

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
BOARD MEETING MINUTES
THURSDAY SEPTEMBER 28, 2017 – 5:30 P.M.**

The regular meeting of the Full Board of the Non-Flood Protection Asset Management Authority was held on Thursday, September 28, 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 5:35 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

PRESENT:

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

ABSENT:

Comm. Stanley Brien
Comm. Leila Eames
Comm. Dawn Hebert
Comm. Carla Major

STAFF:

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

ALSO PRESENT:

Gerard Metzger – Legal Counsel
Al Pappalardo – Real Estate Consultant
Monte Shalett – LVPOA
Ray Landeche – Lakeshore Resident
William Rafferty – House of Representatives
William Wright – Bernadotte Ventures
Ron Welcker – Bernadotte Ventures
Chris Fenner – Stuart Consulting Group
Kim Vu – Program Specialist A

ADOPT AGENDA

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

APPROVE MINUTES

The Nominating Committee meeting minutes of August 23, 2017 were deferred until October. Comm. Bruno offered a motion to approve the June 22, 2017 Board meeting minutes, second by Comm. Meadowcroft.

Comm. Bruno offered a motion to approve the August 24, 2017 Board meeting minutes, second by Comm. Arrigo. Comm. Fierke abstained and Comm. Ernst requested one correction under Motion 01-082417; first paragraph insert “appointee” next to SLFPA-E.

OPENING COMMENTS

Chair Heaton advised that the O.L.D. police, through a Cooperative Endeavor Agreement (CEA), has agreed to relocate from Franklin to Spanish Fort at their expense. The Flood Authority will pay the cost to replace flooring, plumbing, paint and purchase a generator for a back-up power supply. The CEA is for a term of one year, subject to being extended by each Board. The police anticipate the move in mid-October. After the new police station is complete on Elysian Fields, it is anticipated that the police reserve sub-station will remain at Spanish Fort. This matter has no financial impact on the NFPAMA.

The Board would like to acknowledge and give a Certificate of Appreciation to Sharon Martiny for her service to the Board from October 7, 2017 through October 2, 2017. Ms. Martiny started out as a temp in October of 2010, and became full time in March of 2011 progressing from an Administrative Assistant 4 to Administrative Assistant 5 and recently promoted to an Administrative Program Specialist A.

PUBLIC COMMENTS

Ray Landeche (Lakeshore Resident) noted his opposition to New Business Item No. 8, extending the lease for Bernadotte Ventures to July 31, 2018 as there was no discussion at the September Recreation/Subdivision meeting regarding that item. The lease calls for termination if the shelter was not open by September 1, 2017, and there was no option to extend the lease to December 31, 2017. The neighborhoods have voiced their opinion, and are not in favor of a zoning change to allow such a large development taking public space away from the kidney bean at Shelter No. 1. The Board should move to the second bidder, who would be more considerate of the neighborhood and open a concession stand occupying only the 432 s.f. of the area. A concession or snowball stand is appropriate but not a restaurant. Residents are also opposed to alcohol sales as Lakeshore Dr. is bound by multiple restaurants which have alcohol sales. The neighborhoods spoke and they are not in favor of a zoning change.

Monte Shalett (Lake Vista Resident) advised that the neighborhoods were involved in the development of the Lakefront and would like to see the area much improved. There was no discussion of a date at the September Recreation/Subdivision meeting, and residents assumed the date was December 31, 2017; the date within the lease. If residents were aware of the seven-month extension, many would have voiced concern and requested further discussion. Residents are requesting to defer the vote for 30 days or reject the extension to July 31, 2018. The short-term solution would be to prepare a Master Plan and discuss the situation regarding the extension and the opportunity to review this development in terms of the overall Master Plan. The neighborhood associations hope to work together with the NFPAMA to develop a Master Plan, and the RFP for Shelter No. 1 will be taken in light of the overall Master Plan.

William Wright (Bernadotte Ventures) noted that the reason the Shelter is not open yet is due to opposition by Mr. Landeche. It is not fair that Mr. Landeche can oppose the opening of Shelter No. 1, and then argue that the lease requirements were not fulfilled. Bernadotte Ventures has spent upwards of \$60,000 of personal money to repair the Shelter, which was previously dangerous and in disrepair. No City ordinances have been violated. Plans are not progressing forward due to obstacles set in place by one resident. Bernadotte Ventures is willing to work with any person in any way to bring Shelter No. 1 back to its historical value of almost 100 years. The City regrets the zoning change, and would like it to return to the way it was decades ago. Bernadotte Ventures is not trying to open a bar; the venue would be a family oriented restaurant.

PRESENTATION

None

COMMITTEE REPORTS:

Airport – Chair Heaton complimented staff who has completed many things and are doing a great job. The WWII Air, Sea and Land Festival is scheduled for October 27-29, 2017. Last year over 10,000 people attended the event. Comm. Fierke noted that the Commemorative Air Force found an aircraft that meets criteria to be commemorative. Several donors have been identified who are willing to purchase the aircraft to loan to the CAF.

Marina – Comm. Arrigo noted that there are a number of ongoing projects with several ready to wrap up. The Marina Capital Outlay requests include dredging the Orleans Marina and New Basin Canal and to extend marina slip leases to a two or three year lease. Marina collections continue and staff has done a great job with getting tenants who were previously in arrears current.

Commercial Real Estate – Comm. Green advised that the Authority is moving in the right direction with several developments including the Bird's Nest, possible development of the Naval Reserve site, and the Lakeshore Landing concert weekends every Friday, Saturday and Sunday from 4:00 p.m. until 8:00 p.m.

Recreation/Subdivision – Chair Wheaton noted that the Recreation Committee has spent much time discussing Shelter No. 1. Nothing of substance came out of the meeting with Rep. Stephanie Hilferty regarding that issue. There was discussion as to the extension of the Bernadotte Ventures lease, which Mr. Wright rightly deserves due to the amount of money and effort put into making the shelter a safer place. The Shelter was once the center of drag racing. Other activities behind the Shelter have been largely eliminated. Access gates will be installed at Shelter Nos. 1 and 2, which will be open during the day to allow access to the public. The gates will be closed nightly to prevent access behind the shelters. A permit system will be developed for the public to easily apply on-line with a credit card for permits to rent shelters and pavilions. The permit system will enable staff to charge for debris pick-up if debris after an event is not properly cleaned up and disposed of. The E.D. is active in working with Entergy to restore Lake Terrace Fountain, and maintenance personnel is currently working on prioritizing the community wish lists so the NFPAMA can give back to the community.

Legal – Mr. Metzger advised that the Legal Committee discuss available legal action regarding back rent on Marina tenants. The Committee entered into Executive Session to discuss the Flightline matter, the settlement offer, and other issues in that case.

Finance – Comm. Richard advised that the Legislative Auditor completed their audit and the second audit by Carr, Riggs and Ingram should be completed in the near future. Based on numbers of the Legislative Auditor, Marina Collections are upward of \$400,000. E.D. Noel noted that the one finding from the Legislative Auditor was internal controls for Marina collections, and that the finding had already been issued.

Director's Report – Mr. Noel advised that initial drafts of the AMP will be circulated to staff to gather details regarding the Airport leases. A draft will be distributed to the Board by October. Ms. Martiny will move to Maintenance and Operations, and the new Board Secretary will be Kim Vu.

OLD BUSINESS

None.

NEW BUSINESS

01-092817 - Motion to approve issuance of Change Order No. 1 to HASCO, Inc. to include Add Alternate No. 1 (or a portion thereof) for the Crackfill, Sealcoat, Repaint Runway 18L/36R State Project No. H.012765 at New Orleans Lakefront Airport

E.D. Noel noted that the total grant amount is \$293,683; with the initial base bid being \$171,170. This motion will authorize the full value (\$53,889) of the add alternate, which will bring funding within \$5,000 of the total allowable grant and allow a change order for Alternate One for surface painting signs on the west runway.

Comm. Heaton offered a motion to approve issuance of Change Order No. 1 to HASCO, Inc. to include Add Alternate No. 1 (or a portion thereof) for the Crackfill, Sealcoat, Repaint Runway 18L/36R State Project No. H.012765 at New Orleans Lakefront Airport, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 01-092817
RESOLUTION: 01-092817
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER FIERKE

September 28, 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 New Orleans Lakefront Airport is one of the non-flood protection assets of the District under the management and control of the Management Authority (the “Airport”);

WHEREAS, the Management Authority publicly advertised, as required under the Louisiana Public Bid Law, and selected the sole bidder, HASCO, Inc., for the project identified as the “Crackfill, Sealcoat, Repaint Runway 18L/36R Project, State Project No. H.012765, at New Orleans Lakefront Airport” (the “Project”);

WHEREAS, the funding for the Project was provided by State of Louisiana grant funding;

WHEREAS, HASCO, Inc. provided a base bid for the Project not to exceed \$170,117.35;

WHEREAS, the bid provided by HASCO, Inc. came in lower than estimated, and there are remaining grant funds for Add Alternate 1 (or a portion thereof), which HASCO, Inc. submitted along with the base bid for the Project;

WHEREAS, the Management Authority Staff recommended the issuance of Change Order No. 1 to include Add Alternate No. 1 (or a portion thereof) to use the remaining grant funding on the Project;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on September 19, 2017 considered the recommendation of Staff to issue Change Order No. 1 to include Add Alternate No. 1 (or a portion thereof) and voted to recommend issuance of Change Order No. 1 to HASCO, Inc.; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District and the Airport to approve issuance of Change Order No. 1 for the Project.

THEREFORE, BE IT HEREBY RESOLVED that the Non-Flood Protection Asset Management Authority approves issuance of Change Order No. 1 to include Add Alternate No. 1 (or a portion thereof) to HASCO, Inc. for the project identified as the “Crackfill, Sealcoat, Repaint Runway 18L/36R Project, State Project No. H.012765, at New Orleans Lakefront Airport.”

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

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

02-092817 - Motion to approve a Cooperative Endeavor Agreement (CEA) with the City of New Orleans for emergency services at the New Orleans Lakefront Airport.

E.D. Noel advised that the CEA is a 5-year agreement that will authorize supplemental emergency services from the City for emergency medical and ambulance services and allows access to the Airport.

Comm. Heaton offered a motion to approve a Cooperative Endeavor Agreement (CEA) with the City of New Orleans for emergency services at the New Orleans Lakefront Airport, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 02-092817
RESOLUTION: 02-092817
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER FIERKE

September 28, 2017

RESOLUTION

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

WHEREAS, the New Orleans Lakefront Airport is one of the assets of the District under the management and control of the Management Authority (the “Airport”);

WHEREAS, Article 7, Section 14(C) of the Louisiana Constitution of 1974 provides that the State and political subdivisions of the State may enter into cooperative endeavors with each other, or with any public or private corporation or individual; and, pursuant to section 9-314 of the Home Rule Charter of the City of New Orleans (the "City"), the City may enter into cooperative endeavors with any public or private association, corporation or individual for activities in support of economic growth and other public purposes;

WHEREAS, the City and the Management Authority desire to accomplish a sustainable Emergency Medical Responder Program and related resources to the New Orleans Lakefront Airport to ensure that the Airport is able to provide its customers and employees with fire and emergency medical services;

WHEREAS, the City and the Management Authority desire to enter into a Cooperative Endeavor Agreement, a copy of which is attached to this Resolution, to provide for the implementation of the foregoing and to set forth certain other matters in connection therewith (the "CEA");

WHEREAS, this CEA with the City will provide a sustainable Emergency Medical Responder Program and related resources to the Airport and will ensure that the Airport is able to provide its customers and employees with fire and emergency medical services;

WHEREAS, under the CEA, the Management Authority will be allowed to utilize the Emergency Medical Responder Program of the City of New Orleans;

WHEREAS, the term of the CEA shall continue until terminated by one of the parties and termination shall be effective upon the passage of thirty (30) days after receipt of written notice of termination;

WHEREAS, the Airport Committee of the Management Authority considered the CEA at its meeting held on September 19, 2017 and voted to recommend that the Management Authority approve the CEA; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District and the Airport to approve the CEA.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the Cooperative Endeavor Agreement with the City of New Orleans for an Emergency Medical Responder Program, a copy of which is attached to this Resolution.

BE IT 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, the vote thereon was as follows:

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

03-092817 - Motion to approve a Unified Certification Program Agreement with LADOTD for Disadvantaged Business Enterprise Applications

Chair Heaton noted that this issue was last addressed approximately 12 years ago and is a housekeeping formality. Mr. Noel added that the O.L.D. is presently the steward of FAA funding; the Agreement will authorize the NFPAMA as steward of those funds and to utilize the DOTD certification system.

Comm. Heaton offered a motion to approve a Unified Certification Program Agreement with LADOTD for Disadvantaged Business Enterprise Applications, second by Comm. Fierke. The Resolution was adopted to wit

MOTION: 03-092817

RESOLUTION: 03-092817

BY: COMMISSIONER HEATON

SECONDED BY: COMMISSIONER FIERKE

September 28, 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 New Orleans Lakefront Airport is one of the non-flood protection assets of the District under the management and control of the Management Authority (the "Airport");

WHEREAS, in accordance with U.S. Department of Transportation ("USDOT") regulations, the former Board of Commissioners of the Orleans Levee District established a Disadvantaged Business Enterprise ("DBE") program in order to maximize opportunities for DBE participation on contracts financed, in whole or in part, with federal financial assistance and contracts funded by local sponsor appropriation;

WHEREAS, federal regulations mandate a Unified Certification Program (“UCP”) to provide a single uniform process of DBE applications, certifications and development of a single point DBE directory, and as a USDOT recipient, the Management Authority has been a participant in the Louisiana Unified Certification Program;

WHEREAS, the Louisiana Department of Transportation and Development (“LADOTD”) has a Unified Certification Program (“UCP”), as required by 49 Code of Federal Regulation Part 26.81;

WHEREAS, the Management Authority desires to enter into a UPC agreement with LADOTD to process DBE applications and certifications;

WHEREAS, the Airport Committee of the Management Authority considered entering into a UPC agreement with LADOTD at its meeting held on September 19, 2017 and voted to recommend that the Management Authority approve a UPC agreement with LADOTD; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District and the Airport to approve a UPC agreement with LADOTD.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority approves entering into a Unified Certification Program agreement with the Louisiana Department of Transportation and Development to process Disadvantaged Business Enterprise applications and certifications.

BE IT FURTHER HEREBY RESOLVED, that the Chairman or Executive Director 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, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.
.....

04-092817 - Motion to Authorize acceptance of FAA AIP Grant No. 3-22-0038-030-2017, in the amount of \$389,480, for the New Orleans Lakefront Airport Rehabilitation Runway 18R/36L – Design Phase 2 Project

Chair Heaton advised that this grant is 90% FAA funding with a 10% State DOTD match, and accommodates bottom line figure.

Comm. Heaton offered a motion to authorize acceptance of FAA AIP Grant No. 3-22-0038-030-2017, in the amount of \$389,480, for the New Orleans Lakefront Airport Rehabilitation Runway 18R/36L – Design Phase 2 Project, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 04-092817

RESOLUTION: 04-092817

BY: COMMISSIONER HEATON

SECONDED: COMMISSIONER FIERKE

September 28, 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 New Orleans Lakefront Airport is one of the non-flood protection assets of the District under the management and control of the Management Authority (the “Airport”);

WHEREAS, the Management Authority and the Orleans Levee District are co-sponsors of the Airport for Federal and State grant funding for projects at the Airport;

WHEREAS, on September 30, 2013, the Management Authority entered into a Master Services Agreement for Professional Services with AECOM (formerly URS) for projects at the Airport, as authorized by Resolution 10-071813;

WHEREAS, the Management Authority and the District submitted a Project Application to the United States Department of Transportation and Development, Federal Aviation Administration (“FAA”) for a grant of Federal funds for a project at the Airport identified as “New Orleans Lakefront Airport Rehabilitation Runway 18R/36L – Design Phase 2 Project,” with funding to be provided under AIP Grant #3-22-0038-030-2017, in the amount of \$389,480.00, with a Louisiana DOTD Aviation match of \$43,275.00, which was approved by the FAA and LADOTD (the “Project”);

WHEREAS, the Airport Committee of the Management Authority at its meeting held on September 19, 2017 voted to recommend to the Management Authority acceptance of AIP Grant #3-22-0038-030-2017, in the amount of \$389,480.00, with a State match of \$43,275.00, for a total grant amount of \$432,756.00; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District and the Airport to approve acceptance of AIP Grant #3-22-0038-030-2017, in the amount of \$389,480.00, with a State match of \$43,275.00, for a total grant amount of \$432,756.00.

THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority, on its behalf, and on behalf of the Orleans Levee District, as the Public Sponsors of the Airport, authorizes acceptance of Federal Aviation Administration AIP Grant #3-22-0038-030-2017, in the amount of \$389,480.00, with a State match of \$43,275.00, for a total grant amount of \$432,756.00, for the project at the New Orleans Lakefront Airport identified as "New Orleans Lakefront Airport Rehabilitation Runway 18R/36L – Design Phase 2 Project."

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

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

05-092817 - Motion to authorize procurement of Audio/Video and other equipment/furniture for the Lakefront Airport Conference Center in an amount not to exceed \$127,723.98 as provided for in FEMA PW 9851.

Chair Heaton advised that this grant is FEMA reimbursable, and will authorize the Authority to fully utilize all grant funding although it may not be needed. The Flood Authority accomplished many renovations to the offices in the Airport Terminal Building, and FEMA is allowing NFPAMA to use this grant to purchase audio/video equipment. This expense will not affect the budget. Mr. Noel added that there have been numerous complaints regarding lack of audio equipment. The equipment will include two screens (one for each side of the conference room), monitors and full audio for all commissioners, and recorded audio and video projections.

Comm. Heaton offered a motion to authorize procurement of Audio/Video and other equipment/furniture for the Lakefront Airport Conference Center in an amount not to exceed \$127,723.98 as provided for in FEMA PW 9851, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 05-092817

RESOLUTION: 05-092917

BY: COMMISSIONER HEATON

SECONDED: COMMISSIONER FIERKE

September 28, 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 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, a portion of the Airport Terminal Building was built out to serve as a Conference Center for Airport Terminal Building tenants, for Management Authority Committee and Board meetings and as an event center to be used by Messina Lakefront Airport, L.L.C.;

WHEREAS, in order for the space to adequately serve as a Conference and Event Center, audio, video and monitoring equipment must be purchased and installed in the Conference Center;

WHEREAS, AV Solutions, L.L.C. submitted a proposal dated September 16, 2017 for audio, video and monitoring equipment, which listed audio video presentation systems for the Conference Center available via state contract number 4400005710, a copy of which proposal is attached to this Resolution;

WHEREAS, the system includes video and audio presentation in both rooms of the Conference Center designed to satisfy the requirements for Management Authority meetings and party and event rentals.

WHEREAS, equipment to be installed is referenced in the attached proposal.

WHEREAS, the proposal for the audio, video and monitoring equipment by AV Solutions, L.L.C. was for the price and sum of \$82,520.61;

WHEREAS, approximately \$127,000.00 of FEMA funding for movable equipment has been identified to pay for the cost of this equipment as provided for in PW 9851;

WHEREAS, the Airport Committee at its meeting held on September 19, 2017 recommended acceptance of the proposal submitted by AV Solutions, L.L.C. for the purchase of the audio, video and monitoring equipment for the Conference Center at Lakefront Airport; and,

WHEREAS, the Management Authority after considering the recommendation of the Airport Committee resolved that it was in the best interest of the Management Authority and the Airport to accept the proposal submitted by AV Solutions, L.L.C. for the purchase of the audio, video and monitoring equipment for the Conference Center at Lakefront Airport;

THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority authorizes the purchase of the proposed audio, video and monitoring equipment from AV Solutions, L.L.C. for the Conference Center in an amount not to exceed \$127,723.98 as provided for in PW 9851.

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

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

.....
06-092817 - Motion to approve a one (1) year extension of the professional services contract with Grenier Conservation, LLC for restoration and conservation services for the Xavier Gonzales murals in the Terminal at New Orleans Lakefront Airport

Chair Heaton advised that the extension is a technical matter in that all the murals are complete with the exception of the Rio, which NFPAMA secured via loan from the Louisiana State Museum. The Authority hopes to secure ownership of that mural, and the item will be on the State Museum Agenda in October. Comm. Arrigo put staff in contact with the Lt. Governor's Office, and the Authority has that support. Ms. Grenier cannot begin restoration to the Rio until the mural is technically back in NFPAMA ownership. The contract requires an extension and is reimbursable through FEMA. The two murals that were not in the Airport at the time of the storm are not FEMA reimbursable.

Comm. Heaton offered a motion to approve a one (1) year extension of the professional services contract with Grenier Conservation, LLC for restoration and conservation services for the Xavier Gonzales murals in the Terminal at New Orleans Lakefront Airport, second by Comm. Settoon. The Resolution was adopted to wit:

MOTION: 06-092817

RESOLUTION: 06-092817

BY: COMMISSIONER HEATON

SECONDED: COMMISSIONER SETTOON

September 28, 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 New Orleans Lakefront Airport Terminal (the "Terminal") was severely damaged by Hurricane Katrina in August of 2005 and the Management Authority recently completed extensive repair and renovations of the Terminal;

WHEREAS, the renovations returned the interior and the exterior of the Terminal back into a fine example of the original Art Deco architecture and includes the complete restoration of the Walnut Room, the bar area, the café, and the atrium at the Terminal;

WHEREAS, at the time of Hurricane Katrina, six murals by the artist Xavier Gonzales depicting air travel, exotic destinations and milestones of aviation were located in the mezzanine of the Terminal lobby, one mural was on loan to the Louisiana State Museum and one mural depicting Bali was missing;

WHEREAS, the seven remaining murals were in need of professional restoration and conservation and the Management Authority advertised a Request for Qualifications and Proposals ("RFQ&P") for the Mural Conservation Project, Lakefront Airport;

WHEREAS, the Management Authority at its meeting held on May 15, 2015 accepted a proposal and entered into a contract with Grenier Conservation, LLC to provide professional restoration and conservation services for the seven remaining Xavier Gonzales murals and to reproduce the missing Bali mural;

WHEREAS, the contract with Grenier Conservation, LLC was for a maximum fee of \$81,000.00 and was for a term of one (1) year commencing on September 30, 2015;

WHEREAS, the restoration work for six of the murals was reimbursable under a FEMA PW in an amount not to exceed \$175,000.00;

WHEREAS, a portion of the cost of the restoration and reproduction of the two murals not reimbursable by FEMA has been paid by the Management Authority under the original contract;

WHEREAS, Grenier Conservation, LLC requested an extension of its contract for professional services to complete the restoration of six of the murals in view of unknown conditions and factors, including but not limited to the methodology necessary to successfully restore the murals and the full extent of the condition of the murals, which were concealed behind protective Japanese rice paper during the 1964 renovation of the Terminal requiring additional time and work for the restoration of the murals;

WHEREAS, staff recommends an extension of the Grenier Conservation, LLC contract for one (1) year through September 30, 2018; and,

WHEREAS, the Management Authority after considering the recommendations of staff resolved that it was in the best interest of the District and the Airport to approve a one (1) year extension of the contract with Grenier Conservation, LLC through September 30, 2018.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a one (1) year extension of the contract with Grenier Conservation, LLC through September 30, 2018.

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

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

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

07-092817 - Motion to authorize a Task Order with Stuart Consulting Group for the Design Phase of the Orleans Marina East Wall/Peninsula slip rehabilitation project under the IDIQ contract

E.D. Noel noted that the East Wall and Peninsula Condominium are in deplorable condition. This Resolution will task Stuart Consulting Group with the design of those slips in an amount not to exceed \$52,600. Chair Heaton added that the IDIQ is a not to exceed \$75,000 amount. Stuart has previously worked on this matter and they are familiar with the slips and the condition of the slips. This item is in the Orleans Marina budget.

Comm. Arrigo offered a motion to authorize a Task Order with Stuart Consulting Group for the Design Phase of the Orleans Marina East Wall/Peninsula slip rehabilitation project under the IDIQ contract, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 07-092817

RESOLUTION: 07-092817

BY: COMMISSIONER ARRIGO

SECONDED BY: COMMISSIONER FIERKE

September 28, 2017

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("Management 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, the Orleans Marina is one of the non-flood protection assets of the District that is under the management and control of the Management Authority, providing necessary revenue for the Authority's statutory obligations;

WHEREAS, the Management Authority and Stuart Consulting Group, Inc. ("Stuart Consulting") entered into an Agreement on July 1, 2017 to provide ID/IQ professional engineering and design services with a Not-To-Exceed fee of \$75,000, pursuant to Board Resolution 13-052517 (the "ID/IQ Contract");

WHEREAS, the Management Authority needs professional engineering and design services for the design phase of the Orleans Marina East Wall and Peninsula Boat Slip Rehabilitation Project (the "Project"), which services are not to exceed \$52,660.00;

WHEREAS, the Management Authority resolved that it was in the best interest of the District to authorize professional engineering services for the design phase of the Project pursuant to the ID/IQ Contract with Stuart Consulting Group with services not to exceed \$52,660.00.

THEREFORE, BE IT HEREBY RESOLVED that the Non-Flood Protection Asset Management Authority authorizes professional engineering services for the design phase of the Orleans Marina East Wall and Peninsula Boat Slip Rehabilitation Project pursuant to the ID/IQ Contract with Stuart Consulting Group, Inc. with services not to exceed \$52,660.00.

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 carry out the above. The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

08-092817 - Motion to amend the lease with Bernadotte Ventures, L.L.C. to extend the date for the opening of the restaurant in Shelter House No. 1 to July 31, 2018

Comm. Wheaton advised that the extension date for Shelter No. 1 was included in a September 5, 2017 letter from William Wright, and was part of the Recreation/Subdivision Committee meeting materials. The Shelter No. 1 area is zoned SLP, which is a very restrictive passive park. When the issues was first broached, staff met with the neighborhoods and it was requested that the NFPAMA look for a text amendment to allow for the opening of Shelter Nos. 1 and 2, which Shelters have been in commerce since 1936. The CPC essentially determined the text amendment was an attempt at spot zoning as it was restricted to Shelter Nos. 1 and 2. This finding was no fault of Mr. Wright, who put out thousands of dollars to improve the Shelter both inside and outside. There have been ongoing issues with Lakeshore and Lake Vista, but the issue has not yet reached mid-ground. The Shelter should have been open at this point, and the Authority is confident if the neighborhoods were in support of the matter, the Shelter would currently be open with a family restaurant facility and clean, operating restrooms. If this issue cannot be resolved by the July 31, 2018 date, staff may have to look at other alternatives including rezoning of area. This is an opportunity to work with the neighborhoods to determine what is fair to Mr. Wright.

There are issues which must be addressed such as the broken main water line and a crushed sewer pipe, which expenses are on NFPAMA. Mr. Wright put new pressure valves on each toilet and urinal, and various mirrors are brand new.

Chair Heaton noted that this issue is a complicated one. The Recreation/Subdivision Committee, (Comms. Wheaton, Ernst, Settoon, and Hebert) dove into this matter in good faith, put out an RFP, and Mr. Wright was selected in a fair process. Mr. Wright met with community leaders in good faith and thought he had their full support. There were some residents that came forth who were not happy so the Authority has committed to Rep. Hilferty to work with everyone to come to an amicable conclusion. The issue is in good hands with the Recreation/Subdivision Committee who is working hard on this issue. The Authority is confident a solution will be found that works for all parties.

Comm. Wheaton offered a motion to amend the lease with Bernadotte Ventures, L.L.C. to extend the date for the opening of the restaurant in Shelter House No. 1 to July 31, 2018, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 08-092817

RESOLUTION: 08-092817

BY: COMMISSIONER WHEATON

SECONDED BY: COMMISSIONER FIERKE

September 28, 2016

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, Shelter House #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 June 13, 2016 the Management Authority issued a Request for Proposals for the restoration and leasing of Shelter Houses Nos. 1, 2 and 4 on Lakeshore Drive ("RFP");

WHEREAS, Bernadotte Ventures, L.L.C. ("Bernadotte Ventures") submitted a response to the RFP to lease Shelter House #1 for the purpose of operating a standard restaurant as defined in the Comprehensive Zoning Ordinance of the City of New Orleans, rental of bicycles for recreational use, operation of a concession stand, and hosting a weekly Farmer's Market;

WHEREAS, the Management Authority approved a written lease with Bernadotte Ventures at its regularly scheduled monthly meeting held on December 15, 2016 (the "lease");

WHEREAS, Article III, Term of the Lease, provides that in the event the restaurant was not opened by September 1, 2017 (the "dissolution date"), then, in that event, the lease dissolved, unless the restaurant was not opened by that date because of delays caused by acts beyond the control of Bernadotte Ventures, including delays in obtaining permits for operation of the proposed restaurant, despite the best efforts of Bernadotte Ventures, and in that case the dissolution date was extended for a period commensurate with the delay, but in no event later than December 31, 2017;

WHEREAS, despite the best efforts of Bernadotte Ventures, the restaurant was unable to open by the dissolution date of September 1, 2017, because of delays in obtaining the required permits for operation of the proposed restaurant from the City of New Orleans;

WHEREAS, Bernadotte Ventures will also not be able to open the restaurant by December 31, 2017 because of the delay in obtaining the required permits for operation of the proposed restaurant from the City of New Orleans;

WHEREAS, the Recreation/Subdivision Committee of the Management Authority at its meeting held on September 21, 2017 voted to recommend an amendment to the lease with Bernadotte Ventures, L.L.C. to extend the dissolution date of the lease until the 31st day of July 2018; and,

WHEREAS, the Management Authority after considering the recommendation by the Recreation/Subdivision Committee resolved that it was in the best interest of the Orleans Levee District to approve an amendment of the lease with Bernadotte Ventures to extend the dissolution date of the lease until the 31st day of July, 2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority approves an amendment of the lease with Bernadotte Ventures, L.L.C. to extend the dissolution date of the lease until the 31st day of July, 2018.

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

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

09-092817 - Motion to authorize the Capital Outlay requests for 2018-2019

Chair Heaton advised that Capital Outlay requests are important in looking at opportunities with the FAA, DOTD and other grant programs when the application is filed. One amendment she would like to offer is to increase dredging (silt removal) in the harbor and NBC. After discussion with a dredging company, there may be an opportunity with different funding to address that issue. There is no hard number for the dredging, which will be done in phases. The application for Capital Outlay requests is due in Baton Rouge by November 1, 2017. Currently, there is no budget for any item on the Capital Outlay Request. If the Authority had cash in hand bank or bond proceed we could draw down from, we would not be allowed to make this application. We are attesting to the state that we do not have the funding needed to file the application in the event the State grants the Authority funding.

Mr. Noel noted that Lakeshore Landing, NOLA and Studio Network also intend to do dredging. The dredging permit for O.L.D. expired in 2001, which gives a timeline of how long it has been since dredging has been performed.

Chair Heaton offered a motion to amend the amount for dredging, and increase the amount to \$1.475 million on Item 3 and 4. Comm. Arrigo second the amendment, which was unanimous.

Comm. Fierke offered a motion to amend the motion, second by Comm. Green, and unanimously adopted. Comm. Heaton offered a motion to authorize the amended Capital Outlay requests for 2018-2019, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 09-092817
RESOLUTION: 09-092817
BY: CHAIRPERSON HEATON
SECONDED: COMMISSIONER FIERKE

September 28, 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”), including the New Orleans Lakefront Airport, Orleans Marina and South Shore Harbor Marina;

WHEREAS, the Management Authority has projects that require funding from the Louisiana Capital Outlay Program (“COP”) and will submit an application as the local sponsor in order to initiate design and/or construction phases of said projects;

THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority authorizes the submittal of applications to the State of Louisiana COP to fund the following projects in the amounts shown for Fiscal Year 2018-2019:

1. **Elevator replacement at the Lakefront Airport Terminal Building - \$300,000.**
2. **Lakeshore drive playground equipment replacement and upgrades – \$300,000**
3. **Silt removal - South Shore Harbor - \$1,475,000;**
4. **Silt removal – New Basin Canal and Orleans Marina - \$1,475,000;**
5. **Utility and drainage infrastructure repairs and upgrades – New Orleans Lakefront Airport - \$500,000;**
6. **Replace ARFF fire truck – New Orleans Lakefront Airport - \$800,000;**
7. **Repair of lighting and conversion to alternate lighting system, New Orleans Lakefront Airport, Stars and Stripes Blvd. and Haynes Blvd. Flyover - \$275,000.00;**
8. **Replace ARFF Station – New Orleans Lakefront Airport - \$1,500,000;**
9. **South Shore Harbor – restripe parking lot - \$150,000**

BE IT FURTHER RESOLVED, that the Management Authority does hereby certify, in accordance with the State Capital Outlay Act, the following:

1. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
2. All local options for funding for this Capital Outlay request through taxation special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
3. There is no revenue source for these non-recurring project appropriations.
4. No surplus and/or unobligated funds are available.

BE IT FURTHER HEREBY RESOLVED, that the Management Authority is committed to providing a local project match to the extent it is economically able for the amounts required/recommended and necessary by the State.

BE IT 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, the vote thereon was as follows:

YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

10-092817 - Motion to authorize delegation of authority to the Commercial Real Estate Committee to approve Boathouse lease transfers and Estoppel Certificates for the boathouse leases in the Orleans Marina.

Comm. Green noted that the transfer of boathouse leases is a matter of formality. At the time, boathouse transfers get tied up for several weeks as these transfers must be heard before the Commercial Real Estate Committee and approved by the Board. Staff is requesting for approval to move forward with boathouse transfers at a Committee level and as an informational item before the Board.

Comm. Green offered a motion to authorize delegation of authority to the Commercial Real Estate Committee to approve Boathouse lease transfers and Estoppel Certificates for the boathouse leases in the Orleans Marina, second by Comm. Richard. The Resolution was adopted to wit:

MOTION: 10-092817

RESOLUTION: 10-092817

BY: COMMISSIONER GREEN

SECONDED: COMMISSIONER RICHARD

September 28, 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 located at West End in the City of New Orleans is one of the non-flood protection assets of the District under the management of the Management Authority;

WHEREAS, the Orleans Levee District is authorized to lease the water bottoms and land in the Orleans Marina as moorings for boats and construction of boathouses for fair and equitable rental rates, as provided under Louisiana Revised States Title 38, Section 336(A) and (B)(4);

WHEREAS, commencing in 1971 the former Board of Commissioners of the Orleans Levee District and its successors, including the Management Authority, have entered into long term water bottom and ground leases for boathouses in the Marina, which boathouses are owned by the lessees;

WHEREAS, the Management Authority's consent is required for assignment of the boathouse leases and sale of the improvements located on the leaseholds under Article VII of the leases;

WHEREAS, in addition to requests for approval of the assignment of the boathouse leases and sale of the improvements by lessees occasions arise when lessees request estoppel certificates from the Management Authority, acknowledging the status of leases and that no defaults have occurred, required by lenders financing transfers with leasehold mortgages on the boathouse leaseholds;

WHEREAS, the former Board of Commissioners of the Orleans Levee District had delegated authority to a committee to approve boathouse lease transfers and estoppel certificates for the boathouse leases in the Orleans Marina;

WHEREAS, the approval of transfers of the boathouse leases in the Orleans Marina and request for estoppel certificates involves administrative matters governed by the terms of the leases and resolutions adopted by the Management Authority;

WHEREAS, Article V, Section 4 of the By-Laws of the Management Authority permits the Management Authority to authorize by resolution a committee to act on matters on behalf of the Management Authority;

WHEREAS, the Commercial Real Estate Committee at its meeting held on September 19, 2017 voted unanimously to recommend that the Management Authority delegate authority to the Commercial Real Estate Committee to approve boathouse lease transfers and estoppel certificates for the boathouse leases in the Orleans Marina; and,

WHEREAS, the Management Authority after considering the recommendation of the Commercial Real Estate Committee resolved that it was in the best interest of the Management Authority to delegate authority to the Commercial Real Estate Committee to approve boathouse lease transfers and estoppel certificates for the boathouse leases in the Orleans Marina.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority delegates authority to the Commercial Real Estate Committee of the Non-Flood Protection Asset Management Authority to approve boathouse lease transfers and estoppel certificates for the boathouse leases in the Orleans Marina.

BE IT FURTHER HEREBY RESOLVED, that the Non-Flood Protection Asset 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, the vote thereon was as follows:

YEAS: HEATON, GREEN, WHEATON, RICHARD, SETTOON, ERNST, ARRIGO, MORVANT, MEADOWCROFT, BRUNO

NAYS:

ABSTAIN:

ABSENT: BRIEN, EAMES, HEBERT, MAJOR, FIERKE

RESOLUTION PASSED: YES

This resolution was declared adopted this 28th day of September, 2017.

ANNOUNCE NEXT MEETING

Chair Heaton announced the next full Board meeting will be held on Thursday October 26, 2017 at 5:30 p.m.

ADJOURNMENT

Comm. Richard offered a motion to adjourn, seconded by Comm. Fierke. Motion passed. The meeting adjourned at 6:43 p.m.