

**THE NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE FULL BOARD MEETING
THURSDAY JUNE 13, 2013 – 5:30 P.M.**

The monthly meeting of the Board of the Non-Flood Protection Asset Management Authority of the Orleans Levee District was held on Thursday June 13, 2013 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 5:42 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

PRESENT:

Chairman Robert Lupo
Secretary Greg Ernst
Commissioner Romona Baudy
Commissioner William Hoffman
Commissioner Wilma Heaton
Commissioner Michael Stack
Commissioner Stanley Brien
Commissioner Darrel Saizan
Commissioner Patrick DeRouen
Commissioner Nyka Scott

ABSENT:

Vice Chairman Joe Hassinger
Commissioner Carlton Dufrechou
Commissioner John Trask
Commissioner Pearl Cantrelle

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood
Fred Pruitt – Airport Director
Chuck Dixon – Marina Director

ALSO PRESENT:

Al Pappalardo - Real Estate Consultant
Gerard Metzger - Legal Counsel
Alton Davis – Richard C. Lambert Consulting
Wesley Mills – Design Engineering\
Walter Baudier – Design Engineering
John Holtgreve – Design Engineering
Steve Nelson – Stuart Consulting
Chris Fenner – Stuart Consulting
Tim Avegno – Eagan Insurance
Kathy Gambino – A.J. Gallagher
Brayton Matthews – Flightline First
Ray Landeche – Lakeshore Subdivision

ADOPT AGENDA

Commissioner Hoffman offered a motion to adopt the Agenda, seconded by Commissioner Brien and unanimously adopted.

APPROVE MINUTES

The minutes of the May 16, 2013 Full Board meeting and the May 22, 2013 Special Board meeting will be deferred until the July 18, 2013 Full Board meeting.

OPENING COMMENTS

Chairman Lupo noted two exciting issues relating to Lakefront Airport: the opening of Lakefront Airport's Shushan Terminal and the Proposal the Authority will be sending our representatives regarding the interest of the Commemorative Air Force in locating their headquarters and museum at Lakefront Airport. The Louisiana Economic Development Department will assist this Authority in making a presentation to Commemorative Air Force regarding relocation of their headquarters. A representative of Greater New Orleans, Inc. and a State Representative are considering potential office space in the

Terminal building. The walk-through for interested parties who may bid on the Restaurant/Catering operation at the Terminal drew approximately 20 potential bidders, many from catering, hospitality and restaurant businesses in New Orleans.

REPORT BY EXECUTIVE DIRECTOR

Mr. Capo informed the Board that the RFQ/Ps for the Restaurant/Caterer for Lakefront Airport are due back on June 21, 2013 at 2:00 p.m. Any questions received will be responded to no later than June 18, 2013. The RFP for Grass Cutting will be added to the Agenda as that is due June 19, 2013.

COMMITTEE REPORTS

Airport Committee – Airport issues will be covered under New Business

Marina Committee - Commissioner Brien reported that National Marina Day was a successful event at South Shore Harbor drawing approximately 300 people. The event could help draw future tenants to this very nice facility. Chairman Lupo noted that the project regarding replacement of the New Basin Canal slips is progressing smoothly.

Commercial Real Estate Committee - Chairman Lupo noted Brisbi's and The Blue Crab are approaching the soft openings within the next two weeks. These two restaurants are an exciting addition to that area.

Recreation/Subdivision Committee – Chairman Lupo reported that the Mardi Gras Fountain is progressing with finishings that include lighting and new nozzles. The pool currently is filled with water and holly bushes will be placed around the fountain as a deterrent to assist in keeping children from entering the fountain area. Security cameras will be installed to capture any vandalism to the fountain. Wesley Mills, Design Engineering, Inc, advised that the utility crossing and Mardi Gras Fountain will both be completed by the end of July.

Chairman Lupo advised the two Agenda item Nos. 6 and 7 requesting assistance from the Flood Authority regarding repairs to the lighting fixtures along Lakeshore Drive and gap funding be postponed until further discussions with Chairman Doody.

Legal Committee – There was no report for the Legal Committee.

Finance Committee – Chairman Hoffman stated that the Authority will end the year with positive results compared to the budget. Additional items will be covered under New Business.

NEW BUSINESS

Motion 10-061313 - **Motion to authorize the Finance Committee at a Special meeting to be set this month to select the lowest responsible bidder for grass cutting and weeding contract for the fiscal year commencing on July 1, 2013.**

Mr. Metzger advised that this motion authorizes the Finance Committee at a special meeting to select the lowest responsible bidder for the grass contract for the fiscal year commencing on July 1, 2013.

Commissioner Heaton offered a motion to add Motion 10-061313 to the Agenda authorizing the Finance Committee to select the lowest responsible bidder for the grass cutting contract for the fiscal year commencing on July 1, 2013, seconded by Commissioner Saizan and unanimously adopted by a roll call vote.

Chairman Lupo noted that the contract with the current grass cutting vendor expires on June 30, 2013. Proposals in response to the RFP are due June 19, 2013. As the next Board meeting is July 18, 2013 if the current vendor is not the lowest bidder there will be a gap before the second contract is granted. The Finance Committee will hold a special meeting on June 26, 2013 to select the lowest bidder.

Mr. Capo informed that DEI prepared the bid documents for the Authority. Once bids are received they are turned over to DEI who then reviews the bids for compliance and makes a recommendation to either accept a certain bid or to reject the bids. The bids are then acted on with Board authorization or the information is forwarded to the Board members for review.

Commissioner Heaton offered a motion authorizing the Finance Committee of the Management Authority to select the lowest responsible bidder for the landscape maintenance contract for the fiscal year commencing on July 1, 2013, seconded by Commissioner Saizan and unanimously adopted to wit:

MOTION: 10-061313
RESOLUTION: 10-061313
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER SAIZAN

June 13, 2013

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 Lakeshore Drive recreational parks and parkways, the New Orleans Lakefront Airport and Orleans and South Shore Harbor Marinas are some of the non-flood protection assets managed and controlled by the Management Authority;

WHEREAS, these non-flood protection assets require landscape maintenance;

WHEREAS, the Management Authority issued a Request for Proposal for landscape maintenance of the Lakefront parks, Marinas and Airport in May of 2013 and responses from interested bidders are due by 2:00 p.m. on June 19, 2013;

WHEREAS, the current contract for landscape maintenance expires on June 30, 2013;

WHEREAS, the next meeting of the Board at which a proposal for the maintenance contract could be selected is not until July 18, 2013;

WHEREAS, the Management Authority at its meeting held on June 13, 2013 considered a motion to delegate authority to the Finance Committee of the Management Authority to select the lowest responsible bidder for the landscape maintenance contract at a special meeting of the Finance Committee to be held on June 26, 2013; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Orleans Levee District to delegate authority to the Finance Committee to select the lowest responsible bidder for the landscape maintenance contract.

THEREFORE, BE IT HEREBY RESOLVED, the Finance Committee of the Management Authority be and is hereby authorized to select the lowest responsible bidder for the landscape maintenance contract for the fiscal year commencing on July 1, 2013; and,

BE IT FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to execute and any and all other documents necessary to accomplish the above.

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 01-061313 - Motion to renew Workers Comp, Airport Owner/Operator Liability, Public Official, General Liability, Marina Liability, Property (Wind and Fire) and Flood Insurance Policies

Mr. Capo advised that the estimated total annual premium is \$695,988.30 for property, wind, hail and fire insurance coverage. The Marina Liability Coverage is \$32,560.60, Airport Owners and Operators Coverage is \$25,160.00, Worker's Compensation Coverage is \$29,105.00 and Public Entity Liability Coverage is \$19,019.00.

Commissioner Hoffman offered a motion to renew the Workers Comp, Airport Owner/Operator Liability, Public Official, General Liability, Marina Liability, Property (Wind and Fire) and Flood Insurance Policies, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 01-061313
RESOLUTION: 01-061313
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSIONER ERNST

June 13, 2013

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 following insurance coverages will be expiring on or about July 1, 2013:

1. Wind/Hail/Fire property insurance
2. Marina Liability
3. Airport Owners & Operators
4. Workers Comp
5. Public Entity Liability

WHEREAS, Eagan Insurance Agency, Morrison Insurance Agency and Arthur J. Gallagher Risk Management Services, Inc. have shopped the market for these coverages, and have obtained the following quotes;

WHEREAS, Eagan Insurance Agency shopped the market for said coverage, and obtained a quote for \$20 million of coverage for Named Storms and Full Coverage for all other covered perils (\$97,404,133 from Amrisc, and comprised of the following: (Lloyds, QBE & Steadfast) for an estimated premium of \$658,846, plus \$37,142.30 for Surplus Line Tax and Fees, for a total annual estimated cost of \$695,988.30;

WHEREAS, said coverage contains a \$250,000.00 minimum per occurrence deductible or a five percent (5%) deductible for each building value for a Named Storm, wind, hail and cyclone and other conditions as defined in the policy, and a \$100,000 per occurrence deductible for Non-Named Storm Wind & Hail and a \$25,000 deductible for all other perils (excluding Flood & Earthquakes) and other conditions as defined in the policy;

WHEREAS, the Marina Operators Legal Liability Insurance Coverage for the Orleans Marina and South Shore Harbor Marina is effective on July 1, 2013;

WHEREAS, a quotation was received to acquire said coverage from Scottsdale Insurance Company through Eagan Insurance Company for an annual estimated premium of \$32,562.60 with coverage limits of \$1 million per occurrence, \$2 million aggregate and a deductible of \$2,500 per occurrence for the policy period of July 1, 2013 through July 1, 2014;

WHEREAS, Arthur J. Gallagher Risk Management Services Inc. shopped the market for said coverage, and obtained a quote from Ace Property & Casualty Insurance Company, with an AM Best’s rating of A+; the estimated annual premium is \$25,160 with coverage limits of \$100 million aggregate and \$50 million personal injury for a total estimated annual premium of \$25,160, excluding TRIA coverage, for the period of July 1, 2013 through July 1, 2014;

WHEREAS, LWCC, the incumbent provider, has offered through Morrison Insurance Agency, for the period of one year commencing on July 1, 2013, at a proposed total estimated annual premium of \$29,105 and the annual estimated premium is subject to policy term payroll audit;

WHEREAS, the Public Officials Liability (POL) and Employment Practices Liability Insurance Coverage (EPLI) for the Management Authority will expire on June 30, 2013;

WHEREAS, a quotation was received to acquire said coverage from Darwin National Assurance Company through Arthur J. Gallagher Risk Management Services, Inc. at an annual estimated premium of \$19,019.70, for \$3 million in coverage with \$10,000 deductible for POL and \$25,000 for EPLI claims: and,

WHEREAS, the properties and functions to be insured are under the jurisdiction of the Management Authority.

THEREFORE, BE IT HEREBY RESOLVED that the Non-Flood Protection Asset Management Authority authorizes the procurement of property (wind/hail/fire) insurance coverage for an estimated total annual premium of \$695,988.30, Marina Liability Coverage with an estimated annual premium of \$32,560.60, Airport Owners and Operators coverage for an estimated total annual premium of \$25,160.00, Workers Comp Coverage for an estimated total annual premium of \$29,105 and Public Entity Liability coverage for an estimated total annual premium of \$19,019. July 1, 2012.

BE IT FURTHER HEREBY 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.

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 02-061313 - Motion to select the appropriate flood insurance coverage for the Bastian-Mitchell and James Wedell Hangars at New Orleans Lakefront Airport

Mr. Capo advised that the Management Authority will self-insure the Bastian-Mitchell and James Wedell Hangar for flood damage during the fiscal year commencing on July 1, 2013.

Commissioner Hoffman advised that the annual premium for \$500,000 worth of coverage is \$125,000. To receive a \$50,000 deductible, a \$60,000 premium is required. The recommendation is that the Authority self-insure and begin putting money aside that will be built up over five years so the Authority has the monies set aside to cover any loss should an event occur. From a financial standpoint it is hard to pay \$125,000 premium each year for flood insurance coverage.

Chairman Lupo noted that this covered flood insurance only as the Authority has insurance for fire, tornado, wind and storm. The new buildings have blow out walls and the electrical and mechanical are at a higher level due to FEMA regulations. The Bastian-Mitchell Hangar is in a V-Zone outside of flood protection so the premiums are extraordinary. Other buildings at the Airport are grandfathered and average between \$10,343 to \$15,740 for \$500,000 in coverage.

Mr. Pappalardo advised that the Authority assumes the responsibility for any damage, but at the same time it is prudent for the Authority to self-insure. The Authority is obligated to repair the building in lieu of an insurance company and the tenant is obligated to self-insure contents in the building because contents insurance is also \$125,000 for the first \$500,000. The lease will be written slightly different than other leases on the Airport as the Authority will obligate itself to repair any flood damage or cancel the lease.

Chairman Lupo advised that the Authority will accept the building on July 30, 2013 and the builder's risk insurance ceases. Mr. Avegno advised of a meeting scheduled with a flood expert to try and lower the premium as far as 50% based on what is being constructed given to us by Stuart Consulting. There is the option to possibly lower that with a physical inspection. There is also a 30-day waiting period once it is approved. Chairman Lupo requested Mr. Avegno proceed with a physical inspection.

Commissioner Hoffman noted that when the quote comes in, if it is a lower deductible the issue can be revisited. There is the stipulation that the Authority will have a 30 day waiting period before insurance kicks in if the lower premium is chosen. Mr. Pappalardo added that if it becomes feasible to purchase flood insurance the Authority will purchase

the insurance and pass the cost on to the tenant and that will be the way the lease reads. Until the rates come down the Authority should hold off on the option to purchase insurance and correct the lease and RFP in such a way that if it becomes commercially feasible for the Authority to purchase insurance then it becomes a pass through item. There is no Board meeting until after the proposal to the Commemorative Air Force and this would apply to new buildings built for them or built by them. It would be prudent for the Authority to place a disclaimer in the proposal that the Airport is outside of flood protection and flood insurance may not be commercially feasible. The building should be constructed to include all techniques to minimize the cost of a loss on the ground floor. Chairman Lupo advised that the motion is to self insure at this point and have the option to purchase insurance at a later date on the Bastian-Mitchell Hangar.

Commissioner Hoffman offered a motion to self- insure the Bastian-Mitchell and James Wedell Hangars for flood damage, seconded by Commissioner Saizan and unanimously adopted to wit:

MOTION: 02-061313
RESOLUTION: 02-061313
BY: COMMISSIONER HOFFMAN
SECONDED: COMMISSIONER SAIZAN

June 13, 2013

RESOLUTION

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

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

WHEREAS, in August of 2005 Hurricane Katrina made landfall on the Gulf Coast and tidal surges in Lake Pontchartrain from the Hurricane caused major damages at the New Orleans Lakefront Airport (the "Airport"), including the destruction of the Bastian-Mitchell Hangar and James Wedell Hangar (the "Hangars") at the Airport;

WHEREAS, FEMA provided funding for the reconstruction of the Hangars and the Management Authority advertised for bids in accordance with the provisions of the Louisiana Public Bid Law for the reconstruction of the Hangars;

WHEREAS, the project for the reconstruction of the Bastian-Mitchell Hangar has reached substantial completion and a certificate of occupancy has been issued by the State Fire Marshal, and the reconstruction of the James Wedell Hangar will be completed within the next several months;

WHEREAS, the Finance Committee of the Management Authority at its meeting held on June 6, 2013 discussed three options for flood insurance for the Hangars;

WHEREAS, the available flood insurance under the National Flood Insurance Program is \$500,000.00 of coverage and the Management Authority's insurance agent reported that the annual premium for flood insurance coverage of the Bastian-Mitchell Hangar would be \$125,099.00 with a \$1,000.00 deductible or \$59,474.00 with a deductible of \$50,000.00;

WHEREAS, the Finance Committee also discussed self-insuring the Bastian-Mitchell and James Wedell Hangars for flood damage by assuming the cost of the first \$500,000.00 of flood damage to the Hangars;

WHEREAS, the Finance Committee after considering these options, recommended that this matter be placed on the agenda for the next meeting of the Management Authority; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Orleans Levee District that the Management Authority self- insure the Bastian-Mitchell and James Wedell Hangars for flood damage.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority shall self-insure the Bastian-Mitchell and James Wedell Hangars for flood damage during the fiscal year commencing on July 1, 2013;

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

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 03-061313 - Motion to amend the FBO leases to revise the leasehold descriptions to reflect the new markings depicting the non-movement area on the Airport

Mr. Pruitt advised that a public meeting on October 9, 2012 addressed the non-movement line. In attendance were the FAA Safety Team and the State's Aviation Department. The Engineering Department explained the non-movement line and other safety changes going into effect. One side of the non-movement line is not controlled by the Tower, but once the line is crossed it is controlled by the Tower. Prior to the non-movement line there was no positive line of demarcation. The Tower is one mile away and could not see which led to multiple pilot deviations and the need to free hot spots along Foxtrot. This non-movement line now allows Taxiway Foxtrot to accommodate the same size aircraft for all FBOs. Otherwise, the larger corporate expresses would not have wing clearance to enter the other two FBOs. There was a second public meeting on January 24, 2013 prior to the Super Bowl to advise the public of the non-movement line and safety changes for the Super Bowl. Chairman Lupo added that this was part of the general repainting and remarking recommended for the safety of Lakefront Airport.

Commissioner Saizan offered a motion to amend the FBO leases to revise the leasehold descriptions to reflect the new markings depicting the non-movement area on the Airport, seconded by Commissioner DeRouen and unanimously adopted to wit:

MOTION: 03-061313
RESOLUTION: 03-061313
BY: COMMISSIONER SAIZAN
SECONDED: COMMISSIONER DEROUEN

June 13, 2013

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 protection assets of the District under the management and control of the Management Authority;

WHEREAS, pursuant to the directives contained in FAA Advisory Circular 150/5340-1K, new non-movement area boundary markings were delineated off of taxiway Foxtrot at the Airport;

WHEREAS, the new non-movement area boundary markings have caused a reduction in the apron space leased to Hawthorne New Orleans, L.L.C., Encore FBO, L.L.C. d/b/a Landmark Aviation and Flightline Ground, Inc. (the "FBOs");

WHEREAS, as a result of the reduction in leased apron space of the FBOs, it is necessary to amend the leases with the FBOs to account for the reduction in apron space which will adjust the rent owed by the FBOs retroactive to December 15, 2012, which was the commencement date of the effective reduction of the apron space;

WHEREAS, each FBO lease at the Airport contains a provision stating that the lease shall be subordinate to the provisions of any existing or future agreement between lessor and the United States, relative to the operation of maintenance at the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the Airport; and, as a result of the aforesaid lease provision, the FBO leases are subordinate to the directives contained in FAA Advisory Circular 150/5340-1K;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on June 4, 2013 considered a proposal to amend the FBOs' leases to revise the leasehold descriptions to reflect the new markings depicting the non-movement area on the Airport, and recognizing that it would be in the best interest of the Airport, unanimously adopted a motion recommending that the Management Authority approve a resolution authorizing the amendment of the FBOs' leases to reflect the new markings depicting the non-movement area on the Airport; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Orleans Levee District and the Airport to approve a resolution to amend the FBOs' leases to revise the leasehold descriptions to reflect the new markings depicting the non-movement area on the Airport.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves and authorizes amendments of the leases with the FBOs at the New Orleans Lakefront Airport to reflect the new markings depicting the non-movement area on the Airport pursuant to the directives contained in the FAA Advisory Circular 150/5430-1K.

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

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 04-061313 - Motion to approve an ID/IQ contract with Stuart Consulting Group, Inc. for Professional Engineering Services

Mr. Capo reported that this ID/IQ contract is for Professional Engineering Services with Stuart Consulting Group for July 1, 2013 through June 30, 2014 on an as needed basis with a not to exceed contract sum of \$100,000. Stuart Consulting Group will provide not to exceed amounts for task orders which will be approved prior to proceeding with an assignment. This contract is reviewed monthly by the Finance Committee to determine what projects are underway. Additional work will be required on the infrastructure at Lakefront Airport due to sinkholes, drainage issues and several drains that are failing.

Commissioner Hoffman offered a motion to approve an ID/IQ contract with Stuart Consulting Group, Inc. for Professional Engineering Services, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 04-061313
RESOLUTION: 04-061313
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSIONER ERNST

June 13, 2013

RESOLUTION

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

WHEREAS, the Management Authority and Stuart Consulting Group, Inc. ("Consultant") entered into an Agreement on the 20th day of November, 2012 to provide ID/IQ services for Hurricane Katrina damage projects not eligible for FEMA reimbursement (the "Agreement");

WHEREAS, the Agreement will expire on June 30, 2013;

WHEREAS, the Management Authority desires to continue to utilize the ID/IQ services provided by the Consultant;

WHEREAS, the Consultant is a qualified engineering consulting firm and has the necessary expertise and licensure to perform said services;

WHEREAS, the Consultant has presented billable rates in conformance with LADOTD allowable billable rates for design services, as detailed on the attached "Exhibit A"; and,

WHEREAS, the request for the continuation of the Consultant's engineering services was discussed at the Finance Committee Meeting on June 6, 2013, and the Finance Committee voted unanimously to recommend that the Management Authority approve a contract with the Consultant for the period of July 1, 2013 to June 30, 2014, under the same terms and conditions of the Agreement that expires on June 30, 2013, with a not to exceed contract sum of \$100,000 and Consultant will provide not to exceed amounts for specific assignments (task orders) for the review and approval of the Management Authority Chairman or Executive Director before proceeding with any assignment.

THEREFORE BE IT HEREBY RESOLVED, that the Management Authority approves a contract with Stuart Consulting Group, Inc. for the period of July 1, 2013 to June 30, 2014 for services under an ID/IQ contract on an as needed basis with a not to exceed contract sum of \$100,000.

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

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 05-061313 - Motion to approve an ID/IQ contract with Design Engineering, Inc. for Professional Engineering Services

This ID/IQ contract is for professional engineering services with Design Engineering, Inc. (DEI) on an as need basis with a not to exceed amount of \$100,000. DEI will provide not to exceed amounts for task orders which will be approved prior to proceeding with the project. The most notable contract that went out was the grass cutting RFP which saved the Authority approximately \$170,000 over the last year. With the ground breaking for the permanent pump station closure there will be activity with heavy equipment hauling materials on Lakeshore Drive. DEI will assist the Authority in assessing requests from companies regarding crane set ups on Lakeshore Drive and loading barges from Lake Pontchartrain into the two canals. With those upcoming projects on Lakeshore Drive, the costs should be passed on to the contractor. A survey of Lakeshore Drive's current condition should be prepared because excavation will be 50 feet in a 200 x 300 foot area which is a lot of dirt that will be moved along Lakeshore Drive. This will cause heavy wear and tear over the next three years on Lakeshore Drive and the assessment will help determine who will be responsible for damage to Lakeshore Drive.

Commissioner Hoffman offered a motion to approve an ID/IQ contract with Design Engineering, Inc. for Professional Engineering Services, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 05-061313
RESOLUTION: 05-061313
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSIONER ERNST

June 13, 2013

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 has a need for professional engineering services;

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

WHEREAS, the Management 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 315 acres of green space and public parks;

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

WHEREAS, Design Engineering, Inc., has presented billable rates in conformance with DOTD allowable billable rates for professional engineering services,;

WHEREAS, the Finance Committee at its meeting on June 6, 2013 voted unanimously to recommend that the Management Authority approve a contract with Design Engineering, Inc. for the period of July 1, 2013 to June 30, 2014, with a not to exceed contract sum of \$100,000; and,

WHEREAS, the Management Authority resolves that it is in the best interest of the Orleans Levee District to approve a professional services contract with Design Engineering, Inc. under the terms and conditions set forth in this Resolution.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a contract with Design Engineering, Inc., for the period of July 1, 2013 to June 30, 2014, for professional engineering services on an as-needed basis with a not to exceed amount of \$100,000, and Design Engineering, Inc. will provide not to exceed amounts for specific assignments (task orders) for the review and approval of the Management Authority Chairman or Executive Director before proceeding with any assignment; and,

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

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 06-061313 - Motion to adopt a resolution requesting the Southeast Louisiana Flood Protection Authority – East address any shortfall in revenue between July 1, 2013 and the receipt of the tax millage in early 2016 by the Non-Flood Protection Asset Management Authority

Chairman Lupo briefed Board members on Motion Nos. 6 and 7 and requested legal counsel note the appropriate procedure for the motions to be postponed.

Mr. Metzger advised that a motion to postpone discussion would be required. Chairman Lupo offered a motion to postpone discussion on Motion No. 6 for the reasons previously set forth in the minutes, seconded by Commissioner Ernst and unanimously adopted.

Motion No. 07-061313 - Motion to adopt a resolution requesting assistance and support from the Southeast Louisiana Flood Protection Authority – East in assessing the condition of the lights along Lakeshore Drive, through inspection and testing, in order to reenergize the lights that have been idle since late 2005

Chairman Lupo offered a motion to postpone discussion on Motion No. 6 for the reasons previously set forth in the minutes, seconded by Commissioner Ernst and unanimously adopted. Commissioner Heaton suggested forwarding documentation so Board members are on the same page when the items are presented.

Motion No. 08-061313 - Motion to approve a Professional Legal Service Contract with Gerard G. Metzger (APLC) commencing on July 1, 2013

The professional legal services contract is under the terms and conditions set forth in the contract and subject to the approval by the Attorney General for the State of Louisiana as required under Louisiana law. This is the annual renewal of Mr. Metzger's contract which has a not to exceed limit of \$237,500. Mr. Metzger informed that the rates are \$150 for litigation services and \$120 for non-litigation, the same rates since the Management Authority was created. The rates are lower than the Attorney General's approved rates.

Commissioner Stack offered an amendment to the Legal Service Contract to include that the contract was for the fiscal year 2013-2014 with a not to exceed contract amount of \$237,500, seconded by Commissioner Heaton and unanimously adopted.

Commissioner Hoffman offered a motion to approve a Professional Legal Service Contract, as amended, with Gerard G. Metzger (APLC) commencing on July 1, 2013, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 08-061616
RESOLUTION: 06-061313
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSIONER ERNST

June 13, 2013

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, effective the 1st day of July, 2012, the Management Authority entered into a written Professional Legal Services Contract with Gerard G. Metzger, A Professional Law Corporation ("Counsel"), which contract was subsequently approved by the Office of the Attorney General of the State of Louisiana as required under Louisiana law;

WHEREAS, the Contract was for a term of one (1) year commencing on July 1, 2012 and expiring on June 30, 2013;

WHEREAS, the Finance Committee of the Management Authority at its meeting held on June 6, 2013 considered a new contract with Counsel and unanimously agreed to recommend to the Management Authority a new contract for a term of one (1) year, commencing on July 1, 2013 and expiring on June 30, 2014, with a maximum contract amount of \$237,500.00, and in accordance with the other terms and conditions set forth in the Professional Legal Services Contract, including the hourly rates for professional services and reimbursement of costs, a copy of which is attached to this Resolution (the "Contract"); and,

WHEREAS, after consideration of the Professional Legal Services Contract with Counsel, the Management Authority considered it to be in the best interest of the Management Authority and District to approve the Professional Legal Services Contract with Gerard G. Metzger, A Professional Law Corporation, under the terms and conditions set forth in the attached Contract.

BE IT RESOLVED, that the Management Authority approves the Professional Legal Services Contract with Gerard G. Metzger, A Professional Law Corporation, under the terms and conditions set forth in the attached Professional Legal Services Contract, subject to the approval of the Contract by the Attorney General of the State of Louisiana as required under Louisiana law.

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

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Mr. Metzger thanked the Board and noted for the record that it has always been an honor to represent the Authority.

Motion No. 09-061313 - Motion to approve and authorize the issuance of a Request for Proposals for a tenant for the Bastian-Mitchell Hanger at the New Orleans Lakefront Airport

Commissioner Saizan noted that this RFP should be advertised as quickly as it should have gone out several months ago. The RFP should be advertised subject to what Mr. Pappalardo recommends for the leasing requirements. Chairman Lupo advised that advertising RFPs prior to the structure being completed limits interested parties from visualizing the potential of the structure.

When the structure is complete the parties are able see the structure in the finished state and responses will be much greater than that of a construction site.

Mr. Pappalardo advised that a draft RFP has been prepared, but several issues are undecided such as advertising the RFP. The members and Chairman of the Airport Committee will assist in resolving these issues.

Commissioner Heaton suggested the RFP be advertised so it gets as much exposure as possible in the marketplace because we are looking at major tenants. The Notice of RFP should be included in major publications with a link that provides the RFP documentation in order to keep advertising costs at a minimum. Mr. Pappalardo advised that a slightly different disclaimer will be included in the RFP. The actual lease document provisions must be prepared to include a termination provision if the Authority cannot repair the facility in a timely manner then either party has the right to terminate the lease with no recourse. Tours of the Hangar will be by appointment only.

With approval of this motion an RFP will be prepared and approved by the Airport Committee and authorized for advertisement to the general public. The Airport Committee will have the authority of the full Board.

Commissioner Saizan offered a motion to approve and authorize the issuance of a Request for Proposals for a tenant for the Bastian-Mitchell Hanger at the New Orleans Lakefront Airport, seconded by Commissioner Heaton and unanimously adopted to wit:

MOTION: 09-061313
RESOLUTION: 07-061313
BY: COMMISSIONER SAIZAN
SECONDED: COMMISSIONER HEATON

June 13, 2013

RESOLUTION

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

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

WHEREAS, the Management Authority advertised for bids in accordance with the provisions of the Louisiana Public Bid Law for the reconstruction of the Bastian-Mitchell Hangar at the Airport (the “Hangar”) and the contract for the work was awarded to Walton Construction – a Core Company, L.L.C.;

WHEREAS, the project for the reconstruction of the Bastian-Mitchell Hangar has reached substantial completion and a certificate of occupancy has been issued by the State Fire Marshal;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on June 4, 22013 considered a proposal to issue a Request for Proposals for a lease of the Hangar;

WHEREAS, the staff and the Management Authority’s Real Estate Consultant advised the Airport Committee that it will not be able to complete the preparation of a Request for Proposals for approval by the Management Authority before its next scheduled meeting on June 13, 2013;

WHEREAS, the Airport Committee recognized that it would be in the best interest of the District, in view of the operational expenses of the Hangar which will have to be paid by the District until the Hangar is leased, not to delay the issuance of the Request for Proposals, and unanimously adopted a motion recommending that the Management Authority at its June meeting authorize the Airport Committee to approve the terms and conditions of and issue a Request for Proposals for the lease of the Bastian-Mitchell Hangar at its next scheduled monthly meeting on July 9, 2013; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Orleans Levee District and the Airport to approve a resolution for the issuance of the Request for Proposals for the lease of the Bastian-Mitchell Hangar and delegate the authority to the Airport Committee to approve the terms and conditions and issue the Request for Proposals.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the issuance of a Request for Proposals for the lease of the Bastian-Mitchell Hangar at the New Orleans Lakefront Airport;

BE IT FURTHER RESOLVED, that the Airport Committee of the Management Authority be and is hereby authorized to approve the terms and conditions and issue the Request for Proposals for the lease of the Bastian-Mitchell Hangar; and,

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

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 10-061313 - Motion to approve the Times Picayune Newspaper as the Official Journal of the Non-Flood Protection Asset Management Authority for a term of one year as required under Louisiana Revised Statutes Title 43, Section 171

Mr. Metzger advised that the Statute was amended regarding the requirement of a daily publication. The Statute states that the journal be published and the principal office is required to be located within the parish where the political subdivision is domiciled. The official journal must also not have missed three consecutive issues during a period of five years unless by fire, flood, strike or natural disaster. The Advocate does not satisfy the criteria as its principal office is in Baton Rouge. Commissioner DeRouen advised that he would enter a vote of no regardless if it was the Times Picayune, the Advocate or Gambit being the Authority's official journal.

Commissioner Saizan offered a motion to approve the Times Picayune Newspaper as the Official Journal of the Non-Flood Protection Asset Management Authority for a term of one year as required under Louisiana Revised Statutes Title 43, Section 171, seconded by Commissioner Hoffman and voted against by Commissioner DeRouen to wit:

MOTION: 10-061313
RESOLUTION: 08-061313
BY: COMMISSIONER HOFFMAN
SECONDED: COMMISSIONER SAIZAN

June 13, 2013

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, Louisiana Revised Statutes Title 43 Section 171 provides that levee districts and other political subdivisions shall have the proceedings of their board and such financial statements required by and furnished to the Louisiana Legislative Auditor published in a newspaper, which shall be selected at the meeting in June of each year for a term of one year;

WHEREAS, the Management Authority as a political subdivision is required to comply with the provisions of Louisiana Revised Statutes Title 43 Section 171 regarding publication of its proceedings and financial statements and is required to select an official journal for said publications;

WHEREAS, Louisiana Revised Statutes Title 43 Section 171 further provides that the newspaper shall meet certain criteria relative to location and publication;

WHEREAS, the Times Picayune is a newspaper in the Parish of Orleans that meets the

forementioned statutory criteria for publishing the proceedings of the Management Authority; and,

WHEREAS, the Management Authority after considering this matter resolved that it would be in the best interest of the Management Authority to select the Times Picayune as the Official Journal for the Management Authority.

THEREFORE, BE IT HEREBY RESOLVED, that the Times Picayune be and is hereby selected as the Official Journal for publications for the Non-Flood Protection Asset Management Authority effective June 1, 2013, as required under Louisiana Revised Statutes Title 43 Section 171;

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.

AYES: LUPO, ERNST, BAUDY, HOFFMAN, HEATON, STACK, BRIEN, SAIZAN, SCOTT

NAYS: DEROUEN

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

Motion No. 11-061313 - Motion for approval to accept the Agreement with LA-DOTD for the Sealcoat & Striping and Terminal Apron Rehabilitation – Phase II at the New Orleans Lakefront Airport for the sum of \$8,947.00

Mr. Pruitt advised that this is the State's 10% matching grant for Phase II that was not covered under last year's Grant for marking and safety changes. Changes were over and above the original contract which required those costs to be covered in a secondary Grant. The Federal Grant has been issued and the State Grant was just received and put on the Agenda to be moved forward. The project started prior to the Super Bowl and mushroomed due to pilot deviations.

Commissioner Saizan offered a motion to accept the Agreement with LA-DOTD for the Sealcoat & Striping and Terminal Apron Rehabilitation – Phase II at the New Orleans Lakefront Airport for the sum of \$8,947.00, seconded by Commissioner Heaton and unanimously adopted to wit:

MOTION: 11-061313

RESOLUTION: 09-061313

BY: COMMISSIONER SAIZAN

SECONDED: COMMISSIONER HEATON

June 13, 2013

RESOLUTION

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

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

WHEREAS, the following resolution was offered by Commissioner Saizan and seconded by Commissioner Heaton.

RESOLUTION

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

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

WHEREAS, the Non-Flood Protection Asset Management Authority has requested funding assistance from the LA DOTD to/for Sealcoat & Striping and Terminal Apron Rehabilitation – Phase II;

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

WHEREAS, the LA-DOTD will provide the necessary funding for the Sealcoat & Striping and Terminal Apron Rehabilitation – Phase II and reimburse the sponsor up to \$8,947.00 of project cost.

NOW THEREFORE, BE IT RESOLVED by the Management Authority that it does hereby authorizes the Chairman or Executive Director to execute an Agreement for the project identified as AIP No. 3-22-0038-024-2013 and SPN H.010231, more fully identified in the Agreement attached hereto.

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

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

WHEREUPON, the resolution was declared adopted on the 13th day of June, 2013.

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

NAYS:

ABSENT: HASSINGER, DUFRECHOU, TRASK, CANTRELLE

RESOLUTION ADOPTED: YES

NEXT BOARD MEETING

The next full Board meeting of the Non-Flood Protection Asset Management Authority is scheduled for Thursday, July 18, 2013 at 5:30 p.m.

ADJOURNMENT

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

The meeting adjourned at 7:18 p.m.