

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
BOARD MEETING
THURSDAY, JULY 22, 2021**

PRESENT:

Chair Wilma Heaton
Vice Chair David Francis
Secretary Thomas Fierke
Commissioner Stanley Brien
Commissioner Stanley Cohn
Commissioner Eugene Green, Jr.
Commissioner Dawn Hebert
Commissioner Renee Lapeyrolerie
Commissioner Howard Rodgers
Commissioner Bob Romero

ABSENT:

Commissioner Sean Bruno
Commissioner Esmond Carr
Commissioner Pat Meadowcroft
Commissioner Anthony Richard
Commissioner Robert Watters

STAFF:

Louis Capo – Executive Director
Madison Bonaventure – Assistant to the Executive Director/Board Secretary
Winifred Christopher – Airport Administrator
David Martin– Director of Engineering and Operations
Bruce Martin – Airport Director

ALSO PRESENT:

David Jefferson Dye – Legal Counsel to the LMA
Al Pappalardo– Real Estate Consultant to the LMA
Gerard Metzger– Legal Counsel to the LMA
Bernard Charbonnet – Charbonnet Associates
George Groh – Kutchins & Groh, LLC
Paul Klein – Civil Air Patrol
Sue Klein – Self
Lyndon Saia – LMA Boathouse Tenant
Kathy Speisa – Charbonnet Associates

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, May 27, 2021, at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana 70126, 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 5:30 P.M., and Commissioner Rodgers led in the pledge of allegiance. Executive Director Louis Capo called the roll, and a quorum was present.

OPENING COMMENTS:

Chair Heaton thanked staff for their installation of informational televisions in the atrium which also honored the Commissioners of the Board.

MOTION TO ADOPT AGENDA:

A motion was offered by Commissioner Fierke, was seconded by Commissioner Francis, and was unanimously approved to adopt the agenda.

ADOPTION OF THE MINUTES:

A motion was offered by Commissioner Francis, was seconded by Commissioner Rodgers, and was unanimously adopted to approve the minutes of the June 24, 2021 Board Meeting.

PRESENTATION:

- 1) **Resolution to honor Captain Paul Klein for receipt of the Wright Brothers Pilot Award from the Federal Aviation Administration (FAA) for exhibiting professionalism, skill, and aviation expertise for at least 50 years.**

A motion was offered by Commissioner Heaton, seconded by Commissioner Fierke, and was unanimously adopted to honor Captain Paul Klein, recipient of the Federal Aviation Administration's Wright Brothers Master Pilot Award.

Chair Heaton invited Bruce Martin, Airport Director, to read the resolution into the record.

Paul Klein addressed the Board and expressed his deep gratitude. He felt as if the recognition was an opportunity to show the youth in the community what can be achieved.

**RESOLUTION: 00-072221
BY: COMMISSIONER HEATON
SECONDED BY: COMMISSIONER FIERKE
July 22, 2021**

Resolution to honor Captain Paul Klein, recipient of the Federal Aviation Administration's Wright Brothers Master Pilot Award

WHEREAS, Captain Paul L. Klein is a native New Orleanian who has exhibited a passion for flying since his early youth and has been an active member of the aviation community for over fifty years;

WHEREAS, Captain Klein learned to fly at the New Orleans Lakefront Airport, and has operated out of the Airport for many years both for recreation and in support of his professional career;

WHEREAS, during his aviation career Captain Klein learned to fly a number of different aircrafts including Money, Warrior, Cessna models 172, 177 and 182, Piper 140, and Comanche PA24/250, and currently flies a Cessna, CAP1676;

WHEREAS, Captain Klein recalls that his most exciting flying lessons were with local aviation legend Franklin Augustus acro-flying in his S2B Pitts Special;

WHEREAS, Captain Klein has logged thousands of hours of safe flying;

WHEREAS, Captain Klein currently volunteers for Civil Air Patrol (CAP) and holds the rank of Major as a pilot, co-pilot, navigator, aerial photographer, and assistant to the CAP Cadet Program;

WHEREAS, Captain Klein, as a member of the CAP, surveilles river levels for the United States Army Corps of Engineers, performs surveillance for the United States Air Force within Louisiana, and has assisted Navy fighter pilot training in Shreveport, Louisiana;

WHEREAS, Captain Klein has generously served the community by taking on a number of other roles, including serving as a CASA children's advocate, a member of the Friends of the Cabildo and Le Petit Theatre du Vieux Carre Boards, and as a Member of the Civil Sheriffs Aviation Committee and Tuskegee Airmen;

WHEREAS, the Wright Brothers Master Pilot Award is the most prodigious award that the Federal Aviation Administration (FAA) awards to pilots certified under Title 14 of the Code of Federal Regulations and recognizes individuals who have exhibited professionalism, skill, and aviation expertise for at least 50 years while piloting aircraft as Master Pilots; and

WHEREAS, in May, 2021, Captain Klein received the FAA's Wright Brothers Master Pilot Award in recognition of his 50 years of exemplary aviation flight experience, distinguished professionalism, and steadfast commitment to aviation safety;

WHEREAS, Captain Klein is advocator for the New Orleans Lakefront Airport and has devotedly served the aviation community.

BE IT HEREBY RESOLVED, that the Lakefront Management Authority congratulates Captain Paul Klein for receiving the FAA's prodigious Wright Brothers Master Pilot Award and for his 50 years of exemplary aviation flight experience, distinguished professionalism, and steadfast commitment to aviation safety.

BE IT FURTHER RESOLVED, that the Lakefront Management Authority expresses its gratitude and appreciation to Captain Klein for his dedication and service to the aviation community and as an advocate for the New Orleans Lakefront Airport.

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

YEAS: HEATON, FIERKE, FRANCIS, BRIEN, COHN, GREEN, HEBERT, LAPEYROLERIE, RODGERS, ROMERO

NAYS:-

ABSTAIN: -

ABSENT: BRUNO, CARR, MEADOWCROFT, RICHARD, WATTERS

RESOLUTION ADOPTED: YES

PUBLIC COMMENT: None

DIRECTOR'S REPORT:

Director Capo clarified a clause that appeared in the cover letter for the Related Party Questionnaire that described that a conflict-of-interest policy would be attached to the questionnaire. He explained that the clause was erroneously left in by the auditors who prepared the letter. He explained that the LMA did not have a formal conflict of interest policy but rather was obligated to follow all laws regarding state ethics as a political subdivision of the state.

Director Capo announced that there would be updates to the Employee Handbook due to new policies set forth by Civil Service and other items. He said that staff would be seeking approval from the Board for adoption of the new handbook.

Chair Heaton explained that the HR Committee had only met a few times since the inception of the Board. Commissioner Lapeyrolerie asked if the Committee would be reviewing the revisions. Chair Heaton explained that in the past the Legal Committee had reviewed the revisions, but since the HR Committee may

meet during the next round of Committee meetings, they could review the revisions. Director Capo offered that the Legal Committee could also review the revisions if requested.

Chair Heaton announced that three of the five members who had been appointed on the HR Committee previously were still on the Committee including Commissioners Hebert, Fierke, and Romero. She said that Board Vice Chair Francis would be chairing the HR Committee and Commissioner Cohn, Chair of the Legal Committee, would also sit on the Committee. Commissioner Hebert confirmed if the meeting would be scheduled at the discretion of the Chair. Vice Chair Francis, Chair of the HR Committee, confirmed that was the case.

Commissioner Lapeyrolerie offered that the LMA should be following the new Civil Service policies even though they had not been formally adopted into its handbook. Director Capo, Chair Heaton, and Vice Chair Francis asserted that the LMA was obligated to follow those rules before they are adopted and were being followed. Director Capo clarified that the incorporation of those new policies in the Employee Handbook would inform future employees as they must sign off on their receipt of the handbook and that they understand the policies. He said that the LMA's Human Resource Specialist regularly sends information to current employees regarding any updates, changes, or additions to policies as they arise.

Director Capo informed the Board that staff was progressing with the annual Legislative Audit, and the auditors ask many questions to staff, and staff also volunteers information. He said the trial balance was already turned into them, and virtual meetings were scheduled to further discuss items with the auditors. He said that they would be coming into the office for fieldwork in August.

Mr. Bruce Martin thanked the Board for including him in honoring Mr. Paul Klein.

He explained that the Runway 9-27 Decommissioning/Reclassification Project was still eligible for over \$1 million in grant funds, but they will be conducting further study on a possible new location for a crosswind runway instead of eliminating the crosswind runway (Runway 9-27 is a crosswind runway). He explained that the issue of hot spots still exists with Runway 9-27, so the FAA wished to determine a solution to resolve the safety issue and possibly open the eastern side of the airfield up to development.

Chair Heaton advised that the Runway 9-27 issue came up at the last FPA Board Meeting, and Mr. Bruce Martin assisted in developing a comprehensive overview of the issue for the FPA Board as it had been ongoing for multiple years. She offered that Mr. Bruce Martin could forward that message and attachments to the LMA Board as well. Mr. Bruce Martin said that the LMA has spent about \$819,000 in Hurricane Zeta damages at the Airport, and they have not yet met the \$1 million deductible for the insurance policy that the FPA owns.

Mr. Bruce Martin indicated that staff continued to work on Messina's lease issues and reaching out to City Jets, Inc. for the potential leasing for a chartering service.

David Martin, Director of Engineering and Operations, gave a brief update to the Board. He explained that he would be meeting with staff at the Southeast Flood Protection Authority – East (FPA) to discuss the issues with the bulkhead at Orleans Marina.

Mr. David Martin explained that he, Stuart Consulting Group, Inc., and Entergy would be meeting to discuss a resolution to the electrical issues associated with the new slips associated with the Orleans Marina North and East Wall Slip Repair and Reconstruction Project.

Mr. David Martin reported that there was a marked improvement in the absence of trash in parking lots along the lakefront because of employing a power sweeping service on a weekly basis.

He reported that bids would be accepted soon for the Lake Vista Community Center Roof Replacement Project. He added that the Lake Oaks Subdivision Alleyways had been cleared; however, the LMA and neighborhood association would be conducting a walkthrough with the contractor to ensure the job was adequately performed.

Mr. David Martin explained that there were intermittent instances of water pressure dropping into the range of 35-50 PSI at the Airport. He said to address the issue the maintenance department would be further investigating the matter with SWBNO and exploring a plan for booster pumps to assist in addressing the problem.

COMMITTEE REPORTS:

Airport Committee: Chair Heaton advised that the Airport Committee report had been sufficiently covered.

Finance Committee: Director Capo advised that the Finance Committee had been deferred as several items had been approved last month, and staff was performing duties necessary to fulfill the auditors' requests.

Legal Committee: Commissioner Cohn advised the Board that two of the items discussed at the Legal Committee Meeting were on the agenda for approval. He asked that other Commissioners vote to approve the items as they were vetted and recommended by the Legal Committee. The Committee believed approving the items would be in the best interest of the LMA considering the facts of each, laws surrounding the issues, and the avoidance of additional legal costs.

Chair Heaton understood that there were other issues on the legal agenda, but they were not yet ready for action. Commissioner Cohn confirmed that was the case.

Commercial Real Estate: Vice Chair Francis explained that two items that had been discussed and recommended by the Commercial Real Estate Committee were on the agenda for approval. He said other issues were discussed at the meeting including the issue involving the crane located at 404 S. Roadway (left by the former lessee who had been evicted). He said they hoped to resolve the crane issue so the property could be put back into commerce.

Marina: Commissioner Brien advised that the Committee did not meet. He thanked Mr. David Martin for working with the Legal Committee, consultants, and Entergy to find a solution to the electrical issue surrounding the new slips associated with the Orleans Marina North and East Wall Slip Repair and Construction Project. He also thanked him for following up with the FPA regarding the bulkhead repair to learn the status of the project. Director Capo advised that as soon as the electrical issue at the new slips at Orleans Marina was corrected, they would be leasing the new slips.

Chair Heaton reminded Commissioner Brien, a charter member of the Board, that since 2010 the LMA had been advocating for a solution to the bulkhead issue, especially due to its proximity to the floodwall, and it was a relief to know the issue was being addressed by the FPA.

Recreation/Subdivision Committee: Commissioner Green advised that the Committee did not meet because there was not a need to do so. Commissioner Romero reminded the Board of the issues surrounding a variance granted by the Board of Zoning Adjustments (BZA). Commissioner Romero discussed the sidewalk issues in Lake Vista. He reminded the Board that the LMA was eligible for a grant; however, the proposed cost, according to engineering consultants, and grant match requirement was out of reach for the LMA. Chair Heaton understood that the Lake Vista Property Owners Association there was a continued interested by the Lake Vista Property Owners' Association for a cost-match program to address sidewalks that were in need of repair. Commissioner Fierke offered that if any work on sidewalks were to take place, then the perimeter sidewalks should take precedent because they are more heavily utilized by the public who are traveling from City Park to the lakefront.

NEW BUSINESS

1) Motion to accept American Rescue Plan Act (ARPA) Grant (FAA Grant No. 36) for the New Orleans Lakefront Airport in the amount of \$148,000.00.

Mr. Bruce Martin explained that the grant was the latest in COVID-19 relief available to general aviation airports. He advised that the grant was 100-percent FAA-funded and could be used for COVID-19 related expenses and payroll.

A motion was offered by Commissioner Fierke, seconded by Commissioner Lapeyrolerie, and was unanimously adopted to accept American Rescue Plan Act (ARPA) Grant (FAA Grant No. 36) for the New Orleans Lakefront Airport in the amount of \$148,000.00.

MOTION: 01-072221
RESOLUTION 01-072221
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER LAPEYROLERIE

July 22, 2021

1) Motion to accept American Rescue Plan Act (ARPA) Grant (FAA Grant No. 36) for the New Orleans Lakefront Airport in the amount of \$148,000.00.

RESOLUTION

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

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, which is a non-flood protection asset owned by the Orleans Levee District, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, (the "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, in response to the Covid-19 Public Health Emergency, the Congress of the United States enacted the American Rescue Plan Act (the "ARPA Act" or "Act"), Public Law Number 117-2, which in part authorized grant funding to eligible airport Sponsors to help offset a decline in revenues arising from diminished airport operations and activities as a result of the Covid-19 Public Health Emergency;

WHEREAS, the Management Authority submitted to the FAA a ARPA Act Grant Application, dated on July 9, 2021, (the "Application") for a grant of Federal funds to be used at or associated with the New Orleans Lakefront Airport in accordance with and as authorized under the terms and conditions of the ARPA Act;

WHEREAS, the FAA approved the Application and issued a Grant Offer, in the maximum amount of \$148,000.00, identified as ARPA GRANT Number 3-22-0038-036-2021 (the "Grant Offer" or "Grant Agreement");

WHEREAS, for the Grant to be valid and in order to properly enter into the Grant Agreement with the FAA, the Management Authority is required to adopt a resolution to accept the Grant Offer, and provide a Certificate signed by the Sponsor's Attorney, as required under the conditions of the Grant Offer; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Airport to accept the Grant Offer in accordance with all of the terms and conditions of the Grant Offer.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority, on its behalf and on behalf of the Orleans Levee District, as the Public Sponsors of the New Orleans Lakefront Airport, hereby accepts the Grant Offer by the United States of America, through the Federal Aviation Administration, identified as ARPA GRANT Number 3-22-0038-036-2021, ratifies all actions taken in connection with the Application and Grant Offer submitted on behalf of the Lakefront Management Authority to the Federal Aviation Administration and further ratifies and adopts all assurances, statements, representations, warranties, covenants, and agreements in the Application and incorporated in the Grant Offer and agrees to comply with all terms and conditions in the Application and Grant Offer.

BE IT FURTHER HEREBY RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to accept and sign the Grant Offer identified as ARPA GRANT Number 3-22-0038-036-2021 and any other documents necessary to carry out the above.

BE IT FURTHER RESOLVED, that Legal Counsel for the Lakefront Management Authority be and is hereby authorized to sign the Certificate of Sponsor's Attorney required under the terms and conditions of the Grant Offer.

YEAS: HEATON, FIERKE, FRANCIS, BRIEN, COHN, GREEN, HEBERT, LAPEYROLERIE, RODGERS, ROMERO

NAYS:-

ABSTAIN: -

ABSENT: BRUNO, CARR, MEADOWCROFT, RICHARD, WATTERS

RESOLUTION ADOPTED: YES

2) Motion to accept the Proposal submitted by Kutchins and Groh for Aviation Planning Services at the New Orleans Lakefront Airport (FAA-funded).

A motion was offered by Commissioner Fierke, seconded by Commissioner Francis, and was unanimously adopted to accept the Proposal submitted by Kutchins and Groh for Aviation Planning Services at the New Orleans Lakefront Airport (FAA-funded).

Mr. Bruce Martin advised that the Scoring Committee, comprised of himself, Director Capo, and Mr. David Martin, had met on July 13, 2021 to score the firms that had submitted for Aviation Planning Services. They had all arrived at the conclusion that Kutchins & Groh, LLC was the best candidate and thus they received the highest score.

Chair Heaton invited the team to introduce themselves. George Groh, of Kutchins & Groh, introduced himself to the Board. He relayed that his team appreciated the opportunity and advised that Charbonnet and Associates had joined his team. Bernard Charbonnet, of Charbonnet Associates, appreciated the opportunity as his firm had not yet had the opportunity to

Chair Heaton explained that the contract was very important as it was a major component to the planning for Airport's improvement and development.

MOTION: 02-072221
RESOLUTION: 02-072221
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER FRANCIS

July 22, 2021

2) Motion to accept the Proposal submitted by Kutchins and Groh for Aviation Planning Services at the New Orleans Lakefront Airport (FAA-funded).

RESOLUTION

WHEREAS, the Lakefront Management Authority (the ("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;

WHEREAS, the New Orleans Lakefront Airport ("Airport") is one of the non-flood protection assets of the District under the management and control of the Management Authority;

WHEREAS, the Management Authority issued a Request for Qualifications for Aviation Planning Services at the Airport in compliance with LADOTD and FAA requirements;

WHEREAS, the selection process for a firm to provide the requested professional services was conducted in accordance with the FAA Advisory Circular 150/5100-14E for the Management Authority to qualify to be reimbursed for payment of these services by the FAA and LADOTD ;

WHEREAS, the Scoring Committee scored the responses submitted for these services by Kutchins & Groh, LLC, Linfield, Hunter, & Junius, Inc., and Urban Systems, Inc.;

WHEREAS, the scores were compiled, and as a result the Scoring Committee recommended that the Management Authority Chair or Executive Director be authorized to enter into negotiations and a contract with the highest rated firm, Kutchins & Groh, LLC, a professional Aviation Planning Service firm, for a contract to perform Aviation Planning Services at the Airport, for a term of three (3) years with two (2) 1-year options to renew;

WHEREAS, the Airport Committee, at its meeting held on July 13, 2021, reviewed the recommendation of the Scoring Committee and voted to recommend Kutchins & Groh, LLC, the highest rated firm determined by the Scoring Committee, for the contract for Aviation Planning Services at the Airport; and,

WHEREAS, the Management Authority considered it to be in the best interest of the Orleans Levee District and Management Authority to accept the recommendations of the Scoring Committee for contract negotiations and a contract with Kutchins & Groh, LLC for Aviation Planning Services for Airport.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority Chair and Executive Director be and are hereby authorized to enter into negotiations and enter into a contract on behalf of the Lakefront Management Authority with Kutchins & Groh, LLC, a professional Aviation Planning Service firm, to perform Aviation Planning Services at the Airport, for a term of three (3) years with two (2) 1-year options to renew.

BE IT FURTHER HEREBY RESOLVED that the Lakefront Management Authority authorizes the Chair or Executive Director of the Management Authority 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: HEATON, FIERKE, FRANCIS, BRIEN, COHN, GREEN, HEBERT, LAPEYROLERIE, RODGERS, ROMERO

NAYS:-

ABSTAIN: -

ABSENT: BRUNO, CARR, MEADOWCROFT, RICHARD, WATTERS

RESOLUTION ADOPTED: YES

3) Motion to amend the lease with Flightline First, Inc. to accommodate parking construction paid for by Flightline First, Inc. for client parking in the vicinity of the Williams Hangar and the Terminal Building.

A motion was offered by Commissioner Cohn, seconded by Commissioner Fierke, and was unanimously adopted to amend the lease with Flightline First, Inc. to accommodate parking construction paid for by Flightline First, Inc. for client parking in the vicinity of the Williams Hangar and the Terminal Building.

Mr. Bruce Martin explained that Flightline’s leasehold included a parking area that was closer to Stars & Stripes Boulevard that measured about 5,075 square feet, and the new area they desired was about 2,000 square feet. He explained that the lessee desired to relinquish that area back to the LMA and instead lease an area between the Terminal Building and the Williams Hangar, where their operations are located, for enhanced convenience and safety of their customers and employees. He said that their rental rate would decrease; however, full access to that parking lot was of greater value because he could earn more money on one film industry rental than he could for one entire year of rental on the parking area to Flightline alone.

Mr. David Martin explained that he had reviewed the specifications and plans, and all appeared to be in order. He showed an area where the lessee planned to perform construction.

Chair Heaton said it was her understanding that there would be a modification to the lease and thus it needed the Board’s approval, but all expenses relating to the construction of the parking area would be incurred by the lessee. Staff confirmed that was the case.

MOTION: 03-072221
RESOLUTION: 03-072221
BY: COMMISSIONER COHN
SECONDED: COMMISSIONER FIERKE

July 22, 2021

3) Motion to amend the lease with Flightline First, Inc. to accommodate parking construction paid for by Flightline First, Inc. for client parking in the vicinity of the Williams Hangar and the Terminal Building.

RESOLUTION

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

WHEREAS, the Management Authority manages, operates, and administers the New Orleans Lakefront Airport, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the District (the “Airport”);

WHEREAS, Flightline Ground, Inc. (“Flightline”) is a fixed base operator at the New Orleans Lakefront Airport and has a written Lease with the District for the Williams Hangar at the Airport that was entered into on July 31, 2007, for a term of five (5) years, with three (3) five-year options to renew, which lease was subsequently amended to add additional apron space to the leased premises (the original Lease and Amendment are collectively referred to as the “Lease”);

WHEREAS, Flightline requested an amendment to the Lease to remove certain property for client parking from the leased premises and include other property as part of the leased premises for client parking spaces, which will be constructed and maintained by Flightline, subject to the prior written approval of the Management Authority;

WHEREAS, the property that will be removed from the leased premises and the property where the new parking spaces will be constructed and added to the leased premises are shown on the attached photographs and figures (“Documents”);

WHEREAS, the parking spaces that would be removed from and added to the leased premises will reduce the total square footage of the leased premises under the Lease by approximately 2,000 square feet; however, this will make the parking spaces removed from the leased premises available to be rented in connection with location agreements with film companies and for other special events at the Airport, which the Staff of the Airport estimated would generate more revenue than currently received on an annual basis from the rental payments for the parking spaces under the Lease with Flightline;

WHEREAS, the Airport Committee at its regularly scheduled monthly meeting held on July 22, 2021 considered the requested lease amendment by Flightline and voted to recommend that the Management Authority approve the requested amendment of the Lease; and;

WHEREAS, the Management Authority after considering the terms of the proposed lease amendment resolved that it was in the best interest of the Airport and the District to approve the proposed lease amendment with Flightline.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves an amendment of the Lease with Flightline Ground, Inc. to remove from the leased premises property for client parking and include as part of the leased premises other property for client parking spaces to be constructed and maintained by Flightline, which property is shown on

the attached Documents, and the construction of the new parking spaces will be conditioned on and subject to the prior written approval of the Management Authority;

BE IT HEREBY FURTHER RESOLVED that the Lakefront Management Authority Chair or Executive Director be and is hereby authorized to sign any other documents necessary to carry out the above.

YEAS: HEATON, FIERKE, FRANCIS, BRIEN, COHN, GREEN, HEBERT, LAPEYROLERIE, RODGERS, ROMERO

NAYS: -

ABSTAIN: -

ABSENT: BRUNO, CARR, MEADOWCROFT, RICHARD, WATTERS

RESOLUTION ADOPTED: YES

4) Motion to approve an amendment of the Lease of Orleans Marina Boathouse Site N-14 with Otto Candies, Jr. to add three (3) additional 5-year options to renew in consideration of the payment of \$12,000.00.

A motion was offered by Vice Chair Francis, seconded by Commissioner Fierke, and was unanimously adopted to approve an amendment of the Lease of Orleans Marina Boathouse Site N-14 with Otto Candies, Jr. to add three (3) additional 5-year options to renew in consideration of the payment of \$12,000.00.

Mr. Metzger explained that the lease amendment was very similar to the lease amendment they approved to Mr. Ed Renton last month for it had a similar expiration date and the same number and length of options and same amount (\$12,000) as consideration for the extension of the lease. He advised that Mr. Candies, II had died earlier in the year, and his son would be inheriting the lease. He said it was his understanding that his son would be putting the boathouse on the market, so the LMA may obtain a transfer fee soon when it sells.

Al Pappalardo, Real Estate Consultant to the LMA, confirmed that the offer was consistent with others offered to other boathouse tenants.

5) Motion to approve a settlement agreement for property damages sustained at South Shore Harbor Marina Covered Slip No. 12 with Bridget A. Vinson and Ronnie M. Vinson.

A motion was offered by Commissioner Cohn, seconded by Commissioner Rodgers, and was unanimously adopted to approve a settlement agreement for property damages sustained at South Shore Harbor Marina Covered Slip No. 12 with Bridget A. Vinson and Ronnie M. Vinson.

Director Capo informed the Board that Mr. and Mrs. Vinson have the only built-out covered boat slip at South Shore Harbor Marina, much like how the boathouses operate in Orleans Marina in that they lease the ground and improvements would revert to the LMA when the lease would expire. He explained that there was an issue with the roof leaking into their improvements: they experienced a slow roof leak that caused issues that required remediation including mold issues and water damage. The roof at South Shore Harbor Marina had since been replaced; however, the insurance companies took issue with reimbursing the Vinsons for damages because the issue occurred slowly over time. He explained that the settlement of monetary compensation and the value of the lease extension was the LMA's offer to finally resolve the issue.

Commissioner Cohn said the Vinsons were very reasonable and patient in their approach and thanked them for their work in resolving the matter with the LMA.

6) Motion to approve the resolution of disputed claims relating to the Orleans Marina Boathouse No. 18 Lease and the assignment of the Lease from the current Lessee Willard Robertson to Betty Pei Ching Sun.

A motion was offered by Commissioner Fierke, seconded by Commissioner Francis, and was unanimously adopted to approve the resolution of disputed claims relating to the Orleans Marina Boathouse No. 18 Lease and the assignment of the Lease from the current Lessee Willard Robertson to Betty Pei Ching Sun.

Jeff Dye, Legal Counsel to the LMA, explained that the Legal Counsel, staff, and the Legal Committee studied the issue and what the legal responsibilities of both parties. He said after discussions with Mr. Robertson, they were able to develop a resolution to the issue including monetary payment to the LMA.

Mr. Dye explained that the lease had been originally put into place in 1972 and had been amended five times with the fifth amendment going into place in July 2022. He indicated that the eight percent transfer fee would become a term of the lease in July 2022. He said that due to Mr. Robertson's illicit transfer, a three percent transfer fee was negotiated even though no transfer fee was mandated by the lease. He explained that Mr. Robertson will also need to reimburse the LMA for its attorney fees and must perform a piling inspection as mandated by Board resolution in 2016.

Announcement of Ad Hoc Committee:

Chair Heaton explained that they had discussed the Ad Hoc Human Resources Committee issue.

Commissioner Lapeyrolerie explained that after seeing that the Flood Protection Authority (FPA) was holding an HR Committee meeting, she thought it could be helpful to the LMA as it was her understanding that there was a significant amount of staff turnover. She wanted to learn if there were ways in which the LMA could better retain employees it has.

She said it was her understanding that Chair Heaton was the appointing authority. Chair Heaton explained that by the rules of Civil Service Commission, she as Chair was able to delegate it down to the Executive Director, which she had done. Commissioner Lapeyrolerie asserted that she could take it back at any time and questioned Chair Heaton's position as an employee at a state agency and as the Chair of the LMA Board and appointing authority. Chair Heaton informed Commissioner Lapeyrolerie that she was an employee of a political subdivision.

Announcement of next Regular Board Meeting:

- Thursday, August 26, 2021 – 5:30 P.M.

Adjournment:

A motion was offered by Commissioner Fierke, seconded by Commissioner Francis, and was unanimously approved to adjourn the meeting. The meeting was adjourned at 6:35 PM.