

THE NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE FULL BOARD MEETING
THURSDAY AUGUST 21, 2014 – 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 August 21, 2014 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 Scott called the meeting to order at 5:35 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

PRESENT:

Chairman Nyka Scott
Vice Chairman Ernst
Secretary Romona Baudy
Commissioner Wilma Heaton
Commissioner Carlton Dufrechou
Commissioner Patrick DeRouen
Commissioner Pearl Cantrelle
Commissioner Michael Stack
Commissioner Stan Brien
Commissioner Darrel Saizan
Commissioner Eugene Green
Commissioner Thomas Fierke

STAFF:

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

ALSO PRESENT:

Gerard Metzger - Legal Counsel
Al Pappalardo – Real Estate Consultant
Walter Baudier – Design Engineering, Inc.
John Holtgreve – Design Engineering, Inc.
Jim Martin – Design Engineering, Inc.
Alton Davis – Richard C. Lambert
Susan Marron – Carl David Consulting
Robert Bordes – Tidewater, Inc.
Leon Dupclay – Clay Construction Group
Steve Watson – WWII Museum
Brayton Matthews – Flightline First

OPENING COMMENTS

Chairman Scott welcomed the newest Board member, Thomas Fierke. Welcome and thank you for serving.

ADOPT AGENDA

Commissioner Ernst offered a motion to adopt the Agenda, seconded by Commissioner DeRouen and unanimously adopted.

APPROVE MINUTES

Commissioner Ernst offered a motion to approve the minutes of the June 19, 2014 Board meeting and the August 1, 2013 and August 7, 2014 Nominating Committee meeting minutes, seconded by Commissioner Dufrechou and unanimously approved.

Chairman Scott addressed the July 24, 2014 Board meeting minutes and noted that Commissioner Cantrelle had commented on the summarized minutes. Commissioner DeRouen offered a motion to table approval of the July 24, 2014 minutes until Commissioner Cantrelle's arrival, seconded by Commissioner Stack and unanimously adopted.

Upon Commissioner Cantrelle's arrival the July 24, 2014 Board meeting minutes were addressed. Commissioner Cantrelle advised that upon review of these particular minutes it was noted that important issues were omitted from the summarized version of the minutes, which raised this discussion.

Commissioner Heaton advised that the Board adopts the abbreviated version of the verbatim minutes. The verbatim minutes become a public document as those minutes were prepared by staff. The official record is the abbreviated minutes, which are approved by the Board. There will be an increased cost to the Authority for publication of the verbatim minutes. A good policy going forward would be to circulate the verbatim minutes as to what has occurred along with the summarized version which would be approved to minimize publication costs.

Commissioner Cantrelle suggested Mr. Metzger review the verbatim minutes to determine what should be included in the summary. From a legal standpoint Mr. Metzger would be able to determine what should be included. Commissioner Stack noted that there are tape-recorded minutes of each meeting. If there are questions regarding the minutes, the tapes can be reviewed. Chairman Scott suggested that since the tapes are stored there is an actual record of what was said, which would satisfy the law. Tapes are kept for three years under the public records act.

Mr. Metzger advised that the critical information to be noted in the public record is the affirmative action taken by the Board on a vote. The discussion is important, but the action taken by the Board must be included in the minutes. Commissioner Heaton advised that the minutes could be legally satisfied by advising that the Non-Flood Protection Asset Management Authority met, provide the date, what motions were made and the outcome of each motion. There would be no context of why someone voted a certain way. There should be a middle ground to give transparency to the record regarding votes that were taken, presentations and discussions that explain facts as to why the vote was taken. If that is left out the public does not get the whole picture.

Commissioner DeRouen noted that the current process is working and a summary of the minutes is appropriate. Legal counsel and the Executive Director should review the minutes for accuracy and content. Also, it is every Commissioner's responsibility to review the proposed summary, advise if something is omitted and request the omission be added into the summary. Verbatim minutes are not necessary. Chairman Scott agreed and advised that if the tapes are retained they can be checked for accuracy. The minutes should be forwarded several days in advance so the Board has an opportunity to review the minutes.

Commissioner Heaton addressed the Nominating Committee minutes of August 1, 2013 and August 7, 2014 and advised that the Nominating Committee meets only one time per year and the members change from year to year. The Committee opted to have Ms. Martiny prepare the August 7, 2014 Nominating Committee minutes and get the minutes adopted at the first full Board meeting instead of waiting an entire year to adopt the minutes. Any special committee that does not meet on a regular basis will have those minutes adopted by the full Board at the next Board meeting. Commissioners who participated in those meetings are attesting to the Board that they were present at the meeting and what occurred at the meeting. There were no issues with the Nominating Committee minutes, but it seemed appropriate that the Board pass those minutes to keep the record clear and current.

REPORT BY EXECUTIVE DIRECTOR

Mr. Capo addressed the insurance budget and reported that the Authority budgeted \$1,389,000 for all insurances including flood and public officials insurance. To date \$807,190 has been paid inclusive of commissions in the amount of \$34,000. The Authority selected Eagan as the Insurance Agent of Record through an RFQ process and set the fee as not to exceed \$100,000. Commissioner DeRouen advised the Board that the Authority will have a savings of approximately \$500,000 in insurance costs. Approximately \$1.4 million was budgeted and the Authority has paid approximately \$800,000 to date. An additional \$100,000 is anticipated between unpaid expected premiums and commissions.

PRESENTATION

Stephen Watson – WWII Museum

Report regarding the changed location and final plans regarding the October Air Show at Lakefront Airport

Mr. Watson acknowledged Fred Pruitt and Louis Capo for their assistance and support in preparing for the air show. Brent Russell at Hawthorne has been extremely accommodating regarding the layout plan. It was a great experience to work with Messina's who will handle concessions and catering two events in the Terminal during the weekend of the event. I wanted the Board to know that it has been a great experience working with the team.

This is a partnership with the Commemorative Air Force to bring aircraft to Lakefront Airport for an event scheduled October 24 through October 26, 2014. The air show will be open to the public October 24 through October 26. There will be aircraft and eight vehicles from the WWII Museum collection on display along with an education staff, victory bells and WWII veteran representative aviators of all aircraft on display. Former Commissioner Lupo has underwritten student participation on Friday and admission will be free. The education department will put together a special STEM (science, technology, engineering, math) presentation based on the principles of aviation, which will be something the schools can get involved in on Friday.

The first year the air show will be a modest event with the vision to grow the partnership with the Commemorative Air Force. The model event is Wings Over Houston, a very well established air show that attracts approximately 100,000 people over that weekend. There will be one flying element of the show in which a group of T-6 owners fly in very basic formations. The first air show event will be the Sponsor Media VIP Event on Thursday night. The Wedell Hangar will be used as a hospitality area for the veterans and VIPs. A 17-piece big band will perform in the Terminal on Saturday night. Steve Perry and Mark Romig have provided seed funding for the first year as title sponsors of the event. WDSU will be our media partner which is important in drawing attention to the event. Our goal is 6,000-10,000 in attendance. The show will be a great event for the community. There will be protective barriers and a security plan which includes NOPD officers at all times, the WWII Museum security staff and private security to ensure a safe environment.

COMMITTEE REPORTS

Airport Committee – Commissioner Heaton reported that the Terminal Building is over 50% leased. Messina's Restaurant and the Café have officially opened seven days per week from 8 a.m. until 3 p.m. There has been misinformation regarding the Airport Master Plan, which was commissioned in 2008. The FAA requires that a Resolution be passed by this Board with the Airport Layout Plan and Board approval of the Master Plan. The Master Plan is a living document that can be changed in the future.

Marina Committee – Commissioner Dufrechou reported that Mr. Dixon submitted the Boating Infrastructure Grant for renovations to the restrooms and a laundry facility at South Shore Harbor Marina. The RFP for the Bally's Terminal Building at South Shore Harbor has a deadline of October 31, 2014. The electrical inspection of the South Shore Harbor boat slips is 25% complete.

Commercial Real Estate Committee –Cancelled.

Legal Committee –Cancelled.

Finance Committee – Commissioner Stack reported a \$400,000 savings in the insurance budget.

NEW BUSINESS

Motion 01-082114 – Election of Chairman, Vice-Chairman and Secretary of the Non-Flood Protection Asset Management Authority for a one year term from September 1, 2014 through September 1, 2015

Mr. Capo advised that at the August 7, 2014 Nominating Committee meeting, members made the following recommendation for officers for the Management Authority effective September 1, 2014: Nyka Scott – Chairman, Greg Ernst - Vice-Chairman, Romona Baudy – Secretary.

Commissioner Heaton offered a motion to select Nyka Scott – Chairman, Greg Ernst - Vice-Chairman and Romona Baudy as Secretary of the Management Authority, seconded by Commissioner Saizan and unanimously adopted to wit:

MOTION: 01-082114
RESOLUTION: 01-082114
BY: COMMISSIONER HEATON
SECONDED BY: COMMISSIONER SAIZAN

August 21, 2014

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, as provided under Article IV, Section 1 of the By-Laws of the Management Authority, officers of the Management Authority are elected each year at the regularly scheduled August Management Authority Meeting;

WHEREAS, members of the Management Authority were requested to submit nominations for the offices of Chairman, Vice-Chairman and Secretary to the Nominating Committee on or before Thursday, August 7, 2014;

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 in August, 2014;

WHEREAS, at the August 7th Nominating Committee meeting, the Members of the Nominating Committee made the following recommendations for officers for the Management Authority effective September 1, 2014: Nyka Scott, Chairman; Gregory Ernst, Vice-Chairman; and, Romona Theresa Baudy, Secretary.

WHEREAS, after motion made and duly seconded, the members of the Management Authority elected Nyka Scott as Chairman, Gregory Ernst as Vice-Chairman, and Romona Theresa Baudy as Secretary.

THEREFORE BE IT HEREBY RESOLVED, that the following Management Authority Members be and are hereby elected to serve as officers for the Management Authority commencing on September 1, 2014 and through August 31, 2015:

Nyka Scott	Chairman
Gregory Ernst	Vice-Chairman
Romona Theresa Baudy	Secretary

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Motion 02-082114 - Motion for approval of a lease of Suites 229 and 225A at the Airport Terminal Building with Clay Construction Group, L.L.C.

The lease of Suites 229 and 225A at the Airport Terminal Building with Clay Construction Group, LLC will be effective September 1, 2014 for a primary term of two years with an annual rental of \$8,697 payable in equal monthly installments of \$724.75 with three 1-year options to renew and subject to a CPI adjustment of the annual rent rate during the option terms. Lease provides that the lessee pays a pro rata share of insurance premiums, electricity and gas charges (\$300 per month) during the first year of the lease. The pro rata share of insurance and utilities will be recalculated annually on the lease anniversary date. The lease shall be signed within 21 days of the Resolution or the Resolution shall be null and void.

Commissioner Heaton offered a motion to approve a lease of Suites 229 and 225A at the Airport Terminal Building with Clay Construction Group, L.L.C., seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 02-082114
RESOLUTION: 02-082114
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER ERNST

August 21, 2014

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("Management Authority" or "Lessor") 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, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District ("Airport");

WHEREAS, the New Orleans Lakefront Airport Terminal ("Terminal") was severely damaged by Hurricane Katrina in August of 2005 and the Management Authority recently completed extensive repairs and renovations to the Terminal;

WHEREAS, Clay Construction Group, L.L.C. ("Clay Construction") has proposed to lease Suites 225A and 229, containing 669 square feet, in the Terminal, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of two (2) years, with an annual rental of \$8,697.00, payable in equal monthly installments of \$724.75, with three (3) one (1) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will be responsible to pay an additional rent consisting of a pro-rata share of lessor's insurance premiums, electricity and gas charges at the Terminal, which will be \$300.50 per month during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date;

WHEREAS, Clay Construction understands that Suites 225A and 229 will require additional build out consisting of, but not be limited to, sprinkler heads, ceiling panels, HVAC distribution, and lighting and floor covering, which build out will be subject to Lessor's approval, and Clay Construction has agreed to make these improvements at its expense;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on August 5, 2014 unanimously voted to recommend approval of a lease with Clay Construction under the terms set forth above;

WHEREAS, the Airport Committee also recommended that the resolution authorizing the lease shall be null and void unless the lease is signed within 21 days of the adoption of the resolution; and,

WHEREAS, the Management Authority after considering the terms of the proposed lease and recommendation of the Airport Committee resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with Clay Construction Group, L.L.C., under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease of Suites 225A and 229 in the Terminal at the New Orleans Lakefront Airport with Clay Construction Group, L.L.C., effective September 1, 2014, for a primary term of two (2) years, with an annual rental of \$8,697.00, payable in equal monthly installments of \$724.75, with three (3) one (1) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, said lease will also provide that the lessee will pay an additional rent consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$300.50 per month during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date.

BE IT HEREBY FURTHER RESOLVED that this resolution shall be null and void unless the written lease is signed within 21 days of this resolution.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Clay Construction Group, L.L.C., which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Motion 03-082114 - Motion for approval of a lease of Suites 122 and 125 at the Airport Terminal Building with Messina's Lakefront Airport, LLC

The lease of Suites 122 and 125 in the Airport Terminal Building with Messina's Lakefront Airport, LLC will be effective September 1, 2014 for a primary term of 51 months. The annual base rent is \$13,199.88 payable in equal monthly installments of \$1,099.99 with seven 5-year options to renew and subject to a CPI adjustment of the annual rental rate during the option terms. Lease provides that lessee pay a pro rata share of insurance premiums, electricity and gas (\$318.01 per month) during the first year of the lease. The pro rata share of insurance and utility charges is recalculated annually on the lease anniversary date. The lease includes a termination clause and the Resolution shall be null and void unless a written lease is signed within 21 days of the Resolution.

Commissioner Heaton offered a motion to approve a lease of Suites 122 and 125 at the Airport Terminal Building with Messina's Lakefront Airport, LLC, seconded by Commissioner Saizan and unanimously adopted to wit:

MOTION: 03-082114
RESOLUTION: 03-082114
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER SAIZAN

August 21, 2014

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority (“Management Authority” or “Lessor”) 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, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District (“Airport”);

WHEREAS, the New Orleans Lakefront Airport Terminal (“Terminal”) was severely damaged by Hurricane Katrina in August of 2005 and the Management Authority recently completed extensive repairs and renovations of the Terminal;

WHEREAS, Messina Lakefront Airport, L.L.C. (“Messina”) entered into a long term lease with the Management Authority for a restaurant and special events venue at the Terminal;

WHEREAS, Messina has proposed to lease Suite 122, containing 94 square feet, and Suite 125, containing 614 square feet, in the Terminal, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of fifty-one (51) months, with an annual base rental of \$13,199.88, payable in equal monthly installments of \$1,099.99, with seven (7) five (5) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will be responsible to pay an additional rent consisting of a pro-rata share of lessor’s insurance premiums, electricity and gas charges at the Terminal, which will be \$318.01 per month during the first year of the lease, and which additional rent for the pro-rata share of the insurance and utility charges will be recalculated each year on the lease anniversary date;

WHEREAS, the lease proposed by Messina would also include a termination clause providing that in the event of the early termination of the restaurant and special events venue lease that either party may terminate the proposed lease of Suites 122 and 125;

WHEREAS, Messina understands that Suites 122 and 125 will require additional build out consisting of, but not be limited to, sprinkler heads, ceiling panels, HVAC distribution, and lighting and floor covering, which build out will be subject to Lessor’s approval, and Messina has agreed to make these improvements at its expense;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on August 5, 2014 unanimously voted to recommend approval of a lease with Messina under the terms set forth above;

WHEREAS, the Airport Committee also recommended that the resolution authorizing the lease shall be null and void unless the lease is signed within 21 days of the adoption of the resolution; and,

WHEREAS, the Management Authority after considering the terms of the proposed lease and recommendation of the Airport Committee resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with Messina Lakefront Airport, L.L.C., under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease of Suites 122 and 125 in the Terminal at the New Orleans Lakefront Airport with Messina Lakefront Airport, L.L.C., effective September 1, 2014, for a primary term of fifty-one (51) months, with an annual base rental of \$13,199.88, payable in equal monthly installments of \$1,099.99, with seven (7) five (5) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; the lease will also provide that the lessee will pay an additional rent consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$318.01 per month during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date; and, the lease will also include a termination clause providing that in the event of the early termination of Messina’s restaurant and special events venue lease that either party may terminate the proposed lease of Suites 122 and 125.

BE IT HEREBY FURTHER RESOLVED that this resolution shall be null and void unless the written lease is signed within 21 days of this resolution.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Messina Lakefront Airport, L.L.C., which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Motion 04-082114 - Motion for approval of a lease of Suite 243 at the Airport Terminal Building with Carl David Consulting

The lease of Suite 243 at the Lakefront Airport Terminal Building with Carl David Consulting will be effective September 1, 2014 for a primary term of five (5) years. The annual rental of \$4,772.79 is payable in equal monthly installments of \$397.74 with two 5-year options to renew subject to a CPI adjustment of the annual rental rate during the option terms. Lease provides that lessee pay a pro rata share of insurance premiums,

electricity and gas charges (\$152.26 per month) during the first year of the lease. The pro rata share of insurance and utility charges is recalculated annually on the lease anniversary date. This Resolution will be null and void unless the written lease is signed within 21 days of this Resolution.

Commissioner Heaton offered a motion to approve a lease of Suite 243 at the Airport Terminal Building with Carl David Consulting, seconded by Commissioner Saizan and unanimously adopted to wit:

MOTION: 04-082114
RESOLUTION: 04-082114
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER ERNST

August 21, 2014

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority ("Management Authority" or "Lessor") 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, located on the south shore of Lake Pontchartrain in the Parish of Orleans, which is a non-flood protection asset owned by the Orleans Levee District, State of Louisiana ("Airport");

WHEREAS, the New Orleans Lakefront Airport Terminal ("Terminal") was severely damaged by Hurricane Katrina in August of 2005 and the Management Authority recently completed extensive repairs and renovations to the Terminal;

WHEREAS, Carl David d/b/a Carl David Consulting ("Carl David") has proposed to lease Suite 243, containing 339 square feet in the Terminal, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of five (5) years, with a annual rental of \$4,772.79, payable in equal monthly installments of \$397.74, with two (2) five (5) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will be responsible to pay an additional rent consisting of a pro-rata share of lessor's insurance premiums, electricity and gas charges at the Terminal, which will be \$152.26 per month during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date;

WHEREAS, Carl David understands that Suite 243 will require additional build out consisting of, but not be limited to, sprinkler heads, ceiling panels, HVAC distribution, and lighting and floor covering, which build out will be subject to Lessor's approval, and Carl David has agreed to make these improvements at its expense;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on August 5, 2014 unanimously voted to recommend approval of the lease with Carl David under the terms set forth above;

WHEREAS, the Airport Committee also recommended that the resolution authorizing the lease shall be null and void unless the lease is signed within 21 days of the adoption of the resolution; and,

WHEREAS, the Management Authority after considering the terms of the proposed lease and recommendation of the Airport Committee resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with Carl David d/b/a Carl David Consulting, under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease of Suite 243 in the Terminal at the New Orleans Lakefront Airport with Carl David d/b/a Carl David Consulting, effective September 1, 2014, for a primary term of five (5) years, with an annual rental of \$4,772.79, payable in equal monthly installments of \$397.74, with two (2) five (5) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will pay an additional rent consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$152.26 per month during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date.

BE IT HEREBY FURTHER RESOLVED that this resolution shall be null and void unless the written lease is signed within 21 days of this resolution.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Carl David d/b/a Carl David Consulting, which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE
NAYS: NONE
ABSTAIN: NONE
ABSENT:
RESOLUTION ADOPTED: YES

Motion 05-082114 - Motion for approval to apply for the Boating Infrastructure Grant Program 1 (BIG 1) for expansion of the transient boaters restroom and laundry facilities at South Shore Harbor Marina. The grant is a 75/25 match with Louisiana Wildlife & Fisheries funding up to \$100,000

This motion is for approval to apply for the Boating Infrastructure Grant Program 1 for expansion of the transient boaters' restroom and laundry facilities at South Shore

Harbor Marina. The grant is a 75/25 match, with Louisiana Wildlife & Fisheries funding up to \$100,000.

Commissioner Dufrechou offered a motion to apply for the Boating Infrastructure Grant Program 1 (BIG 1) for expansion of the transient boater's restroom and laundry facilities at South Shore Harbor Marina. The grant is a 75/25 match with Louisiana Wildlife & Fisheries funding up to \$100,000, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 05-082114
RESOLUTION: 05-082114
BY: COMMISSIONER DUFRECHOU
SECONDED BY: COMMISSIONER ERNST

August 21, 2014

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 District has owned and operated South Shore Harbor Marina (the "Marina") since 1987, and has continually attempted to enhance the operation of the Marina through tenant amenities, environmental compliance and other enhancements;

WHEREAS, in 2012 the Counselors of Real Estate, a nationally recognized real estate consulting organization, inspected the Marina and issued a strategic plan of action for the Marina, which included a recommendation that for South Shore Harbor Marina to be a full service marina that the Marina must have accessible transient facilities;

WHEREAS, since February 8, 2011, the Marina staff has worked diligently with the Louisiana Department of Wildlife and Fisheries ("LDWF") towards expanding the transient boaters facility at the Marina;

WHEREAS, the planned expanded transient boaters facility will be built and maintained to the best standards;

WHEREAS, in a cooperative effort with the LDWF, and in accordance with the Boating Infrastructure Grant Program, LDWF will provide grant sponsor funding of up to \$100,000.00, with a 75/25 match with the District, for the expansion of the transient boaters facility at the Marina, consisting of showers, restrooms, a laundry facility and a transient lounge/business center, estimated to cost no more than \$282,000.00, of which LDWF will be responsible for \$100,000.00 and the Management Authority will be responsible for the balance of approximately \$182,000.00;

WHEREAS, LDWF has requested a resolution from the Management Authority authorizing the Management Authority to apply for the Boating Infrastructure Grant; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the District and the South Shore Harbor Marina to authorize the filing of an application for a Boating Infrastructure Grant for the expansion of the transient boaters' facility at South Shore Harbor Marina.

THEREFORE, BE IT HEREBY RESOLVED that the Management Authority authorizes the filing of an application with the Louisiana Department of Wildlife and Fisheries for a Boating Infrastructure Grant for the expansion of the transient boaters' facility at South Shore Harbor Marina.

BE IT FURTHER RESOLVED that the Management Authority hereby authorizes the Chairman or the Executive Director to sign any and all documents necessary to accomplish the above.

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Motion 06-082114 - Motion for approval of a month-to-month lease of the McDermott Hangar by Tidewater, Inc.

Motion 06-082114 is for approval of a month-to-month lease of the McDermott Hangar by Tidewater, Inc. Space in the McDermott Hangar consists of 4,215 s.f., 300 s.f. of storage space, 350 s.f. of office space and 300 s.f. of shop space on a month-to-month basis with a rental of \$2,500 per month effective September 1, 2014 with a 30-day termination clause. Lessee shall provide liability insurance for acts or omissions of its agents and employees. The lease shall include all standard provisions for leases at the New Orleans Lakefront Airport.

Commissioner Heaton advised the Board that this item had not been vetted with the Airport Committee. This lease is on a month-to-month basis giving the entity approval to remain in the hangar. Mr. Metzger noted that a letter received from Tidewater, Inc. on August 14, 2014 laid out the lease terms. The lease amount of \$2,500 was included in the proposal submitted by Tidewater and is the same amount that was paid to Hawthorne. Hawthorne terminated their lease September 1, 2014.

Al Pappalardo, Real Estate Consultant, advised that Tidewater is requesting to occupy less than 25% of the Hangar. It is better to have a tenant than to let a property go dark. The lease includes a 30-day notice of cancellation. This is good for both the Non-Flood Authority and Tidewater as Tidewater will keep a corporate presence in New Orleans, the Non-Flood Authority property does not go vacant and the utilities will not be turned off. The Authority will market the property, which is a 32,000 s.f. hangar.

Commissioner Heaton offered a motion for approval of a month-to-month lease of the McDermott Hangar with Tidewater, Inc., seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 06-082114
RESOLUTION: 06-082114
BY: COMMISSIONER HEATON
SECONDED BY: COMMISSIONER ERNST

August 21, 2014

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, and is also a successor of the former Board of Commissioners of the Orleans Levee District and the Division of Administration of the State of Louisiana;

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

WHEREAS, on April 8, 2008 the Orleans Levee District, then under the management and control of the Division of Administration of the State of Louisiana, entered into a Lease with AeroPremier Jet Center, L.L.C. ("AeroPremier"), effective June 1, 2008 (the "Lease"),

WHEREAS, the Lease included the McDermott Hangar Facility and provided that the term of the lease for this Hangar was for a period of five (5) years, commencing on June 1, 2008 and expiring on May 31, 2013;

WHEREAS, pursuant to Resolution No. 01-051712 dated May 17, 2012, the Management Authority approved the assignment of the Lease with AeroPremier to Hawthorne New Orleans, L.L.C. ("Hawthorne");

WHEREAS, Hawthorne remained in possession of the McDermott Hangar after the expiration of the Lease on a month-to-month basis and in early August of 2014 gave notice that it would vacate the premises effective September 1, 2014;

WHEREAS, Tidewater, Inc. has submitted a proposal to lease space in the Hangar consisting of approximately 4,216 square feet, plus an approximate 300 square feet of storage space, and Suites 16 and 16A in the Hangar, consisting of approximately 350 square feet of office space and 300 square feet of shop space, on a month-to-month basis, for a rental of \$2,500.00 per month, effective September 1, 2014, with a thirty (30) day termination clause, and has agreed to provide liability insurance for acts or omissions of its agents and employees;

WHEREAS, the written proposal for the lease specified that it would expire on August 22, 2014; and,

WHEREAS, after considering it to be in the best interest of the Management Authority and Airport, the Management Authority resolved to approve the proposed lease by Tidewater, Inc. under the terms and conditions set forth above and standard provisions for leases at the Airport.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease with Tidewater, Inc. for space in the McDermott Hangar, consisting of approximately 4,216 square feet, plus an approximate 300 square feet of storage space, and Suites 16 and 16A in the Hangar, consisting of approximately 350 square feet of office space and 300 square feet of shop space, on a month-to-month basis, for rental of \$2,500.00 per month, effective September 1, 2014, with a thirty (30) day termination clause, and the lessee shall provide liability insurance for acts or omissions of its agents and employees and the lease shall also include the other standard provisions for leases at the New Orleans Lakefront Airport.

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

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Motion 07-082114 - Motion for approval of an amendment to the Cost Reimbursement Agreement (CRA) with the United States Army Corps of Engineers for the Lakeshore Drive Utility Crossing Project

Motion 07-082114 is for approval of an amendment to the Cost Reimbursement Agreement (CRA) with the United States Army Corps of Engineers (Corps) for the Lakeshore Drive Utility Crossing Project. The Management Authority authorizes an amendment to the CRA with the Corps dated July 26, 2011 to increase reimbursable costs in the amount of \$1,039,000 for additional work and to meet additional code requirements which will increase the cost estimate from \$1,806,542 to \$2,845,542.

The Resolution will increase the cost estimate from \$1.8 million to \$2.845 million. The \$2,845 million is the difference in the original cost plus additional costs agreed on by the Corps. Mr. Metzger advised that the Corps agreed to fund an additional \$1,039,000 for the project. The Cost Reimbursement Agreement with the Corps will be amended as the Corps needs the paperwork to fund the additional \$1,039,000. Mr. Baudier advised that the Authority has liquidated damages that may also be recovered from the contractor.

Commissioner Heaton clarified that the Authority must pass this Resolution to receive reimbursement from the Corps. Mr. Baudier advised that the Corps is paying fair and reasonable costs for relocation of the utilities. The \$2.8 million figure was agreed upon by the Corps. This is not a cost share project.

Commissioner Ernst offered a motion for approval of an amendment to the Cost Reimbursement Agreement (CRA) with the United States Army Corps of Engineers for the Lakeshore Drive Utility Crossing Project, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 07-082114
RESOLUTION: 07-082114
BY: COMMISSIONER ERNST
SECONDED BY: COMMISSIONER FIERKE

August 21, 2014

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, Section 204 of the Flood Control Act of 1965, Public Law 89-298, as amended prior to August 2005, authorized the Secretary of the Army to construct the Lake Pontchartrain and Vicinity, Louisiana Project for hurricane storm damage reduction in Southeast Louisiana ("Project");

WHEREAS, on July 26, 2011 the District and the Department of the Army ("Government" or "USACE") entered into a Cost Reimbursement Agreement ("CRA") under which the Government agreed to reimburse the District for the reasonable and allocable expenses of relocating utility facilities on the District's property in the Parish of Orleans, State of Louisiana;

WHEREAS, included in the CRA as "Attachment B" was the relocation plan drawings, which described and depicted the work necessary to complete the relocation of the facilities;

WHEREAS, due to various changes in design and the requirement of additional analyses to meet USACE criteria for levee crossings, the awarding of the District's construction contract was delayed;

WHEREAS, Article 1.(g) of the CRA requires the District to inform the Government of any increases to the Owner's Cost Estimate, to provide the Government with a revised or supplemental cost estimate, and to seek Government approval thereof;

WHEREAS, due to the changes in design and additional analyses there was a difference in the original construction cost estimate and the bids in the amount of \$576,000.00;

WHEREAS, during the construction of the project it was determined that the electrical connections were not up to present code standards, and adjustments to the work were required to meet the present electrical code requirements for the electrical crossings on the levees, resulting in an increase of \$313,000.00 in construction cost and an additional \$150,000.00 for the architectural and engineering cost for contract administration and resident inspection;

WHEREAS, the Government has agreed to amend the CRA to increase the reimbursable cost of the Project in the amount of \$1,039,000.00 to perform the additional work and to meet the additional code requirements, which will increase the cost estimate for the Project from \$1,806,542.00 to \$2,845,542.00; and,

WHEREAS, the Management Authority after considering the proposed amendment to the CRA resolved that it was in the best interest of the Management Authority and the District to approve an amendment to the CRA to increase the reimbursable cost of the Project in the amount of \$1,039,000.00.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority authorizes an amendment to the Cost Reimbursement Agreement with the Department of the Army, dated on July 26, 2011, to increase the reimbursable cost of the Project in the amount of \$1,039,000.00 to perform additional work and to meet the additional code requirements, which will increase the cost estimate for the Project from \$1,806,542.00 to \$2,845,542.00.

BE IT FURTHER RESOLVED that the Management Authority hereby authorizes the Chairman or the Executive Director to sign any and all documents necessary to accomplish the above.

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Motion 08-082114 - Motion to approve a Request for Qualifications policy for Professional Service Contracts with the Non-Flood Protection Asset Management Authority

Motion 08-082114 is to approve a Request for Qualifications policy for Professional Service Contracts with the Non-Flood Protection Asset Management Authority. A Request for Qualifications for Professional Service Contracts will be issued every two years, including contracts for engineering, legal and real estate consulting services. An RFQ will be issued in February, 2015 with responses due back on April 30, 2015. The professional service contracts will commence on July 1, 2015.

Chairman Scott suggested adding architects and insurance brokerage services to the Resolution. Chairman Scott offered a motion to amend the Resolution by adding architectural and insurance brokerage services, seconded by Commissioner Fierke and unanimously adopted. Commissioner Scott offered a motion to approve the amended motion, seconded by Commissioner Ernst and unanimously adopted to wit:

MOTION: 08-082114
RESOLUTION: 08-082114
BY: COMMISSIONER HOFFMAN
SECONDED BY: COMMISSOINER ERNST

August 21, 2014

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 requires professional services, including engineering, legal, and real estate consulting services, in connection with the management of the non-flood protection assets of the District;

WHEREAS, the Management Authority has since its inception in 2010 entered into professional service contracts on an annual basis for professional services;

WHEREAS, at the June Board Meeting, the Management Authority discussed the adoption of a policy for selecting firms for professional service contracts and requested that the Finance Committee recommend a policy for the selection process for professional service contracts;

WHEREAS, the Finance Committee at its meeting in August, 2014 unanimously voted to recommend that the Management Authority issue request for qualifications for professional services contracts every two years, commencing on February 15, 2015 with responses due by April 30, 2015, for professional service contracts commencing on July 1, 2015; and,

WHEREAS, the Management Authority after considering the recommendation of the Finance Committee resolved that it was in the best interest of the Management Authority and District to adopt the policy recommended by the Finance Committee for the issuance of request for qualifications for professional service contracts every two years commencing in February, 2015.

THEREFORE, BE IT HEREBY RESOLVED that the Management Authority shall issue request for qualifications for professional services contracts every two years, including contracts for architect, insurance agent of record, engineering, legal and real estate consulting services, commencing on February 15, 2015 with responses due by April 30, 2015, for professional service contracts commencing on July 1, 2015.

BE IT FURTHER RESOLVED that the Management Authority hereby authorizes the Chairman or the Executive Director to sign any and all documents necessary to accomplish the above.

YEAS: SCOTT, ERNST, BAUDY, HEATON, DUFRECHOU, DeROUEN, CANTRELLE, STACK, BRIEN, SAIZAN, GREEN, FIERKE

NAYS: NONE

ABSTAIN: NONE

ABSENT:

RESOLUTION ADOPTED: YES

Commissioner Stack advised the Board of upcoming lane restrictions on Lakeshore Drive. There will be lane restrictions on Lakeshore Drive at the Orleans and London Avenue sites. Trucks will be hauling from Orleans at Marconi down Lakeshore Drive 24/7 for the next thirty (30) days. Trucks will come out of the London site by UNO and proceed to Elysian Fields to enter the site. Chairman Scott requested an e-mail be forwarded to all neighborhood associations advising of the lane closures with the Corps Press Release attached.

Mr. Capo advised the Board that he would request the Flood Authority do a frequent patrol on Lakeshore Drive to ensure the speed limits are adhered to. The Corps will also be notified of issues with flood lights placed on Lakeshore Drive at the Orleans Avenue site. The flood lights shine on the roadway and blind vehicular traffic going west making it difficult to see the many barrels and barricades along Lakeshore Drive.

NEXT BOARD MEETING

The next full Board meeting of the Non-Flood Protection Asset Management Authority is scheduled for Thursday, September 18, 2014 at 5:30 p.m.

ADJOURNMENT

Commissioner Ernst offered a motion to adjourn, seconded by Commissioner Stack and unanimously adopted. The meeting adjourned at 6:35 p.m.