

LOUISIANA STADIUM AND EXPOSITION DISTRICT
BOARD OF COMMISSIONERS MINUTES
FROM THE MEETING OF SEPTEMBER 26, 2019

PRESENT: Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Gregory A. Morrison, Casey J. Robin, and Wells T. Watson

ABSENT: None.

I. ROLL CALL and WELCOME

Chairman Kyle France welcomed everyone to the September 26, 2019 meeting, calling it to order at approximately 1:08 p.m., and Commissioner Baptiste led everyone in attendance in the Pledge of Allegiance. Present were: Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Gregory A. Morrison, Casey J. Robin, and Wells T. Watson. There was a full quorum.

II. OATH OF OFFICE OF NEW COMMISSIONER

LSED Legal Counsel administers the Oath of Office to the newly appointed LSED Commissioner, Wells T. Watson.

III. APPROVAL OF MINUTES OF AUGUST 21, 2019 MEETING

Chairman France asked for a motion for approval of the Minutes of the August 21, 2019 Board Meeting. Commissioner Robin moved for approval of same, seconded by Commissioner Landry. All were in favor, and the Minutes of the August 21, 2019 Board meeting were adopted.

IV. SMG REPORT

Doug Thornton begins the SMG report, referring to the lengthy agenda containing 19 resolutions. Finances for the first three months of the new fiscal year appear to be on budget, with a stable hotel tax, and the Master Plan progresses, with expectations for the Guaranteed Maximum Price in late October. Several items on this agenda relate to the master Plan.

The \$30M bridge financing from Iberia Bank has been received, which is part of the LSED's bond anticipation note – providing for an interest only payment paid out of the cash flow until refinancing in 2023.

The Superdome roof cleaning is complete, and talks continue with the contractor to establish a long-term solution. Recoating may take place within the next 12 to 14 months.

[This ends the General Matters report.]

Evan Holmes presents the Services Report, noting that no official word has been received from the Baby Cakes and that steps are being taken to ensure that activities will take place at the Shrine On Airline, along with marketability of the facility, baseball, and other potential alternative uses.

Turning to the Westwego Sports Complex, Mr. Holmes believes through partnering with Jefferson Parish, they are close to issuing an RFP for management services. All parties were in agreement to have a private management group that specializes in athletic and sports tourism facilities to ensure it is marketed, managed, and promoted.

Turning to the TPC of Louisiana, Mr. Holmes notes there is an agenda item for that facility to rededicate previously encumbered capital dollars for a project that came under budget and direct those funds to ensure that the tournament remains at the level and facility quality that is expected by the tour and the players.

Another agenda item is the extension of the consulting agreement with Jade Russell Consulting with respect to the Business Opportunity Program. The program's kick-off is scheduled for November 1.

[This concludes the Services Report.]

Alan Freeman begins his Facility Operations Report with highlights and attendance recaps of past events, which included the Saints preseason game, University of Louisiana vs. Mississippi State, the Greater New Orleans Sports Foundation Awards Luncheon, the Saints Fun Run, and the Saints vs. Houston.

The Smoothie King Center hosted Big Three Basketball, WWE Monday Night Raw, Chris Brown, Back Street Boys, Sweet Adelines, and Diversified Communications.

Chris Young performed at Champions Square in early September, the final concert for the Bold Sphere concert Series for 2019.

Mr. Freeman presents reviews the bar charts for July, reflecting that the facilities are ahead of budget on ticketed/attendance events, along with upcoming games and events at the Dome, Smoothie King Center, which will include the Miranda Lambert concert, Pelicans games, STEM Fest. Champions Square will also host the Annual Gleason Gras. Other upcoming events will be the NCAA Women's Final Four in April 2020. Meetings continue with respect to the college play-offs on January 13, the National Championship Game.

Mr. Freeman notes that 17 tons of garbage were diverted from landfills as a result of the limited recycling program instituted during the last football season, just on the plaza level of the Dome. This program will be expanded to Champions Square for this coming season.

[This concludes the Facility Operations Report.]

V. FINANCE REPORT

David Weidler advises that the financial statements are for July, as he is still preparing those for August. He concurs that the hotel tax for the first three months of the current fiscal year are flat, which doesn't indicate that this will be the trend going forward. The Dome, SKC, and Champions Square are performing better than budget, specifically pointing to the unbudgeted concert by the Rolling Stones. Champions Square's revenue is up because of the sponsorship revenue received earlier than anticipated. Everything else is basically following budget for the fiscal year. The lease entitlements start in August.

[This ends the Finance Report.]

VI. CONSTRUCTION REPORT

Pat Tobler of The Tobler Company presents the Construction Report, beginning with a brief update on the Dome Master Plan. Trahan Architects will issue its 50% construction design documents shortly, which would provide the basis for the guaranteed maximum price figure from the CMAR contractor. The goal is to evaluate the GMP, make recommendations to the Project Team, and have that GMP amendment presented to the Board at the October meeting.

Mr. Tobler suggests, that in light of the many resolutions to be presented by legal counsel, the Board could read his written report, which contains additional projects unrelated to the Master Plan. Chairman France concurs.

[This concludes the Construction Report.]

VII. LEGAL REPORT

Shawn M. Bridgewater introduced the LSED Legal Report and presented the following nineteen (19) Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Landry, seconded by Commissioner Morrison, the LSED authorized and approved an appropriation from the LSED Capital Reserve Account in the amount of \$118,067.52 to purchase equipment and make repairs/renovations necessary to maintain and operate the Mercedes Benz Superdome, the Smoothie King Center, and Champions Square for the 2019-2020 fiscal year. SMG has received competitive proposals for the equipment and the repairs/renovations related thereto. The resolution authorizes SMG (on behalf of the LSED) to sign the Purchase Requisition documents. The funding source is the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-57** passed.

On motion of Commissioner Morrison, seconded by Commissioner Baptiste, the LSED authorized and approved an appropriation from the LSED Capital Reserve Account in the amount of \$58,964.97 to purchase equipment and make repairs/renovations necessary to maintain and operate the Mercedes Benz Superdome, the Smoothie King Center, and Champions Square for the 2019-2020 fiscal year. SMG has received competitive proposals for the equipment and the repairs/renovations related thereto. The resolution authorizes SMG (on behalf of the LSED) to sign the Purchase Requisition documents. The funding source is the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-58** passed.

On motion of Commissioner Landry, seconded by Commissioner Morrison, the LSED authorized and approved a Second Amendment to the 2019 Superdome Capital Improvements Project CMAR Contract between the LSED and Broadmoor, LLC. Pursuant to the Second Amendment, Broadmoor would procure freight elevator submittals to define scope, evaluate systems, and value engineer opportunities to assist in the development of a Guaranteed Maximum Price for the Project Vertical Transportation – Freight Elevator Systems at a cost of \$10,000.00, which amount would be included in the Project Guaranteed Maximum Price. This Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG, and the LSED Project Representative. The source of funds for the Second Amendment is the Project Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-59** passed.

On motion of Commissioner Robin, seconded by Commissioner Morrison, the LSED authorized and approved a Third Amendment to the 2019 Superdome Capital Improvements Project CMAR Contract between the LSED and Broadmoor, LLC. Pursuant to the Third Amendment, Broadmoor would procure submittals for control panels, ring videoboard, emergency generators, and electrical substation and related equipment for the sum of \$2,000.00, which amount would be included within the Project Guaranteed Maximum Price. This Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG, and the LSED Project Representative. The source of funds for the Third Amendment is the Project Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-60** passed.

On motion of Commissioner Landry, seconded by Commissioner Baptiste, the LSED authorized and approved a Fourth Amendment to the 2019 Superdome Capital Improvements Project CMAR Contract between the LSED and Broadmoor, LLC. Pursuant to the Fourth Amendment, Broadmoor would engage Merit Sprinkler Company, Inc. to perform a preconstruction/design-assist role in connection with the Project fire sprinkler work for the sum of \$33,000.00, which amount would be included within the Project Guaranteed Maximum Price. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG, and the LSED Project Representative. The source of funds for Fourth Amendment is the Project Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-61** passed.

On motion of Commissioner Landry, seconded by Commissioner Morrison, the LSED authorized and approved a Fifth Amendment to the 2019 Superdome Capital Improvements Project CMAR Contract between the LSED and Broadmoor, LLC. Pursuant to the Fifth Amendment, Broadmoor would engage Gallo Mechanical to provide a video investigation of the plumbing lines related to the proposed passenger elevators for the sum of \$12,448.00, which amount would be included within the Project Guaranteed Maximum Price. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG, and the LSED Project Representative. The source of funds for the Fifth Amendment is the Project Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-62** passed.

On motion of Commissioner Morrison, seconded by Commissioner Robin, the LSED authorized and approved a Sixth Amendment to the 2019 Superdome Capital Improvements Project CMAR Contract between the LSED and Broadmoor, LLC. Pursuant to the Fifth Amendment, Broadmoor would engage Foster Steel to provide structural steel work that is necessary for the Project for the sum of \$2,006,995.00, which amount would be included within the Project Guaranteed Maximum Price. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG, and the LSED Project Representative. The source of funds for the Sixth Amendment is the Project budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-63** passed.

On motion of Commissioner Landry, seconded by Commissioner Baptiste, the LSED authorized and approved Request #6 of Trahan Architects to provide additional architectural services with respect to the 2019 Superdome Capital Improvements Project that shall consist of the engagement of Zelus (with Tri-Corps as a sub-consultant) to provide consulting and modeling services in connection with the Existing Conditions BIM Modeling Template of the Mercedes-Benz Superdome with respect to Phases 2-5 of the Project, for a fee of \$3,065,868.00. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, and the LSED Project Representative. The source of funds for the Resolution is the Project Soft Cost Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-64** passed.

On motion of Commissioner Robin, seconded by Comm. Lapeyrolerie, the LSED authorized and approved Change Order No. 001 to the Contract between the LSED and Brazos Industries, LLC with respect to the Smoothie King Center Reroof Project. Change Order No. 001 provided for a deduction of \$6,759.95 to the original Contract amount to allow for a Unit Price Reconciliation of Actual Quantities Installed, as reflected in the Unit Cost Reconciliation Spreadsheet attached to Change Order No. 001. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, Eskew+Dumez+Ripple, APC (the Project Architect), and the LSED Construction Committee. The source of funds for Change Order No. 001 is LSED Capital Reserve, and sufficient funds exist to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-65** passed.

On motion of Commissioner Lapeyrolerie, seconded by Commissioner Morrison, the LSED authorized and approved the execution of a Certificate of Substantial Completion with respect to the Contract between the LSED and Brazos Industries, LLC for the Smoothie King Center Reroof Project. The Certificate provided that the work performed under the Project Contract was, subject to the completion of the items on the Master Punch-list, sufficiently complete in accordance with the Contract Documents to allow the owner to utilize the work for its intended purpose. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, Eskew+Dumez+Ripple, APC (the Project Architect), and the LSED Construction Committee. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-66** passed.

On motion of Commissioner Morrison, seconded by Commissioner Baptiste, the LSED authorized and approved the award of a contract with respect to the Alario Center Exterior Waterproofing Project to Pelican Restoration & Waterproofing. On or about August 30, 2019, bids for the Project were received and found to be in accordance with Public Bid Laws. Following review by The Tobler Company, as the Project Manager, NANO, LLC (the Project Architect), SMG, and the LSED Construction Committee, the LSED recognized and accepted the bid submitted by Pelican Restoration & Waterproofing in the amount of \$103,000.00 as the lowest responsive bid for the Project and authorized the negotiation and execution of a contract with Pelican Restoration & Waterproofing. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, NANO, LLC (as the Project Architect), and the LSED Construction Committee. The source of funds for the Project is Alario Center Capital Outlay, and sufficient funds exist to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-67** passed.

On motion of Commissioner Robin, seconded by Commissioner Morrison, the LSED authorized and approved Change Order Nos. 001, 002, and 003 to the Contract between the LSED and Stallings Construction Co., Inc. for the Alario Center Restroom Upgrades & Exterior Panic Door Hardware Project.

Change Order No. 001 provided for a credit to the Project Contract in the amount of \$686.00 to leave the existing shower valve, fixtures, and accessories in Executive Room #176 as is. Change Order No. 002 provided for an increase of \$1,912.00 to the Project Contract amount for additional hardware that was required for the increased height of the doors from what was originally contemplated by the Project specifications. Change Order No. 003 provided for an increase of \$22,222.00 to the Project Contract amount to accommodate for repairs to, and remediation and restoration of a pre-existing, unforeseen condition in the concrete substrate flooring system. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, NANO, LLC (the Project Architect), and the LSED Construction Committee. The source of funds for Change Orders 002 and 003 is Alario Center Capital Outlay, and sufficient funds exist to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-68** passed.

On motion of Commissioner Landry, seconded by Commissioner Baptiste, the LSED authorized and approved the execution of a Certificate of Substantial Completion with respect to the Contract between the LSED and Stallings Construction Co., Inc. for the Alario Center Restroom Upgrades & Exterior Panic Door Hardware Project. The Certificate provided that the work performed under the Project Contract was sufficiently complete in accordance with the

Contract Documents to allow the owner to utilize the work for its intended purpose. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, NANO, LLC (the Project Architect), and the LSED Construction Committee. Approval of the resolution is recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-69** passed.

On motion of Commissioner Lapeyrolerie, seconded by Commissioner Morrison, the LSED authorized and approved the execution of Change Order No. 001 to the Contract between the LSED and Rycars Construction, LLC for the Alario Center 2019 Roof Replacement Project. Change Order No. 001 provided for an increase of \$17,679.00 to the Project Contract amount for the replacement of approximately 300 square feet of the roof that was deteriorated as a result of saturation from the existing HVAC ductwork. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, NANO, LLC (the Project Architect), and the LSED Construction Committee. The source of funds for the Project is Alario Center Capital Outlay, and sufficient funds exist to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Baptiste, Landry, Lapeyrolerie, Morrison, Robin, and Watson. Voting against: None. Abstaining: None. Absent: None. Motion **19-70** passed.

[This concludes the Legal Report.]

VIII. BOARD REPORTS

None.

IX. OTHER BUSINESS

None.

X. ADJOURNMENT

On motion by Commissioner Robin, seconded by Commissioner Morrison, the LSED September 26, 2019 monthly meeting adjourned at 1:52 p.m.