

**THE NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE FULL BOARD MEETING
THURSDAY AUGUST 23, 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, August 23, 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 5:40 p.m. and led in the Pledge of Allegiance. The roll was called and a quorum was present.

PRESENT:

Chairman Robert Lupo
Secretary Greg Ernst
Vice Chairman Joe Hassinger
Commissioner Patrick Derouen
Commissioner Michael Stack
Commissioner Stanley Brien
Commissioner Carlton Dufrechou
Commissioner Darrel Saizan
Commissioner Nyka Scott
Commissioner Romona Baudy
Commissioner Wilma Heaton
Commissioner William Hoffman
Commissioner Pearl Cantrelle

ABSENT:

Commissioner John Trask

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood
Dawn Wagener - Non-Flood
Chuck Dixon – Marina Director

ALSO PRESENT:

Al Pappalardo - Real Estate Consultant
Gerard Metzger - Legal Counsel
Susan Guidry – City Council
Chris Fenner – Stuart Consulting
Steve Nelson – Stuart Consulting
Alton Davis – Richard C. Lambert
Wesley Mills – Design Engineering, Inc.
Joan Rogers – Boathouse
John Davis – Lake Vista
Ray Landeche - Lakeshore
Constantine Venis
Dr. Duffy

ADOPT AGENDA

Commissioner Hoffman offered a motion to adopt the Agenda, seconded by Commissioner Hassinger and unanimously adopted. Commissioner Hoffman requested to move Agenda Item No. 8 under New Business to Agenda Item No. 1. Commissioner Hoffman offered a motion to adopt the Amended Agenda, seconded by Commissioner Ernst and unanimously adopted.

APPROVAL OF PRIOR MINUTES

Commissioner DeRouen offered a motion to approve the minutes of the Board meeting held July 19, 2012, seconded by Commissioner Ernst and unanimously adopted.

REPORT BY EXECUTIVE DIRECTOR

Mr. Capo reported that Lakeview Demolition removed the sign in front of the Lake Vista Community Center for \$1,700. The area will soon be concreted as it is presently backfilled with sand.

Mr. Capo advised the Board that DP1 Design is in the process of updating Lakefront Airport's website to be completed and submitted to the NFL and Sports Foundation in time for the Super Bowl. DP1 Design is also the company currently managing the Marina websites and will create a website for this Authority to post Board and Committee Agendas, meeting minutes and keep the public informed of any significant changes and developments on Lakeshore Drive. The public will also be informed of who this Authority is and what we are doing.

On Wednesday, August 29, 2012 at 8:00 p.m. Lake Pontchartrain Basin Foundation is hosting the Re-Light the Lighthouse along Lakeshore Drive. There is a two mile run and a ½ mile walk at 6:30 p.m. The area will be cut and cleaned for this event. Commissioner Dufrechou thanked the Board, Mr. Capo and staff for their assistance in making this day happen and invited everyone to bring a blanket, watch the sunset and see the re-lighting of the Lighthouse.

COMMITTEE REPORTS

Chairman Lupo noted for the record Commissioner Saizan's arrival.

Airport Committee – Commissioner Saizan noted that issues addressed at the Airport meeting will be discussed under New Business.

Marina Committee – Commissioner Brien had no items to report at this time.

Commercial Real Estate - Chairman Lupo reported that there are two new tenants along the New Basin Canal. One tenant has already erected the steel structure of the building. Mr. Metzger advised that Tides, LLC is moving forward and the Authority has signed off on everything that Tides, LLC needed with the City Council. Mr. Pappalardo reported that Tides, LLC recently applied for a liquor permit.

Recreation/Subdivision Obligation – Commissioner Hassinger will address any comments on the Agenda as they appear.

Legal Committee – Commissioner Ernst informed that the Legal Committee did not meet in August.

Finance Committee – Commissioner Hoffman advised that Commissioner DeRouen chaired the August Finance Committee and Finance Committee items will be addressed under New Business.

Insurance Committee - Commissioner Hoffman advised that the Insurance Committee did not meet in August. The September Agenda includes the issue of enrolling employees into the state health system and what that process entails. Mr. Capo reported that the Insurance Commissioner's Office is reviewing the insurance waivers and the Authority is awaiting a response. The waiver is retroactive to when we filed the application and will go back to that point in time.

Special DBE Committee – Commissioner Baudy had no comments. Chairman Lupo noted that staff distributed information to the DBE Committee that included various complexities regarding this issue. Chairman Lupo thanked Commissioner Baudy for taking on this responsibility as this is very important in our community, and stated that he looks forward to how this progresses with the input of the FAA and State regulations.

OLD BUSINESS

1) Update on Lakefront Airport Parking Lot project

Commissioner Stack reported that Boh Brothers was the low bidder at \$156,395. A decision needs to be made regarding the additive alternate in the project, which will cost \$53,172. If all is in order, before the contract is executed the Board must make a decision on the additive alternate and a Resolution must be prepared authorizing the Executive Director to enter into an agreement with DOTD, at which time funding will be addressed and construction will be coordinated. The deadline would be met if the Resolution was passed at the September 20, 2012 Board meeting. Some flexibility was built into the scheduling and awarding of the contract. The original estimate of \$300,000 included everything. The \$156,000 included what DOTD would cover. Boh Brothers will perform all work and DOTD will do the inspection.

Commissioner Saizan thanked Commissioner Stack for his assistance in moving this project forward as it was not a sure thing. It is important to include the access roads which would give the Airport a complete roadway system that will be fully striped as well. This Authority has been very lucky with this issue due to Commissioner Stack's diligent efforts and Walter Brooks at RPC. As FEMA would not cover this cost, LA-DOTD stepped in which is a blessing.

Mr. Davis informed that the construction companies have been notified and an exact date and time is needed of when the project will take place so the contractors will be informed of what needs to be done. The contractors are uninformed at this point. Chairman Lupo advised Mr. Davis to be the go-between between the contractor and DOTD to get that conversation going. Commissioner Stack advised that DOTD preferred the parking lot be cleared approximately 30 days prior. Mr. Davis noted it will take approximately 30 days for Boh Brothers to be awarded the contract. A coordination meeting should be scheduled between Boh Brothers and the two contractors on site to set dates for the contractors to clear the site. Commissioner Stack noted that since Boh Brothers is working for DOTD, DOTD will advise Boh Brothers as to when and when they cannot go on the site. This is a short-term project and should not be a problem if the contractors cooperate.

Chairman Lupo advised that DOTD worked out a deal with the Ted Hickey Bridge and the City and thanked Commissioner Stack for his assistance and gave DOTD accolades for taking on that responsibility. That is a huge burden off of this Authority's responsibilities.

NEW BUSINESS

Motion No. 01-082312 – Discussion and update regarding Tax Resolution

Chairman Lupo gave an overview of the events that occurred over the past 14 days regarding the tax resolution. An incredible team was put together that included all of our State Senators, Representatives that represent this area, Councilwoman Guidry and Councilwoman Hedge-Morrell who represents the area where many non-flood assets are located. There were discussions with the Mayor, Garrett Graves and Chip Kline with the Coastal Restoration Authority.

Two weeks ago, without any consultation to this Board, the Flood Authority (SLFPA-E) passed a resolution to appear before the public in New Orleans with a renewal and rededication of their millage, the SLIP Fund (Special Levee Improvement Protection Fund). SLFPA-E then proceeded to eliminate all language in that fund that could be considered funding for non-flood assets which language included Lakeshore Drive, landscaping and erosion control on Lakeshore Drive. If that language was eliminated, this Authority would have no leverage to make an argument that there was money generated by that millage for the operation of non-revenue producing assets and obligations of this Authority. This Authority was made aware of the eliminated language and legal counsel reviewed the language. Senators Murray and Lorusso asked what they could do to solve this problem. The Mayor's Office or the Council had not been made aware, in fact, SLFPA-E advised in April that they would not ask for a millage in the November ballot. The Coastal Restoration Authority, which SLFPA answers to

directly, or the Governor's staff had not been notified so the tactics were a little strange. As a result of incredible discussions and pressure from our elected officials and Treasurer John Kennedy of the Bond Commission, it was made obvious these obligations are real, they are not going away, there is no funding for them, they belong to the State and have been paid for and built with money generated from millage from the citizens of New Orleans for decades. These non-revenue generating assets should not be thrown to the way side and left to flounder. We went to the Bond Commission and made this argument. SLFPA-E made their argument and their opinion was non-flood assets were not their responsibility nor were they important to the citizens of New Orleans. The Lake Vista Community Center and the Marinas, which have incredible amounts of deferred maintenance, and have still not recovered from Katrina, should support the operation of Lakeshore Drive, the New Basin Canal Park and all parks inside the subdivisions that The Levee District built in the 1930's and 1940's.

Staff put together a detailed budget that showed the operating costs of those assets once all utilities came on line. This budget was presented to Garrett Graves by Chairman Lupo over the phone in a two hour conference. Staff put together graphs showing how revenues have gone up and expenses have gone down on all assets since this Board was put in place. The graph also showed that money drawn down from the Bally's settlement decreased over those years as well. An incredible argument was made that no matter what is going on here those assets that do produce revenue, those revenues should go back into those assets as there is approximately \$15 million in deferred maintenance in the Orleans Marina. South Shore Harbor is a beautiful facility and has been renovated, but due to its location it will be several years before it is able to stand on its own. Lakefront Airport is an asset and revenue-wise that money has to remain in the Airport as a result of the FAA. One quarter of the Lake Vista Community Center cannot be leased due to slab problems and lack of dollars to make the necessary improvements. There were arguments regarding why the State did sell these non-revenue producing assets. We don't sell these assets as they need to be in the hands of government because government is accountable to the people, private developers are not.

Treasurer Kennedy along with two members of the Attorney General's staff, Chairman Doody, Commissioner Heaton who is the representative of the Flood Side on this Board, Chip Kline from Coastal Restoration, Garrett Graves on speaker phone, Commissioner Hoffman and Chairman Lupo met to discuss the issue. Treasurer Kennedy took control and addressed these assets that have to be dealt with and laid the groundwork to a preliminary agreement. There was another meeting on August 24th where many issues were rehashed. Everyone agreed to the 1.42 mills that Commissioner Hoffman, the outside consultants and the Executive Director came up with, which would have generated approximately \$3.2 million each year beginning in 2016. The Attorney General's Office realized that 1.42 mills would bring the millage above what it presently is. This would no longer be a renewal it would be a new tax with different deadlines and procedures that would not be ready in time for the November election. It was agreed to drop the millage to .61 for this Authority which amounts to \$1.4 million, but that would allow the millage request to go before the Bond Commission on Monday. Treasurer Kennedy advised that the votes were not there to go forward with the Flood side's millage request unless the Non-Flood Authority was included.

Regarding the gap between the \$3.2 and \$1.4 million in the millage request, Treasurer Kennedy advised of old Capital Outlay dollars and is willing to go to the Governor's Staff and the Division of Administration to request their assistance with approximately \$2 million to help fill the gap between now and 2016. There was also \$1 million per year in the budget to be put into a reserve for the reconstruction of Lakeshore Drive. The 5½ mile road is approximately 17 years old and has a 15-20 year life span. Lakeshore Drive gets tremendous abuse from the storm surges and the over-toppings and Capital Outlay can possibly help with that \$1 million. That money would put this Authority in a good position to take money currently going to non-revenue producing assets and put that money back into the revenue-producing assets.

Commissioner Hoffman noted Treasurer Kennedy made sure that all were aware that this Authority is a State liability, which made it a three way discussion. As the new millage rededication goes into effect in 2015, this Authority must bridge the gap between 2013 and 2016. Treasurer Kennedy came forward and will try to get the Governor to authorize the use approximately \$700,000 per year for the next three years which will continue this Authority as it has been and the Flood will save their money. The Attorney General's attorneys emphasized the way this is written is the Orleans Levee District is putting forth this millage. If both Flood and Non-Flood support this going forward we will be able to approach this as one and support it. The distinction is this millage allocates .61 mills to the Non-Flood Authority so there will be no more disagreement about funding making this a win/win situation. There are some hurdles which by Monday we will all be able to accomplish. Commissioner Hoffman proposed a Resolution supporting the millage and to put on record that this Authority does not have to take any official action toward the millage itself as it comes out of the Flood side.

Chairman Lupo forwarded e-mail containing the current language of the millage recommended by the AG Board which should be approved by SLFPA-E. The AG's office recommended language added that is slightly different than what was transmitted today. There was language that the Bond Council recommended be put in which has been reviewed and does not change anything. In fact, one part expands what this Authority can use the money for, it is not limited to Lakeshore Drive as there is a need for repairs at Lake Vista Community Center and the money will not be prohibited from use toward that project.

Chairman Lupo noted that Commissioner Heaton has a very difficult position as she was appointed by the Flood side, but she obviously has allegiances to the citizens of New Orleans and complemented her on her incredible job. Commissioner Heaton advised of a SLFPA-E meeting August 24, 2012. There is one question I am anticipating the Board will ask and I would appreciate some guidance to keep things moving forward. If the millage is passed and approved, the money will not be available until 2016. SLFPA-E is aware that Treasurer Kennedy is committed to working with Garret Graves to try and get general money that is needed, but they are not in control of whether that money is approved. If the voters pass this millage giving the Non-Flood Authority .61 mills for 30 years, will it be reasonable for the Flood Authority not to expect the Non-Flood Authority to approach the legislature for funding from the Flood Authority over the next three years. Keep in mind we need to go arm in arm to the Bond Commission on Monday and say we agree.

Commissioner Hoffman responded that the Non-Flood Authority collectively agreed to move forward and Treasurer Kennedy offered his best efforts along with the Governor to help fill the gap. If the Governor or Treasurer Kennedy is unable to supply that funding, the Non-Flood and Flood Authority need to figure out how that gap can be bridged between now and 2016, whether the Flood Authority will continue with the \$700,000 a year for the next three years or whether there is another solution. It is not fair to ask this Authority to give up the \$700,000 per year as that is not the spirit that we made on all of the agreements.

Commissioner Ernst questioned if it was even considered as a possibility that SLFPA-E would kick in \$700,000 for the next three years as they have done in the past two years. Commissioner Hoffman noted that issue was never part of the discussions. If the Capital Outlay deal does not go through we need to revisit the issue. Chairman Lupo added that the Flood Authority was aware of the gap as the issue was brought up in every meeting. To bring this issue up at the 11th hour is typical of how the Flood Authority chooses to deal with all issues. The Flood Authority is basically saying that they will not pass this due to a new caveat that was never brought up in two weeks of discussion.

Commissioner Hoffman noted that this Authority is always willing to negotiate with the Flood Authority. The Non-Flood Authority has only gone to legislature when there has been no other alternative. The Non-Flood Authority has yet to be invited to negotiate with the Flood Authority ahead of time to approach this issue and have a win/win situation.

Commissioner Heaton advised the rededication is to dedicate .61 mills to the Non-Flood Authority generating approximately \$1.2 million. Everyone is hopeful this will pass and everyone appreciates all the hard efforts put into this. This is not the Non-Flood Authority's proposition, it is the Flood Authority's proposition so the millage will go on the ballot as 5.4 dedicated to the Flood Authority and .61 dedicated to the Non-Flood Authority. The only appointment in Orleans Parish is John Barry who is classified in the State as a full-time resident of Orleans Parish. Commissioner Saizan commented that Orleans Parish is not adequately represented on the SLFPA-E Board.

Commissioner Heaton noted that the President of the SLFPA-E Board expressed his appreciation of Chairman Lupo for the negotiations and encouraged my support in the Resolution as presented. Chairman Lupo noted these negotiations were difficult and there is no doubt the Flood Board and Chairman Doody have an ultimate obligation in their charge. Chairman Doody was extremely understanding, calm, expressed his opinion and accepted what was said. I want to express not only from me personally, but also the Board, for you to thank him as well.

Commissioner Hassinger recognized Chairman Lupo's excellent job with the negotiations starting with that Bond Commission hearing as the Chairman's work has been excellent. Commissioner Hassinger thanked Commissioner Hoffman for supplying his intelligence during those negotiations and Commissioner DeRouen for his excellent presentation at the Bond Commission as it was extremely effective and made people stop, think and listen.

Chairman Lupo noted Commissioner Hassinger addressed the basic problem with this, which is trust between the two Boards and the point was made very eloquently. Commissioner Hassinger thanked the elected officials who showed the best in what it means to be an elected official, Mr. Doody and John Barry, our Orleans representative on the Flood Board. Most importantly, the key part of this Authority's success was the involvement of neighborhood associations and individual residents, several of who took time to appear before the Bond Commission and testify at the hearing in Baton Rouge. This Authority really appreciates all of the help with this issue.

Chairman Lupo also thanked Councilwoman Susan Guidry for her assistance, her daily calls requesting an update and asking how she could help. Councilwoman Guidry's staff was there to listen and assimilate the information. This was incredible team effort and the first time where every elected official was on board and in step with the community which was very impressive.

PUBLIC COMMENTS

Mr. Constantine Vennis - Resident

Mr. Vennis thanked the Board and advised to hold the Flood Authority to their deal, no new conditions. They are coming to the table because the people spoke, not just Lake Terrace, Lake Vista, Lake Oaks and Lakeshore, but also Lakeview, Gentilly and Broad Street backed this up. The people were not going to take it because they care about their area. We need to work better together in the future. The Governor's Office and the Chairman received letters and influential neighbors called and spoke to Chairman Kennedy, who is a fair man and gave both sides an opportunity to speak. Chairman Kennedy was not going to leave one of the nicest areas and a State park abandoned as this is a part of the fabric of New Orleans.

Commissioner Hassinger noted that Dr. Divay was also in Baton Rouge and spoke at the Bond Commission and did an excellent job. Dr. Divay stated that this issue was in the interest of not only himself, but also the neighborhoods. We were appalled of the way that this was done to us. It is our duty, moral or otherwise, to speak up against it.

Mr. Metzger informed this item, in accordance with the open meetings law, is required to be added to the Agenda. A motion is needed to add this Resolution to the Agenda. The matter will be open for discussion to the Board and public before a vote is taken. Commissioner Hassinger moved to add the Resolution to the Agenda, seconded by Commissioner Hoffman and unanimously adopted.

Chairman Lupo noted that the Board has had the discussion regarding the Resolution and asked for the public to comment in the issue.

Susan Guidry, Councilwoman, informed that she was very impressed with what the Board did as it speaks volumes about all the work this Authority did in a very short period of time without any notice and gave kudos to the Board and all state legislators. At the District "A" budget meeting the Mayor publically spoke about the Non-Flood assets and explained that these assets were a State obligation and that needed to be kept in mind and promoted in the future. I believe this is a situation where everyone is on board. I spoke to Tim and told him there could be a point in the near future where the lack of trust is broken and there are negotiations on more issues as that is certainly something I encourage. I look forward to the meeting tomorrow and agree that the question regarding the gap will be asked. There will have to be a leap of faith and the start of a time when all work together on these questions and come up with the answers.

Mr. Capó gave a synopsis of Motion No. 01-082312 that the Management Authority acting as the governing authority of the Non-Flood Protection Assets of the Orleans Levee District fully supports the said resolution that orders and calls for a special election as proposed by the attached millage proposal language which will be considered by the Southeast Flood Protection Authority – East.

A unanimous roll call vote was taken to add the item to the Agenda and Mr. Metzger advised under the Non-Flood Protection Asset Management Authority By-Laws the Chairman is allowed to submit a resolution. The motion for the resolution was offered by Chairman Lupo, seconded by Commissioner Hoffman was unanimously adopted to wit:

MOTION: 01-082312
RESOLUTION: 01-082312
BY: CHAIRMAN LUPO
SECOND: COMMISSIONER HOFFMAN

August 23, 2012

RESOLUTION

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

WHEREAS, on Friday, August 24, 2012, the Board of the Southeast Louisiana Flood Protection Authority-East will consider a resolution ordering and calling a Special Election as proposed by the attached millage proposed language to be held in the Orleans Levee District, to authorize the extension and rededication of a special tax therein, making application to the State Bond Commission in connection therewith, and providing for other matters in connection therewith;

WHEREAS, the said resolution which will be considered by the Southeast Louisiana Flood Protection Authority-East provides as follows in the Proposition (Property Tax Extension and Rededication):

The following resolution was offered by Mr. _____ and seconded by Mr. _____:

RESOLUTION 08-24-12-01

A resolution ordering and calling a special election to be held in the Orleans Levee District, to authorize the extension and rededication of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East (the "Governing Authority"), acting as the governing authority of the Orleans Levee District (the "District"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 30, 32 and 39(B) of the Constitution of the State of Louisiana of 1974, R.S. 38:405, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the District on **TUESDAY, NOVEMBER 6, 2012**, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION (PROPERTY TAX EXTENSION AND REDEDICATION)

Summary: Authority to extend for a term of 30 years, and rededicate the proceeds of a 6.07 mill property tax authorized at an election held on November 19, 1983, for (i) constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto including debt service payments, and (ii) operation and maintenance of non-revenue producing assets not directly related to drainage, flood control or water resources development pertaining to tidewater flooding, hurricane control or saltwater intrusion.

Shall the governing authority of the Orleans Levee District be authorized to levy and collect annually a tax of 6.07 mills on all property subject to taxation in said District (the "Tax") (an estimated \$15,400,000 reasonably expected at the time to be collected for an entire year) for an additional period of thirty years beginning with the year 2016, and ending with the year 2045, the Tax being presently authorized to be levied and collected through the year 2015, for the purpose of construction, improvement and maintenance of various projects and the funding of the proceeds into bonds as set forth in the proposition approved at the election held on November 19, 1983; and (i) shall the revenues or proceeds of 5.46 mills of the Tax heretofore or hereafter received from both the original and extended authorization of the Tax be dedicated and used for the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection and for all other purposes incidental thereto, including payments required in connection with debt obligations incurred for any of the above described capital purposes; and (ii) shall the revenues or proceeds of 0.61 mills of the Tax hereafter received be dedicated and used for the operation and maintenance of those non-revenue producing assets not directly related to drainage, flood control or water resources development pertaining to tidewater flooding, hurricane control or saltwater intrusion ("Non-Flood Assets"), including but not limited to Lakeshore Drive and Lakefront capital improvements, landscaping and stabilization, except any proceeds collected over and above that which is necessary for the operation and maintenance of the existing Non-Flood Assets shall remain with the Orleans Levee District to be used for the purposes set forth in part (i)?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in *The Times Picayune*, a daily newspaper of general circulation within the District, published in New Orleans, Louisiana, and being the official journal of the District, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Orleans Levee District, 6920 Franklin Ave, New Orleans, Louisiana, on **THURSDAY, NOVEMBER 15, 2012**, at **NINE THIRTY O'CLOCK (9:30) A.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law. The amendment of the Notice of Special Election to reflect future changes in precincts and polling places to be used at the election, is hereby authorized.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Thursday, November 15, 2012, as provided in Section 3 hereof. All

registered voters in the District will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Secretary of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the President and/or Secretary of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Orleans Parish and the Registrar of Voters of Orleans Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to continue to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application. In the event the State Bond Commission, through its staff, requests an amendment to the proposition appearing in Section 1 hereof and in the attached Notice of Special Election, such amendment is hereby approved and authorized provided such amendment does not change the amount of the millage levy or term of the tax.

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

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted on this, the 24th day of August, 2012.

Secretary

President

WHEREAS, the Management Authority after considering this matter resolved that it would be in the best interest of the Management Authority and Orleans Levee District to show its full support for the said millage

BE IT RESOLVED, that the Management Authority, acting as the governing authority of the non-flood protection assets of the Orleans levee District, fully supports the said resolution that orders and calls for a special Election as proposed by the attached millage proposal language which will be considered by the Southeast Louisiana Flood Protection Authority-East.

BE IT FURTHER RESOLVED, that the Chairman, Secretary or Executive Director of the Management Authority be and are hereby authorized to take any action and to sign any and all documents necessary to accomplish the above.

AYES: LUPO, HASSINGER, ERNST, BAUDY, HOFFMAN, HEATON, STACK, BRIEN, DUFRECHOU, SAIZAN, CANTRELLE, DEROUEN, SCOTT

NAYS: NONE

ABSTAIN: NONE

ABSENT: TRASK

RESOLUTION ADOPTED: YES

Chairman Lupo thanked the Board, staff, elected officials, the community and their representatives for standing behind the group that went before the Bond Commission and made some very incredible arguments that I am proud to say were accepted by the people who count, which are the citizens and our elected officials.

Chairman Lupo noted that the proposition as changed does not increase the millage that is presently in place and the Mayor is in favor and will support the proposition.

Motion No. 02-082312 - Election of Chairman, Vice-Chairman and Secretary of the Non-Flood Protection Asset Management Authority for a one year term from September 1, 2012 through September 1, 2013

At the August 6, 2012 Nominating Committee members of the Nominating Committee reviewed nominations submitted by members of the Management Authority. The Committee members unanimously recommended the following members serve as officers for the Management Authority for the current year:

Robert E. Smith Lupo	Chairman
Lambert J. Hassinger, Jr.	Vice-Chairman
Gregory L. Ernst	Secretary

Chairman Lupo recognized the many talented members on this Board who could do this job and advised that due to the events of the past week regarding the millage, it was great this team was in place because our legislators were familiar with the faces and names associated with this Authority. I am honored to take this on for another year and there are many members who are briefed, trained and ready to take this on next year.

Commissioner Hassinger offered a motion for the election of Chairman, Vice-Chairman and Secretary of the Management Authority, seconded by Commissioner Hoffman and unanimously adopted to wit:

MOTION: 02-082312
RESOLUTION: 02-082312
BY: COMMISSIONER HASSINGER
SECONDED BY: COMMISSIONER HOFFMAN

August 23, 2012

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority (“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 (“OLD”),

WHEREAS, officers of the Management Authority shall be elected among its members each year at the regularly scheduled August Management Authority Meeting, as provided under Article IV, Section 1 of the By-Laws of the Management Authority;

WHEREAS, after considering the alternatives for nominations of officers at the August meeting, the Management Authority resolved that the best approach would be to elect a Nominating Committee of Five Members to make recommendations for the annual election of officers of the Management Authority;

WHEREAS, after discussion and motion duly seconded, the following members were elected by the Members of the Management Authority to serve as members of the Nominating Committee for the annual election of officers of the Management Authority, effective September 1, 2011, John Trask, Joe Hassinger, Carlton Dufrechou, Darrel Saizan and Greg Ernst,

WHEREAS, members of the Management Authority were to submit nominations for the offices of Chairman, Vice-Chairman and Secretary to the Nominating Committee on or before Wednesday, August 1, 2012;

WHEREAS, the Nominating Committee was to report its recommendations for the election of officers to the Management Authority at the regularly scheduled Management Authority meeting on August 23, 2012;

WHEREAS, at the August 6, 2012 Nominating Committee meeting, the Members of the Nominating Committee considered the nominations submitted by members of the Management Authority, and the Committee members unanimously recommended the following Board members to serve as officers for the Management Authority for the current year:

Robert E. Smith Lupo	Chairman
Lambert J. Hassinger, Jr.,	Vice-Chairman
Gregory Ernst	Secretary

WHEREAS, after motion made and duly seconded, the members of the Management Authority elected Robert E. Smith Lupo as Chairman, Lambert J. Hassinger, Jr. as Vice-Chairman, and Gregory Ernst as Secretary; accordingly,

BE IT RESOLVED, that the following Management Authority Members be and are hereby elected to serve as officers for the Management Authority for the current year:

Robert E. Smith Lupo	Chairman
Lambert J. Hassinger, Jr.,	Vice-Chairman
Gregory Ernst	Secretary

AYES: LUPO, HASSINGER, ERNST, BAUDY, HOFFMAN, HEATON, STACK, BRIEN, DUFRECHOU, SASIZAN, CANTRELLE, DEROUEN, SCOTT

NAYS: NONE

ABSTAIN: NONE

ABSENT: TRASK

RESOLUTION ADOPTED: YES

Motion No. 03-082312 - Motion for approval of a new hangar lease with The New Orleans Mosquito and Termite Control Board.

The Management Authority proposed a lease for five years with three 5-year options to renew and a primary term rental rate of \$3.00 per square foot for 7,200 square feet of hangar building which totals \$21,600 annually, payable quarterly commencing October 1, 2012. The rental rates for the option period are subject to the escalation based upon increase in the Consumer Price Index. The lease will be under the terms and conditions set forth and in accordance with the standard terms and conditions for corporate hangar leases at Lakefront Airport. Mr. Pappalardo informed that the building was damaged during Katrina and for the City to move forward and receive FEMA funds a new long-term lease was required.

Commissioner Derouen offered a motion to approve the lease with New Orleans Mosquito and Termite Control Board, seconded by Commissioner Hoffman and unanimously adopted to wit:

MOTION: 03-082312
RESOLUTION: 03-082312
BY: COMMISSIONER DEROUEN
SECONDED: COMMISSIONER HOFFMAN

August 23, 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 manages, operates and administers the New Orleans Lakefront Airport, which is a non-flood protection asset owned by the Orleans Levee District, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, (“Airport”);

WHEREAS, the City of New Orleans (the “City”) operates and manages the New Orleans Mosquito and Termite Control Board (the “Board”) which is responsible for mosquito, termite and pest control in the City of New Orleans;

WHEREAS, the City by and through the New Orleans Mosquito and Termite Control Board leased a portion of ground at the Airport in 1988 where it constructed a hangar to hangar and maintain aircraft used by the Board for mosquito and pest control in the City of New Orleans;

WHEREAS, the Lease with the City expired in 2008 and since that time the Board has remained in possession of the property on a month-to-month lease;

WHEREAS, the City is desirous of leasing from the Management Authority the property where the hangar is located on the Airport, together with the right to use and enjoy individually, and in common with others, the facilities at the Airport;

WHEREAS, the Management Authority has proposed a lease for a term of five (5) years, with three five (5) year options to renew, with a primary term rental rate of \$3.00 per square foot for 7,200 square feet of Hangar building, totaling \$21,600.00, per annum, payable quarterly, commencing and effective October 1, 2012, and with the rental rates for the option periods subject to escalations based upon increase in the Consumer Price Index (CPI); and, the land area comprising the new leasehold shall measure 160 feet wide by a depth of 200 feet, totaling 32,000 square feet;

WHEREAS, as additional consideration the City has agreed to repair the existing hangar on the Leased Premises, subject to the approval of the Management Authority, and in compliance with any applicable rules, regulations or requirements of the Federal Emergency Management Agency and the City of New Orleans, Department of Safety and Permits;

WHEREAS, the Airport Committee of the Management Authority considered the proposed lease at its meeting held on August 7, 2012 and voted unanimously to recommend approval of the proposed lease with the City of New Orleans under the terms set forth above and in accordance with the standard terms and conditions for corporate hangar leases at the New Orleans Lakefront Airport; and,

WHEREAS, the Management Authority after considering the lease between the Management Authority and the City of New Orleans resolved that it is in the best interest of the Management Authority and Orleans Levee District to approve the proposed lease with the City of New Orleans under the terms and conditions set forth above.

BE IT RESOLVED, that the Management Authority approves a lease with the City of New Orleans, under the terms and conditions set forth above, and in accordance with the standard terms and conditions for corporate hangar leases at the New Orleans Lakefront Airport.

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

AYES: LUPO, HASSINGER, ERNST, BAUDY, HOFFMAN, HEATON, STACK, BRIEN, DUFRECHOU, SASIZAN, CANTRELLE, DEROUEN, SCOTT

NAYS: NONE

ABSTAIN: NONE

ABSENT: TRASK

RESOLUTION ADOPTED: YES

Motion No. 04-082312 - Motion to approve the sale by Joan C. Rogers to Phyllis Thrasher Brossette of the membership interest in One Fifty Four, L.L.C., the lessee of South Roadway Boathouse Nos. N-2, N-3 and N-4 in the Orleans Marina. Mr. Capo informed that approval of this motion is conditioned upon payment of the 8% transfer fee of the sales price of \$300,000 and execution of Affidavits by both parties attesting to the amount paid. Mr. Metzger noted that the transaction will generate approximately \$24,000 based on the sales price of \$300,000. As this tenant filed a lawsuit, one of the conditions for approval of this sale was dismissal of the lawsuit. The lawsuit has been dismissed with prejudice so this was not added to the body of this Resolution because it has been fulfilled.

Commissioner DeRouen offered a motion to approve the sale by Joan C. Rogers to Phyllis Thrasher Brossette of a membership interest in One Fifty Four, LLC, the lessee of S. Roadway Boathouse Nos. N2, N3 and N4, seconded by Commissioner Hoffman and unanimously adopted to wit:

MOTION: 04-082312
RESOLUTION: 04-082312
BY: COMMISSIONER DEROUEN
SECONDED BY: COMMISSIONER HOFFMAN

August 23, 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, South Roadway Boathouse Nos. N-2, N-3 and N-4 were leased to Joan C. Rogers, pursuant to the terms of a written lease signed on December 22, 2003, which said lease is for a term of five (5) years with five 5-year renewal options (the “Lease”);

WHEREAS, Joan C. Rogers assigned and transferred the lease to One Fifty Four, L.L.C., a domestic limited liability company, and Joan C. Rogers owns 100% of the membership interest of this limited liability company (the “Company”);

WHEREAS, Joan C. Rogers has requested approval to sell her membership interest in the Company to Phyllis Thrasher Brossette (purchaser);

WHEREAS, under Article VII of the Lease the Lessor’s consent is required for an assignment of the Lease and change of ownership control of any entity that is a lessee and this Article also provides for payment to the Lessor of an Eight (8%) Percent transfer fee of the total amount of any consideration received by the Lessee;

WHEREAS, the District’s staff, real estate consultant and legal counsel reviewed this request and recommended to the Finance Committee at its meeting held on August 9, 2012 approval of the sale of membership interest, conditioned upon payment of the transfer fee of Eight (8%) Percent of the total amount of any consideration received by the Lessee, execution of affidavits by the parties attesting to the amount of consideration paid and dismissal with prejudice of the proceedings captioned and entitled “Joan C. Rogers v. Board of Levee Commissioners of the Orleans Levee District and Crescent City Marine Group, Inc., No: 2012-1237, Civil District Court for the Parish of Orleans” (the “litigation”);

WHEREAS, the litigation was dismissed by order entered on August 6, 2012;

WHEREAS, the purchaser has requested that the Management Authority also approve and ratify assignment and transfer of the lease of South Roadway Boathouse Nos. N-2, N-3 and N-4 by Joan C. Rogers to One Fifty Four, L.L.C.

WHEREAS, after considering this request, the Finance Committee of the Management Authority at its meeting held on August 9, 2012 recommended approval of the sale of membership interest under the terms set forth above;

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 sale of the membership interest under the terms set forth;

BE IT HEREBY RESOLVED, that the Management Authority approves the sale of membership interest in the Company by Joan C. Rogers to Phyllis Thrasher Brossette, conditioned upon payment of the transfer fee of Eight (8%) Percent of the total amount of any consideration received by the Lessee and execution of affidavits by the parties attesting to the amount of consideration paid.

BE IT FURTHER RESOLVED, that the Management Authority approves and ratifies the assignment and transfer of the lease of South Roadway Boathouse Nos. N-2, N-3 and N-4 by Joan C. Rogers to One Fifty Four, L.L.C.

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

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

Motion No. 05-082312 - Motion for approval of Richard C. Lambert Supplemental Agreement providing a Not to Exceed Fee of \$16,304.41 to cover the reimbursable costs and providing additional sets of plans and specifications for the James and Walter Wedell Hangars above the number specified in the agreement between the Management Authority and the Consultant

Steve Nelson, Stuart Consulting Group, noted that the James Wedell Hangar is currently under construction. As there have been numerous change orders for the Airport Terminal Building, this Authority could technically bid Walter Wedell at this point which could result in a potential financial bind if there additional change orders came up on the additional three active projects. Walter Wedell would be able to bid sometime in the next few months or early part of next year. A budget will be constructed and FEMA will cover the vast majority of the cost aside from insurance deductibles that are taken on every project. This motion relates to the 15 sets of bid documents that RCL is required to cover in their contract. This is above and beyond that number. FEMA will be asked to cover this cost. If FEMA does not cover the cost, this is budgeted and there is no risk to the Authority. Chairman Lupo noted the scope of the Terminal project is huge with over 200 pages in one set of documents for the Terminal Building, 170 pages for the Wedell Hangars and approximately 200 for the Bastian-Mitchell Hangar. Mr. Davis advised that the Wedell Hangars bid as a combined project and then were split and re-bid separately which led to the increased cost.

Commissioner Saizan offered a motion to approve Richard C. Lambert's supplemental agreement providing a not to exceed fee of \$16,304.41, seconded by Commissioner Hoffman and unanimously adopted to wit:

MOTION: 05-082312
RESOLUTION: 05-082312
BY: COMMISSIONER SAIZAN
SECONDED BY: COMMISSIONER HOFFMAN

August 23, 2012

RESOLUTION

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

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 James Wedell and Walter Wedell Hangar as Bid Package 3 (“Agreement”);

WHEREAS, the Agreement was extended on the 20th day of December, 2011, by Resolution 05-121511 of the Management Authority, until the 31st day of December 31, 2012;

WHEREAS, the Agreement required that the Consultant provide fifteen (15) copies of the approved plans and specifications for bidding purposes;

WHEREAS, in accordance with the provisions of the Agreement under Article 4, Section 4.2.9 SPECIAL SERVICES, the Consultant is entitled to be compensated for “Additional copies of reports, plans, specifications and documents above the number specified”;

WHEREAS, the Consultant provided additional plans and specifications over the number required under the Agreement and paid the necessary postage for the additional copies of the plans and specifications to complete the design and bidding processes of Bid Package 3, totaling \$11,931.46, as shown on the attached Exhibit “A”;

WHEREAS, pursuant to the provisions of Supplemental Agreement No. 18 to the Agreement, dated May 6, 2011, Bid Package 3 for the James Wedell and Walter Wedell Hangar was to be separated and re-bid as two packages as follows:

Bid Package 3A: James Wedell Hangar

Bid Package 3B: Walter Wedell Hangar;

WHEREAS, Bid Package 3A for the James Wedell Hangar was re-bid on the 26th day of January, 2012;

WHEREAS, the Consultant provided additional plans and specifications for the re-bid of Bid Package 3A for James Wedell Hangar and paid the necessary postage for the additional copies of the plans and specifications to complete the design and bidding processes, totaling \$9,492.73, as shown on the attached Exhibit “A”;

WHEREAS, the Consultant deducted the costs associated with providing the required fifteen (15) copies of plans and specifications under the terms of the Agreement, totaling \$5,119.78, as shown on the attached Exhibit “A”;

WHEREAS, the Consultant requested reimbursement of the sum of \$16,304.41 to cover the cost associated with postage and providing additional copies of the plans and specifications above the number specified in the Agreement, as shown on attached Exhibit “A”; and,

WHEREAS, the Airport Committee of the Management Authority held on August 6, 2012 considered this request and agreed to recommend to the Management Authority that the Consultant be reimbursed for the excess costs for the additional copies of the plans and specifications and postage charges and that the Agreement be amended to include payment for these charges.

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 \$16,304.41 to cover the costs associated with postage and providing additional copies of the plans and specifications above the number specified in the Agreement, as shown on the attached Exhibit “A,” with all other terms and conditions of the Agreement to remain the same.

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.

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

Motion No. 06-082312 - Motion for approval of an ID/IQ contract with Design Engineering, Inc. for professional engineering services

Mr. Capo informed that the ID/IQ contract with Design Engineering, Inc. for professional engineering services is on an as-needed basis with a not to exceed amount of \$45,000. The need for professional engineering services has arisen and DEI is a qualified engineering consulting firm with institutional knowledge and necessary expertise and licensure to perform said services. DEI has presented, in conformance to LA-DOTD law, allowable billable rates for design services. As the Authority does not have an Engineering Dept. or an Engineer on staff, the ID/IQ contract allows the Authority to send DEI on an individual basis each time an engineering service is required and allows DEI to be under the ID/IQ contract up to \$45,000. DEI is assisting in the removal of an underground storage tank and there is a second tank that has yet to be located. The ID/IQ contract will allow DEI to locate and remove the second tank. DEI also assisted with new maps for grass cutting and the Lake Terrace Fountain repair project, but the ID/IQ contract will not be limited to these projects.

Chairman Lupo added with the amount and type of real estate under control of the Authority, the RFQ/RFP process for small contracts would hamper the operations of this Authority, which is why the State has the ID/IQ concept in place. Commissioner Hoffman noted that the Authority routinely receives a list of projects under ID/IQ which is presented monthly to the Finance Committee and reviewed in an open meeting to track the projects. Commissioner Heaton added that there is a cap on the ID/IQ contract wherein DEI must come back to the Finance Committee and the Board when the cap approaches the allowable limit. Also, the Authority will be using a firm that has extensive institutional experience in several areas.

Commissioner DeRouen offered a motion to approve an ID/IQ contract with Design Engineering, Inc. for as needed professional engineering services with a not to exceed amount of \$45,000, seconded by Commissioner Hoffman and abstained by Vice-Chairman Hassinger. The motion was adopted to wit:

MOTION: 06-082312
RESOLUTION: 06-082312
BY: COMMISSIONER DEROUEN
SECONDED BY: COMMISSIONER HOFFMAN

August 23, 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 Non-Flood Protection Asset Management Authority, the governing authority over the non-flood assets of the Orleans Levee District has a need for professional engineering services, and

WHEREAS, the Authority does not have an Engineering Department nor a Professional Engineer on staff, and

WHEREAS, the Authority has the management and control of two marinas, the New Orleans Lakefront Airport, a fifteen unit office building and 5.2 miles of Lakeshore Drive and approximately 430 acres of green space and public parks,

WHEREAS, the need for professional engineering services has arisen, and

WHEREAS, DEI, Inc. is a qualified engineering consulting firm and has the institutional knowledge, the necessary expertise and licensure to perform said services, and

WHEREAS, DEI Inc., has presented in conformance to DOTD, allowable billable rates for design services.

THEREFORE, BE IT RESOLVED, that the Authority authorize the Chairman or Executive Director to execute an agreement with DEI, Inc., for professional engineering services on an as needed basis with a not to exceed amount of \$45,000; and

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

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

Motion No. 07-082312 - Motion for approval to fill critical need positions for New Orleans Lakefront Airport and Property Maintenance

Mr. Capo will proceed to establish and fill the critical need positions at New Orleans Lakefront Airport and in the Maintenance Department in accordance with the Louisiana Department of State Civil Service Guidelines. In December, 2012, the Board put into place a hiring freeze and no personnel have been hired since the freeze went into effect. Since that time, the Authority lost five employees leaving several key positions available such as two Airport firemen, one Airport Director and one Property Maintenance position. There are six open positions that are funded in the 2012-2013 budget. Staff is requesting to fill three positions, two at the Airport and one in the Property Maintenance Department.

Chairman Lupo noted that in order to comply with the obligations of the Part 139 certification regarding manpower at Lakefront Airport, these positions are necessary to increase flights, revenues and help put the Airport in the black. The Authority also is in need of a property manager to inspect the properties, advise what repairs need to be made and report the findings to the Executive Director.

Commissioner DeRouen offered a motion to fill the critical needs positions for the New Orleans Lakefront Airport and Property Maintenance Department, seconded by Commissioner Heaton and unanimously adopted to wit:

MOTION: 07-082312
RESOLUTION: 07-082312
BY: COMMISSIONER DEROUEN
SECONDED BY: COMMISSIONER HEATON

August 23, 2012

RESOLUTION

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

WHEREAS, at the December 2010 Authority Board meeting, a hiring freeze was instituted to be waived only through demonstration of critical position needs and presented to the Finance Committee for review and recommendation, and

WHEREAS, critical need positions have been identified at the New Orleans Lakefront Airport and in the Authority’s Maintenance Department, and

WHEREAS, in the Authority’s current Operating Budget, the positions requested are noted and funded, and

WHEREAS, on August 9, 2012, the hiring request was presented and discussed at the Finance Committee and was unanimously approved and sent to the Authority’s board with a recommendation for approval, and

BE IT HEREBY RESOLVED, that the Authority’s Executive Director proceed to establish and fill the critical need positions at New Orleans Lakefront Airport and in the Maintenance Dept, in accordance with the Louisiana Department of State Civil Service guidelines, and

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

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

Motion 08-082312 - Motion for approval of La. Compliance Questionnaire

The Chairman or Executive Director shall complete and sign the Louisiana Attestation Questionnaire as part of the audit for the fiscal year ending June 30, 2012. This general questionnaire is submitted by the auditors each year and questions cover public bid law, open meetings law, budget processing, accounting and reporting, advances and bonuses to employees. All questions on the Questionnaire are answered in the affirmative.

Commissioner DeRouen offered a motion for approval of the Louisiana Compliance Questionnaire, seconded by Commissioner Hassinger and unanimously adopted to wit:

MOTION: 08-082312
RESOLUTION: 08-082312
BY: COMMISSIONER DEROUEN
SECONDED BY: COMMISSIONER HASSINGER

August 23, 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;

WHEREAS, political subdivisions and boards of the State of Louisiana are required to complete and submit the Louisiana Attestation Questionnaire (For Attestation Engagements of Governments) each year as part of the financial audit of Louisiana state and local government and quasi-public agencies;

WHEREAS, a copy of the Louisiana Attestation Questionnaire (For Attestation Engagements of Governments) is attached hereto;

WHEREAS, the completion of the Louisiana Attestation Questionnaire (For Attestation Engagements of Governments) requires the signature of an authorized officer of a state agency;

WHEREAS, after consideration of the Louisiana Attestation Questionnaire (For Attestation Engagements of Governments), the Management Authority resolved that it is in the best interest of the Management Authority and Orleans Levee District to authorize the Chairman of the Management Authority or Executive Director to sign the Louisiana Attestation Questionnaire (For Attestation Engagements of Governments) as part of the audit for the fiscal year that ended on June 30, 2012.

NOW THEREFORE, BE IT RESOLVED, that the Management Authority hereby authorizes the Chairman of the Management Authority or the Executive Director to complete and sign the Louisiana Attestation Questionnaire (For Attestation Engagements of Governments) as part of the audit for the fiscal year that ended on June 30, 2012 and any and all documents necessary to accomplish the above.

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

NEXT BOARD MEETING

The next full Board meeting of the Non-Flood Protection Asset Management Authority is scheduled for Thursday, September 20, 2012 at 5:30 p.m.

ADJOURNMENT

Commissioner DeRouen offered a motion to adjourn, seconded by Commissioner Saizan and unanimously adopted. The meeting adjourned at 7:20 p.m.