

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
BOARD MEETING
THURSDAY, OCTOBER 28, 2021**

PRESENT:

Chair Wilma Heaton
Vice Chair David Francis
Secretary Thomas Fierke
Commissioner Stanley Brien
Commissioner Sean Bruno
Commissioner Esmond Carr
Commissioner Stanley Cohn
Commissioner Dawn Hebert
Commissioner Pat Meadowcroft (*entered the meeting at 5:45 PM)
Commissioner Howard Rodgers

ABSENT:

Commissioner Monika Gerhart
Commissioner Eugene Green, Jr.
Commissioner Renee Lapeyrolerie
Commissioner Bob Romero
Commissioner Anthony Richard

STAFF:

Louis Capo – Executive Director
Madison Bonaventure – Assistant to the Executive Director/Board Secretary
Bruce Cain – Harbor Master
David Martin– Director of Engineering and Operations
Bruce Martin – Airport Director

ALSO PRESENT:

David Jefferson “Jeff” Dye – Legal Counsel to the LMA
Gerard G. Metzger – Legal Counsel to the LMA
Al Pappalardo – Real Estate Consultant to the LMA
Mike Gillen – South Shore Harbor Marina Tenant Association
Karl Hudson – Orleans Marina Tenant Association
Ray Landeche – Lakeshore Resident

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, September 23, 2021, at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana 70126, 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 5:41 P.M., and Commissioner Rodgers led in the pledge of allegiance. Executive Director Louis Capo called the roll, and a quorum was present.

OPENING COMMENTS:

None

MOTION TO ADOPT AGENDA:

A motion was offered by Commissioner Fierke, was seconded by Commissioner Meadowcroft and was unanimously approved to adopt the agenda.

ADOPTION OF THE MINUTES:

A motion was offered by Commissioner Francis and was seconded by Commissioner Rodgers to accept the minutes of September 23, 2021. Commissioner Fierke inquired about the statement made by Mr. Dye regarding the function of the valves near the floodwalls. He thought it should be placed somewhere else. Mr. Dye offered a correction to reflect that he had inquired about the valves. A motion was offered by Commissioner Fierke, seconded by Commissioner Rodgers, and was unanimously approved to adopt the minutes as amended.

PUBLIC COMMENTS:

Mr. Ed Drury introduced himself to the Board. He explained that he had been a tenant for about fifty years and had two boathouse site leases: N-6 and N-7. Mr. Drury's boathouse had been catastrophically damaged during Hurricane Ida. Mr. Drury believed his boathouse was underinsured through no fault of his own. Mr. Drury did not understand why the lease asked for the tenant to add the LMA and other parties to their insurance policies as a loss payee and steward of his insurance funds because it was a ground lease. He said he practiced law for fifty years and did not understand. Mr. Drury said he has discussed the issue with Director Capo, and it was his opinion that that he should not give insurance proceeds to the LMA.

Chair Heaton said she believed the process was so the LMA could ensure that his boathouse improvements would be rebuilt. Mr. Metzger advised that the issue would be appearing on the next Legal Committee agenda. She advised that the Committee could vet the issue and possibly recommend a solution to the Board next month. She felt the Board was not prepared to act on the issue without further information. Mr. Drury was unsure why the Board could not act and was confused about the process.

Director Capo said that he and Mr. Metzger initially spoke to Mr. Drury about the issue when Mr. Drury called to inform him about the damage from Hurricane Ida, and Mr. Drury did not like his answer about the process which had been undertaken by other tenants in the past. He met with Mr. Drury in person to explain the process further, and he was still unsatisfied. He explained that Mr. Drury wanted to address the Board about the matter, so he was informed about the meeting so he could speak on the issue. He informed Mr. Drury that the Board may direct the issue to a Committee for discussion. Staff ensured that they would be in contact with Mr. Drury so his issue could be heard at the next Legal Committee meeting.

Karl Hudson introduced himself to the Board as a representative of Orleans Marina Tenant Association. Mr. Hudson asked if boats if sunken boats would be pulled up at both Orleans Marina and at South Shore Harbor Marina. Director Capo said boats would be raised at both. Mr.

Hudson asked if meeting recordings were kept. Chair Heaton said if there was not a technical issue they were archived.

Mike Gillen introduced himself to the Board as a representative of the South Shore Marina Tenant Association. He thanked staff for providing the financial documents he wanted. He said he turned the documents over to a CPA he hired in Baton Rouge to look at them, and he wanted to meet with Director Capo after he received his analysis. He said he was impressed with the progress being made at the marinas under Mr. Cain's leadership and thanked him for his dedication. Mr. Gillen inquired about the sunken boats project.

Commissioner Carr said he was confused because the title of the project included the removal of boats in South Shore Harbor Marina, but the resolution included both marinas. Director Capo clarified that it was an error in naming the project. Quotations were solicited for both marinas. He explained that there was at least one boat at Orleans Marina that needed to be raised. He clarified that the quotations were solicited on a per unit basis so if any boats were deemed eligible for FEMA reimbursement, the costs could be easily identified. Commissioner Carr said he wanted to modify the agenda and defer the item because he felt like they did not have time to discuss it.

Chair Heaton asked for Commissioner Carr to exercise patience, and they could address Mr. Gillen's questions and discuss the item when it came up on the agenda to hear from staff.

Ray Landeche introduced himself to the Board. He explained that he brought up the proposed subdivision of commercial Square No. 1 made by M & O Realty to the City of New Orleans at the Legal Committee. Mr. Landeche was under the impression that the LMA, on behalf of the Orleans Levee District, had the authority to approve the proposed subdivision. Chair Heaton said staff followed up on his request. Mr. Metzger said he had researched the matter. He explained that the LMA was only authorized to participate in the approval process for the further subdivision of the residential lots, and the Legal Committee could discuss the issue at its next meeting. Mr. Landeche disagreed with Mr. Metzger. Chair Heaton said the Legal Committee could further discuss it. He asked if M & O Realty had reached out to the LMA. Legal counsel and staff advised they had not. Mr. Landeche also inquired about the moneys the LMA receives from film industry shoots at the lakefront parks. Chair Heaton said it was her understanding that there was a line item in the budget.

Directors' Reports:

Director Capo said he was waiting to hear from the auditors to receive the final audit report. He was under the impression that they had to still complete the Single Audit process as required by federal guidelines. He advised that as soon as they received the audit report, they would transmit it to the Board.

He advised that the LMA received three new civil service guard positions after requesting them from the State Civil Service Commission. He advised that a few applicants had been interviewed, and standard processes and procedures for hiring were underway.

Director Capo said that he had discussed with Al Pappalardo, Real Estate Consultant to the LMA, and Chair Heaton about how they could author the RFP for the former Bally's site. He said he was waiting to hear back from BFM who had conducted the initial survey on when they could provide the updated survey. After consultation with Mr. Pappalardo, they suggested that

the Commercial Real Estate Committee discuss it and for it to be ready by the December Board meeting so it could be reviewed before it was advertised in January 2022.

He said that the day store at South Shore Harbor Marina had to be gutted following Hurricane Ida. He understood that a Commissioner had met with interested parties, but he had not received any proposals for the operation of the day store or the fuel dock.

He said that ad valorem tax revenue had dwindled, and it was a lean time for the LMA until 2022 ad valorem taxes could be remitted to the LMA via the Southeast Louisiana Flood Protection Authority – East from the City of New Orleans.

Bruce Martin, Airport Director, thanked the Commissioners and members of the public for their patience in accessing the Terminal building to attend the meeting due to the extensive movie shoot on premises. He gave a report on various items around the Airport:

- The McDermott Hangar roof would be completed in about two weeks. The National Guard Hangar interior work would also be completed in a few weeks. Inspection for substantial completion was scheduled, and Ochsner's medivac unit would be relocated to their leased area soon.
- The survey for the Taxiway B Runway Rehabilitation Project was underway, and staff and consultants anticipated that the work would be bid mid-February. The project would include a mill and overlay. They were hopeful for raising of the runway on the north end to improve drainage. He advised that it was a state funded LADOTD project.
- He was in talks with future film production companies, and UPS has rented a lot on Airport property for parking of delivery trucks during the holiday season.

Committee Reports:

Airport Committee: Chair Heaton said that the Airport Committee report had been satisfied by Mr. Bruce Martin's remarks.

Finance Committee: Chair Bruno advised that they were waiting on the auditors to finish their report. Chair Heaton thanked the members of the Finance Committee for the guidance and said the Board was fortunate to have members who currently hold CPA licenses or had a license in the past.

Legal Committee: Chair Cohn said no meeting was held because there were no actionable items for consideration. He advised that some ongoing legal matters were advancing.

Commercial Real Estate Committee: Chair Francis advised that the Committee did not meet but would be discussing items in November.

Marina Committee: Chair Brien advised that he was not in attendance of the meeting due to a family matter, and there was one marina-related actionable item on the Board agenda that had come through after the Committee had met. Commissioner Carr said that Director Capo would be providing financial documents to the Committee regarding the expenditures associated with the 10% maintenance fee.

Recreation/Subdivision Committee: Vice Chair Carr said there was no quorum, but neighbors showed up out of concern about the debris piles along the lakefront. He said that neighbors felt like there was not transparency regarding the communication flows about the debris clean up.

Commissioner Carr made the assertion that public records requests made by himself or others have gone unfulfilled. Mr. Dye asked if public requests had been made. He established there was a legal difference. Commissioner Carr was unsure of the process, but it was his understanding that you could come in person to request the documents and they are to be produced immediately. Staff is to make the person comfortable while they wait. Commissioner Cohn replied that was not the law.

Director Capo asked what had not been provided to Commissioner Carr in the event there had he had missed his inquiry. He replied that he sent an email to him on a Saturday for certain contracts signed on September 27, 2021. Director Capo informed Commissioner Carr that public records requests are generally forwarded to legal counsel for review.

Chair Heaton understood that the Board was comprised fully of volunteers, and some Commissioners communicated in evening hours and weekend days with staff. She expressed pride in the transparency of the Board and for its relationship with the community, even when there were challenges to communicating items and issues effectively. She commended staff for completing many tasks and answering inquiries each day. She said that if a request has taken longer than desired it is not for a lack of good intention. She thanked staff for their efforts with minimal human resources to get the job done.

New Business:

1) Motion to approve the Lakefront Management Authority's Capital Outlay Request for 2022-2023.

A motion was offered by Commissioner Fierke, seconded by Commissioner Cohn, and was unanimously adopted to approve the Lakefront Management Authority's Capital Outlay Request for 2022-2023.

Chair Heaton explained that in response to requests made by legislators, staff recommended a shortened list of projects for support. They also included two new marina projects.

Commissioner Hebert asked about the Seabrook Boat Launch Project and the lakefront pavilion project. Chair Heaton explained that projects no. 1 and no. 2 had been included in state HB 2 and would need to go before the State Bond Commission, and so they had to be included again as applications for consideration. She thanked Senators Harris and Bouie for their support in including those projects in HB 2.

Chair Heaton explained it is not likely that many of the projects would be funded by the state, but it shows the priorities of the organization to other entities.

MOTION: 01-102821
RESOLUTION: 01-102821
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER COHN

- 1) Motion to approve the Lakefront Management Authority's Capital Outlay Request for 2022-2023

RESOLUTION

WHEREAS, the Lakefront 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 Lakefront 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 2022-2023:

1. **Planning, designing and constructing public use pavilions inclusive of benches and tables along 5.2 miles of public parks and greenspace along New Orleans Lakeshore Drive – \$225,000**
2. **Seabrook Public Boat Launch Rehabilitation - \$2,000,000**
3. **Repair of lighting and efficiency enhancements to lighting system, New Orleans Lakefront Airport, Stars and Stripes Blvd. and Hayne Blvd. Flyover - \$275,000.00**
4. **Silt removal – South Shore Harbor Marina - \$500,000**
5. **Silt removal – New Basin Canal and Orleans Marina - \$2,500,000**
6. **Planning, designing, and constructing public comfort and laundry facilities for South Shore Harbor Marina - \$750,000**
7. **Planning, designing, and constructing replacement pier coverings at Orleans Marina. - \$2,000,000**

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, FRANCIS, FIERKE, BRIEN, BRUNO, CARR, COHN,
HEBERT, MEADOWCROFT, RODGERS

NAYS: -

ABSTAIN: -

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 28th day of October 2021.

2) **Motion to approve the Capital Improvement Plan for the New Orleans
Lakefront Airport for 2022-2027.**

A motion was offered by Commissioner Fierke, seconded by Commissioner Francis, and was unanimously adopted to approve the Capital Improvement Plan for the New Orleans Lakefront Airport for 2022-2027.

Mr. Bruce Martin explained that the plan needed to be approved annually so the Airport could be considered for LADOTD and FAA-funded grants. Mr. Bruce Martin described some of the projects included in the plan that staff and consultants believed would most benefit the Airport.

MOTION: 02-102821
RESOLUTION: 02-102821
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER FRANCIS

October 28, 2021

2) **Motion to approve the Capital Improvement Plan for the New Orleans Lakefront Airport for 2022-2027.**

RESOLUTION

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

WHEREAS, the State of Louisiana, Department of Transportation and Development, Division of Aviation (formerly the LA DOTD-OAPT) is charged by Title 2 of the Louisiana Revised Statutes with the responsibility for the development of aviation facilities within the State to foster air commerce and to safeguard the interests of those engaged in all phases of the aviation industry and of the general public;

WHEREAS, the Lakefront Management Authority (“Management Authority”), hereinafter referred to as “Sponsor”, has completed an FAA and DOTD approved Master Plan, Action Plan, and/or Airport Layout Plan which outlines the specific future development of New Orleans Lakefront Airport; and, the Sponsor is desirous of implementing a portion of the approved Plan recommendations which provide for the critically needed improvements as stated below to substantially improve the safety and usability of the Airport, but does not have sufficient funds of its own required for completing the needed improvements; and,

WHEREAS, the LA DOTD, Division of Aviation also is authorized by Title 2 to expend funds for the construction or enlargement of airports for the safety and advancement of aeronautics;

NOW, THEREFORE, BE IT RESOLVED:

SECTION I

That the Sponsor does hereby formally request that the LA DOTD, Division of Aviation provide funds required to complete the airport improvements at New Orleans Lakefront Airport specifically as described in the Capital Improvement Program Application for State Financial Assistance dated October 1, 2021.

SECTION II

That the said LA DOTD, Division of Aviation be and is hereby assured that all necessary servitudes, rights-of-way, rights of ingress and egress and means thereof will be furnished by the Sponsor and the titles thereto will be valid and indefeasible, and that the Sponsor will assume ownership, financial reporting, and complete responsibility for the maintenance and upkeep of the airport after completion of said improvement.

SECTION III

That the Sponsor will save and hold the said LA DOTD, Division of Aviation, its officers, agents, and employees harmless from any liability or claim for damages arising out of the project, including death or injuries to third parties including, but not limited to, liability or claim for damages out of the negligence of said LA DOTD, Division of Aviation, its officers, agents, or employees, and expressly agrees to defend any suit of any nature brought against the LA DOTD, Division of Aviation as a result of this project.

SECTION IV

That the Executive Director or the Chairman of the Sponsor be and is hereby authorized and directed to evidence this agreement by affixing her signature at the place provided therefore on this resolution and on subsequent related documents/agreements as required by the rules and regulations of the Federal Aviation Administration and the State of Louisiana and the Clerk is hereby authorized to attest said execution.

SECTION V

That this resolution shall be in full force and effect from and after its adoption.

The Lakefront Management Authority Board as managing entity for the Orleans Levee District, New Orleans Lakefront Airport, for the Sponsor in the Parish of Orleans met in regular session on this date. The aforesaid resolution was offered by Commissioner Fierke and seconded by Commissioner Francis.

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

**YEAS: HEATON, FRANCIS, FIERKE, BRIEN, BRUNO, CARR, COHN,
HEBERT, MEADOWCROFT, RODGERS**

NAYS: -

ABSTAIN: -

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

3) Motion to accept LADOTD Grant for State Project No. H.014434 for Rehabilitation of Taxiway B – Phase I (Design).

A motion was offered by Commissioner Fierke, seconded by Commissioner Cohn, and was unanimously adopted to accept LADOTD Grant for State Project No. H.014434 for Rehabilitation of Taxiway B – Phase I (Design).

Chair Heaton asked Mr. Martin if there was a fund match required for the grant. He replied that there was not and that funding from the project was coming from the Aviation division of LADOTD (appropriated in state HB 2).

Chair Heaton thanked LADOTD for working with staff.

Resolution to follow

NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY

RESOLUTION NUMBER: 03-102821

Date: October 28, 2021

The Non-Flood Protection Asset Management Authority of the Parish of Orleans met in regular session on this date. The following resolution was offered by Commissioner Cohn and seconded by Commissioner Fierke.

R E S O L U T I O N

A resolution authorizing the Executive Director to execute an Agreement with the Louisiana Department of Transportation and Development (LA DOTD) for improvements at the New Orleans Lakefront Airport.

WHEREAS, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorized the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund; and

WHEREAS, the Non-Flood Protection Asset Management Authority has requested funding assistance from the LA DOTD to/for Rehabilitate Taxiway B – Phase I (Design); and

WHEREAS, the stated project has been approved by the Louisiana Legislature and the LA DOTD is agreeable to the implementation of this project and desires to cooperate with the Non-Flood Protection Asset Management Authority according to the terms and conditions identified in the attached Agreement; and

WHEREAS, the LA DOTD will provide the necessary funding for the Rehabilitate Taxiway B – Phase I (Design) and reimburse the sponsor up to \$189,540.00 of project cost.

NOW THEREFORE, BE IT RESOLVED by the Non-Flood Protection Asset Management Authority that it does hereby authorize the Executive Director to execute an Agreement for the project identified as SPN H.014434, more fully identified in the Agreement attached hereto; and to execute any subsequent related documents, including, but not limited to, amendments to said agreement.

This resolution shall be in full force and effect from and after its adoption.

The aforesaid resolution, having been submitted to a vote, the vote thereon was as follows:

Heaton, Francis, Fierke,

YEAS: Brien, Bruno, Carr, Cohn, Hebert, Rodgers

NAYS:

ABSENT: Gerhart, Green, Lapeyrolerie, Richard

WHEREUPON, the resolution was declared adopted on the 28th day of October, 20 21.

NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY

BY: [Signature]
(Signature)

Louis J. Carr
(Typed or Printed Name)

TITLE: Executive Director

ATTEST: [Signature]
(Signature)

TITLE: Board Secretary

CERTIFICATE

IT IS HEREBY certified that the above is a true and correct copy of a resolution passed by the Non-Flood Protection Asset Management Authority of Orleans Parish, Louisiana in regular session convened on this, the 28th day of October, 20 21.

October, 20 21

[Signature]
(Secretary of Sponsor)

TITLE: Secretary

4) Motion to accept the low quote of \$82,390.00 and approve a contract with Command Construction, LLC of Mandeville, LA for the Flightline Sewerage Pipeline Replacement Project at the New Orleans Lakefront Airport.

A motion was offered by Commissioner Fierke, seconded by Commissioner Rodgers, and was unanimously adopted to accept the low quote of \$82,390.00 and approve a contract with Command Construction, LLC of Mandeville, LA for the Flightline Sewerage Pipeline Replacement Project at the New Orleans Lakefront Airport.

David Martin, Director of Engineering and Operations, said the project would entail replacing approximately 220 feet of sewer line that connects to the Williams Hangar where Flightline First is a tenant. Chair Heaton asked Mr. David Martin how old they believed the sewer line was. It was his opinion that it was original to the Airport.

Commissioner Carr asked if there were any alternates for the project. Mr. David Martin replied there had not been alternates. He explained that he also solicited a quote for a cured-in-place job; however, their quote was higher than the lowest quote before the Board. Mr. David Martin believed a new line would best serve the Airport.

Commissioner Carr asked Mr. David Martin about staging. They discussed staging efforts, and Mr. David Martin advised that they would stage the project to ensure minimal impact on tenants and visitors.

MOTION: 04-102821
RESOLUTION: 04-102821
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER RODGERS

October 28, 2021

4) Motion to accept the low quote of \$82,390.00 and approve a contract with Command Construction, LLC of Mandeville, LA for the Flightline Sewerage Pipeline Replacement Project at the New Orleans Lakefront Airport.

RESOLUTION

WHEREAS, the Lakefront 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;

WHEREAS, the Management Authority’s maintenance staff discovered failure of gravity sewerage pipeline that is owned by the District and services the Williams Hangar occupied by Flightline First;

WHEREAS, the Management Authority in October of 2021 issued a Request for Quotes for the Replacement of the Flightline Sewerage Pipeline Project (the “Project”) and the Invitation for Quotes provided that quotes had to be received by no later than 12 P.M. on October 19, 2021;

WHEREAS, the following quotes were timely received on October 19, 2021 for the scope of work:

Command Construction, LLC	\$82,390.00
Hard Rock Construction, LLC	\$110,000.00

WHEREAS, the Management Authority resolved that it was in the best interest of the District to approve a contract for the Project with Command Construction, LLC for the not to exceed quoted price of \$82,390.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby accepts the quote submitted by and approves a contract with Command Construction, LLC, for a price not to exceed the sum of \$82,390.00, for the scope of work for the Flightline Sewerage Pipeline Replacement Project.

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

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

YEAS: HEATON, FRANCIS, FIERKE, BRIEN, BRUNO, CARR, COHN, HEBERT, MEADOWCROFT, RODGERS

NAYS: -

ABSTAIN: -

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 28th day of October 2021.

5) Motion to approve an amendment of the Lease with Stummgirls, L.L.C. at the New Orleans Lakefront Airport to extend the term of the Lease for an additional ten years, with two (2) additional ten-year options to renew, in consideration of payment of \$128,267.00 for the estimated present value for the lease extension and payment of rent during the lease extension term in an amount equal to the annual rent charged for ground leases at the Airport on the effective date of the lease extension, September 3, 2029, subject to Consumer Price Index adjustments of the annual rent every five years during the extended term of the Lease.

A motion was offered by Commissioner Fierke and was seconded by Commissioner Bruno to approve an amendment of the Lease with Stummgirls, L.L.C. at the New Orleans Lakefront Airport to extend the term of the Lease for an additional ten years, with two (2) additional ten-year options to renew, in consideration of payment of \$128,267.00 for the estimated present value for the lease extension and payment of rent during the lease extension term in an amount equal to the annual rent charged for ground leases at the Airport on the effective date of the lease extension, September 3, 2029, subject to Consumer Price Index adjustments of the annual rent every five years during the extended term of the Lease.

Commissioner Fierke recalled voting to recommend the item at Committee. Chair Heaton clarified that they had discussed the item, but in the interest of obtaining more information they did not make a motion to vote on recommendation.

Al Pappalardo, Real Estate Consultant, explained the history of the lease: Stummgirls, LLC is nine years away from their lease expiration. They had constructed a small T-hangar with three bays on the leased area years prior. They approached staff and consultants during the pandemic and asked for the possibility of a lease extension. He explained that Director Capo secured appraisal services from Airport and Aviation Appraisals, of Austin, TX, who specialize in the appraisal of such properties and are nationally recognized. Mr. Winn Perkins, of the appraisal firm, determined a value for a 30-year extension (\$128,267.00).

Commissioner Carr asked what the benefit was to the LMA for extending the lease at the present time. Director Capo explained that at the end of the lease, the improvements would have reverted to the Authority, so for consideration of the reversionary value a payment of \$128,267.00 was in order in accordance with the appraisal. The tenant would pay that amount upon signing of the new lease; however, they would still pay rental payments as defined until 2029. He mentioned they were due for a CPI adjustment in 2024. The new lease at the new rate would start in 2029. He advised that similar action has been taken in the past with other land leases.

Commissioner Carr asked if the item was recommended by the Committee. Chair Heaton explained that the Committee was short on time and wanted to hear more information about the matter. She asked Mr. Pappalardo to present the item for full consideration of the Board and did not take issue with the item. Commissioner Carr asked if the item could go back to the Committee. Chair Heaton advised that it did not need to, especially because all information was before the Board. Mr. Metzger and Mr. Pappalardo were confident in the validity of the market appraisal of the improvements.

Commissioner Carr abstained. All other Commissioners voted in favor of the motion. The motion carried.

MOTION: 05-102821
RESOLUTION: 05-102821
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER BRUNO

October 28, 2021

5) Motion to approve an amendment of the Lease with Stummgirls, L.L.C. at the New Orleans Lakefront Airport to extend the term of the Lease for an additional ten years, with two (2) additional ten-year options to renew, in consideration of payment of \$128,267.00 for the estimated present value for the lease extension and payment of rent during the lease extension term in an amount equal to the annual rent charged for ground leases at the Airport on the effective date of the lease extension, September 3, 2029, subject to Consumer Price Index adjustments of the annual rent every five years during the extended term of the Lease.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority” or “Lessor”) is a political subdivision of the State of Louisiana and the successor of the former Board of Commissioners of the Orleans Levee District (the “Board”) as 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 Board entered into a written lease agreement dated on September 3, 1999 with Stummgirls, L.L.C., ("Stummgirls" or "Lessee"), a Louisiana limited liability company, with its registered office located in the Parish of Orleans, State of Louisiana, for the construction of a three (3) unit aircraft hangar (the "hangar"), for a term of ten (10) years through September 2, 2009, with two (2) ten-year options to renew, and under the other terms and conditions in the written lease agreement (the "Lease");

WHEREAS, Stummgirls constructed the hangar and exercised the two(2) ten-year options to renew the term of the Lease and the Lease will expire on September 2, 2029;

WHEREAS, the Lease provides in article 28 that the ownership of the buildings and improvements located on the leased premises constructed and owned by the lessee shall upon the expiration of the Lease revert and become the property of Lessor without any payment by lessor to lessee;

WHEREAS, Stummgirls requested an amendment of the Lease to extend the term of the Lease for an additional ten years, with two (2) additional ten-year options to renew, commencing on the expiration of the current term of the Lease on September 2, 2029, and offered to pay as consideration for the lease extension the present value for the lease extension or reversionary interest in the improvements located on the leased premises, and also agreed to pay rent during the lease extension term in an amount equal to the annual rent charged for ground leases at the Airport on the effective date of the lease extension, September 3, 2029, subject to a Consumer Price Index adjustment of the annual rent every five years;

WHEREAS, pursuant to formal opinions issued by the Louisiana Attorney General, the extension of a ground lease with ownership reversionary rights in improvements owned by a lessee on leased premises in favor of a public entity requires that the public entity receive consideration commensurate with the value of the reversionary interest in the improvements to avoid a violation of the prohibition against donation of public property under article VII, section 14 (a) of the Louisiana Constitution of 1974;

WHEREAS, the Staff of the Management Authority had the present value for the lease extension or reversionary interest in the improvements appraised by Airport & Aviation Appraisals, Inc. and it concluded that the estimated present value of the lease extension of the land and improvements for a 30-year lease was \$128,267.00;

WHEREAS, the Airport Committee at its monthly meeting held on October 19, 2021 after considering the request by Stummgirls for the lease extension and recommendation of the Staff, Real Estate Consultant and Legal Counsel of the Management Authority to recommend that the Management Authority approve the request for the lease extension under the terms and conditions set forth above resolved to report this matter to the Management Authority without recommendation; and,

WHEREAS, the Management Authority after considering the request by Stummgirls to extend the term of the Lease resolved that it was in the best interest of the

Airport and the Orleans Levee District to approve an amendment of the Lease to extend the term of the Lease under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves an amendment of the Lease Agreement with Stummgirls, L.L.C., dated on September 3, 1999, to extend the term of the Lease for an additional ten years, with two (2) ten-year options to renew, commencing on the expiration of the current term of the Lease on September 2, 2029, conditioned on payment of the amount of \$128,267.00, representing the estimated present value for the lease extension or reversionary interest in the improvements on the leased premises, and payment of rent during the lease extension term in an amount equal to the annual rent charged for ground leases at the Airport on the effective date of the lease extension, September 3, 2029, subject to a Consumer Price Index adjustments of the annual rent every five years during the extended term of the Lease.

BE IT HEREBY FURTHER RESOLVED that the Lakefront Management Authority Chair or Executive Director be and is hereby authorized to take any action and sign any documents necessary to carry out the above.

YEAS: HEATON, FRANCIS, FIERKE, BRIEN, BRUNO, COHN, HEBERT, MEADOWCROFT, RODGERS

NAYS: -

ABSTAIN: CARR

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 28th day of October, 2021

6) Motion to approve the amendment to the Professional Services Contract with Infrastructure Consulting & Engineering, PLLC for the Hot Spot and Decommission Study of Runway 9/27 at the New Orleans Lakefront Airport conditioned on FAA grant funding.

Mr. Bruce Martin explained that after prior discussion with the FAA about the decommissioning of Runway 9/27 and receipt of the grant some years later, the project has evolved into a study into how the Runway 9/27 hotspots could be removed and how an alternative location for a crosswind runway could be identified/constructed.

He explained that the grant's objectives have been adjusted, and thus the firm needed to adjust their contract to conform with grant assurances.

Chair Heaton understood that the grant was essentially reprogrammed into further study of the issue. She advised that it had been discussed and recommended at the Airport Committee.

MOTION: 06-102821
RESOLUTION: 06-102821
BY: COMMISSIONER FIERKE
SECONDED BY: COMMISSIONER FRANCIS

October 28, 2021

6) Motion to approve the amendment to the Professional Services Contract with Infrastructure Consulting & Engineering, PLLC for the Hot Spot and Decommission Study of Runway 9/27 at the New Orleans Lakefront Airport conditioned on FAA grant funding.

RESOLUTION

WHEREAS, the Lakefront 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, in accordance with FAA rules, regulations and circulars for AIP grant funding by the FAA and LADOTD, the Management Authority issued a Request for Qualifications (“RFQ”) for planning, FAA coordination, engineering, design, bidding and construction administration services for decommissioning Runway 9/27 (the “runway”) and relocating Taxiway Foxtrot at the Airport (the “Project”);

WHEREAS, the RFQ Review Committee appointed by the Management Authority after reviewing the submitted Qualification Statements and based on the ranking of the final scores recommended that the Management Authority accept the proposal submitted by and approve a contract with the top-ranked firm that responded to the RFQ, Infrastructure Consulting & Engineering, PLLC;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on January 26, 2021 recommended that the Management Authority approve a contract with Infrastructure Consulting & Engineering, PLLC, the Management Authority adopted a resolution at its meeting in January and approved a contract with Infrastructure Consulting & Engineering, PLLC, and thereafter on March 2, 2021 a contract was signed for the Project with Infrastructure Consulting & Engineering, PLLC, conditioned on approval of FAA/LADOTD Grant Funding for the Project;

WHEREAS, the FAA notified the Director of Aviation of the Airport after the award of the contract to Infrastructure Consulting & Engineering, PLLC that the Grant would be changed from funding decommissioning the runway to funding a study for the relocation of the runway on the Airport, a New Crosswind Feasibility Study and for design services for development of plans to remove “Hot Spots” on the Airport;

WHEREAS, because of the change in the Project, the engineering services to be provided changed as well as the compensation for the services requiring an amendment of the contract with Infrastructure Consulting & Engineering, PLLC for the Project;

WHEREAS, Infrastructure Consulting & Engineering, prepared and submitted an Amendment of Contract, a copy of which is attached to this resolution, which was reviewed and recommended for approval by the Airport Staff;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on October 19, 2021 considered the Amendment of Contract and voted to recommend that the Management Authority approve the Amendment of Contract with Infrastructure Consulting & Engineering, PLLC

WHEREAS, the Management Authority after considering the recommendation of the Airport Committee resolved that it was in the best interest of the Airport and Orleans Levee District to approve an amendment of the contract for the Project with Infrastructure Consulting & Engineering, PLLC.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves an amendment of the Contract with Infrastructure Consulting & Engineering, PLLC for the study to remove Hot Spots and Relocate/Decommission of Runway 9/27 Project at the New Orleans Lakefront Airport under the terms and conditions set forth in the attached Amendment of Contract.

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

YEAS: HEATON, FRANCIS, FIERKE, BRIEN, BRUNO, CARR, COHN, HEBERT, MEADOWCROFT, RODGERS

NAYS: -

ABSTAIN: -

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

This resolution was declared adopted this 28th day of October 2021.

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7) **Motion to accept the low quote of \$89,000.00 from Anders Construction, Inc. of Harvey, LA for the removal and disposal of sunken boats in response to Hurricane Ida.**

A motion was offered by Commissioner Francis and was seconded by Commissioner Brien to discuss.

Mr. David Martin said there were five sunken boats plus one boat that needed to be removed/destroyed. He advised that in the quote package it does indicate that there were boats at Orleans Marina and South Shore Harbor Marina. He advised that contracts were quoted on a per unit basis.

Chair Heaton expressed concern about the liability of the sunken boats in the marina and asked if staff had a means as to how to differentiate which boats were a direct cause of Hurricane Ida and other boats whose condition were not caused by Hurricane Ida. She opined if it was possible to give staff a spending authority so the benefit from economy of scale could be maximized. Mr.

David Martin said he would defer to legal counsel, but he and Director Capo explained that the per unit cost would give the Authority the flexibility to isolate costs related to Hurricane Ida.

Commissioner Carr asked how many boats sunk because of Ida. Commissioner Fierke indicated that the resolution stated four. Mr. Metzger confirmed that was the case. Commissioner Carr asked about the location of the boats.

Commissioner Carr said he had pictures of sunken boats and did not understand how new sunken boats would be identified. He had an issue with the motion being associated with Hurricane Ida. He said the resolution emailed was different than what was in the printed package. He wished to defer the item and discuss it at Committee. Commissioner Carr said that he had spoken to staff to address concerns related to the package.

Madison Bonaventure, Board Secretary, asked to be recognized by the Board. She said she believed she inadvertently printed out a draft form of the resolution. Chair Heaton said that the Board could defer, but she was hopeful to work through the issue. She asked Ms. Bonaventure if she had the final draft of the resolution. Ms. Bonaventure retrieved the final draft of the resolution which had been emailed and distributed it to all Board members so they could review it again.

Mr. Dye said that he had met with Bruce Cain, Harbor Master, to identify and discuss the sunken vessels. He recommended that the Board treat the item as a priority because there was liability associated. He said that recovery efforts through the Department of Revenue were also an option for the Authority if applicable.

Chair Heaton said that staff seeks reimbursement whenever possible but understood it was not guaranteed in each situation.

Mr. Dye said that the Authority could not determine ownership without raising the boats.

Commissioner Carr asked if the cost of raising the boat was the responsibility of the tenant. Mr. Metzger confirmed there were provisions under the lease indicating so.

Chair Heaton understood that it did not change the Authority's liability in the meantime. Mr. Dye confirmed that was the case.

Mr. Cain explained that two went down immediately after the storm passed, and two went down two days later. Two of those were boats of squatters. He said he consulted with Mr. Dye on how to properly identify the boats which would entail raising the boats and tracking the boat through its HIN number through the Louisiana's Department of Wildlife and Fisheries.

Commissioner Carr asked Mr. Cain if he had contacted the boats belonging to the leaseholders, and if they were responsive. Mr. Cain responded that both tenants were, and he believed one tenant was aware and not responding to his communications. He said one of the boats had been previously raised and paid for by insurance, but the policy would not cover salvage and removal. He was informed the tenant was low-income and was unsure if he could pay to remove the boat.

Commissioner Fierke understood that the overall price was derived from calculating an assumed length and quantity of boats. Mr. David Martin confirmed that was the case. Commissioner Fierke asked if the cost would be adjusted once the true length was determined after it was raised. Mr. David Martin confirmed that was the case.

Commissioner Fierke said that it may be wise to increase the cost to accommodate the possibility. Commissioner Fierke asked Mr. David Martin to suggest an amount to increase the authorized spending authority to for the project. He suggested \$109,000.00.

Mr. David Martin reminded the Board that the Authority could and would not duplicate benefits (accepting a reimbursement from insurance and from FEMA).

Commissioner Fierke made a motion to amend include a \$20,000 expenditure allowance. The motion was seconded by Commissioner Cohn. All were in favor of the amendment. Commissioner Carr abstained.

Commissioner Carr asked that the item be deferred.

Commissioner Cohn said it was important to raise as many boats as possible due to the mobilization and demobilization costs associated with starting and stopping work. Commissioner Meadowcroft concurred.

Commissioner Bruno inquired about the boat that had already been raised. Mr. Cain confirmed the Authority would only be charged for hauling the vessel away.

Commissioner Carr was not sure which resolution the Board was voting on. Ms. Bonaventure clarified that the resolution that had just been passed out to the Board and emailed to them prior was the version they were discussing.

Chair Heaton made a motion to strike reference to Hurricane Ida in response to Commissioner Carr's concern on the agenda. Mr. Metzger advised that it was not legally necessary. The motion was not seconded.

Commissioner Francis wished to proceed with the meeting. He made a motion to modify the agenda to reflect both marinas and to strike reference to Hurricane Ida. Commissioner Bruno seconded the motion. Commissioner Fierke was opposed. All other Commissioners voted in favor.

All Commissioners except Commissioner Carr voted in favor of the motion as amended. Commissioner Carr abstained from the motion. The motion carried as amended.

MOTION: 07-102821
RESOLUTION: 07-102821
BY: COMMISSIONER FRANCIS
SECONDED: COMMISSIONER BRIEN

October 28, 2021

- 7) **Motion to accept the low quote of \$89,000.00 from Anders Construction, Inc. of Harvey, LA for the removal and disposal of sunken boats in South Shore Harbor Marina and Orleans Marina.**

RESOLUTION

WHEREAS, the Lakefront 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 (“District”);

WHEREAS, the Orleans Marina and South Shore Harbor Marina are located in the City of New Orleans and are some of the non-flood protection assets of the District under the management and control of the Authority (the “Marina”);

WHEREAS, four boats have sunk due to impacts directly related to Hurricane Ida;

WHEREAS, there are two additional sunken boats that are not directly attributed to Hurricane Ida;

WHEREAS, the Authority in October of 2021 issued a Request for Quotes for the Removal and Disposal of Sunken Boats from South Shore Harbor and Orleans Marina in Response to Hurricane Ida and other derelict boats;

WHEREAS, the Invitation for Quotes had to be received by no later than 12 P.M. on October 19, 2021;

WHEREAS, the Request for Quotes were submitted on a unit price basis depending on the Length of the boat;

WHEREAS, the following quotes were timely received on October 19, 2021 for the scope of work:

Anders Construction, Inc.	\$89,000.00
Gill’s Crane and Dozer Service, Inc.	\$125,000.00
Vogt Construction, Inc.	\$199,479.96

WHEREAS, the Management Authority resolved, after discussion and amendment, that it was in the best interest of the District to approve a contract for the Project with Anders Construction, Inc. for the not to exceed quoted price of \$89,000.00, and to approve expenditure of an additional \$20,000.00 for removal of any other Sunken Boats discovered in the Marinas, subject to approval by the Executive Director of the Lakefront Management Authority.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby accepts the quote submitted by and approves a contract with Anders Construction, Inc., for a price not to exceed the sum of \$89,000.00, for the scope of work for the Disposal of Sunken Boats from South Shore Harbor and Orleans Marina in Response to Hurricane Ida Project, and further approves expenditure of an additional \$20,000.00 for removal of any other Sunken Boats discovered in the Marinas, subject to approval by the Executive Director of the Lakefront Management Authority.

BE IT FURTHER RESOLVED that the Authority Chair 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, FRANCIS, FIERKE, BRIEN, BRUNO, COHN, HEBERT,
MEADOWCROFT, RODGERS**

NAYS: -

ABSTAIN: CARR

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

8) Motion to approve the request by Crescent City Marine Group, Inc. to remove the underground storage tanks and install above ground storage tanks on the premises on the New Basin Canal leased by Crescent City Marine Group, Inc.

A motion was offered by Commissioner Fierke, seconded by Commissioner Francis, and was unanimously adopted to approve the request by Crescent City Marine Group, Inc. to remove the underground storage tanks and install above ground storage tanks on the premises on the New Basin Canal leased by Crescent City Marine Group, Inc.

Mr. Dye explained that the Board recently approved a new lease with Crescent City Marine Group, Inc. There was a slight modification to the new lease to include insurances for the underground storage tanks. Insurance could not be obtained pursuant to the lease by the lessee, likely due to their age. To avoid complicated legal means in which to indemnify the Authority and the Orleans Levee District, the tenant has proposed to properly remove the underground tanks and to install new, insurable above ground tanks. They plan to eliminate the storage tanks at their expense and will obtain proper permitting. Mr. Dye believed it was a win from a legal standpoint and an environmental standpoint.

**RESOLUTION: 08-102821
MOTION: 08-102821
BY: COMMISSIONER FIERKE
SECONDED BY: COMMISSIONER FRANCIS**

October 28, 2021

8) Motion to approve the request by Crescent City Marine Group, Inc. to remove the underground storage tanks and install above ground storage tanks on the premises on the New Basin Canal leased by Crescent City Marine Group, Inc.

RESOLUTION

WHEREAS, the Lakefront 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 in West End in the City of New Orleans is one of the non-flood protection assets of the Orleans Levee District under the management and control of the Management Authority (“Marina”);

WHEREAS, the former Board Of Commissioners of the Orleans Levee District (the “Board”) entered a written lease with Schubert’s Marine Sales and Services, Inc., dated on October 4, 1996, for certain property adjacent to the New Basin Canal in the Orleans Marina, and under the terms of the Lease, the use of the leased premises was restricted

to industrial marine services, sales of marine products, and for mooring and wharfage and a Fuel/Dock/Day Store (the “property”);

WHEREAS, subsequently the Board approved a request by Schubert’s Marine Sales and Services, Inc. to assign the lease to Crescent City Marine Group, Inc., (“Crescent City Marine”), conditioned upon certain terms and conditions to be included in a First Amendment to Lease, which amendment was executed, and the lease was assigned to Crescent City Marine;

WHEREAS, after the assignment of the lease and execution of the First Amendment to Lease by Crescent City Marine, the Lease was amended twice by the Second and Third Amendment to the Lease;

WHEREAS, prior to the expiration of the Lease on August 31, 2021, Crescent City Marine proposed to enter a new lease for the property under certain terms and conditions and the standard terms and conditions for the lease of property owned by the District under the management and control of the Management Authority;

WHEREAS, the Commercial Real Estate Committee of the Management Authority at its monthly meeting held on August 26, 2021 voted to recommend that the Management Authority approve the proposed lease with Crescent City Marine, and thereafter the Management Authority approved the proposed lease with Crescent City Marine (the “Lease”) under terms and conditions set forth in a Resolution adopted by the Management Authority at its August Board Meeting held on the same day (the “Resolution”);

WHEREAS, the Resolution included a provision that Crescent City Marine would be obligated under the terms and conditions of the lease to carry environmental liability insurance on the underground storage tanks located on the leased premises used in connection with its maritime fuel sales business;

WHEREAS, Crescent City Marine was unable to obtain environmental liability insurance on the underground storage tanks located on the leased premises because of the age of the tanks which had been in service for some 34 years;

WHEREAS, to comply with the insurance requirements under the Lease, Crescent City Marine proposed, at its sole cost and expense, to remove all of the underground storage tanks located on the leased premises and to utilize two temporary above ground storage tanks for storage of gasoline and diesel fuel during the removal of the underground storage tanks and during the installation of two permanent above ground fuel storage tanks by a licensed contractor and in compliance with all local, state and federal laws, rules and regulations and subject to the review and approval of the Management Authority;

WHEREAS, Crescent City Marine agreed to be responsible for any environmental matters and any liabilities that arise in connection with the removal of all of the underground storage tanks located on the leased premises and to conduct any necessary response and remediation activities, at its sole cost and expense, in accordance with all local, state, and federal laws, rules, and regulations and subject to the review and approval of the Management Authority;

WHEREAS, the Director of Operations and Engineering, Executive Director and Legal Counsel of the Management Authority reviewed the proposal submitted by Crescent City Marine to remove and replace the tanks and recommended approval of the proposal to the Management Authority;

WHEREAS, after considering the request of Crescent City Marine and recommendation of the Director of Operations and Engineering, Executive Director and Legal Counsel, the Management Authority resolved that it was in the best interest of the District to approve the request by Crescent City Marine to remove the underground storage tanks located on the leased premises and to replace those tanks with two above ground storage tanks for storage of gasoline and diesel fuel under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED that the Lakefront Management Authority hereby approves the request by Crescent City Marine Group, Inc., at its sole cost and expense, to remove all of the underground storage tanks located on the leased premises and to utilize two temporary above ground storage tanks for storage of gasoline and diesel fuel during the removal of the underground storage tanks and during the installation of two permanent above ground fuel storage tanks by a licensed contractor in compliance with all local, state and federal laws, rules and regulations and subject to the conditions set forth above and the approval of the Director of Operations and Engineering, Executive Director, and Legal Counsel of the Lakefront Management Authority.

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

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

**YEAS: HEATON, FRANCIS, FIERKE, BRIEN, BRUNO, CARR, COHN,
HEBERT, MEADOWCROFT, RODGERS**

NAYS: -

ABSTAIN: -

ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD

RESOLUTION ADOPTED: YES

9) **Motion to enter into a contract with Del Sol Consulting, Inc. for Disaster Recovery Project Management Services in support of FEMA projects for Hurricane Ida for a term of one year in an amount not-to-exceed \$200,000.**

A motion was offered by Commissioner Fierke, seconded by Commissioner Cohn, and was unanimously adopted to enter into a contract with Del Sol Consulting, Inc. for Disaster Recovery Project Management Services in support of FEMA projects for Hurricane Ida for a term of one year in an amount not-to-exceed \$200,000.

Mr. David Martin advised that the advertisement for the services ran on October 6th, 13th, and 20th in the Advocate. The Scoring Committee unanimously rated Del Sol Consulting, Inc. as the highest ranked firm. He advised that they would bill at an hourly rate for their services, and the fees would be FEMA-reimbursable.

Chair Heaton understood that staff had to undergo the advertisement and selection process to be FEMA-compliant. Director Capo and Mr. David Martin confirmed that was the case.

MOTION: 09-102821
RESOLUTION: 09-102821
BY: COMMISSIONER FIERKE
SECONDED BY: COMMISSIONER COHN

October 28, 2021

9)Motion to enter into a contract with Del Sol Consulting, Inc. for Disaster Recovery Project Management Services in support of FEMA projects for Hurricane Ida for a term of one year in an amount not-to-exceed \$200,000.

RESOLUTION

WHEREAS, the Lakefront 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, the Authority manages two marinas, the New Orleans Lakefront Airport, a fifteen-unit office building, 5.2 miles of Lakeshore Drive, four recreational shelters, and approximately 430 acres of open space and public parks;

WHEREAS, the Authority has a need for professional project management services following Hurricane Ida to ensure all declared storm-related damage projects are executed within compliance of all FEMA regulations;

WHEREAS, in October of 2021 the Authority solicited a Request for Qualifications for Disaster Recovery Project Management Services in support of FEMA projects for Hurricane Ida (the “Project”) with qualifications due by 3:00 PM on October 26, 2021;

WHEREAS, the following firms submitted their qualifications timely:

- Del Sol Consulting, Inc.
- Goodwyn Mills Cawood, LLC
- Michael J. Reilly, Sr. Attorney, LLC
- PD, LLC
- Plexos Group, LLC
- Stuart Consulting Group, Inc.
- Witt O’Brien’s, LLC

WHEREAS, the Scoring Committee met on October 28, 2021 and ranked Del Sol, Consulting, Inc. as the highest rated firm and recommended that the Authority enter into a contract with Del Sol Consulting, Inc.; and,

WHEREAS, the Authority resolved that it was in the best interest of the District to approve and enter into a contract with Del Sol Consulting, Inc.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby authorizes the Chair or Executive Director to execute an agreement with Del Sol Consulting for professional project management services on an “as needed” basis for a one-year period ending November 1, 2022 with an amount not to exceed \$200,000;

BE IT FURTHER RESOLVED that the Authority Chair or Executive Director is hereby authorized to sign all documents necessary to carry out the above.

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

**YEAS: HEATON, FRANCIS, FIERKE, BRIEN, BRUNO, CARR, COHN,
HEBERT, MEADOWCROFT, RODGERS**

NAYS: -

ABSTAIN: -

**ABSENT: GERHART, GREEN, LAPEYROLERIE, RICHARD
RESOLUTION ADOPTED: YES**

Adoption of Minutes – Human Resources:

Chair Heaton asked Mr. Metzger if a vote could be called for the adoption of the Human Resources Committee Minutes of August 19, 2021 because she inadvertently skipped it on the agenda. Mr. Metzger said she could.

A motion was offered by Commissioner Fierke, seconded by Commissioner Cohn, and was unanimously adopted by Commissioners Cohn, Fierke, Francis, and Hebert.

Announcement of Next Regular Board Meeting:

- November 18, 2021

Chair Heaton reminded the Board that the Nominating Committee would be meeting soon. Commissioner Cohn, Bruno, Lapeyrolerie, and Meadowcroft would be serving on the Committee and informed the Board to inform the Committee if they were interested in serving next year.

Adjournment

A motion was offered by Commissioner Francis, seconded by Commissioner Bruno, and was unanimously adopted to adjourn the meeting. The meeting adjourned at 7:02 PM.