

NON FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
Minutes of the Full Board Meeting
Wednesday May 25, 2016

The monthly meeting of the Board of the Non Flood Protection Asset Management Authority of the Orleans Levee District was held on Wednesday May 25, 2016t at 5:30 p.m. in the Lake Vista Community Center, 2nd Floor, 6500 Spanish Fort Boulevard, New Orleans, LA 70124 after due legal notice of the meeting was sent to each Board member, the news media, and a copy of the call was posted.

Chair Ernst called the meeting to order at 5:38 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

Present:

Chair Greg Ernst
Vice Chair Wilma Heaton
Comm. Thomas Fierke
Comm. Michael Stack
Comm. Stanley Brien
Comm. Eugene Green
Comm. William Settoon
Comm. Leila Eames
Comm. Anthony Richard
Comm. Roy Arrigo
Comm. Rodger Wheaton

Absent:

Comm. Glenn Higgins
Comm. Dawn Hebert

Staff:

Ken Schwingshagl – Executive Director
Sharon Martiny – Administrative Assistant
Chuck Dixon – Marina Director
Ben Morris – Airport Director
Marlene Wilkerson – Accounting
Chanse Watson – Assistant Airport Director

Also Present:

Gerry Metzger – Legal Counsel
Chris Fenner – Stuarrr Consulting Group
Franklin J. P. Augustus – Drug Fighter Youth Aviation Expo
Ann Duffy – Lakeshore Resident
Chris Morvant – La. Dept. of Transportation & Development
Mark Blanchard
Phil Nuss – Franklin J. P. Augustus
Brad Hunter – Franklin J. P. Augustus
Eric Brown – Franklin J. P. Augusts
Franklin J. P. Augustus – Drug Fighter Youth Aviation Expo
Matthew Carpenter – Franklin J. P. Augustus

Opening Comments:

Chair Ernst welcomed Dawn Hebert (absent), who was appointed by Representative Jimmy Harris.

Adopt Agenda:

Comm. Fierke moved to amend the Agenda by moving Item 9 (Committee Reports) before Item 12 (New Business) to make sure all New Business is tended to before Committee Reports are heard, second by Comm. Wheaton. Motion Passed.

Approve Minutes

Comm. Arrigo moved to approve the minutes of the April 21, 2016 Board meeting, second by Comm. Heaton. Motion passed.

Report by Executive Director

The E.D. advised that National Marina Day is scheduled for June 12, 2016 at South Shore Harbor Marina. The event is aimed to attract new tenants/boaters to the Marinas. Adam Mansuer was hired as the new Maintenance Manager who comes on board May 31, 2016. Mr. Mansuer is an electrician and has IT experience, A/C experience and is also a general contractor. Studio Network-Lakefront appeared before the City Planning Commission and was approved for the conditional use permits. The Authority will receive a check for \$45,000 now that those permits are in hand.

The Authority is in the process of transitioning to Microsoft Office 365. Each commissioner will be issued their own NFPAMA e-mail address, and anything Board-related will be issued to that e-mail address. All paper documents are stored in a cloud and have the ability to be file shared. Each Board member will bring their own device to Board meetings to access documents referenced in Committee and Board meetings. Paper documents will be provided upon request.

Presentations:

Franklin J.P. Augustus – Drug Fighter Youth Aviation Expo and Air Show

Mr. Augustus is requesting the use of certain areas at Lakefront Airport to host the Drug Fighter Youth Aviation Expo and Air Show on October 7, 8 and 19, 2016. Air shows are traditionally a big movement to enhance an Airport’s visibility. Admission is free to this non-profit event. Comm. Heaton noted that no action will be taken on this issue tonight. The matter will be fully vetted at the Airport Committee meeting scheduled for June 14, 2016 and brought before the Board on June 23, 2016 if all permits, insurance and approvals are in order.

01-052516 - Motion to Reschedule the May 19, 2016 Management Authority Meeting to May 25, 2016 at 5:30 p.m.

Comm. Settoon offered a motion to reschedule the May 19, 2016 Management Authority meeting to May 25, 2016, second by Comm. Richard. The resolution was adopted to wit:

MOTION: 01-052516
RESOLUTION: 01-052526
BY: CHAIRMAN SETTOON
SECONDED: COMMISSIONER RICHARD

May 25, 2016

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 By-Laws, as amended, of the Management Authority provide that the Management Authority shall hold its regular monthly meeting on the third Thursday of every month, except in the month of November, and that the regular meeting may be held on another day of the month as determined by a majority vote of the total present voting membership of the Authority at a regular or special meeting;

WHEREAS, in accordance with the By-Laws of the Management Authority, the regular monthly meeting of the Management Authority for the month of May 2016 was scheduled for Thursday, May 19, 2016 at 5:30 p.m. at the Lake Vista Community Center;

WHEREAS, the Chairman moved to reschedule the May 19, 2016 meeting because of the absence of a quorum for the meeting on May 19, 2016 to May 25, 2016 at 5:30 p.m.;

WHEREAS, the Motion to reschedule the May 19, 2016 meeting to May 25, 2016 was seconded and after discussion was adopted by the Management Authority.

THEREFORE, BE IT HEREBY RESOLVED, that the May 2016 regular monthly meeting of the Management Authority be and is hereby rescheduled and shall be held on May 25, 2016 at 5:30 p.m.

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

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

AYES: ERNST, HEATON, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:

ABSTAIN:

ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

02-052516 - Motion to exercise one year option with Charles L. Silbernagel & Associates, Inc. (APC) for architectural services to review house, fence and pool plans for the Lakefront subdivisions

Comm. Heaton suggested issuing an RFP/Q to determine what other professional architects are interested in submitting responses to the RFP/Q. Mr. Silbernagel can continue to review house plans during the RFP/Q process. The E.D. advised that there was an option on Mr. Silbernagel's original contract, but an RFQ/P was issued and posted on the website in February. CLS Architects was the only respondent. It is not known if the RFQ/P was properly advertised, and the RFQ/P was not circulated to the entire Board. Comm. Settoon noted that Mr. Silbernagel has reviewed house plans for the past year, and has done a good job. The contract should be extended for one year, and an RFQ/P be issued upon expiration. Comm. Stack noted Finance approved renewing the one year option on all other professional service contracts, which was approved by the full Board. Mr. Silbernagel provided a response to the RFQ/P and should not be penalized as he did what he was asked to do. Chair Ernst noted that the COO approved renewal of all other professional service contracts with the exception of the Licensed Architect for House Plan Review.

Comm. Heaton suggested the motion be deferred until the June 23, 2016 Board meeting. Comm. Fierke requested Mr. Silbernagel attend the meeting to address complaints made regarding fence height.

Chair Ernst explained that the motion to defer would give staff time to determine if the RFQ/P was properly advertised. If the RFP/Q was properly advertised, there would be no issues approving Mr. Silbernagel's contract at the June meeting. Comm. Green noted that all other professional service contracts – with the exception of the Licensed Architect for House Plans - were approved by the Board, which means the RFQ/P is null and void even if it was advertised properly as the RFQ/P was not approved by the Board. After discussion by Board members, Comm. Heaton offered a motion to defer the matter until the June 25, 2016 Board meeting, second by Comm. Richard and opposed by Comms. Fierke, Settoon and Green. The motion to defer passes.

03-052516 - Motion to approve settlement with Jose Garcia on claims relating to the lease of Orleans Marina Boathouse W-21

The E.D. advised that this motion arises out of concern issues relating to the lease of Boathouse W-21 and recommended that the Management Authority approve a rent abatement settlement of two (2) quarters (6 months) or until construction of the boathouse is complete. Discretionary authority will be given to the Executive Director to extend the rent abatement one (1) additional quarter (3 months) if construction of the improvements is delayed due to unforeseen/unpredicted weather events.

Comm. Green offered a motion to approve settlement with Jose Garcia on claims relating to the lease of Orleans Marina Boathouse W-21, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 03-052516

RESOLUTION: 02-052516

BY: COMMISSIONER GREEN

SECONDED BY: COMMISSIONER FIERKE

May 25, 2016

RESOLUTION

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

WHEREAS, the Orleans Marina located at West End in the City of New Orleans is one of the non-flood protection assets of the District under the management of the Authority;

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

WHEREAS, on June 19, 2014 by approval of Resolution No. 07-061914, the Authority approved the assignment of the lease of Orleans Marina Boathouse No. W-21 to Jose Garcia (the "Lease");

WHEREAS, the Lease and amendments, in part, granted the lessee options to extend the term of the lease to the year 2043;

WHEREAS, the monetary consideration for the for the sale of the improvements and assignment of the Lease was \$100,000.00;

WHEREAS, due to unforeseen permitting issues, the Authority temporarily halted construction/renovation of the boathouse;

WHEREAS, on or about April 16, 2016 Mr. Garcia requested a rent abatement of two quarters alleging he had been deprived of a possible sale of the boathouse due to the permitting delays;

WHEREAS, to avoid possible litigation of the matter and in an attempt to amicably settle the dispute, the Authority has agreed to a rent abatement of two (2) quarters (6 months) or until construction of the improvements to the boathouse are completed, weather permitting; and

WHEREAS, the Executive Director was given discretionary authority to extend the rent abatement one (1) additional quarter (3 months) if construction of the improvements is delayed due to unforeseen/unpredicted weather events.

WHEREAS, Mr. Garcia has agreed to settle the dispute in consideration of a rent abatement of two (2) quarters (6 months) or until construction of the boathouse is complete;

WHEREAS, the settlement was reviewed by the Legal Committee, which recommended approval of the settlement at the Joint Commercial Real Estate/Legal Committee held on Tuesday May 10, 2016; and,

WHEREAS, the Management Authority after considering the rent abatement settlement of two (2) quarters (6 months) or until construction of the boathouse is complete, with discretionary authority given to the Executive Director to extend the rent abatement one (1) additional quarter (3 months) if construction of the improvements is delayed due to unforeseen/unpredicted weather events, resolved that it is in the best interest of the Management Authority to approve the settlement with Jose Garcia;

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves the rent abatement settlement of two (2) quarters (6 months) or until construction of the boathouse is complete, with discretionary authority given to the Executive Director to extend the rent abatement one (1) additional quarter (3 months) if construction of the improvements is delayed due to unforeseen/unpredicted weather events.

BE IT HEREBY 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.

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

AYES: ERNST, HEATON, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:

ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

04-052516 - Motion to approve lease with SLFPA-E for Terminal Building office space

The E.D. advised that the lease will be for offices 204, 225 and 223 in the Terminal Building, which offices contain 2,855 square feet of office spaced. The primary term is Five (5) years, commencing on November 23, 2015, with two (2) five (5) year options to renew, for a maximum term if the options to renew are exercised of Fifteen (15) years, with an annual base rental of \$34,749.00, payable in equal monthly installments of \$2,895.75. Comm. Heaton advised that Legal signed off on the lease and there are no oppositions. SLFPA-E paid all capital improvement costs and will give a split on rent; half on rent and half on in-kind services with all utilities paid each month separately.

Comm. Heaton offered a motion to approve lease with SLFPA-E for Terminal Building office space, second by Comm. Arrigo. The Resolution was adopted to wit:

MOTION: 04-052516
RESOLUTION: 03-052516
BY: COMMISSIONER HEATON
SECONDED: COMMISSIONER ARRIGO

May 25, 2016

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 Management Authority adopted Resolution No: 09-052115 on May 21, 2015 authorizing the former Chief Operating Officer to negotiate a lease for office space in the Terminal at the Airport and a Memorandum of Understanding for the build out of the office space with the Orleans Levee District (“District”), through the Southeast Louisiana Flood Protection Authority-East, which is a political subdivision of the State of Louisiana and the governing authority of the flood protection assets of the Orleans Levee District;

WHEREAS, pursuant to the terms of Resolution No. 09-052115 the lease of the office space was subject to final approval by the Management Authority;

WHEREAS, the District has offered to lease Offices 204, 225 and 223 in the Terminal, containing 2,855 square feet under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of Five (5) years, commencing on November 23, 2015, with two (2) five (5) year options to renew, for a maximum term if the options to renew are exercised of Fifteen (15) years, with an annual base rental of \$34,749.00, payable in equal monthly installments of \$2,895.75, 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 \$1,282.37 per month during the first year of the lease, which additional rent for the pro-rata share of the insurance and utility charges will be recalculated each year on the lease anniversary date; and, the total monthly rent for the base and additional rent during the first year of the primary term of this lease shall be \$4,178.12;

WHEREAS, the proposed lease will also provide that one-half (1/2) of the monthly base rent shall be payable in cash and one-half (1/2) of the monthly base rent shall be credited against any sums owed by the Management Authority to the District until paid in full, and if paid in full during the term of the lease, the total base monthly rent shall thereafter be paid in cash;

WHEREAS, the District has agreed to build out Offices 204, 225 and 233 consisting of, but not be limited to, installation of ceiling panels, HVAC distribution vents, lighting and floor covering, which build out will be subject to lessor’s approval, and has agreed to make these improvements at its expense;

WHEREAS, the Management Authority after considering the terms of the proposed lease and recommendation the staff resolved that it was in the best interest of the Airport to approve the proposed lease with the District, under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease of Offices 204, 225 and 233 in the Terminal at the New Orleans Lakefront Airport with the Orleans Levee District, for a primary term of Five (5) years, commencing on November 23, 2015, with two (2) five (5) year options to renew, for a maximum term if the options to renew are exercised of Fifteen (15) years, with an annual base rental of \$34,749.00, payable in equal monthly installments of \$2,895.75, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease shall 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 \$1,282.37 per month during the first year of the lease, which additional rent for the pro-rata share of the insurance and utility charges will be recalculated each year on the lease anniversary date, and the total monthly rent for the base and additional rent during the first year of the primary term of this lease shall be \$4,178.12, the proposed lease will also provide that one-half (1/2) of the monthly base rent shall be payable in cash and one-half (1/2) of the monthly base rent shall be credited against any sums owed by the Management Authority to the District until paid in full, and if paid in full during the term of the lease the total base monthly rent shall thereafter be paid in cash, and including the standard terms and conditions for office leases in the Terminal at the New Orleans Lakefront Airport.

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

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

AYES: ERNST, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:

ABSTAIN: HEATON

ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

05-052516 - Motion to amend By Laws of the Non-Flood Protection Asset Management Authority to change the date of the regular Board meeting to the fourth Thursday of each month

The E.D. advised that the Authority, at the April 21, 2016 Board meeting, had discussion regarding an amendment to Article III, Section 7 (A) (1) of the By-Laws to change the date of the monthly Board meeting from the third Thursday of every month to the fourth Thursday of every month. In accordance with Article X of the By-Laws, on April 25, 2016, written notice of the proposed amendment was given to Authority members. The Joint Commercial Real Estate/Legal Committee reviewed the Amendment at the May 10, 2016 meeting and voted to recommend approval.

Comm. Fierke offered a motion to amend By Laws of the Non-Flood Protection Asset Management Authority to change the date of the regular Board meeting to the fourth Thursday of each month, second by Comm. Settoon. The Resolution was adopted to wit:

MOTION: 05-052516
RESOLUTION: 04-052516
BY: COMMISSIONER FIERKE
SECONDED BY: COMMISSIONER SETTOON

May 25, 2016

RESOLUTION

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

WHEREAS, the Management Authority is authorized by law to adopt by-laws, rules and regulations for the management of its affairs and for the operation and governance of the non-flood protection assets of the Orleans Levee District;

WHEREAS, the Management Authority adopted By-Laws at its regularly scheduled monthly meeting in July of 2011;

WHEREAS, the Management Authority adopted amendments to the By-Laws on October 20, 2011 and on February 26, 2015;

WHEREAS, the By-Laws of the Management Authority presently provide that the monthly Board Meetings of the Management Authority be held on the third Thursday of every month;

WHEREAS, the Management Authority at its regularly scheduled meeting held on April 21, 2016 discussed an amendment to Article III, Section 7 (A) (1) of the By-Laws to change the date of the monthly Board Meeting from the third Thursday of every month to the fourth Thursday of every month;

WHEREAS, in accordance with Article X of the By-Laws, notice was given to the members of the Management Authority of the proposed amendment, in writing, dated April 25, 2016, a copy of which is attached hereto;

WHEREAS, the Joint Commercial Real Estate/Legal Committee considered this Amendment of the By-Laws at its meeting held on May 10, 2016 and voted to recommend approval of the Amendment to the Board;

WHEREAS, after consideration of the proposed amendment to the By-Laws to change the date of the monthly meetings, the Management Authority at its monthly meeting held on May 25, 2016 approved and adopted a resolution authorizing the amendment as set forth in the notice issued on April 25, 2016 to the members of the Management Authority.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority hereby approves and adopts the amendment to Article III, Section 7 (A) (1) of the By Laws of the Management Authority, as set forth in the notice issued on April 25, 2016 to the members of the Management Authority, a copy of which is attached to this Resolution.

BE IT FURTHER RESOLVED, that the amendment to the By-Laws shall be effective as of the date of the adoption of this Resolution.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority hereby authorizes its Secretary to sign an amendment to the By-Laws as set forth above and file same in the records of the Management Authority. The foregoing was submitted to a vote, the vote thereon was as follows:

AYES: ERNST, HEATON, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:
ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

06-052516 - Motion to approve the use of Suite 6513 of the LVCC as the repair / maintenance facility for Non-Flood Protection Asset Management Authority

Comm. Green advised that Suite 6513 is not rentable without significant capital investment on the Authority's end. The Suite is a potential source of revenue for the Authority once the repairs have been made. The E.D. noted that a Facilities Maintenance and Repair Manager has been hired and will need a workshop. Suite 6513 can be used as that workshop. The Maintenance Manager will occupy and repair Suite 6513, at which time the Suite will be leased and additional revenue will be generated. The suite is structurally sound, has functioning restrooms and presents no safety issues. The Commercial Real Estate Committee recommends approval of this Resolution.

Comm. Green offered a motion to approve the use of Suite 6513 of the LVCC as the repair / maintenance facility for Non-Flood Protection Asset Management Authority, second by Comm. Settoon. The Resolution was adopted to wit:

MOTION: 06-052516
RESOLUTION: 05-052516
BY: CHAIRMAN GREEN
SECONDED BY: COMMISSIONER SETTOON

May 25, 2016

RESOLUTION

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

WHEREAS, a critical need position was filled for a Facilities Maintenance Manager A for general maintenance and maintenance oversight along Lakeshore Drive, the newly restored Shelter Houses and the restored Mardi Gras Fountain on Lakeshore Drive and other real estate assets owned by the Orleans Levee District under Management Authority's control;

WHEREAS, the Management Authority currently has vacant Suite 6513 in the Lake Vista Community Center, which is not rentable in its present condition;

WHEREAS, the Facilities Maintenance Manager A requires a workshop to store tools, ladders, saws and other equipment necessary to perform any required or requested maintenance jobs for the Management Authority; and,

WHEREAS, the vacant Suite 6513 in the Lake Vista Community Center can be used as the workshop for the new Facilities Maintenance Manager A.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves that the vacant Suite 6513 in the Lake Vista Community Center be used as the workshop for the Facilities Maintenance Manager A.

BE IT HEREBY 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.

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

AYES: ERNST, HEATON, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:

ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

07-052516 – Discussion regarding priority projects to be funded with alternate funds received from the Walter Wedell Hangar Alternate FEMA project.

Chair Ernst noted that the Board would decide how to rank and prioritize the number one project for each committee and determine how to use the \$1.2 million in the Walter Wedell coffer. In October of 2014 Resolution No. 09-102314 was passed as a guideline for expending the funds received from the Walter Wedell Alternate Project funding. The priorities from that list are as follows:

- | | |
|---|-----------|
| 1. Customs Build-out in Airport Terminal | \$400,000 |
| 2. Lake Vista Community Center Repairs | \$350,000 |
| 3. Repairs to Shelter House Nos. 1, 2 and 4 | \$225,000 |
| 4. Transient Boaters Facility | \$825,000 |
| 5. Repairs to Lake Terrace Fountain | \$200,000 |
| 6. Designated Fund for Small Maintenance Projects | \$500,000 |
| 7. Second Floor Build-out of Hangar 101 for NFA Offices | \$500,000 |
| 8. Temporary Flood Protection at Lakefront Airport | \$500,000 |

9. Excavate Silt Build Up in South Shore Harbor Marina \$2,200,000

Comm. Heaton advised that the top priority was the U.S. Customs, and the authority owes the money back to the Flood Authority as the \$400,000 was borrowed to get Customs up and running. At the time the Resolution was passed, it was believed the Authority would receive \$4 million, but it is down to \$1.2 million. Customs has already been paid for, leaving approximately \$825,000.

The No. 2 priority was the Lake Vista Community Center, which the Authority also borrowed from the Flood Authority. No money has been drawn down to date on the loan for the Lake Vista Community Center. The E.D. advised that focus on the Lake Vista Community Center should be cosmetic in making improvements that may lend itself to renting the 2nd floor out as a facility for church and school functions.

An RFP will be issued for Shelter House Nos. 1, 2 & 4, which is No. 3 on the priority list. The Transient Boaters Facility will not be covered by the new development at South Shore Harbor, although fencing and apron gates will be provided. When the Authority receives the next capital money back the Transient Boater Facility can be addressed.

Chair Ernst noted that the top three priorities from the October 2014 Resolution, \$975,000 is slightly less than what was received from the Walter Wedell. The Authority can go with the top three priorities from the October 2014 Resolution and keep the \$275,000 reserve for the FEMA arbitration.

08-052516 – Discussion regarding authorizing Executive Director to issue an RFP for Shelter House Nos. 1, 2, & 4

Comm. Heaton offered a motion to suspend the rules to add Motion 08-052516 (Issue RFP for Shelter House Nos. 1, 2 & 4) to the Agenda, second by Comm. Fierke. The E.D. advised that the Shelters could be opened up for an RFP. The Authority would not have to spend money on the Shelters. There have been inquiries regarding development into concession areas for Shelter Nos. 1, 2 & 4. The Lessee would receive a rent abatement for any improvements done to the Shelters.

Comm. Heaton offered a motion to authorize Executive Director to issue an RFP for Shelter House Nos. 1, 2, & 4, second by Comm. Fierke. The Resolution was adopted to wit:

MOTION: 08-052516
RESOLUTION: 06-052516
BY: COMMISSIONER HEATON
SECONDED BY: COMMISSIONER FIERKE

May 25, 2016

RESOLUTION

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

WHEREAS, Lakeshore Drive and the Shelters located along Lakeshore Drive are assets of the District that are under its management, and that in the future will provide revenue necessary for the Authority's statutory obligations;

WHEREAS, at the May 25, 2016 full Board meeting it was unanimously approved to issue a Request for Proposal for concession/vending/rental services in Shelter Nos. 1, 2 and 4;

WHEREAS, the Authority feels it is in the best interest of the Management Authority to issue such a Request for Proposals;

BE IT RESOLVED that the Authority Chairman or Executive Director be and is hereby authorized to issue a Request for Proposals for concession/vending/rental services in Shelter Nos. 1, 2 and 4, and

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

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

AYES: ERNST, HEATON, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:

ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

09-052516 - Discussion regarding paying Stuart Consulting for flood wall arbitration

Comm. Stack advised that the Authority has \$62,000 in outstanding bills from Stuart consulting related to the Airport flood wall arbitration. There was a recommendation to pay the bills in December of 2014, and it is my recommendation that these bills be paid. Chris Fenner, Stuart Consulting, advised that of the \$62,000 approximately \$50,000 is associated with the effort to compile the original request for PW. That \$50,000 – if FEMA agrees to the flood wall – will be reimbursed as direct administration tasks. The remaining \$12,000 is related to the effort extended during the arbitration process, and those costs are not reimbursable.

Comm. Stack offered a motion to authorize payment to Stuart Consulting for flood wall arbitration, second by Comm. Settoon. The Resolution was adopted to wit:

MOTION: 09-052516
RESOLUTION: 07-052516
BY: COMMISSIONER STACK
SECONDED BY: COMMISSIONER SETTOON

May 25, 2016

RESOLUTION

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

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport 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, Stuart Consulting Group, Inc. is the current provider of professional services for FEMA Public Assistance Program services for hurricane damage claims and grant management services and has been providing those services satisfactorily for several years;

WHEREAS, the Management Authority recently required the immediate professional services of Stuart Consulting Group on an Airport matter involving floodwall arbitration issues with FEMA;

WHEREAS, Stuart Consulting Group, Inc., 1018 Central Avenue, Suite 200, Metairie, LA 70001, is a consulting firm specializing in FEMA-related issues and was retained to provide assistance with the floodwall arbitration matter;

WHEREAS, Stuart Consulting Group, Inc. has presented invoices for services rendered and costs incurred to the Management Authority in the amount of \$54,480;

WHEREAS, the Joint Airport/Finance Committee of the Management Authority reviewed this matter at the May 10, 2016 meeting and recommended payment to Stuart Consulting Group, Inc.; and,

BE IT HEREBY RESOLVED, that the Management Authority approves payment of the invoices from Stuart Consulting Group, Inc., in the amount of \$54,480, for consulting services regarding FEMA-related issues provided to the Management Authority.

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.

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

AYES: ERNST, HEATON, FIERKE, STACK, BRIEN, GREEN, SETTOON, EAMES, RICHARD, ARRIGO, WHEATON

NAYS:

ABSENT: HIGGINS, HEBERT

RESOLUTION ADOPTED: YES

Discussion regarding retreat for Board members

Comm. Richard advised that the Retreat Committee will meet on June 2, 2016. Committee members have been selected, and the date, time and possible site of the retreat will be discussed at the first meeting. The next Board meeting is June 23, 2016 and I will be out of town so I have requested that Comm. Heaton give a Committee report at that meeting.