

**LOUISIANA STADIUM AND EXPOSITION DISTRICT**  
**BOARD OF COMMISSIONERS MINUTES**  
**FROM THE MEETING OF OCTOBER 26, 2023**

**PRESENT:** Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, and Glen D. Smith

**ABSENT:** Commissioners Henry N. Baptiste, Casey J. Robin, and Wells T. Watson

**ROLL CALL and WELCOME**

Chairman Kyle M. France called the October 26, 2023 meeting to order at approximately 1:11 p.m.

**I. APPROVAL OF MINUTES OF OCTOBER 26, 2023 MEETING**

Chairman France asked for a motion for approval of the Minutes for the September 28, 2023 LSED Board of Commissioners Meeting. Commissioner Robin moved for approval of same, seconded by Commissioner Alario. All were in favor, and the Minutes of the September 28, 2023 Board meeting were adopted.

**II. ASM REPORT**

Mr. Thornton began his report by giving an update regarding finances, specifically discussing the hotel taxes, which are on an eight (8%) percent downward trend compared to Q1 of Fiscal year 2022-2023. The lower numbers are in part attributable to the slower convention season in 2023. It is expected that the hotel tax numbers will increase as the year progresses. Self-generated revenues are outperforming the budget thanks to the non-tenant shows, like Garth Brooks. The Q3 and Q4 bookings are slightly behind pace of Q1 and Q2 but will also pick up later into the year.

Capital planning is underway and ASM is discussing which projects to recommend as part of the ongoing capital plan for the Superdome and Smoothie King Center. Some of these projects may be added on as part of the Master Plan project. The projects will be funded by either part of the contingency funds for the Master Plan or surplus funds from the previous fiscal year and possibly a combination of both. ASM will present the board with the recommendations soon, so that those projects can begin.

**[This concludes Mr. Thornton's Report]**

**III. OPERATIONS REPORT**

Mr. Holmes began his report by highlighting the start of the Pelicans season and the boost in the market when certain teams, like the Golden State Warriors come to town. Work is underway to get the Smoothie King Center prepared before the first game to maximize revenue potential. It is always a fun time when we have both the NFL and the NBA happening at the same time.

The LSED was nominated by Bond Attorney Jason Akers to be featured in the “The Bond Buyer” municipal finance industry publication, for deal of the year. This would highlight the work that went into funding the Master Plan Project.

Since the last Board meeting, we’ve had a few shows at the Smoothie King Center including Depeche Mode, the 1975, Alabama and Maluma, which is a Latin show. Upcoming events include the Pelicans and Knicks game, the Saints game, Bayou Classic and Battle of the Bands as well as a Maxwell Show to close the evening out. The Maxwell show is a Fundraiser (of sorts) by the Southern Foundation that is open to the public.

Alex Bowan gave a brief update regarding upcoming shows and bookings in the works. Events and artists coming to the market include Rod Wave, the Trans-Siberian Orchestra Christmas Show, Jurassic World Live Tour, Monster Truck Live and Parker McCollum a country music act. Bad Bunny, one of the biggest Latin artist was recently announced.

Mr. Holmes adds that the newly renovated and modern spaces in the venues are open for private events. Abby Jones in marketing has been doing great work by showcasing the building for these types of events. Abby Jones presented professional photos of the space and emphasized the importance of showcasing and marketing these areas to maximize revenue potential.

**[This concludes Mr. Holmes’ report]**

#### **IV. FINANCE REPORT**

Mr. Weidler began his report by giving a brief outlook into the number of shows in the Smoothie King Center, currently thirty-one (31) shows are in the budget, but current numbers are surpassing the forecast. The compilation of the financial reports have been completed by the financial advisers and was sent off to the legislative auditors. There are requests for information regarding capital projects, the Master Plan and Bayou Segnette.

The 1-penny tax starts in November after the first \$ 2 million goes to the Convention Center and then the revenue will begin flowing to the LSED.

**[This concludes Mr. Wielder’s report]**

#### **V. DBE REPORT; CONSTRUCTION REPORT**

**DBE Report:** Kathleen Turner updated the Board regarding the DBE discretionary spending, which is balanced at twenty-eight (28%) percent. Thus far, seventy-five (75) vendors have been submitted to the Supplier Diversity Program to ensure diverse supply inclusion and to enhance the global strategic sourcing and procurement process. Also, we’re working on community outreach expansion with Youth Force NOLA called the Employer Hub Program. This program is meant to connect and partner employers with schools and students to help open them up to the working world, presenting opportunities and exposure.

**Construction Report:** Ms. Long began her report by giving an update regarding the Westwego Sport Complex, a.k.a. the John Alario, Jr. Sports Complex Construction Project. The contractor Ratcliff is mobilized on the site and is in the process of laying out site utilities, driving timber piles and installation of sanitary and sewer infrastructure; they are about four months into the 12-month schedule. Pile driving of the three buildings is finished, and the foundations are being formed and poured within a week or so.

The LED ribbon board installation is in progress at the Smoothie King Center; all of the ribbon boards on the 200 and 300 level have been ordered and will be delivered soon. The ribbon boards will not be replaced until after the Pelicans Season in the spring.

Bids were received for the concession renovations at the Smoothie King Center. Malin Construction, a DBE company, was the lowest bidder and there is resolution on the agenda to award them the contract. This project is to update two of the concession stands to grab-n-go markets. This should take about two and one-half months to complete.

**[This concludes Ms. Long's report]**

## **VI. LEGAL REPORT**

Shawn M. Bridgewater begins her LSED Legal Report, presenting the following Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Smith, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District authorized and approved an appropriation from the LSED Capital Reserve Account in the amount of \$211,798.52 to purchase equipment and make repairs necessary to maintain and operate the Caesar's Superdome, the Smoothie King Center, and Champions Square for the 2023-2024 Fiscal Year, including the specific items described on the Capital Reserve Request attached hereto. ASM received competitive proposals for the equipment and the repairs related thereto. ASM (acting on behalf of the LSED) and/or Chairman Kyle M. France was authorized to sign the respective purchase requisitions and related documents for the work that is to be performed and the items that are to be purchased from ASE Services, LLC/All Star Electric, Inc., Ceia USA, Ltd., and Crowd Control Warehouse LLC. Copies of each of the Purchase Requisition forms and related documents are attached to the resolution. The source of funds for this Resolution was the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, and Glen D. Smith **Motion 23-61** passed.

On motion of Commissioner Alario, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District authorized, approved, and ratifies the execution of the Certificate of Substantial Completion ("Certificate of Substantial Completion") with respect to the Contract for Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC dated December 18, 2020 ("Contract"), and a portion of Phase 3b of the 2019 Superdome Capital Improvements Project ("Master Plan Project"). The Certificate of Substantial Completion (a copy

of which is attached hereto) provides that certain portions of the work with respect to Phase 3b of the Master Plan Project Contract relating to Elevators 4 and 5 on the East Sideline of the Superdome are sufficiently complete in accordance with the Contract documents to allow the owner to occupy and/or utilize certain described portions of the work for its intended use.

This Resolution was recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and was approved by the Master Plan Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The signature of Commissioner Hilary H. Landry to the Certificate of Substantial Completion is hereby authorized, approved, and ratified.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, and Glen D. Smith **Motion 23-62** passed.

On motion of Commissioner Alario, Seconded by Commissioner Landry, the Louisiana Stadium and Exhibition authorized, approved and ratified the execution of the Master Plan Phase 3b Guaranteed Maximum Price Adjustment No. 14 (“Phase 3b GMP Adjustment No.14”) to the Guaranteed Maximum Price Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to Phase 3b of the 2019 Superdome Capital Improvements Project (“Project”). Phase 3b GMP Adjustment No.14 provides for a net increase of \$3,416,459.93 to the Phase 3b Guaranteed Maximum Price that consists of the following:

- (i) An increase in the amount of \$893,026.01 for an increase in costs that are associated with addition of various scopes of work with respect to the Project;
- (ii) An increase in the amount of \$381,101.47 for costs that are associated with various structural steel changes at the Project site;
- (iii) An increase in the amount of \$2,021.83 for costs that are associated with the additional wall base at Level 200 East sideline hallways at the Project site;
- (iv) An increase in the amount of \$36,958.08 for costs that are associated with additional framing, drywall, and finishing at the Project site;
- (v) An increase in the amount of \$3,777.24 for costs that are associated with the removal of the existing topping slab at Elevators 16 and 17 at the Project site;
- (vi) An increase in the amount of \$30,945.22 for costs that are associated with the replacement of the 2023 VAV that was originally to be salvaged and reused, to include the furnishing of all new VAV in lieu of salvaging units;
- (vii) A deduction in the amount of \$65,800.88 for the removal of the Level 650 traffic coating at the Project site from Broadmoor’s scope of work;
- (viii) An increase in the amount of \$3,459.24 for costs that are associated with changes to adjust the walls at the Project site Level 400 men’s restrooms;
- (ix) An increase in the amount of \$2,096,190.51 for costs that are associated with addition of Project site flooring and tile to Phase 3b GMP contract scope of work;
- (x) An increase in the amount of \$20,154.94 for costs that are associated with various mechanical changes at the Project site; and
- (xi) An increase in the amount of \$14,626.27 for costs that are associated with the demolition and infill of the existing floor vents at Level 100 NE of the Project site.

This Resolution was recommended by Legends Hospitality (the Project Manager) and Trahan Architects (Project Architect) and was approved by the Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for the Phase 3b GMP Adjustment No. 14 is the Project Budget, and there are sufficient funds to support this Resolution. The execution of Phase 3b GMP Adjustment No. 14 by Commissioner Hilary H. Landry was authorized, approved and ratified.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, and Glen D. Smith. **Motion 23-63** passed.

On motion of Commissioner Alario, Seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District authorized, approved, and took the following actions with respect to the 2023 Smoothie King Center Concession Renovation Project (“Project”):

- (i) On October 19, 2023, two (2) bid responses were received with respect to the Project and both bids were found to be in compliance with Louisiana Public Bid Law;
- (ii) Following review of the submitted bids by ASM Global, the LSED Construction Committee accepts the recommendation of ASM Global and recognizes the Base Bid that was submitted by Malin Construction Co., Inc. in the amount of \$204,000.00 as the lowest responsive bid for the Project; and
- (iii) The LSED further hereby authorizes the negotiation and execution of a contract with Malin Construction Co., Inc. by Chairman Kyle M. France (“Project Contract”).

This Resolution had the Staff Analysis Support and Recommendation of ASM Global and was approved by the LSED Construction Committee. The source of funding for the Project Contract was the Smoothie King Center Reserve and Replacement Fund, and there were sufficient funds to support this Resolution.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, and Glen D. Smith. **Motion 23-64** passed.

Pursuant to LSED Resolution 20-55 dated November 19, 2020 and LSED Resolution 21-89, dated September 23, 2021, the LSED approved and ratified (i) the selection of Conventions Sports & Leisure International, LLC D/B/A Legends Project Development (“Legends/Circular”) to perform construction management services with respect to the construction and development of the Westwego Sports Complex, aka the John Alario, Jr. Sports Complex (“Westwego Project”), and (ii) the execution of an Agreement and First Amendment to Agreement for Project Management Services.

On motion of Commissioner Alario, Seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized, approved, and ratified the negotiation and execution of the Second Amendment to the Westwego Project Management Services Agreement (“Second Amendment”). The Second Amendment will extend the term of the agreement for a period of five (5) months (through June 18, 2024) and will provide for a fee for the project management services in an amount that is approved by LSED Legal Counsel and Chairman Kyle M. France.

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (attached hereto) and was approved by the LSED Construction Committee. The source of funding for the Second Amendment was the Westwego Project budget and there were sufficient funds to support this Resolution.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, and Glen D. Smith. **Motion 23-65** passed.

**[This concludes the Legal Report]**

**VII. BOARD REPORTS**  
None.

**VIII. OTHER BUSINESS**  
None.

**IX. ADJOURNMENT**

Chairman France asks for a motion to adjourn. On motion of Commissioner Baptiste, the October 26, 2023 meeting adjourned at 1:46 p.m.