

**LOUISIANA STADIUM AND EXPOSITION DISTRICT**

**BOARD OF COMMISSIONERS MINUTES**

**FROM THE MEETING OF MAY 27, 2021**

**PRESENT:** Commissioners Kyle M. France, J.P. Morrell, Gregory A. Morrison, and Wells T. Watson

**ABSENT:** Commissioners Henry N. Baptiste, Hilary H. Landry, and Casey J. Robin

**ROLL CALL and WELCOME**

Chairman Kyle France called the May 27, 2021 meeting to order at approximately 1:07 p.m. Present: Commissioners Kyle M. France, J.P. Morrell, Gregory A. Morrison, and Wells T. Watson. Absent: Commissioners Henry N. Baptiste, Hilary H. Landry and Casey J. Robin. Commissioner led everyone in the pledge.

A moment of silence is taken for a member of one of the Commissioner's family.

**I. APPROVAL OF MINUTES OF APRIL 22, 2021 MEETING**

Chairman France asked for a motion for approval of the Minutes of the April 22, 2021 Board Meeting. Commissioner Morrison moved for approval of same, seconded by Commissioner Morrell. All were in favor, and the Minutes of the April 22, 2021 Board meeting were adopted.

Commissioner France moves to present the Legal Report out of order. *See* Section VI, below for full Legal Report.

**ASMREPORT**

Doug Thornton provides a brief explanation to the Board on the current fiscal year budget, noting an approximate \$12.SM shortfall on the budget forecast. But, April collections were \$400,000 than expected, tracking in the neighborhood of the \$12.SM. In closing the gap, there's a supplemental appropriation request before the Legislature, with a possible amendment to this supplemental appropriation to bridge some of the gap, part of which would be reimbursement for insurance premiums paid to ORM and part to cover any additional shortfalls.

Still pending is the American Rescue Plan, the federal appropriation to the State and local governments that is intended to be used to reimburse agencies, such as the LSED, for lost tax revenues.

For FY ending June 2021, we're forecasting lost tax revenues to the LSED in the range of \$62.0 to \$63.0M, and coupled with the loss of event income, that's a pretty dramatic impact on the budget. It was necessary to use some of the borrowed capital to cover the shortfall throughout the year, approximately \$37.0M. The borrowed capital was derived from the Bond Anticipation Notes. Without a Supplemental Appropriation and the ARP money, the borrowed capital would have to be used to bridge the \$12.SM shortfall. The budget approved by the Board today has about a \$15.SM forecasted shortfall. Budget variables depend on reopening, hosting concerts, and playing football at 100%. In terms of forecasting the budget, we working on a month-to-month basis with all state officials and the staff in the House and Senate. It's expected that there will be a \$15.SM

shortfall in FY 2022. There may be a surplus at the State level at the end of the session next year. The State has \$673M surplus at present, which is being used as part of the Supplemental Appropriation in the current session.

On a positive note, the hotel tax for April was \$400,000 better than expected. Given the current status in the community and opening of more establishments, we're more positive on tax collections that forecasted in the 2022 budget. Mr. Thornton hopes that his report answers questions on closing the gap for FY 2021 and the look-ahead budget for 2022.

Turning to the project funding, borrowing of \$70M is anticipated (Jason Akers, Bond Counsel concurs). The Bond Commission has authorized LSED to borrow up to \$350M. With the \$70M, the total borrowed would be \$190M, well below the authorized threshold of the Bond Commission. It's anticipated that Capital Outlay appropriations in this session would be \$27M, some of which would be in Priority 5 and some in Priority 2. It is also expected that the Bond Commission will take up the issue of debt conversion, allowing the LSED to increase its borrowing capacity of up to \$63M, still within the \$350M threshold. If that occurs, the result is that, with the \$63M debt conversion and Capital Outlay, it forms the basis of the \$90M previously committed by the State for the Master Plan Project. Mr. Thornton reiterates that the American Rescue Plan money would still be needed, perhaps not right away, but between now and July 2023, when it is time to refinance the entire debt originally anticipated.

Mr. Thornton turns over the floor to Mr. Akers, Bond Counsel.

Mr. Akers concurs with Mr. Thornton's comprehensive summary. The upcoming borrowing was planned all along, which continues the construction through mid-part of 2022, following which options and requirements will be analyzed. The borrowing is structured to provide operational flexibility for the budget and within the confines of applicable law. Mr. Akers is also comfortable with the current position and the direction it's going when it is time for the next tranche of Bond Anticipation Notes. Mr. Akers concludes his summary by noting that 2023 is a big unknown at present, and his team is monitoring hotel tax recovery, other available revenues, and types of recovery funds that would be made available.

Mr. Thornton continues with good news that events begin in July at Champions Square and the Dome and concerts in the Fall at the Arena, a very positive revenue growth.

The challenge will be to bring back all of the facility workers, something playing out across America, including Centerplate. There's competition with other business that are restarting, which is pretty fierce for both full-time and part-time labor. Job fares will be accelerated, looking also at incentives for full/part-time employees. To host a football game, 3,000 workers are required, half of which are in Centerplate's food service department and the other on the operations level. ASM's HR and Events Departments, led by Farrow Bouton, are aggressively out recruiting to fill the roster. Last year's football season did not present a problem, and we're hopeful for this season to have recruited and trained the adequate number of employees. All of this will be at an increased cost, some of which were brought on by COVID and perhaps can be passed on to event organizers, through increased rents and reimbursable expenses. All PPE equipment had to be purchased; there were no Cares Act, State, or City reimbursement.

With the Shrine On Airline Amendment being passed at this meeting, ASM can appropriately budget for this facility, having delegated authority from the LSED to represent it with regard to negotiations, on an event-by-event basis. The rugby games have been a success, making the Shrine the most active building at present.

[This concludes the ASM report]

Evan Holmes presents the Services Report. With respect to the renovation project, Phase 2 work continues, with noticeable changes in the facility, such as standing room decks and North End Zone Club Suites coming on line. Going forward with the next round, and in preparation for the Final Four in April 2022, the balance of the work will set off after the Final Four in order to complete the work. Even if there's construction, work continues in the details with the contractor and design team on future scopes to be in sequence and feathered in, from operational and budget standpoints as well.

Turning to the Shrine and its activities, Mr. Holmes comments that this [the Amendment passed] allows for an appropriate level of resource for personnel to run the facility just like the Dome and Smoothie King Center, and he comments Grant Hall and Tim Suire's team in managing that. Mr. Holmes reminds everyone that the baseball team previously controlled all of the commercial rights, managed schedules, booked events, and retained revenues. Under the new arrangement, even though the LSED continues to pay expenses, overhead, and staff, revenue will come back and offset that. It's a positive note for all parties, including Jefferson Parish and the Jefferson Performing Arts Center.

Turning to the Zurich Classic, Luke Farabaugh, General Manager of the TPC of Louisiana, reported that this year's event was the highest television-viewed since 2006 and 50% over-viewed for 2019. This Classic was the first large-scale event in the metro area since COFID. The course played well, a result of the regressing, and drainage was better than expected. The PGA Tour commented it was the best drainage facility they've experienced.

[This concludes the Services Report.]

Zane Collings presents the Facility Operations Report, turning to NOLA Gold games, a couple of drive-in vents, the KIPP graduation, and the end of the Pelican season. A number of events have been confirmed, such Billie Eilish on February 3, Florida Line at the Smoothie King Center on September 25, and rehearsal of another event in June, with one to follow in 2022. The City has approved 100% capacity, with masks, news that performers were waiting for before moving forward. Three additional events have been confirmed but will not be announced to the public yet. Looking to 2022, 12 concerts are already on the books and expected to increase considerably due to the 100% mask capacity. Operationally, Mr. Collings concurs that recruiting is a challenge, in addition to guest services and ADA fulfillment. Items are out to bid, including a landscaping and HBA contract, plus elevator maintenance at the Shrine.

Mr. Collings takes a moment for Jennifer Talbot of Marketing to display slides of the KIPP Graduation, the Pelicans final game, an e-blast for ticket sales, including Kane Brown, Eric Church, a Mother's Daye-blast, and the monthly front row calendar.

[This concludes the Facility Operations Report]

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

David Weidler presents the Finance Report, noting that the past two months of hotel taxes rose slightly, hopefully due to lifting of restrictions. He was conservative in preparing the budget for next year, using a lower attendance level. With the City now opening up 100% for events, the projected shortfall could be less moving forward. There were a lot of unknowns and assumptions. The \$15M shortfall should be covered under the plan in place with the State of Louisiana.

Chairman France, on behalf of the Board, commends the Finance Team and Mr. Bouton's and Ms. Talbot's teams, on their incredible work in keeping the facilities operational. There's simply no outline to go to on how to deal with total closures during a pandemic

[This concludes the Finance Report.]

#### **V. CONSTRUCTION REPORT**

Eileen Long presents a brief summary of the construction projects, beginning with the Alario kitchen replacement project's substantial completion on May 11 and the final inspection by the Department of Health. The punch-list items are being handled, and close-outs and warranty documents are being transmitted.

A meeting was held with representatives of Jefferson Parish, Duplantis Design Group, Legends, and ASM to review the 90% construction documents with respect to the Westwego Sports Complex. The drawings should be done for Phases 1 and 2 on June 7. If monies are received for Phase 2, Priority 5 moves up to Priority 1 or 2, and bids will go out for Phases 1 and 2 in mid-June. If not, the package will be broken up into Phase 1 and Phase 2, bidding out Phase 1 at the end of June. Phases 1 and 2 have four multipurpose fields, either four large soccer fields or eight baseball diamonds. There's a concession building, two restroom buildings, parking, batting cages, an inclusive playground, lounge, and adaptive whiffle ball field as alternates in Phase 1/Phase 2 bid documents.

Referring to the reports in the Board handouts, the Master Plan for Phases 1, 2, and 3 depicts what the park will look like when completely finished. The budget number for Phase 1 is \$17M in hard costs, \$9M for Phase 2, and then an overview. If both phases are bid out at the same time, construction would start in mid-August.

Included in the site observation report for the Master Plan are pictures from the past week showing various phases of construction relating to Phase 2. Legends, Broadmoor, and Trahan Architects continue working on design documents for Phases 3A through 5, working on budgets and honing for Phase 3A. In response to Commissioner Morrison's query as to the schedule at the

Dome, Mr. Thornton responds that everything is either on schedule or slightly ahead, with plans for going ahead with football and the Monster Truck Show in late July.

[This concludes the Construction Report.]

## **VI. LEGAL REPORT**

Shawn M. Bridgewater introduced the LSED Legal Report and presented the following 16 Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Watson, seconded by Commissioner Morrison, the LSED authorized and approved the Budget for the 2022 Fiscal Year (for the period from July 1, 2021 through June 30, 2022), which includes the Budget Summary, the Consolidated Cash Flow Statement, the Facility Statement of Income for the Mercedes-Benz Superdome, Facility Statement of Income for the Smoothie King Center, and the Administrative Services Budget. Approval of this Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-34** passed.

Before moving to the next proposed resolution, Commissioner France notes that Doug Thornton will later discuss the operating and cash flow for the coming fiscal year, and that much time has been spent on working through the budget. In hearing no other discussion, motion carries.

On motion of Commissioner Morrell, seconded by Commissioner Watson, the LSED authorized and approved an appropriation from the LSED Capital Reserve Account in the amount of \$78,396.70 to purchase equipment and make repairs necessary to maintain and operate the Mercedes-Benz Superdome, the Smoothie King Center, and Champions Square for the 2020-2021 Fiscal Year. The source of funds for the Resolution is the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution. Approval of this Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-35** passed.

On motion of Commissioner Morrison, seconded by Commissioner Morrell, the LSED adopted a Third Supplemental Note Resolution supplementing the General Bond Anticipation Note Resolution adopted by the LSED on August 21, 2019, specifically authorizing the sale and delivery of the third tranche of Bond Anticipation Notes to fund the Mercedes-Benz Superdome Master Plan Project as authorized by the General Bond Anticipation Note Resolution adopted by this Board of Commissioners on August 21, 2019. The Resolution provided for the issuance and delivery of the Series 2021 Notes, the sale of the Series 2021 Notes, and authorized Chairman France to execute a Note Purchase Agreement selling the Series 2021 Notes and setting forth the terms of the sale. The terms of the sale will be communicated to the Board at its next meeting via the Certificate of

Determination that is to be executed by Chairman France. This Resolution also provides for the form for the Series 2021 note and other details regarding the payment of principal of and interest on the note and the application of the proceeds. The Resolution was drafted in consultation with co-bond counsel, the co-municipal advisors, the LSED's general counsel, and LSED/ASM staff. Approval of the Resolution was recommended.

The Resolution was drafted in consultation with co-bond counsel, co-municipal advisors, LSED's general counsel, and LSED and ASM staff and representatives. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-36** passed.

Chairman France again notes that discussions can take place concerning renovations moving forward following the resolutions being presented.

On motion of Commissioner Watson, seconded by Commissioner Morrison, the LSED authorized and approved the negotiation and execution of a Second Amended and Restated Support Services Agreement by and between the LSED and SMG, which amends and restates certain provisions of the existing Amended and Restated Support Services Agreement by and between the LSED and SMG dated December 15, 2015. Pursuant to the proposed Second Amended and Restated Support Services Agreement, SMG will continue to provide personnel and resources necessary to perform administrative, accounting and finance, asset management, public relations, governmental matters, and other support services for the LSED and its facilities. In addition, SMG's Management role with respect to the Shrine on Airline Drive will be broadened to include event booking and other related administrative services for an agreed upon fee. The term of the Second Amended and Restated Support Services Agreement will run concurrent with the existing Management Agreement between the State of Louisiana and ASM global. The Agreement is consistent with the LSED's enabling legislation, the existing Management Agreement, and the Amended Support Services Agreement, and will contain terms and conditions that are acceptable to Chairman Kyle France and LSED legal counsel. This Resolution has the Staff Analysis Support and Recommendation of ASM and once approved and executed by Chairman Kyle M. France, the Second Amended and Restated Support Services Agreement will be ratified by the LSED at a subsequent meeting. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-37** passed.

On motion of Commissioner Morrison, seconded by Commissioner Morrell, the LSED authorized, approved, and ratified the execution of the Fourth Amendment to the Agreement for Professional Services by and between the LSED and Trahan Architects, APC dated March 25, 2019, for the 2019 Superdome Capital Improvements Project. Pursuant to the Trahan Fourth Amendment, Trahan Architects would perform the additional architectural services that are provided for in ASR's 7r2, 1r3, 12r2, 17r3, 19r3, 20, 22r3 and 23r4, all of which have been previously approved by the

LSED by separate resolution, and pursuant to the Fourth Amendment, Trahan Architects will also provide administration of the Guaranteed Maximum Price amendments to the Construction Manager at Risk contract by and between the LSED and Broadmoor. The source of funds for the Trahan 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, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-38** passed.

On motion of Commissioner Morrison, seconded by Commissioner Watson, the LSED authorized, ratified, and approved Guaranteed Maximum Price Adjustment No. 3 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 2 of the 2019 Superdome Capital Improvements Project. Phase 2 GMP Adjustment No. 3 provided for an increase of \$925,137.00 to the Master Plan Phase 2 Project, and consisted of additional costs that are associated with the installation of a Smoke Control System at Gate A of the Project site and the inclusion of a Restroom/Mothers Room in the General Admissions area of the Project site. Phase 2 GMP Amendment No. 3 has been recommended by Legends Hospitality, as the Project Manager, and Trahan Architects, at the Project Architect, and had been 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 source of funds for Phase 2 GMP Adjustment No. 3 is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-39** passed.

On motion of Commissioner Morrison, seconded by Commissioner Watson, the LSED authorized, ratified, and approved Guaranteed Maximum Price Amendment No. 4 for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to Phase 2 of the 2019 Superdome Capital Improvements Project. Phase 2 GMP Adjustment No. 4 provides for a net increase of \$122,089.00 to the Master Plan Project Guaranteed Maximum Price, consisting of:

- (i) Close out of the Structural Steel Design Contingency Allowance following the reconciliation of the structural steel scope with the 100% Construction Documents, which represents a deduction of \$148,312.00;
- (ii) Labor and material costs in the amount of \$31,401.00 associated with the broadcast cabling in the NFL Media Room;
- (iii) Labor and material costs in the amount of \$135,000.00 to install all of the scope associated with the suite mockup; and
- (iv) Labor and material costs in the amount of \$104,000.00 to install all of the scope associated with the Level 500 Video Board Alternate.

Phase 2 GMP Amendment No. 4 had been recommended by Legends Hospitality, as the Project Manager, and Trahan Architects, as the Project Architect), and had been approved by the Master Plan Project Team. The source of funds for Phase 2 GMP Adjustment No. 4 is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Chairman France takes a moment to note that all of the items being voted on had been reviewed by the Project Team in full, that is, the Saints, ASM, and Commissioner Landry.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-40** passed.

On motion of Commissioner Morrison, seconded by Commissioner Watson, and pursuant to Resolution No. 21-26, wherein the LSED had authorized and approved the execution of a contract by and between the LSED and ANC Sports Enterprises, LLC ("LED Contract") with respect to Phase 2 LED Fascia Displays and Control Systems for the 2019 Superdome Capital Improvements Project ("Project"), the resolution at Tab 13 authorizes, approves, and ratifies Change Order No. 001 to the LED Contract, providing for a net increase in the amount of \$479,997.00 to the LED Contract, which consisted of the following: (i) a reduction in the amount of \$236,500.00 to the LED Contract amount for the removal of the Chyron/Clock Effects Control System, and (ii) an increase of \$716,477.00 to the LED Contract amount for the addition of the Ross Mosaic Control System. Change Order No. 001 had been recommended by Legends Hospitality (Master Plan Project Manager) and had been approved by the Project Team, consisting of the ASM Project Representative, the LSED Project Representative, and the New Orleans Saints Project Representative. The source of funds for Change Order No. 001 is the Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-41** passed.

Referring to Commissioner Morrison's query, Mr. Thornton explains what a Ross Mosaic Control System is.

On motion of Commissioner Morrison, seconded by Commissioner Morrell, and pursuant to Resolution 21-14 wherein the LSED authorized and approved execution of a contract with Associated Office Systems of LA, Inc. to furnish and install furniture for Phase 2 of the 2019 Superdome Capital Improvements Project ("Project"), this Resolution at Tab 14 authorizes, approves, and ratifies the execution of Change Order no. 001 to the FF&E Contract, which provides for a net increase in the amount of \$145,294.12 to the FF&E Contract amount consisting of the following: (i) a decrease of \$39,605.28 to remove seventy-eight (78) barstools in the North End Zone Club, (ii) a decrease of \$2,131.74 to remove six (6) dining chairs in the North End Zone Club, (iii) a decrease of \$6,989.30 to remove two (2) dining tables in the North End Zone Club, (iv) an increase of \$2,716.24 for the addition of four (4) cafe tables in the North End Zone Club, (v) a decrease of \$8,285.28 to remove forty-eight (48) side tables in the North End Zone Suites, (vi) an



increase of \$51,660.60 for the addition of North End Zone Suites custom barstools, and (vii) an increase of \$147,928.88 for North End Zone Suites custom lounge chairs. Change Order No. 001 had been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect) and had been 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 Change Order No. 001 is the Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-42** passed.

On motion of Commissioner Watson, seconded by Commissioner Morrison, and pursuant to Resolution No. 21-15 authorizing and approving execution of a contract with East Bay Restaurant Supply, Inc. ("Food Service Equipment Contract") in the amount of \$402,400 to provide food service equipment for Phase 2 of the 2019 Superdome Capital Improvements Project ("Project"), this Resolution authorizes, approves, and ratifies execution of Change Order No. 001, providing for a net increase in the amount of \$113,731.66 to the Contract amount, consisting of the following: (i) a deduction in the amount of \$4,917.96 that relates to heat lamps in the North End Zone, (ii) an increase in the amount of \$1,074.62 for the addition of two (2) upgraded North End Zone refrigerator panels, (iii) an increase of \$58,185.00 for the addition of twenty-seven (27) under-counter refrigerators for the North End Zone Suites, Suite 311, and a boardroom at the Project site, (iv) an increase in the amount of \$48,640.00 for the addition of thirty-eight (38) induction ranges for North End Zone Suites and Suite 311 at the Project site, (v) an increase in the amount of \$9,750.00 for thirteen (13) mobile ice bins for the North End Zone Suites and Suite 311, and (vi) an increase in the amount of \$1,000.00 for equipment unboxing and installation. Change Order No. 001 had been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect) and had been 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 Change Order No. 001 is the Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-43** passed.

On motion of Commissioner Morrison, seconded by Commissioner Morrell, the LSED authorized, approved, and ratified execution of the proposal of IBTS Plan Review Services to provide third-party plan review services with respect to Phase 3A of the 2019 Superdome Capital Improvements Project for a not to exceed fee of \$43,260.00. The IBTS Proposal had been recommended by Legends Hospitality and had been approved by the Project Team. The source of funds for the IBTS Proposal is the Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-44** passed.

On motion of Commissioner Morrison, seconded by Commissioner Watson, and pursuant to Resolution 21-17, the LSED authorized and approved execution of a Consulting Agreement with Professional Service Industries, Inc. ("PSI Agreement") with respect to Phase 2 of the 2019 Superdome Capital Improvements Project ("Project") for a not to exceed fee of \$288,130.00, the LSED authorizes, approves, and ratifies the negotiation and execution of Amendment No. 01 to provide additional material inspections and other inspection services for a not to exceed fee of \$288,130. Amendment No. 01 has been recommended by Legends Hospitality (the Project Manager) and approved by the Project Team. The source of funds for Amendment No. 01 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, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-45** passed.

On motion of Commissioner Morrison, seconded by Commissioner Morrell, the LSED authorized, approved, and ratified execution of a Consulting Agreement with Pearson Construction Management Professionals to provide third-party review of Project scheduling, budget reconciliation and other related services, for a not to exceed fee of \$60,000.00 with respect to Phases 1 through 3 of the 2019 Superdome Capital Improvements Project. The Pearson Agreement had been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and had been approved by the Master Plan Project Team. The source of funds for the Pearson Consulting Agreement is the Master Plan Project Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-46** passed.

On motion of Commissioner Watson, seconded by Commissioner Morrison, the LSED authorized, approved, and ratified the negotiation and execution of a Parking Lot Use Agreement by and between the LSED and Netflix Pelicans Productions, LLC with respect to the limited use of the parking facility at the Stadium On Airline Drive for filming and production storage, and related activities, on such terms and conditions as are agreed to by LSED Chairman Kyle France, ASM Global and LSED legal counsel. Approval of the Resolution was recommended.

Legal counsel confirms that the parking facility is part of the Shrine footprint, which is part of the Land Use Agreement with Jefferson Parish.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-47** passed.

On motion of Commissioner Morrison, seconded by Commissioner Watson, the LSED authorized and approved execution by Chairman Kyle M. France of a Certificate of Substantial Completion with respect to the Contract between the LSED and C M Combs Construction, LLC for the Alario Center Kitchen Replacement Project. The Certificate provided that the work performed under the 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 occupy and/or utilize the work for its intended use. The Resolution had the Staff Analysis Support and Recommendation of ASM Global and had been approved by the LSED Construction Committee. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-48** passed.

On motion of Commissioner Morrison, seconded by Commissioner Watson, the LSED authorized and approved an appropriation from the TPC Louisiana Golf Facility Capital Reserve Fund/Reserve for Repair and Replacement in the amount of \$13,499.09 to purchase equipment for the TPC of Louisiana Golf Course that includes the replacement of a practice facility utility vehicle and the attachment used to gather the practice facility golf balls, all as more fully described in detail on the TPC Louisiana Reserve Request. The source of funds for this Resolution is the TPC Louisiana Golf Facility Capital Reserve Fund for Repair and Replacement, and there are sufficient funds to support this Resolution. This Resolution had the Staff Analysis Support and Recommendation of ASM Global. Approval of the Resolution was recommended.

Voting in favor were Commissioners France, Morrell, Morrison, and Watson. Voting against: None. Abstaining: None. Absent: Commissioners Baptiste, Landry, and Robin. Motion **21-49** passed.

[This concludes the Legal Report.]

## **VII. BOARD REPORTS**

None.

## **VIII. OTHER BUSINESS**

None.

## **IX. ADJOURNMENT**

On motion of Commissioner Morrison, seconded by Commissioner Watson, the May 27, 2021 LSED Board meeting adjourned at 2:00 p.m.