

Board Meeting Minutes
Non-Flood Protection Asset Management Authority
Thursday, January 25, 2018 – 5:30 P.M.

The regular monthly Board Meeting of the Non-Flood Protection Asset Management Authority was held on Thursday January 25, 2018 at the Lakefront Airport Terminal Building in the 2nd floor conference center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Chair Heaton called the meeting to order at 5:40 P.M. and the roll was called which constituted a quorum.

PRESENT

Chair Wilma Heaton
Vice Chair Eugene Green
Commissioner Roy Arrigo
Commissioner Stanley Brien
Commissioner Greg Ernst
Commissioner Tom Fierke
Commissioner Pat Meadowcroft
Commissioner Chris Morvant
Commissioner Anthony Richard
Commissioner William Settoon
Commissioner Robert Watters
Commissioner Rodger Wheaton

ABSENT

Commissioner Sean Bruno
Commissioner Leila Eames
Commissioner Dawn Hebert
Commissioner Carla Major

STAFF

Executive Director Jesse Noel
Director of Maintenance Don Robertson
Assistant Airport Director Chanse Watson
Airport Manager Dave 'Howie' Howard
Executive Assistant Kim Vu

ALSO PRESENT

Gerry Metzger – Legal Counsel
Al Pappalardo – Real Estate
Ann Duffy – Lake Oaks Neighborhood
Tim Avegno – Eagan Insurance
Kerry Najolia- OLDPD
Steven Kennedy

IV. OPENING COMMENTS – CHAIR HEATON

Chair Heaton thanked the commissioners and all staff for coming to the board meeting. Chair Heaton presented certificates to all the commissioners who served on the board holding various titles and positions on different committees. Chair Heaton introduced the newest commissioner, Mr. Robert Watters, to the board.

Chair Heaton offered the floor to Commissioner Ernst per his request. Commissioner Ernst noted his opinion that the creation of the appointment for which Mr. Watters was created was passed through the legislature unconstitutionally. As such, he felt that Mr. Watters should not be seated until an Attorney General's opinion was produced on the matter.

V. MOTION TO ADOPT AGENDA

Following the opening comments discussion, Commissioner Fierke moved to amend the agenda to include an item under new business to request an Attorney General's opinion on the constitutionality of the creation of the appointment, which was second by Commissioner Ernst. Commissioner Richard voted nay and the amendment failed for lack of unanimous consent.

Commissioner Arrigo moved to adopt the agenda as published, second by Commissioner Wheaton, and approved by all.

VI. PUBLIC COMMENTS

Mr. Steven Kennedy from Winfield Properties requested from the board for multiple people to get awarded a contract for grass cutting services, instead of just one company handling it all. The board agreed that it was a good idea to issue bids based on different areas of the Lakefront.

VII. COMMITTEE REPORTS

Airport – Chair Heaton stated that the Lakefront Airport has been very busy and asked for further details in the director's report.

Finance – Chair Richard stated that the finance committee had a successful meeting with a quorum. The finance committee reviewed the budget for 2018-2019, and they also reviewed the findings from the final audit report sent from Carr, Riggs, and Ingram.

Legal – Chair Major was absent from the board meeting. Mr. Metzger stated that there were no actions required by the board this month. However, the legal committee does plan to meet in February to discuss legal issues.

Commercial Real Estate – Chair Green stated that the commercial real estate committee did not meet due to adverse weather conditions.

Recreation and Subdivision – Chair Wheaton stated that the Recreation/Subdivision committee deferred the meeting due to state office closures and adverse weather conditions.

Marina – Chair Arrigo stated that the marina committee did not meet due to adverse weather conditions. He mentioned that there are plans for improvements at both marinas for 2018.

Director's Report:

Executive Director Jesse Noel gave a status update on each of the committee's ongoing projects. He gave an update on the freeze (adverse weather) that caused several broken water lines. The maintenance team is working on fixing the issues from the recent freeze. E.D. Noel mentioned that his draft Asset Management Plan was on the agenda for approval from the board today.

VIII. OLD BUSINESS

- a) **Resolution No. 01-012518 – Motion to approve and ratify rescheduling December 2017's board meeting from the fourth Thursday to the third Thursday of the month**

Due to the holiday season, the board meeting in December 2017 was moved from December 28, 2017 to December 21, 2017.

Motion to approve and ratify rescheduling December 2017's board meeting from the fourth Thursday to the third Thursday of the month by Chair Heaton, seconded by Commissioner Green, the following resolution was offered:

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, Article III, Section 7 (A)(1)(a) of the Management Authority By-Laws, as amended, provides that the Management Authority shall hold its regular monthly meeting on the fourth Thursday of every month, except in the month 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 Management Authority at a regular or special meeting;

WHEREAS, the regular monthly meeting of the Management Authority for the month of December 2017 was held on December 21, 2017, which was the third Thursday in the month of December, 2017;

WHEREAS, the Board did not adopt a resolution at the December, 2017 meeting to reschedule the meeting to December 21, 2017; and,

WHEREAS, the Chairman moved to approve and ratify the rescheduling of the December, 2017 regular monthly meeting of the Management Authority to December 21, 2017, which was seconded and duly adopted by the Management Authority.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves and ratifies the rescheduling of the December 2017 regular monthly meeting of the Management Authority to December 21, 2017.

BE IT HEREBY FURTHER 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.

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

YEAS:	Arrigo, Brien, Ernst, Fierke, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS:	None
ABSTAIN:	None
ABSENT:	Bruno, Eames, Hebert, Major

IX. NEW BUSINESS

a) Resolution No. 02-012518 for an honor for his heroic act, Mr. Frank Williams

Motion to honor and express condolences for Mr. Frank Williams, an employee of the Blue Crab Restaurant, for his heroic act on December 5, 2017 by Chair Heaton, seconded by Commissioner Arrigo

Mr. Nick Asprodites, owner of Blue Crab Restaurant, was present to accept the resolution on the family's behalf.

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

WHEREAS, one of the properties managed by the Management Authority is leased to Lakeview Landings which houses the Blue Crab Restaurant;

WHEREAS, Mr. Frank Williams was a devoted employee of the Blue Crab Restaurant whose friendship was enjoyed by many of his coworkers;

WHEREAS, on the night of December 5, 2017, Mr. Williams courageously jumped into the New Basin Canal to rescue two people trapped in a car that had driven over the pier and was sinking in the canal;

WHEREAS, his heroic efforts freed one of the trapped men; however, Mr. Williams lost his life in his attempt to save the second person;

WHEREAS, Mr. Frank Williams will be remembered by the Management Authority and the citizens of New Orleans for his valor, high values and willingness to offer the ultimate sacrifice in service to his fellow man;

WHEREAS, Mr. Williams will be sorely missed by his family, loved ones and friends, and his courage and integrity will forever remain a source of deep pride for all who knew and loved him.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority does hereby recognize and honor the courageous sacrifice of Mr. Frank Williams, who gave his life in the service of others, and offers its sincere and heartfelt condolences to his family, loved ones and friends.

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

YEAS: Arrigo, Brien, Ernst, Fierke, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Eames, Hebert, Major

b) Resolution No. 03-012518 – Motion to approve the Asset Management Plan

Motion to approve the Asset Management Plan of the NFPAMA by Commissioner Arrigo, seconded by Commissioner Richard

Chair Heaton stated that the board authority has functioned all these years without an asset management plan and now they finally have one, thanks to Executive Director Jesse Noel and staff.

Commissioner Ernst voiced his opposition to adopting the Asset Management Plan without incorporating his comments. He stated that he was under the impression that he would have an opportunity to present his comments in public but because the committee meetings in January were cancelled, he never received the opportunity. Following this, Commissioner Ernst moved to defer the approval of the AMP but did not receive a second.

There being no further discussion, the vote was cast on the original motion.

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 Executive Director of the Management Authority drafted an Asset Management Plan (AMP), in accordance with the requirements of Louisiana Revised Statute 38:§330.12 (G) ;

WHEREAS, the Staff distributed the draft AMP to the commissioners of the Management Authority on November 30, 2017 and presented the plan for discussion at all of the Management Authority’s December committee and board meetings;

WHEREAS, the Staff distributed to the Board a revised version of the AMP on January 12, 2018 and distributed a final draft of the AMP to all commissioners on January 19, 2018;

WHEREAS, the appendices included in the AMP will be updated by staff as necessary to insure their accuracy;

WHEREAS, the Staff recommends adoption of the AMP to include an annual review of the contents of the AMP in January of every year at all of the Management Authority's committee meetings and the board meetings scheduled for that month; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the District and Management Authority to approve and adopt the AMP.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority approves and adopts the Asset Management Plan recommended by the Staff of the Management Authority, a copy of which is attached to this Resolution and will revisit the AMP annually at all of the Management Authority's public meetings held in January;

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

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

YEAS: Arrigo, Brien, Fierke, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton

NAYS: Ernst

ABSTAIN: None

ABSENT: Bruno, Eames, Hebert, Major

c) **Resolution No. 04-012518 – Change order No. 1 for Lakefront Airport Lighting Vault project**

Motion to ratify Change Order No. 1 for the Lakefront Airport Lighting Vault Project to relocate and maintain operation of the existing emergency generator for an increase of \$6,876.01 resulting in a total contract value of \$947, 519.01 (\$940,643 DOTD, \$6,876.01 NFPAMA) by Commissioner Fierke, seconded by Commissioner Meadowcroft

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"), including the New Orleans Lakefront Airport ("Airport");

WHEREAS, the Management Authority and the Orleans Levee District are the Public Sponsors of the Airport for Louisiana Department of Transportation and Development, Aviation Division ("LADOTD") and U.S. Department of Transportation, Federal Aviation Administration ("FAA") grant funding;

WHEREAS, the LADOTD approved a project identified as "Upgrade Lighting Vault – Phase II (Construction)" (the "project") in an amount not to exceed \$1,169,079.00, which includes \$228,436.00 for professional services and \$940,643.00 for construction;

WHEREAS, the Management Authority advertised, as required under the Louisiana Public Bid Law, a Request for Bids and received three (3) bids for the construction of the Lighting Vault at New Orleans Lakefront Airport as described in the bid documents and awarded the contract to the lowest responsible bidder, Eutaw Construction Company, Inc (the "Contractor") for a total not to exceed price of \$940,643.00;

WHEREAS, during the course of construction it was determined that additional services over and above those detailed in the bid documents would be required to maintain emergency power for the Lighting Vault during the course of construction;

WHEREAS, the Contractor submitted Change Order #2 for a cost of \$6,876.01 to provide the required additional services which will result in a total contract price of \$947,519.01:

WHEREAS, the Executive Director wished to avoid additional expenses as a result of a delay claim and approved the change order which value was within his spending authority per the Management Authority's By-Laws,

WHEREAS, the Airport Committee considered the proposed Change Order at its January 25, 2018 meeting and recommended ratification of same; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District to ratify and approve Change Order #2 to the construction contract with the Contractor for a cost of \$6,876.01 to provide the required additional services which will result in a total contract price of \$947,519.01;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Management Authority ratifies and approves Change Order #2 to the construction contract with Eutaw Construction Company, Inc., for a cost of \$6,876.01 to provide the required additional services to maintain Emergency Power to the Lighting Vault which will result in a total contract price of \$947,519.01:

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

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

YEAS: Arrigo, Brien, Ernst, Fierke, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Eames, Hebert, Major

d) Resolution No. 05-012518 – RFP for professional services

Motion to authorize the issuance of RFP's for Architectural/Engineering, Legal, and Real Estate professional services account moved by Chair Heaton, seconded by Commissioner Green

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

WHEREAS, Requests for Qualifications ("RFQ's") for professional services were last issued in January 2015, and the Management Authority resolved that it was in its best interest to issue RFQs for professional services contracts, including contracts for architectural, engineering, legal, and real estate consulting services, effective on July 1, 2018 and not to exceed three years in duration;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Management Authority shall issue request for qualifications for professional services, including contracts for architectural, engineering, legal, and real estate consulting services, effective on July 1, 2018 and not to exceed three years in duration.

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

YEAS: Arrigo, Brien, Ernst, Fierke, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Eames, Hebert, Major

e) Resolution No. 06-012518 – Grass cutting RFP

Motion to delegate authority to the Recreation and Subdivision Committee to authorize a bid advertisement for grass cutting services by Commissioner Wheaton, seconded by Commissioner Ernst

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, New Basin Canal Park, the New Orleans Lakefront Airport and Orleans and South Shore Harbor Marinas, which are owned by the Orleans Levee District, are some of the non-flood protection assets managed and controlled by the Management Authority;

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

WHEREAS, the Management Authority issued a Request for Proposals for landscape maintenance and grass cutting of the District’s property in May of 2013;

WHEREAS, proposals were received and Rotolo Consultants, LLC was awarded the landscape maintenance and grass cutting contract by submitting the lowest responsible bid;

WHEREAS, the contract was for a term of one (1) year with four (4) additional one (1) year options to renew;

WHEREAS, by Resolution adopted on May 25, 2017, the Management Authority approved an amendment to the contract for landscape maintenance and grass cutting services with Rotolo Consultants, LLC to extend the term of the contract through December 31, 2017;

WHEREAS, on December 21, 2017 the Management Authority adopted a Resolution to extend the contract, commencing on January 1, 2018 on a month-to-month basis, and until a Request for Proposals could be prepared and issued for a new contract for the landscape maintenance and grass cutting services;

WHEREAS, the Executive Director recommended that the Management Authority authorize the Staff to prepare a Request for Proposals for a contract for landscape maintenance and grass cutting services and to authorize the Recreation/Subdivision Committee to approve the issuance of the Request for Proposals; and,

WHEREAS, the Management Authority after considering the recommendation of the Executive Director resolved that it was in the best interest of the District to authorize the Executive Director and Staff to prepare a Request for Proposals for a contract for landscape maintenance and grass cutting services and to authorize the Recreation/Subdivision Committee to approve the issuance of the Request for Proposals.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority authorizes the Executive Director and Staff to prepare a Request for Proposals for a contract for landscape maintenance and grass cutting services and hereby authorizes the Recreation/Subdivision Committee to approve the issuance of the Request for Proposals.

BE IT FURTHER 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.

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

YEAS:	Arrigo, Brien, Ernst, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS:	Fierke
ABSTAIN:	None
ABSENT:	Bruno, Eames, Hebert, Major

f) **Resolution No. 07-012518 – RFP for Insurance Agent of Record**

Motion to delegate authority to the Insurance Committee to issue an RFQ/P for Insurance Agent of Record by Commissioner Fierke, seconded by Commissioner Wheaton

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 each year needs to engage an Agent of Record to purchase insurance for liability coverages, including all casualty, general liability, marina liability,

worker's compensation, employee practices, auto liability, airport owner's liability, and property and flood policies for the insurable non-flood protection assets owned by the District and under the management and control of the Management Authority;

WHEREAS, the Management Authority in early 2015 issued a Request for Qualifications/Proposals for an Agent of Record for all required insurance coverages and upon the recommendation of the Insurance Committee of the Management Authority pursuant to a Resolution adopted in April, 2015 approved a contract with Eagan Insurance Agency, LLC ("Eagan") as Agent of Record, for a term of one (1) year, commencing on July 1, 2016 and ending on June 30, 2017;

WHEREAS, the Management Authority upon the recommendation of the Insurance Committee in March of 2017 approved a new contract with Eagan for a period of one (1) year commencing on July 1, 2017 and ending on June 30, 2018;

WHEREAS, the Executive Director recommended that the Management Authority authorize the Staff to prepare a Request for Qualifications/Proposals for selection of a contract with an Insurance Agent of Record for a term of one (1) year, commencing on July 1, 2018 and ending on June 30, 2019, to authorize the Insurance Committee to approve the issuance of the Request for Qualifications/Proposals; and,

WHEREAS, the Management Authority after considering the recommendation of the Executive Director resolved that it was in the best interest of the District to authorize the Executive Director and Staff to prepare a Request for Qualifications/Proposals for a contract with an Insurance Agent of Record for a term of one (1) year, commencing on July 1, 2018 and ending on June 30, 2019, and to authorize the Insurance Committee to approve the issuance of the Request for Qualifications/Proposals.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Non-Flood Protection Asset Management Authority authorizes the Executive Director and Staff to prepare a Request for Qualifications/Proposals for a contract with an Insurance Agent of Record for a term of one (1) year, commencing on July 1, 2018 and ending on June 30, 2019, and hereby authorizes the Insurance Committee to approve the issuance of the Request for Qualifications/Proposals.

BE IT HEREBY FURTHER RESOLVED, that the Management 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:

YEAS: Arrigo, Brien, Ernst, Fierke, Green, Heaton, Meadowcroft, Morvant, Richard, Settoon, Wheaton
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Eames, Hebert, Major

Chair Heaton announced that the next regular monthly Board meeting will be held on Thursday February 22, 2018 at 5:30 PM in the Lakefront Airport Terminal Building.

Motion to adjourn by Chair Heaton and accepted unanimously.