co., for an estimated total annual premium of \$36,828.00; Business Auto (Fire Truck) from National Liability & Fire Insurance Co. for an estimated total annual premium of \$3,260.00; and, Pollution Liability Insurance coverage from Crum and Forster Specialty Insurance Co. for an estimated total annual premium of \$11,010.16.

BE IT FURTHER HEREBY RESOLVED that coverage on each policy will be reviewed and an endorsement will be issued to increase policy limits if needed at a later date.

BE IT FURTHER HEREBY 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, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

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09-062217 - Motion to amend budget FY 2016-17 to align with actual revenues and Expenditures

Comm. Bruno advised that a budget adjustment is required by state law if the budget does not fall within 5% of what was estimated. E.D. Noel advised that the revenues realized will offset some of the expenditures in regards to the budget adjustment. Tax revenues received were \$1.9 million, with only \$1.4 anticipated. The \$305,000 difference is in addition to what was budgeted in for tax revenues. The decrease in revenue for the Lakefront and LVCC is due to alternative project funding being budgeted in the LVCC for taking on the Shelters. We are showing 0% for those values and those are the only incomes on those items. There was an increase in revenues at the Airport due to movie shoots, miscellaneous revenue and fuel flowage which is the highest it has been since Hurricane Katrina. The \$350,000 decrease in expenditures for LVCC shows that no capital improvements were made to that property, so a decrease was made to the revenue along with a decrease to the expenditure. Approximately \$1.3 million was budgeted for major maintenance repairs at Orleans Marina, which projects started late and were not actualized. A large portion of the Airport expenditures are due to the Red Dot settlement and a \$250,000 in arbitration hearing expenses.

Comm. Richard offered a motion to amend budget FY 2016-17 to align with actual revenues and Expenditures, second by Comm. Bruno. Comm. Ernst opposed. The Resolution was adopted to wit:

MOTION: 09-062217
RESOLUTION: 09-062217
BY: COMMISSIONER RICHARD
SECONDED BY: COMMISSIONER BRUNO

June 22, 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, by Resolution 03-031716, the Management Authority approved the General Operating budget for Fiscal Year 2016-2017;

WHEREAS, a review of the operations to date indicates that for accounting purposes, budget revisions and adjustments are necessary to be in budgetary compliance in several areas of the general operating budget:

General Operating Budget

Increase in Revenues – General Fund	\$305,000
Decrease in Revenues – Lakefront	\$225,000
Decrease in Revenue – Lake Vista Comm. Ctr.	\$350,000
Increase in Revenue – Airport	\$220,000
Total Decrease in Revenue to FY 2017 Budget	<u>\$50,000</u>
Decrease in Expenditures – Lake Vista Comm. Ctr.	\$350,000
Decrease in Expenditures – Orleans Marina	\$910,000
Increase in Expenditures – Airport	\$1,210,000
Total Decrease in Expenditures to FY 2017 Budget	<u>\$50,000</u>

WHEREAS, the foregoing adjustments are determined to reflect the projected operating requirements based on the latest revenue and expenditure estimates.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the revisions set forth above to the Fiscal Year 2016-2017 General Operating Budget.

BE IT HEREBY FURTHER RESOLVED, that the Chairman or Executive Director be and is 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, BRIEN, WHEATON, RICHARD, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS: ERNST

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June, 2017.

10-062217 - Motion to amend the SLFPA-E Airport Terminal lease to remove Suite 233 as part of the Leased Premises

Chair Heaton advised that this matter was vetted at the Airport Committee. It is the end of the Flood Authority consolidation to get all of those offices located at Franklin Avenue. The SLFPA-E lease will be amended to remove Suite 233. E.D. Noel added that the space at the LVCC leases at a higher per square foot amount. The Authority will be saving money by transferring staff to the Lakefront Airport.

Comm. Heaton offered a motion to amend the SLFPA-E Airport Terminal lease to remove Suite 233 as part of the Leased Premises, second by Comm. Bruno. The Resolution was adopted to wit:

MOTION: 10-062217
RESOLUTION: 10-062217
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER BRUNO

June 22, 2017

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("Management Authority" or "Lessor") 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 Management Authority manages, operates and administers the New Orleans Lakefront Airport located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District ("Airport");

WHEREAS, the Management Authority adopted Resolution No: 09-052115 on May 21, 2015 authorizing the former Chief Operating Officer to negotiate a lease for office space in the Terminal at the Airport and a Memorandum of Understanding for the build out of the office space with the Orleans Levee District, through the Southeast Louisiana Flood Protection Authority-East, which is a political subdivision of the State of Louisiana and the governing authority of the flood protection assets of the Orleans Levee District;

WHEREAS, thereafter the Management Authority entered into a written lease agreement with the District for the lease of Offices 204, 233 and 225 in the Terminal, containing 2,855 square feet, (the "leased premises"), for a primary term of Five (5) years, commencing on November 23, 2015, with two (2) five (5) year options to renew, with an annual base rental of \$34,749.00, payable in equal monthly installments of \$2,895.75, subject to a CPI adjustment of the annual rental rate during the option terms, plus additional rent consisting of a pro-rata share of lessor's insurance premiums, electricity and gas charges (the "lease");

WHEREAS, the District as required under the lease, at its expense, built out Offices 204, 225 and 233 consisting of, but not be limited to, installation of ceiling panels, HVAC distribution vents, lighting and flooring;

WHEREAS, the District intends to relocate some of its staff that has occupied the leased premises and has requested that the lease be amended to remove Suite 233 as part of the leased premises with an adjustment of the rental terms of the lease as a result of the removal of Suite 233 as part of the leased premises;

WHEREAS, the Airport Committee considered the request of the District to amend the lease at its meeting held on June 22, 2017 and voted to recommend approval of the request to the Management Authority;

WHEREAS, the Management Authority after considering the request of the District to amend the lease resolved that it was in the best interest of the Airport to approve the requested amendment of the lease with the District, under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves an amendment of the lease with the Orleans Levee District dated on June 30, 2017 for Offices 204, 225 and 233 in the Terminal at the New Orleans Lakefront Airport to remove Office 233 as part of the leased premises and adjust the rental payments due under the lease as a result of the removal of Office 233 as part of the leased premises.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign an amendment of the lease with the Orleans Levee District, which said amendment shall include the terms and conditions set forth above, and any other documents necessary to carry out the above. The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: HEATON, GREEN, BRIEN, WHEATON, RICHARD, ERNST, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 22nd day of June 2017.

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11-062217 - Motion to transfer the NFPAMA official domicile to the Lakefront Airport Terminal Building, 6001 Stars & Stripes Blvd., Suite 233, New Orleans, LA 70126

E.D. Noel advised that this issue was vetted at the Commercial Real Estate Committee Meeting. SLFPA-E vacated Suite 233 in the Lakefront Airport Terminal building to consolidate the Flood Authority offices to the Franklin facility. By transferring Non Flood staff to the Airport Terminal Building, the space at LVCC can be rented at a higher rate, thereby increasing revenue for the Authority. Comm. Ernst noted opposition to this motion due to concerns regarding the proximity between staff and the neighborhoods, how the matter was handled, and questioned if the By Laws required amending. E.D. Noel advised that he will be available to meet with residents upon request. Mr. Metzger advised that the By Laws state the official domicile may be changed by a Board Resolution.

Comm. Richard offered a motion to transfer the NFPAMA official domicile to the Lakefront Airport Terminal Building, 6001 Stars & Stripes Blvd., Suite 233, New Orleans, LA 70126, second by Comm. Bruno, and opposed by Comm. Ernst. The Resolution was adopted to wit:

MOTION: 11-062217
RESOLUTION: 11-062217
BY: COMMISSIONER RICHARD
SECONDED: COMMISSIONER BRUNO

June 22, 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 Management Authority manages, operates and administers the Lake Vista Community Center ("LVCC") and the New Orleans Lakefront Airport ("Airport"), which are non-flood protection assets owned by the Orleans Levee District;

WHEREAS, the administrative offices of the staff of the Management Authority are located at Municipal Address 6514 Spanish Fort Blvd. in the LVCC;

WHEREAS, under Article II, Section 1 of the By-laws of the Management Authority, the Official Domicile of the Management Authority is designated as 6514 Spanish Fort Blvd. in the LVCC, and this Section also provides that the domicile may be such other place within the territorial jurisdiction of the Authority, as the Authority may designate by resolution from time to time;

WHEREAS, there is office space located in the Terminal at the Airport sufficient to provide offices for the staff of the Management Authority; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and Orleans Levee District to relocate its administrative offices Suite 233 in the Terminal, and designate Suite 233 as the Official Domicile of the Management Authority.

THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority approves the relocation of the administrative offices of the staff of the Management Authority to Suite 233 in the Terminal at the New Orleans Lakefront Airport, and further hereby designates Suite 233, 6001 Stars & Stripes Blvd., New Orleans, LA 70126 as the Official Domicile of the Management Authority .

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, BRIEN, WHEATON, RICHARD, EAMES, ARRIGO, HEBERT, MAJOR, GRANT, MEADOWCROFT, BRUNO

NAYS: ERNST

ABSTAIN:

ABSENT: FIERKE, SETTOON, MORVANT, HENRY

RESOLUTION ADOPTED: YES

ANNOUNCE NEXT MEETING

Chair Heaton announced the next full Board meeting will be held on Thursday July 27, 2017 at 5:30 p.m.

ADJOURNMENT

Comm. Bruno offered a motion to adjourn, seconded by Comm. Brien. Motion passed. The meeting adjourned at 7:30 p.m.