

Board Meeting Minutes
Non-Flood Protection Asset Management Authority
Thursday, November 30, 2017 – 5:30 P.M.

The regular monthly Board Meeting of the Non-Flood Protection Asset Management Authority was held on Thursday November 30, 2017 at the Lakefront Airport Terminal Building in the 2nd floor conference center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Chair Heaton called the meeting to order at 5:31 p.m. and the roll was called which constituted a quorum.

PRESENT

Chair Wilma Heaton
Vice Chair Eugene Green
Commissioner Roy Arrigo
Commissioner Stanley Brien
Commissioner Sean Bruno (arrived 5:35 PM)
Commissioner Leila Eames (arrived 5:35 PM)
Commissioner Greg Ernst
Commissioner Tom Fierke
Commissioner Dawn Hebert
Commissioner Carla Major
Commissioner Pat Meadowcroft
Commissioner Chris Morvant
Commissioner Anthony Richard (arrived 5:45 PM)
Commissioner William Settoon
Commissioner Rodger Wheaton

ABSENT

None

STAFF

Executive Director Jesse Noel
Deputy Director Ngoc Ford
Executive Assistant Kim Vu

ALSO PRESENT

Gerry Metzger – Legal Counsel
Al Pappalardo – Real Estate
Akintunde Hardy – Hardy Developments
Ray Landeche – Lakeshore Resident
Monte Shalett – LVPOA

IV. Opening Comments

Chair Heaton thanked staff for the upgrade on A/V equipment for the conference center inside of Lakefront Airport's Terminal Building. Chair Heaton thanked Commissioner Major for arranging a meeting with Vice Chancellor of Delgado to collaborate to bring back the A&P mechanic program to Lakefront Airport.

V. Motion to Adopt Agenda

A motion to adopt the agenda was moved by Commissioner Major, seconded by Commissioner Fierke and all were in favor.

VI. Motion to Approve Minutes of the Board Meeting

a) October 26, 2017

A motion to amend the minutes from October 26, 2017 by Commissioner Ernst, seconded by Commissioner Fierke. The motion to amend the minutes was to reflect Commissioner Ernst's yes vote on Resolution No. 03-102617 regarding the Commemorative Air Force. Commissioner Arrigo was opposed to vote in favor on the motion to approve minutes as amended. Commissioners Brien and Meadowcroft abstained from this vote. The motion to amend the minutes from October 26, 2017 was approved.

VII. PUBLIC COMMENTS

None

VIII. COMMITTEE REPORTS

Airport – Chair Heaton gave a brief update on the airport committee in her opening comments.

Finance – Vice Chair Bruno did not have a report since Chair Richard was absent and running late to the board meeting.

Legal – Chair Major reported they did have a legal committee meeting. Mr. Metzger, legal counsel, stated that there was an executive session on Flightline's case. He also reported the status on the case with Dr. Rubin, that the case was dismissed for the second time, but that Dr. Rubin hired a new lawyer so it is still ongoing.

Commercial Real Estate – Chair Green deferred discussion until Agenda Item C and D because those two items were discussed during the Commercial Real Estate committee meeting.

Recreation and Subdivision – Chair Wheaton reported on the tree trimming along the Lakefront area. He reported that a bid went out to replace the electrical on the Lake Terrace Fountain. He further reported on maintenance and repair of the shelters along Lakeshore Drive, hoping to open them for the public by Spring 2018.

Marina – Chair Arrigo stated that the marina committee did not meet this past month, and that there was no new activity that needed board approval.

Director's Report

Executive Director Noel distributed a draft of the Asset Management Plan to all of the commissioners for review and feedback. He reported that staff are still waiting on a final audit report. He reported that the budget update amendment was discussed in the committee meetings to reallocate money. He stated that there was a special finance committee meeting to discuss the internal controls policy that was distributed to all commissioners to review. In regard to commercial real estate, E.D. Noel stated that Metro Studio was working on a redevelopment plan to present to the board involving West Roadway and improved drainage in the area. He stated that airport staff are working on completing requirements for part 139 certification, specifically the airport emergency plan and airport certification manual. He reported that staff is currently working on hangar maintenance, specifically investigating roof repairs. As for the marinas, he reported that the pier repair and boathouse demolition project were completed. He further

stated that there has been ongoing maintenance along Lakeshore Drive including the fountains and shelters to be fully operational for the spring time.

IX. OLD BUSINESS

- None

X. NEW BUSINESS

a) Motion to approve Budget Amendment of the 2017-2018 Annual Budget

Motion to approve budget amendment of the 2017-2018 annual budget moved by Commissioner Richard, seconded by Commissioner Hebert.

E.D. Noel and Commissioner Richard discussed the budget amendment in detail at the finance committee meeting, and the finance committee voted to pass onto the full board for approval. E.D. Noel explained that the budget amendment involved reallocating alternate project funding into different projects.

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 01-033017, the Management Authority approved the General Operating budget for Fiscal Year 2017-2018;

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 – Airport	\$1,403,627.25
Increase in Revenues – Lakefront	\$200,000
Total Increase in Revenue to FY 2017-2018 Budget	<u>\$1,603,627.25</u>

Increase in Expenditures – Airport	\$1,149,877.25
Increase in Expenditures – General Fund	\$103,000
Increase in Expenditures – Lakefront	\$350,750
Decrease in Expenditures – Orleans Marina	\$300,000
Increase in Expenditures – South Shore Harbor	\$300,000
Total Increase in Expenditures to FY 2017-2018 Budget	<u>\$1,603,627.25</u>

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

WHEREAS, the Finance Committee at its November 14, 2017 meeting reviewed the revisions set forth above to the Fiscal Year 2017-2018 General Operating Budget and voted to recommend that the Management Authority approve these revisions to the Fiscal Year 2017-2018 General Operating Budget.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the revisions set forth above to the Fiscal Year 2017-2018 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: Arrigo, Brien, Bruno, Eames, Ernst, Fierke, Green, Heaton, Hebert, Major, Meadowcroft, Morvant, Richard, Settoon, Wheaton

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION PASSED: Yes

b) Motion to approve the purchase of four vehicles at state contract pricing

Motion to approve purchase of four vehicles at state contract pricing by Commissioner Richard, seconded by Commissioner Major.

E.D. Noel reported that this topic was covered at the finance committee meeting and the finance committee approved for it to go to the board for approval. E.D. Noel explained that the vehicles inherited from Orleans Levee District were in such poor condition that the repair costs would be more than the current value of the vehicles. The commissioners discussed if the vehicles would be purchased with state contracts and E.D. Noel assured everyone they would be purchased at state contract pricing. All were in favor of staff purchasing four new vehicles for all maintenance and administrative staff.

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, Management Authority staff has recommended the purchase of four vehicles at a cost not to exceed \$100,000.00 utilizing State Contract pricing to replace Management Authority vehicles that have met the end of their useful life,

WHEREAS, the members of the Finance Committee of the Management Authority discussed the recommendation of staff to purchase the four vehicles and unanimously voted to recommend that the Management Authority authorize the purchase of the vehicles as recommended by staff; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Orleans Levee District and the Management Authority to authorize the purchase of the vehicles as recommended by staff,

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Management Authority authorizes the purchase of the four (4) vehicles as recommended by staff at a cost not to exceed \$100,000.00 utilizing state contract procurement and pricing.

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: Arrigo, Brien, Bruno, Eames, Ernst, Fierke, Green, Heaton, Hebert, Major, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS: None
ABSTAIN: None
ABSENT: None
RESOLUTION PASSED: Yes

c) Motion to approve Lease Amendment with Tides, LLC for the Parcel 10E Lease (Brisbi’s parking lot)

Motion to approve lease amendment with Tides, LLC for the Parcel 10E Lease (Brisbi’s parking lot) by Commissioner Green, seconded by Commissioner Fierke

Commissioner Green asked for the board’s approval of amendment to lease Parcel 10E for operation of the pavilion. Commissioner Green explained that the lessee is only modifying uses within the existing lease and that that the lessee plans to follow all guidelines within the city, which includes all appropriate permits. E.D. Noel stated that Brisbi’s would be paying current market rate (same rate per square foot) and that there is no change in the rent value.

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, Parcel 10E situated on the east side of the New Basin Canal in the City of New Orleans, consisting of 8,294 square feet, bearing Municipal Addresses 7306 Lakeshore Drive, New Orleans, Louisiana 70124, is one of the non-flood protection assets of the District under the management and control of the Management Authority (the “leased premises”);

WHEREAS, by written Lease Agreement dated on January 23, 2012, the Management Authority leased Parcels 7E, 8E and 9E to Tides, L.L.C. to construct and operate a standard restaurant, as defined in the Comprehensive Zoning Ordinance of the City of New Orleans;

WHEREAS, thereafter Tides, L.L.C. submitted a proposal to lease Parcel 10E for the construction of a parking lot for the restaurant;

WHEREAS, the Management Authority at its regularly scheduled monthly meeting held on November 15, 2012 approved a lease with Tides, L.L.C. for Parcel 10E and thereafter a written Lease Agreement was entered into by the Management Authority and Tides, L.L.C. (the "Lease");

WHEREAS, Tides, L.L.C. has requested an amendment of the Lease to expand the use of the leased premises to include the use of a pavilion constructed on the leased premises as an extension of the restaurant and as an event venue and to use a 15 foot by 15 foot portion of the property located at the North West Corner of the parking area of the leased premises as a staging and storage area for refuse and dumpsters;

WHEREAS, Tides, L.L.C. has agreed that the use of the pavilion on the leased premises will comply with all of the restrictions on time and noise in the Lease, and also has agreed to provide the required permits from the City of New Orleans or written proof that permits were not required for all structures previously constructed on the leased premises and to provide the same for structures Tides, L.L.C. proposes to construct on the leased premises;

WHEREAS, the request by Tides, L.L.C. for an amendment of the Lease as set forth hereinabove was considered by the Commercial Real Estate Committee of the Management Authority at its meeting held on November 16, 2017 and the Committee voted to recommend approval of the amendment to the Management Authority; and,

WHEREAS, after considering the recommendation of the Commercial Real Estate Committee, the Management Authority resolved that it was in the best interest of the Orleans Levee District to approve an amendment of the Lease with Tides, L.L.C. as set forth hereinabove.

THEREFORE, BE IT HEREBY RESOLVED that the Non-Flood Protection Management Authority approves an amendment of the Lease Agreement with Tides, L.L.C. for Parcel 10E to permit the use of the leased premises to include the use of a pavilion constructed on the leased premises as an extension of the restaurant owned and operated by Tides, L.L.C. located on Parcels 7E, 8E and 9E and as an event venue and to use a 15 foot by 15 foot portion of the property located at the North West Corner of the parking area of the leased premises as a staging and storage area for refuse and dumpsters, conditioned upon compliance with all of the restrictions on time and noise in the Lease Agreement with Tides, L.L.C., and upon Tides, L.L.C. providing the required permits from the City of New Orleans or written proof that permits were not required for all structures previously constructed on the leased premises and also providing the same for any structures Tides, L.L.C. proposes to construct on the leased premises.

BE IT FURTHER HEREBY RESOLVED that the Chairman or Executive Director of the Management Authority be and is hereby authorized to sign an amendment to Lease with Tides, L.L.C. for Parcel 10E under the terms and conditions set forth above, and any and all other documents necessary to carry out the above.

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

YEAS: Arrigo, Brien, Bruno, Eames, Ernst, Fierke, Green, Heaton, Hebert, Major, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS: None
ABSTAIN: None
ABSENT: None
RESOLUTION ADOPTED: Yes

d) Motion to approve issuance of an RFP for the former Naval Reserve Center site

Motion to approve issuance of an RFP for the former Naval Reserve Center site by Commissioner Green, seconded by Commissioner Meadowcroft.

Commissioner Green stated that the Seabrook site has been vacant and he would like to propose a RFP, request for proposal, for the vacant site. He further stated that approximately 2.4 acres would be available for development. Due to state requirements, recreation space must exist aside from the development. Commissioner Green suggested staff to include an outreach to universities in the request for proposals. Commissioner Green stated that this RFP will determine a purpose of use for the site.

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 "8.761 Acre Seabrook Site" (Former Naval Reserve) is one of the non-flood protection assets of the Orleans Levee District managed and controlled by the Management Authority;

WHEREAS, the members of the Commercial Real Estate Committee of the Management Authority discussed at their November 16, 2017 meeting a Request for Proposals prepared by the Management Authority's Executive Director, Real Estate Consultant and Legal Counsel for the commercial development of the 8.761 Acre Seabrook Site, a copy of which is attached to this Resolution (the "Request for Proposals" or "RFP");

WHEREAS, after reviewing the Request for Proposals, the Commercial Real Estate Committee unanimously voted to recommend that the Management Authority authorize the issuance of a Request for Proposals for the development of the 8.761 Acre Seabrook Site; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Orleans Levee District and the Management Authority to authorize the issuance of a Request for Proposals for the commercial development of the 8.761 Acre Seabrook Site

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Management Authority authorizes issuance of the Request for Proposals for the commercial development of the 8.761 Acre Seabrook Site, a copy of which is attached to this Resolution.

BE IT FURTHER HEREBY RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to execute any documents necessary to carry out the above. The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Arrigo, Brien, Bruno, Eames, Ernst, Fierke, Green, Heaton, Hebert, Major, Meadowcroft, Morvant, Richard, Settoon, Wheaton

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION ADOPTED: YES

e) Motion to approve issuance of Change Order No. 1 to Hasco, Inc. to include pavement repairs and some portion of add alternate 1 at a value not to exceed \$64,029.06 (DOTD Grant)

Motion to approve issuance by Commissioner Fierke, seconded by Commissioner Meadowcroft

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, and was awarded the contract for the Project;

WHEREAS, a pavement deficiency was identified during the application of the crack fill and sealcoat, and the Management Authority staff recommends issuing Change Order No. 1 to repair this deficiency and further to use any remaining funds to replace some of the surface painted signs; 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 pavement repairs and some portion of Add Alternate One (1), at a value not to exceed \$64,029.06 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: Arrigo, Brien, Bruno, Eames, Ernst, Fierke, Green, Heaton, Hebert, Major, Meadowcroft, Morvant, Richard, Settoon, Wheaton

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION PASSED: Yes

f) Notice of proposed Internal Control Policy Adoption

A draft of the internal control policy was distributed to all commissioners for review and feedback before it goes to the board for approval. The internal control policy will be reviewed further at the finance committee meeting. E.D. Noel encouraged that any commissioners with comments or questions attend the next finance committee meeting to have further discussions on the policy.

The next regular monthly Board meeting will be held on Thursday December 21, 2017 at 5:30 PM in the Lakefront Airport Terminal Building.

Motion to adjourn by Commissioner Major, seconded by Commissioner Arrigo and all were in favor to adjourn at 6:43 P.M.