

**THE NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE FULL BOARD MEETING
THURSDAY OCTOBER 18, 2012 – 5:30 P.M.**

The regular monthly meeting of the Board of the Non-Flood Protection Asset Management Authority of the Orleans Levee District was held on Thursday, October 18, 2012 at 5:30 P.M., in the Lake Vista Community Center, 2nd Floor, 6500 Spanish Fort 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.

Chairman Lupo called the meeting to order at 5:31 p.m. and led in the Pledge of Allegiance. The roll was called and a quorum was present.

PRESENT:

Chairman Robert Lupo
Vice Chairman Joe Hassinger
Secretary Greg Ernst
Commissioner Romona Baudy
Commissioner Wilma Heaton
Commissioner Michael Stack
Commissioner Stanley Brien
Commissioner Carlton Dufrechou
Commissioner Darrel Saizan

ABSENT:

Commissioner William Hoffman
Commissioner John Trask
Commissioner Pearl Cantrelle
Commissioner Patrick DeRouen
Commissioner Nyka Scott

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood
Dawn Wagener - Non-Flood
Chuck Dixon – Marina Director
Dave Smith – Airport Operations Manager

ALSO PRESENT:

Al Pappalardo - Real Estate Consultant
Gerard Metzger - Legal Counsel
Steve Nelson – Stuart Consulting
Alton Davis – Richard C. Lambert Consulting
Randy Maddox – Morrison Insurance Agency
Ray Landeche – Lakeshore Subdivision
Constantine Vennis

ADOPT AGENDA

Commissioner Baudy offered a Motion to Adopt the Agenda as written, seconded by Commissioner Saizan and unanimously adopted. Chairman Lupo advised that an item would be added to the Agenda concerning the Lakeview Civic Improvement Association and a Motion to Adopt the Amended Agenda was offered by Commissioner Hassinger, seconded by Commissioner Saizan and unanimously adopted.

Commissioner Hassinger offered a Motion to add the item to the Agenda, seconded by Commissioner Saizan and was unanimously adopted by a roll call vote.

APPROVAL OF PRIOR MINUTES

Commissioner Hassinger offered a motion to approve the minutes of the Board meetings held on September 12, 2012 (Special) and on September 20, 2012, seconded by Commissioner Ernst and unanimously adopted.

REPORT BY EXECUTIVE DIRECTOR

Mr. Capo advised that the underground storage tank on the New Basin Canal has been removed and exploratory excavation was performed to locate a second tank. The report received from the contractor stated that there is no second tank. The tank that was removed did not produce any soil contamination. It is unknown if the tank was a fuel, gasoline or diesel tank. Since there is no other tank on the site, the Authority will turn this back to the developers with an added level of confidence that the site is clean.

NEW BUSINESS:

Motion No. 01A-101812 – Capital Outlay for New Basin Canal Park

Chairman Lupo advised the Lakeview Civic Improvement Association has a 501C (Friends of Lakeview) who are working with DOTD for an enhancement grant for The New Basin Canal Park. To move forward with this project, application for Capital Outlay funds must be made through this Authority who maintains and operates the New Basin Canal Park. The Resolution will give authority to apply for the funds. No money is attached to this project as the Friends of Lakeview will raise money the matching funds for this project.

Commissioner Heaton noted that in the 16 years of dealing with these applications there has never been an application that did not have a Board Resolution attached. One of the other legal requirements is that the State Senator from where the project is located must also sign the application.

Commissioner Hassinger offered a Motion to approve applying for funding from the State of Louisiana for improvements and amenities at the New Basin Canal Park, seconded by Commissioner Saizan and unanimously adopted to wit:

MOTION: 01A-101812
RESOLUTION: 01A-101812
BY: COMMISSIONER HASSINGER
SECONDED: COMMISSIONER SAIZAN

October 18, 2012

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, one of the non-flood protection assets owned by the District is the former location of the New Basin Canal which is now part of the neutral ground between Pontchartrain Boulevard and West End Boulevard in the City of New Orleans, now known as the New Basin Canal Park (the “Park”);

WHEREAS, the Lakeview Civic Association has recommended to the Management Authority certain improvements and amenities which would enhance the use of the Park by the general public;

WHEREAS, the Management Authority may apply for capital outlay funding from the State of Louisiana for the required funding for these improvements and amenities at the Park;

WHEREAS, it would be in the best interest of the Orleans Levee District to seek funding from the State of Louisiana for the funds required for these improvements and amenities at the Park;

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority apply for capital outlay funding from the State of Louisiana for improvements and amenities at the New Basin Canal Park;

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

YEAS: LUPO, HASSINGER, ERNST, BAUDY, HEATON, STACK, BRIEN, DUFRECHOU, SAIZAN

NAYS:

ABSTAIN:

ABSENT: HOFFMAN, TRASK, CANTRELLE, DEROUEN, SCOTT

RESOLUTION ADOPTED: YES

Motion No. 01-101812 - Vehicle liability insurance through Morrison Insurance Agency at a cost of \$23,045.00

This motion authorizes the Authority to procure insurance coverage through Morrison Insurance Agency in the amount of \$23,045, which funds are contained in the budget for 2012. Mr. Capo advised that all 20 of the Authority vehicles were reviewed that are under general liability insurance. Seven vehicles have been removed from the list which reduced the premium to \$23,045. The policy covers vehicles such as the street sweeper, fire trucks and other Non-Flood Authority vehicles.

Commissioner Hassinger abstained from the vote as Republic Insurance Group may be represented by his law firm. Commissioner Hoffman offered a motion for approval to acquire vehicle liability insurance from Republic Insurance Group through Morrison Insurance Agency at a cost of \$23,045, seconded by Commissioner Saizan and adopted with one abstention to wit:

MOTION: 01-101812
RESOLUTION: 01-101812
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSIONER SAIZAN

October 18, 2012

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority (the "Management Authority") was established by Act 1014 of 2010 by the Louisiana Legislature, effective August 15, 2010, and is the governing authority of the non-flood assets of the Orleans Levee District ("District);

WHEREAS, the Automobile Liability Policy for the vehicles owned by the Authority are due for renewal on November 1, 2012;

WHEREAS, Morrison Insurance Agency is the incumbent Agent for the Authority;

WHEREAS, at the Republic Insurance Group is the incumbent Insurance company and is an admitted carrier in the State of Louisiana with a Best Rate of A-VII A.M. Best Rating Services;

WHEREAS, the Finance Committee of the management Authority has reviewed this matter and has recommended approval of this Resolution to the Management Authority; and,

WHEREAS, it is in the best interest of the Authority to authorize Morrison Insurance Agency to procure the above mentioned insurance coverage in the amount of \$23,045 with funds contained in the FY 2012 budget, in accordance with the provisions set forth in this resolution;

BE IT HEREBY RESOLVED, that the Authority authorizes Morrison Insurance Agency to procure the above mentioned insurance coverage in the amount of \$23,045 with funds contained in the FY 2012 budget, in accordance with the provision set forth above in this resolution.

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

YEAS: LUPO, ERNST, BAUDY, HEATON, STACK, BRIEN, DUFRECHOU, SAIZAN

NAYS:

ABSTAIN: HASSINGER

ABSENT: HOFFMAN, TRASK, CANTRELLE, DEROUEN, SCOTT

RESOLUTION ADOPTED: YES

Motion No. 02-101812 - Assignment of Orleans Marina Boathouse Lease N-28 by John Herzog to Sam B. Haynes, Jr.

This motion is for approval by the Management Authority of the assignment and transfer of Boathouse No. 28 by John R. Herzog to Sam B. Haynes, Jr. which will release John R. Herzog from all obligations under the lease. The assignment and transfer is conditioned upon execution of a new lease by Mr. Haynes for the remaining lease term, at the current rental rate subject to CPI adjustment every five (5) years, with three additional five (5) year options to extend the lease in consideration of payment of \$8,000 cash including all other standard terms and conditions for boathouse leases in the Orleans Marina.

Mr. Metzger advised this is the only boathouse owned by Orleans Levee District. Consideration paid by Mr. Haynes to Mr. Herzog is for leasehold improvements and extraordinary repairs by Mr. Herzog, which were not the obligation of the tenant. Mr. Haynes is paying Mr. Herzog \$21,635 and there is no transfer fee as this lease was signed in 1998. This lease was formerly with Judge Ganucheaux from 1992 – 1998 who assigned the lease and received the value put into the property only. Mr. Haynes has two boathouses next to Mr. Herzog's and has signed the new lease and submitted the \$8,000. The Authority is in the position to turn the boathouse over to Mr. Haynes. The lease will run through 2037, rent is commensurate with rent paid by other boathouse tenants and the lease now has a transfer fee added.

Chairman Lupo noted that Orleans Levee District owns all of the boathouses, but does not own the improvements. The Orleans Levee District owned the improvements on this boathouse. Mr. Pappalardo added the Authority is improving its position on the transfer of the boathouse as the lease Mr. Metzger prepared on the extension is basically a triple net lease. The prior lease had the Authority obligated to repair the boathouse, but Mr. Herzog did and that is what he is being paid for.

Commissioner Brien offered a motion for approval of the assignment and transfer of the lease of S. Roadway Boathouse No. 28 by John R. Herzog to Sam B. Haynes, Jr., seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 02-101812
RESOLUTION: 02-101812
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSIONER BRIEN

October 18, 2012

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 Orleans Levee District under the management and control of the Management Authority;

WHEREAS, as owner of the Orleans Marina, the Orleans Levee District is authorized to lease its water bottoms and land as moorings for boats and construction of boathouses for fair and equitable rental rates, as provided under La.Rev.Stat. 38:336(A) and (B)(4);

WHEREAS, the improvements, water bottoms and land located on South Roadway and identified as Boathouse No. 28 in the Orleans Marina is currently leased to John R. Herzog, pursuant to the terms of an assignment of a written lease dated on May 20, 1992 and First Amendment of Lease dated on May 22, 1995, and is for a term of five (5) years commencing on May 1, 1992 and expiring on June 30, 1997 with five 5-year renewal options to extend the term of the lease (the "Lease");

WHEREAS, John R. Herzog has requested approval to assign and transfer the lease of Boathouse No. 28 to Sam B. Haynes and under the terms of the proposed Assignment of the Lease, Sam B. Haynes will assume all obligations of the lessee under the Lease and John R. Herzog will be released from all obligations under said Lease;

WHEREAS, the proposed consideration for the assignment of the lease is payment of the sum of \$21,635.00 by Mr. Haynes to Mr. Herzog to reimburse Mr. Herzog for extraordinary repairs and improvements made on the leased premises;

WHEREAS, Mr. Haynes has requested three additional five-year options to extend the terms of the Lease;

WHEREAS, under Article XIX of the Lease the Lessor's consent is required for an assignment of the Lease;

WHEREAS, the District's staff, real estate consultant and legal counsel reviewed this request for the assignment of the Lease and recommended to the Finance Committee, at its meeting held on October 4, 2012, approval of the assignment of the Lease and release of John R. Herzog from all obligations under said Lease, conditioned upon the execution of a new lease by Mr. Haynes for the remaining term of the current Lease with Mr. Herzog, at the current rental rate under said Lease, subject to a CPI adjustment every five years, and with three additional five-year options to extend the Lease in consideration of the payment of \$8,000.00, cash, and including all other standard terms and conditions for boathouse leases in the Orleans Marina;

WHEREAS, after considering these requests, the Finance Committee of the Management Authority at its meeting held on October 4, 2012 recommended approval of the assignment of the Lease under the terms and conditions set forth above; and,

WHEREAS, the Management Authority after considering this matter resolved that it would be in the best interest of the Orleans Levee District to approve the assignment of the Lease under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the assignment and transfer of the Lease of South Roadway Boathouse No. 28 by John R. Herzog to Sam B. Haynes, and release of John R. Herzog from all obligations under said Lease, conditioned upon the execution of a new lease by Mr. Haynes for the remaining term of the current Lease with Mr. Herzog, at the current rental rate under said Lease, subject to a CPI adjustment every five years, and with three additional five-year options to extend the Lease in consideration of the payment of \$8,000.00, cash, and including all other standard terms and conditions for boathouse leases in the Orleans Marina.

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

YEAS: LUPU, HASSINGER, ERNST, BAUDY, HEATON, STACK, BRIEN, DUFRECHOU, SAIZAN

NAYS:

ABSTAIN:

ABSENT: HOFFMAN, TRASK, CANTRELLE, DEROUEN, SCOTT

RESOLUTION ADOPTED: YES

Motion No. 03-101812 - Amend agreement with RCL Consultants for Lakefront Airport/Lakeshore Drive signage in the amount of \$10,000 (Lakeshore Dr. signage) and \$3,300 (Structural and Electrical Engineers) bringing the total contract price from \$25,000 to \$38,300

This motion authorizes a Supplemental Agreement with Richard C. Lambert Consultants with a not to exceed fee of \$38,300 for costs associated with completion of the signage design and the structural and electrical engineering.

Chairman Lupo noted that the Board agreed to contract with Richard C. Lambert Consultants to design a homogeneous sign application for Lakefront Airport. Lakeshore Drive signage was brought into the scope of work so all properties under the management of this Authority would look homogeneous. As a result extra charges are commensurate with extra work RCL is doing for signage on Lakeshore Drive.

Commissioner Saizan offered a motion to approve a supplemental agreement with Richard C. Lambert Consultants with a not to exceed fee of \$38,300 to cover the cost associated with the completion of the signage design and for the structural and electrical engineering, seconded by Commissioner Hassinger and adopted unanimously to wit:

MOTION: 03-101812

RESOLUTION: 03-101812

BY: COMMISSIONER SAIZAN

SECONDED BY: COMMISSIONER HASSINGER

October 18, 2012

RESOLUTION

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

WHEREAS, the Management Authority is the successor of the former Board of Commissioners of the Orleans Levee District and of the Division of Administration, State of Louisiana, which previously managed the non-flood assets of the Orleans Levee District;

WHEREAS, the former Board of Commissioners of the Orleans Levee District and Richard C. Lambert Consultants, LLC, (“Consultant”) entered into an Agreement on the 26th day of May, 2006 for Consultant to provide professional services at the Airport, including in connection with the Administration or Terminal Building at the Airport (“Agreement”);

WHEREAS, the Agreement has been extended to the 31st day of December, 2012, by subsequent resolutions and supplemental agreements;

WHEREAS, the Management Authority required assistance in developing a uniform signage plan for the properties managed by the Management Authority and entered into an agreement with Richard C. Lambert Consultants, L.L.C. to provide said services;

WHEREAS, the original proposed cost of said services was set at \$25,000;

WHEREAS, actual efforts required to date mandate an increase in effort of \$10,000 for signage design and \$3,300 for structural and electrical engineering.

BE IT HEREBY RESOLVED, that the Management Authority approves a Supplement Agreement with Richard C. Lambert Consultants, LLC providing a Not to Exceed fee of \$38,300.00 to cover the costs associated with completion of the signage design and for structural and electrical engineering.

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

AYES: LUPO, HASSINGER, ERNST, BAUDY, HEATON, STACK, BRIEN, DUFRECHOU, SAIZAN

NAYS:

ABSTAIN:

ABSENT: HOFFMAN, TRASK, CANTRELLE, DEROUEN, SCOTT

RESOLUTION ADOPTED: YES

Motion No. 04-101812 - Amend RCL Consultants’ contract in the amount of \$3,996.04 for additional testing and monitoring for hazardous materials

This motion approves a Supplemental Agreement with Richard C. Lambert Consultants providing an additional \$3,996.04, in addition to the approved cost of \$48,556.93, to cover the costs associated with services provided by Professional Safety Consultants, Inc. on the Airport Terminal.

Alton Davis, Richard C. Lambert Consultants, advised that hazardous materials were found at the start of the project which required the need for a testing company on site to test materials and prepare a report to determine the exact damages due to asbestos and lead paint. It was agreed that the cost would be added to RCL’s contract to expedite the process and there is no mark-up for RCLC. All charges were backed up with PSC’s invoices.

Commissioner Saizan offered a motion for approval to amend Richard C. Lambert Consultants, LLC’s contract in the amount of \$3,996.04 for additional testing and monitoring for hazardous materials, seconded by Commissioner Hassinger and unanimously adopted to wit:

MOTION: 04-101812
RESOLUTION: 04-101812
BY: COMMISSIONER SAIZAN
SECONDED BY: COMMISSIONER HASSINGER

October, 18, 2012

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 is the successor of the former Board of Commissioners of the Orleans Levee District and of the Division of Administration, State of Louisiana, which previously managed the non-flood assets of the Orleans Levee District;

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

WHEREAS, the former Board of Commissioners of the Orleans Levee District and Richard C. Lambert Consultants, LLC, (“Consultant”) entered into an Agreement on the 26th day of May, 2006 for Consultant to provide professional services at the Airport, including in connection with the Administration or Terminal Building at the Airport (“Agreement”);

WHEREAS, the Management Authority advertised for bids and awarded a contract in accordance with the provisions of the Louisiana Public Works Act for the reconstruction of the Interior of the Main Terminal at the Airport (the “Project”), which had been damaged by Hurricane Katrina in August of 2005, to BelouMagner Construction Company;

WHEREAS, pursuant to the Agreement, Consultant prepared the plans and specifications for the Project and is handling the construction administration for the Project;

WHEREAS, BelouMagner commenced work on the Project and discovered hazardous materials not addressed in the contract documents which must be removed and rendered harmless before work can continue on the Project;

WHEREAS, as part of the removal of said hazardous materials, hazardous material testing, was required and the Management Authority will need the services of a qualified environmental company to perform hazardous materials testing, air quality monitoring and follow-up testing for the lead paint and asbestos abatement;

WHEREAS, to expedite the removal of said hazardous materials, Consultant contracted with Professional Safety Consultants, LLC to provide these environmental testing services for a price not to exceed \$24,578.00;

WHEREAS, Consultant has requested reimbursement of the sum of \$24,578.00 to cover the costs associated with the services to be provided by Professional Safety Consultants, LLC;

WHEREAS, the Management Authority resolved that it is in the best interest of the Airport to approve a supplemental agreement with Richard C. Lambert Consultants, L.L.C. providing a Not to Exceed fee of \$24,578.00 to cover the costs associated with the services to be provided by Professional Safety Consultants, LLC;

WHEREAS, in the course of completing construction additional lead and asbestos was discovered and Professional Safety Consultants, LLC was required to expend an additional \$23,978.93 on the Terminal to cover the costs associated with the full remediation scope; the cost of which was vetted, approved by the full board, and included under Supplemental Agreements 26 and 28, and;

WHEREAS, in the course of completing construction minor lead and asbestos was discovered and Professional Safety Consultants, LLC was required to expend an additional \$3,996.04 on the Terminal to cover the costs associated with the full remediation scope;

BE IT HEREBY RESOLVED, that the Management Authority approves a Supplement Agreement with Richard C. Lambert Consultants, LLC providing an additional \$3,996.04 in addition to the approved costs of \$48,556.93 to cover the costs associated with the services to be provided by Professional Safety

Consultants, LLC on the Terminal, with all other terms and conditions of the Agreement to remain the same.

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

YEAS: LUPO, HASSINGER, ERNST, BAUDY, HEATON, STACK, BRIEN, DUFRECHOU, SAIZAN

NAYS:

ABSTAIN:

ABSENT: HOFFMAN, TRASK, CANTRELLE, DEROUEN, SCOTT

RESOLUTION ADOPTED: YES

Motion No. 05-101812 - Authorize Authority Chairman to request LA DOTD, Division of Aviation, provide CIP funds required to provide for critically needed improvements for safety and usability of the New Orleans Lakefront Airport

The Authority formally requests that the LA DOTD, Division of Aviation, provide funds required to complete the Airport improvements at New Orleans Lakefront Airport specifically described in the Capital Improvement Program application for State Financial Assistance dated October 18, 2012 with the deadline being November 1, 2012. A Resolution is required for the Authority to request financial assistance from LA DOTD. Mr. Jason Duet of LA DOTD is working with the Authority to finalize the projects.

Commissioner Saizan questioned if a determination was made regarding the Capital Outlay to help the Authority with the gap in financing. Chairman Lupu advised that the financing gap of \$700,000 that the Flood side has been covering will not come out of the capital outlay request as the gap in funding will have to be looked at administratively.

Commissioner Saizan advised the Board that Mr. Capo and Mr. Smith compiled an extensive preliminary list of projects to be placed in line for the Airport CIP program with LA DOTD which is standard operation procedure. Each year the list will be updated with different projects for the Airport and the Authority submits an application for filing with the LA DOTD.

Mr. Smith noted that the largest project is the safety marking project; the crack seal and seal coat of the main runway. Signs and delineators for safety have been discussed with the FAA and URS. The Airport is also trying to secure a walk behind paint machine to touch up markings without personnel. The state will also fund the Pilot Control lighting device which has been out of service along with the wind sock which was damaged. The state is also willing to fund 100% of the runway end identification lights at 36L which mark the displaced landing threshold. These lights are very important, but are out of service, damaged and out of date.

Commissioner Saizan offered a motion to authorize the Authority Chairman to request that the LA DOTD, Division of Aviation, provide CIP funds required to implement recommendations which provide for critically needed improvements for safety and usability of the New Orleans Lakefront Airport, seconded by Commissioner Hassinger and unanimously adopted to wit:

MOTION: 05-101812

RESOLUTION: 05-101812

BY: COMMISSIONER SAIZAN

SECONDED: COMMISSIONER HASSINER

October 18, 2012

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 (“Airport”) is one of the non-flood assets of the District under the management and control of the Management Authority;

WHEREAS, Title 2 of the Louisiana Revised Statutes of 1950 provides that cities, towns, parishes, and other political subdivisions of this State may separately or jointly acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate, and police airports and landing fields for the use of aircraft;

WHEREAS, the State of Louisiana, Department of Transportation and Development, Division of Aviation (formerly the LA DOTD-OAPT) is charged by Title 2 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 Non-Flood Protection Asset 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 the 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 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 the New Orleans Lakefront Airport specifically as described in the Capital Improvement Program Application for State Financial Assistance dated October 18, 2012.

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 *Chairman* of the Sponsor be and is hereby authorized and directed to evidence this agreement by affixing his 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 Non-Flood Protection Asset Management Authority met in regular session on this date. The aforesaid resolution was offered by Commissioner Saizan and seconded by Commissioner Hassinger. The aforesaid resolution, having been submitted to a vote, the vote thereon was as follows:

YEAS: LUPO, HASSINGER, ERNST, BAUDY, HEATON, STACK, BRIEN, DUFRECHOU,
SAIZAN
NAYS: NONE
ABSTAIN: NONE
ABSENT: HOFFMAN, TRASK, CANTRELLE, DEROUEN, SCOTT
RESOLUTION ADOPTED: YES

PUBLIC COMMENTS

Mr. Constantine Vennis advised the Board that the November 6th election is approaching and the tax bill may be contested. There is a movement Uptown to see this tax fail which is amazing considering the projects that fly in the Uptown area. We received ten extra days because neighborhoods and members of the Board went to Baton Rouge and were hanging by a thread. Those 8-10 days allowed a bigger movement to be put together. Thanks to Treasurer Kennedy and our representatives the community is able to have an opportunity to pass this tax through. Now is the time to get the neighborhoods involved and treat this as a campaign with an informational flyer outlining why this tax benefits the entire area, why it benefits the people living on the Lakefront and why it benefits the people who come here to use the Lakefront.

Mr. Vennis worked with 30 neighborhoods to get the tax on the ballot. Some neighborhoods and people send out information to additional people making this an accumulative effect. Commissioner Saizan noted that Commissioners Baudy and Cantrelle are part of the associations in New Orleans East. All subdivisions have to be advised of the tax. It is hopeful that the Flood Authority will support this as they seem to get a lot of ink, but I don't think this Authority gets the same kind of ink.

Mr. Vennis noted that the neighborhoods are working on two things currently. People want to see this tax pass and the neighborhoods want to see some representation of Orleans Parish residents on the Flood Authority Board as those residents pay the majority of the money. Orleans residents do not feel that is happening and may be part of the problem. Focus on this tax first and then focus on getting people from Orleans Parish on the Flood Board because there are not qualified people from Orleans Parish that can speak for us on that Board.

Commissioner Heaton noted Mr. Vennis is committed to the community and advised that this Board, as far as campaigning, can only provide information. This Board cannot tell nor suggest that people vote; that is the law. An informational campaign takes money to mail and prepare flyers which this Authority does not have. The only way the Board can help is by working with people for leverage to get the word out. A spreadsheet was compiled by Commissioner Heaton of each Board and Commission in the City along with the contact information for those 97 Boards and the Administrator for each Board and Committee. Information can be passed to the Administrator of the 97 Boards who can then pass the information to the Board members. In the next few weeks residents will be bombarded with door hangers and printed materials. Any political campaign willing to state their support for this proposition on any printed material would be free for the Authority and the whole community would see it. It will not cost them anything because they are already paying for the piece to be mailed or distributed.

NEXT BOARD MEETING

The next full Board meeting of the Non-Flood Protection Asset Management Authority is scheduled for Thursday, November 15, 2012 at 5:30 p.m.

ADJOURNMENT

Commissioner Hassinger offered a motion to adjourn, seconded by Commissioner Ernst and unanimously adopted.

The meeting adjourned at 6:05 p.m.