

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY  
BOARD MEETING MINUTES  
THURSDAY MAY 25, 2017 – 5:30 P.M.**

The regular meeting of the Full Board of the Non-Flood Protection Asset Management Authority was held on Thursday, May 25, 2017 at 5:30 p.m., in the 2<sup>nd</sup> floor meeting room in the 2<sup>nd</sup> Floor Conference Center – Lakefront Airport Terminal Building, located at 6001 Stars & Stripes Blvd., New Orleans, Louisiana after due legal notice of the meeting was sent to each Board member, the news media, and a copy of the call was posted.

Chair Heaton called the meeting to order at 5:45 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

**PRESENT:**

Chair Wilma Heaton  
Vice Chair Eugene Green  
Secretary Thomas Fierke  
Comm. Rodger Wheaton  
Comm. Anthony Richard  
Comm. William Settoon  
Comm. Leila Eames  
Comm. Roy Arrigo  
Comm. Chris Morvant  
Comm. Cedric Grant  
Comm. Sean Bruno  
Comm. Pat Meadowcroft

**ABSENT:**

Comm. Stan Brien  
Comm. Greg Ernst  
Comm. Dawn Hebert  
Comm. Carla Major  
Comm. Charles Henry

**STAFF:**

Jesse D. Noel, P.E. – Executive Director  
Sharon Martiny – Administrative Assistant  
Chanse Watson – Asst. Airport Director

**ALSO PRESENT:**

Gerard Metzger – Legal Counsel  
Al Pappalardo – Real Estate Consultant  
Tim Avegno – Eagan Insurance Agency  
Charles Kennedy, Jr. – Kennedy Insurance  
Brett French - DEI  
Monte Shalett – LVPOA  
William Sizeler – Sizeler Thompson Brown Architects  
Stewart Juneau – le Triomphe Property Group  
Matt Byrd – Arthur J. Gallagher  
Chris Fenner – Stuart Consulting Group  
Milton Reese – LVPOA  
Jon Brisbi – Brisbi Development  
George Brisbi – Brisbi Development

**ADOPT AGENDA**

Comm. Eames offered a motion to adopt the Agenda, second by Comm. Wheaton. Motion passed.

**APPROVE MINUTES**

Comm. Eames offered a motion to approve the Board meeting minutes of April 27, 2017, second by Comm. Arrigo. Motion passed.

### **OPENING COMMENTS**

Chair Heaton noted Comm. Brien's absence and extended sympathy for his family during the difficult time.

### **PUBLIC COMMENTS**

None.

### **PRESENTATION**

None

### **COMMITTEE REPORTS:**

**Airport** – Chair Heaton reported that Airport matters would be addressed at the appropriate time during the Agenda. One issue will be deferred. Mr. Noel reported that an independent fee estimate is being prepared to proceed with an expanded scope for the 36L runway rehabilitation project.

**Marina** – Comm. Arrigo noted that the boathouse demolition is well underway. The Pennick Dock is near completion. Mr. Noel noted that the electrical work is the last of the work to be completed. Pier Nos. 1 and 2 have been repaired.

**Commercial Real Estate** – Comm. Green noted that there are three items pertaining to Commercial Real Estate which will be addressed during the Agenda.

**Recreation/Subdivision** – Chair Wheaton advised of a meeting with the City Planning Commission regarding the text amendment, which was vetoed. Staff is confident of the outcome at the June 27, 2017 meeting with City Planning Commission. The lessee for Shelter No. 1 has completed many repairs including pressure washing and painting the shelter, repairing the windows and replacing the doors. There is a broken pipe under Shelter No. 1 which must be addressed. The lessee will cease with improvements until the zoning issue is resolved.

**Legal** – Legal Counsel Gerry Metzger advised that Item 9 is the subject of the Legal Committee meeting.

**Finance** – Comm. Richard advised of a joint Finance/Insurance meeting and requested an update by the E.D. regarding past due rents from the Marinas. Mr. Noel reported that staff is currently collecting past due rents, which were substantial. Staff has recovered in excess of \$150,000 to date. Payment plans have been made with those who are in arrears.

### **DIRECTOR'S REPORT**

E.D. Jesse Noel reported that the Asset Management Plan is underway and a draft is anticipated in September with the focus on increasing existing revenues and eliminating deferred maintenance. Going forward, an MOU was negotiated with the Flood Authority, which MOU is aged and not sufficient. The MOU will be re-evaluated and re-defined with the Flood Authority. There have been several Neighborhood Association meetings with area residents regarding the text amendment. Many issues were brought forth by residents such as trash collection and tree trimming. Those issues will be addressed as they come up. A tour of the P.T. boat will be scheduled for Friday June 2, 2017 at 3:00 p.m. All Commissioners are invited to attend. Lakeshore Landing at South Shore Harbor is currently building the marina store and fuel platform which will be open by the fall. The web address is [lakeshorelandingnola.com](http://lakeshorelandingnola.com) to see the development of the area. MetroStudio will be expanding to Suite 6513. Shelter No. 3 has been cleaned and janitorial services will be selected in the near future.

### **OLD BUSINESS**

None.

## **NEW BUSINESS**

### **01-052517 - Motion to authorize the Real Estate Consultant and Executive Director of the Management Authority to engage in negotiations with developer le Triomphe Property Group, LLC, for a term sheet to yield a lease of the North Peninsula Site at South Shore Harbor Marina, which term sheet will be subject to the approval of the Management Authority**

Comm. Green noted that staff advertised a Request for Proposals for development of the N. Peninsula. The Authority received three proposals, one of which was responsive in meeting all requirements of the Request for Proposals. This motion authorizes staff to move forward with negotiating a term sheet, which will be presented to the Commercial Real Estate Committee. Chair Heaton added that the next step will be negotiating the term sheet, which will basically negotiate the lease. The Board will review the term sheet and authorize execution of the lease based on the term sheet.

Comm. Green offered a motion to authorize the Real Estate Consultant and Executive Director of the Management Authority to engage in negotiations with developer le Triomphe Property Group, LLC, for a term sheet to yield a lease of the North Peninsula Site at South Shore Harbor Marina, which term sheet will be subject to the approval of the Management Authority, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION: 01-052517**  
**RESOLUTION: 01-052517**  
**OFFERED: COMMISSIONER GREEN**  
**SECONDED BY: COMMISSIONER FIERKE**

May 25, 2017

### **RESOLUTION**

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

**WHEREAS**, the property identified as the North Peninsula in the South Shore Harbor Marina containing approximately 14.55 acres, is one of the non-flood protection assets of the Orleans Levee District managed and controlled by the Management Authority (the "North Peninsula");

**WHEREAS**, the North Peninsula has never been developed for commercial use by the Orleans Levee District;

**WHEREAS**, the members of the Commercial Real Estate Committee of the Management Authority discussed at their October 18, 2016 meeting the preparation and issuance of a Request for Proposals for the commercial development of the North Peninsula;

**WHEREAS**, the Management Authority at its October Board Meeting adopted a resolution authorizing the Real Estate Consultant and Legal Counsel for the Management Authority to prepare a Request for Proposals for the commercial development of the North Peninsula to be issued conditioned upon approval by the Commercial Real Estate Committee of the Management Authority.

**WHEREAS**, on December 19, 2016 the Commercial Real Estate Committee of the Management Authority issued a Request for Proposals for development concepts that could be realized through a long term ground lease agreement for the North Peninsula (the "RFP");

**WHEREAS**, three proposals were submitted by the deadline for submissions of March 20, 2017 by le Triomphe Property Ground, LLC, Yellowfin Development and Atlantis Gaming Corporation;

**WHEREAS**, only the proposal by le Triomphe Property Ground, LLC was responsive to the RFP;

**WHEREAS**, the Chairman of the Commercial Real Estate Committee of the Management Authority appointed an Evaluation Sub-Committee ("Sub-Committee") to review the proposal submitted by le Triomphe Property Ground, LLC;

**WHEREAS**, the Sub-Committee held a public meeting on April 10, 2017 to discuss the proposal submitted by le Triomphe Property Ground, LLC;

**WHEREAS**, the Commercial Real Estate Committee reviewed the proposals at its meeting held on May 4, 2017 and voted to recommend that the Management Authority authorize its Executive Director in collaboration with its Real Estate Consultant and Legal Counsel to negotiate a long term ground lease for the commercial development of the North Peninsula with le Triomphe Property Ground, LLC, which lease would be subject to the approval of the Management Authority;

**WHEREAS**, the Management Authority resolved it was in the best interest of the Orleans Levee District and the Management Authority to authorize the Management Authority's Executive Director in collaboration with its Real Estate Consultant and Legal Counsel to negotiate a term sheet for a long term ground lease for the commercial development of the North Peninsula with le Triomphe Property Ground, LLC, and any term sheet negotiated shall be subject to the approval of the Management Authority;

**THEREFORE, BE IT HEREBY RESOLVED** that the Management Authority authorizes the Management Authority's Executive Director in collaboration with its Real Estate Consultant and Legal Counsel to negotiate a term sheet for a long term ground lease for the commercial development of the North Peninsula with le Triomphe Property Ground, LLC, and any term sheet negotiated with le Triomphe Property Ground, LLC shall be subject to the approval of the Management Authority;

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

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

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO**

**NAYS:**

**ABSTAIN:**

**ABSENT: BRIEN, ERNST, HEBERT, MAJOR, HENRY**

**RESOLUTION ADOPTED: YES**

This resolution was declared adopted this 25<sup>th</sup> day of May 2017.

**02-052517 - Motion to authorize the Real Estate Consultant and Executive Director of the Management Authority to engage in negotiations with developer Brisbi Development, LLC, for a term sheet to yield a lease of Parcel K on the New Basin Canal, which term sheet will be subject to the approval of the Management Authority**

Comm. Green noted addressed vacant land the Authority owns that is not producing revenue. The Commercial Real Estate Committee would like to see development on those sites. A Request for Proposals was advertised to develop Parcel K. Two responses were received: Brisbi Development, LLC and Hodgins Properties, LLC. The proposals were reviewed and scored by a Scoring Committee. Of the two respondents, Brisbi's was the more qualified respondent. This motion authorizes the Real Estate Consultant, Executive Director and Legal Counsel to engage in negotiations for a term sheet, which will be presented to the Commercial Real Estate Committee for review. The final lease will require Board approval.

Comm. Green offered a motion to authorize the Real Estate Consultant and Executive Director of the Management Authority to engage in negotiations with developer Brisbi Development, LLC, for a term sheet to yield a lease of Parcel K on the New Basin Canal, which term sheet will be subject to the approval of the Management Authority, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION: 02-052517**  
**RESOLUTION: 02-052517**  
**OFFERED: COMMISSIONER GREEN**  
**SECONDED BY: COMMISSIONER FIERKE**

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, the property identified as Parcel K located in the 8600 block of Pontchartrain Boulevard in the City of New Orleans, between the New Basin Canal and the Orleans Marina, is one of the non-flood protection assets of the Orleans Levee District managed and controlled by the Management Authority;

**WHEREAS**, on August 29, 2016 the Management Authority issued a Request for Proposals to lease Parcel K and only one proposal to the RFP to lease Parcel K was submitted and it was non-responsive;

**WHEREAS**, the Management Authority approved the issuance of an amended RFP at the January Board Meeting and the RFP was issued on January 30, 2017 with a deadline date for submissions of Monday, March 6, 2017 (the "RFP");

**WHEREAS**, two proposals were submitted on March 6, 2017, one by Hodgins Property I, LLC and the other by Brisbi Development, LLC.;

**WHEREAS**, the Chairman of the Commercial Real Estate Committee of the Management Authority appointed an Evaluation Sub-Committee ("Sub-Committee") to review and grade the two proposals to the RFP;

**WHEREAS**, the Sub-Committee held a public meeting with the two respondents on April 10, 2017 and thereafter the individual members of the Committee scored the proposals;

**WHEREAS**, the Commercial Real Estate Committee reviewed the proposals and scoring of the proposals by the Sub-Committee Members at its meeting held on May 4, 2017 and voted to recommend that the Management Authority authorize its Executive Director in collaboration with its Real Estate Consultant and Legal Counsel to negotiate a long term ground lease of Parcel K with Brisbi's Development, LLC for the development of the Condominium Project proposed by Brisbi's Development, LLC., which lease would be subject to the approval of the Management Authority;

**WHEREAS**, the Management Authority resolved it was in the best interest of the Orleans Levee District and the Management Authority to authorize the Management Authority's Executive Director in collaboration with its Real Estate Consultant and Legal Counsel to negotiate a term sheet for a long term ground lease of Parcel K with Brisbi's Development, LLC for the development of the Condominium Project proposed by Brisbi's Development, LLC., and any term sheet negotiated shall be subject to the approval of the Management Authority;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Management Authority authorizes the Management Authority's Executive Director in collaboration with its Real Estate Consultant and Legal Counsel to negotiate a term sheet for a long term ground lease of Parcel K with Brisbi's Development, LLC for the development of the Condominium Project proposed by Brisbi's Development, LLC., and any term sheet negotiated with Brisbi's Development, LLC shall be subject to the approval of the Management Authority;

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

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

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO**

**NAYS:**

**ABSTAIN:**

**ABSENT: BRIEN, ERNST, HEBERT, MAJOR, HENRY**

**RESOLUTION ADOPTED: YES**

This resolution was declared adopted this 25<sup>th</sup> day of May 2017.

**03-052517 - Motion to authorize Lease Amendment for LPBF Lighthouse**

Comm. Green noted that this amendment will allow the LPBF to sell snacks and non-alcoholic beverages to visitors of the Lighthouse. This is necessary as certain permits may be required. This is not a restaurant. Chair Heaton noted that the issue was heavily vetted at the Commercial Real Estate Committee.

Comm. Green offered a motion to authorize the Lease Amendment for LPBF Lighthouse, second by Comm. Eames. Comm. Meadowcroft abstained. The Resolution was adopted to wit:

**MOTION: 03-052517**  
**RESOLUTION: 03-052517**  
**OFFERED: COMMISSIONER GREEN**  
**SECONDED BY: COMMISSIONER EAMES**

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, certain property referred to as the "New Basin Canal Lighthouse" located on the north end of the New Basin Canal in the City of New Orleans is owned by the District and one of the non-flood protection assets of the District managed and controlled by the Management Authority;

**WHEREAS**, Lake Pontchartrain Basin Foundation ("LPBF") and the Management Authority entered into a written lease agreement, dated on February 16, 2012, and leased the New Basin Canal Lighthouse to The Lake Pontchartrain Basin Foundation (the "Lease");

**WHEREAS**, the LPBF has requested that the Lease be amended to provide that LPBF may sell pre-packaged food products, snacks, and non-alcoholic drinks to Museum visitors and has agreed to obtain any and all governmental permits and licenses required for the sale of these kind of food and drink products;

**WHEREAS**, the Commercial Real Estate Committee of the Management Authority considered the proposed lease amendment at its May 4, 2017 Meeting and voted to recommend approval of the lease amendment to the Management Authority; and,

**WHEREAS**, the Management Authority after considering the proposed lease amendment resolved that it was in the best interest of the Orleans Levee District to approve the lease amendment with LPBF;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority approves an amendment of the Lease dated on February 16, 2012 with Lake Pontchartrain Basin Foundation for the New Basin Canal Lighthouse property to permit the sale of pre-packaged food products, snacks, and non-alcoholic drinks to Museum visitors, subject to the Lake Pontchartrain Basin Foundation obtaining any and all governmental permits and licenses required for sale of these kind of food and drink products at the Lighthouse Museum.

**BE IT FURTHER HEREBY RESOLVED**, that the Executive Director or Chairman of the Non-Flood Protection Asset Management Authority be and is hereby authorized to sign any and all documents necessary to carry out the above.

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, BRUNO

**NAYS:**

**ABSTAIN:** MEADOWCROFT

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May 2017.

.....  
**04-052517 - Motion to authorize a right of first refusal for terminal suites 105 and 106 for Pierce Aviation**

Chair Heaton noted this was vetted before the Airport Committee. The O.L.D. Flood Authority is funding the new Police Station on Elysian Fields, which will include space for the Constable. Pierce Aviation would like the right of first refusal for the Constable's space once that space is vacated in the Terminal Building. Pierce Aviation has an operation in Hammond and would like to expand into New Orleans, but is not a fixed based operator. Pierce Aviation currently has space that is connected to the Constable's office in the Terminal Building.

Comm. Green offered a motion to authorize a right of first refusal for terminal suites 105 and 106 for Pierce Aviation, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION:** 04-052517  
**RESOLUTION:** 04-052517  
**OFFERED:** COMMISSIONER GREEN  
**SECONDED BY:** COMMISSIONER FIERKE

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, the 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 pursuant to the terms of a written lease agreement, dated on July 27, 2015, leased to Pierce Aviation, LLC ("Pierce Aviation") Office 113 in the Terminal at the Airport (the "Lease");

**WHEREAS**, Pierce Aviation has requested a right of first refusal for the adjacent Suites 105 and 106 in the Terminal, which are currently leased by Lambert C. Boissiere, Jr., Constable, First City Court;

**WHEREAS**, the Airport Committee of the Management Authority considered the request at its May 9, 2017 Meeting and voted to recommend approval of a right of first refusal to the Management Authority; and,

**WHEREAS**, the Management Authority after considering the request resolved that it was in the best interest of the Orleans Levee District to approve the right of first refusal for Pierce Aviation;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority approves granting a right of first refusal to Pierce Aviation, LLC to lease Suites 105 and 106 in the Terminal at the New Orleans Lakefront Airport, at rental rates to be established by the Management Authority for office space in the Terminal, upon the expiration or earlier termination of the lease of Suites 105 and 106 with Lambert C. Boissiere, Jr., Constable, First City Court.

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

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

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO**

**NAYS:**

**ABSTAIN:**

**ABSENT: BRIEN, ERNST, HEBERT, MAJOR, HENRY**

**RESOLUTION ADOPTED: YES**

This resolution was declared adopted this 25<sup>th</sup> day of May 2017.  
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**05-052517 - Motion to authorize acceptance of LADOTD Grant for State Project No. H.013048 (Solar Powered LED Taxiway Centerline Reflectors) in an amount not to exceed \$40,000**

Mr. Noel advised that there is currently no lighting on the centerlines. The lights will allow for night time guidance for the aircraft, and can withstand up to 50,000 pounds. This is a pilot program.

Comm. Heaton offered a motion to authorize acceptance of LADOTD Grant for State Project No. H.013048 (Solar Powered LED Taxiway Centerline Reflectors) in an amount not to exceed \$40,000.00, second by Comm. Richard. The Resolution was adopted to wit:

**MOTION: 05-052517**

**RESOLUTION: 05-052517**

**OFFERED: COMMISSIONER HEATON**

**SECONDED: COMMISSIONER RICHARD**

**May 25, 2017**

**RESOLUTION**

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

**WHEREAS**, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorizes the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund;

**WHEREAS**, the Management Authority, as sponsor of the Airport, (the "sponsor"), requested funding assistance from the LADOTD to purchase and install solar powered LED Taxiway Centerline Reflectors at the Airport, identified as SPN H.013048, (the "project");

**WHEREAS**, the LADOTD has agreed to the implementation of the project and desires to cooperate with the Management Authority according to the terms and conditions identified in the attached Agreement;

**WHEREAS**, under the terms of the attached Agreement, the LADOTD will provide the necessary funding for the project and reimburse the sponsor up to \$40,000.00 of project cost; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Airport to approve the Agreement for the project with the LADOTD;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Management Authority approves the Agreement for the project identified as SPN H.013048, with the LADOTD, a copy of which is attached to this Resolution.

**BE IT FURTHER HEREBY RESOLVED**, that the Management Authority authorizes the Chairman or Executive Director to sign the Agreement with the LADOTD for the project identified as SPN H.013048, a copy of which is attached to this Resolution, and to sign any other documents, including but not limited to amendments to the Agreement, necessary to carry out the above.

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

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO**

**NAYS:**

**ABSTAIN:**

**ABSENT: BRIEN, ERNST, HEBERT, MAJOR, HENRY**

**RESOLUTION ADOPTED: YES**

This resolution was declared adopted this 25<sup>th</sup> day of May 2017.  
.....

**06-052517 - Motion to accept an increase in the LADOTD Grant "Upgrade Lighting Vault – Phase II (Construction)" from \$1.1 million to \$1,169,079**

Chair Heaton noted that the bids for this project came in higher. E.D. Noel and Asst. Airport Director Chansé Watson approached the DOTD and negotiated to get the funding covered.

Comm. Fierke noted that the Resolution did not address the increase in grant funding, and offered a motion to amend as follows:

“And reimburse the sponsor an amount increased from \$1.1 million to \$1.69 million”

Comm. Richard second the motion. Comm. Heaton offered a motion to adopt the Resolution as amended, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION: 06-052517**  
**RESOLUTION: 06-052517**  
**OFFERED: CHAIR HEATON**  
**SECONDED: COMMISSIONER FIERKE**

**May 25, 2017**

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”), including the New Orleans Lakefront Airport (“Airport”);

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

**WHEREAS**, the Management Authority has requested funding assistance from the LADOTD for the project identified as Upgrade Lighting Vault – Phase II (Construction) (the “project”);

**WHEREAS**, the project has been approved by the Louisiana Legislature and the LADOTD has agreed to the construction of this project and desires to cooperate with the Management Authority in accordance with the terms and conditions set forth in the attached Agreement (the “Agreement”);

**WHEREAS**, the LADOTD will provide the necessary funding for the project and reimburse the sponsor an amount increased from \$1.1 million to \$1.69 million of project cost; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Airport to accept the increase in the Grant Agreement for the project with the LADOTD;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Management Authority approves the increase in the Grant Agreement and the sponsor will reimburse an amount increased from \$1.1 million to \$1.69 million for the project identified as Upgrade Lighting Vault – Phase II (Construction) with the LADOTD, a copy of which is attached to this Resolution.

**BE IT FURTHER HEREBY RESOLVED**, that the Management Authority authorizes the Chairman or Executive Director to sign the Agreement with the LADOTD for the project, a copy of which is attached to this Resolution, and to sign any other documents, including but not limited to amendments to the Agreement, necessary to carry out the above.

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

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO**

**NAYS:**

**ABSTAIN:**

**ABSENT: BRIEN, ERNST, HEBERT, MAJOR, HENRY**

**RESOLUTION ADOPTED: YES**

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

**07-052517 - Motion to award contract to Eutaw Construction Company, LLC, the lowest responsible bidder, for the Airport Lighting Vault project at New Orleans Lakefront Airport in an amount not to exceed \$940,643.00**

Mr. Noel advised that three responsive bids were received. Of the three bids received, Eutaw Construction Company, LLC was the lowest bid. This is a base bid only; no alternates. Eutaw is an electrical contractor out of Mississippi. The vault was designed by Design Engineering, Inc.

Chair Heaton offered a motion to award contract to Eutaw Construction Company, LLC, the lowest responsible bidder, for the Airport Lighting Vault project at New Orleans Lakefront Airport in an amount not to exceed \$940,643.00, second by Comm. Richard.



The Resolution was adopted to wit:

**MOTION: 07-052517**  
**RESOLUTION: 07-052517**  
**OFFERED: COMMISSIONER HEATON**  
**SECONDED BY: COMMISSIONER RICHARD**

**May 25, 2017**

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”), including the New Orleans Lakefront Airport (“Airport”);

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

**WHEREAS**, the LADOTD approved a project identified as “Upgrade Lighting Vault – Phase II (Construction)” (the “project”) in an amount not to exceed \$1,169,079.00, which includes \$228,936.00 for professional services and \$940,643.00 for construction;

**WHEREAS**, the Management Authority advertised, as required under the Louisiana Public Bid Law, a Request for Bids and received three (3) bids for the construction of the Lighting Vault at New Orleans Lakefront Airport as described in the bid documents;

**WHEREAS**, the following companies submitted total base bids of:

Ashley Savarino Unlimited Construction, LLC	\$961,331.04
Eutaw Construction Company, Inc.	\$940,643.00
TKTMJ, Inc.	\$1,036,556.00

**WHEREAS**, the lowest responsible bidder was Eutaw Construction Company, Inc. and the Management Authority’s consultants and staff recommended that the Management Authority award a contract to Eutaw Construction Company, Inc., for the project at the New Orleans Lakefront Airport for an amount not to exceed \$940,643.00; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Orleans Levee District to award a contract to Eutaw Construction Company, Inc., as the lowest responsible bidder, for the project;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Management Authority approves a contract with Eutaw Construction Company, Inc., as the lowest responsible bidder, for the project described as Upgrade Lighting Vault – Phase II (Construction) at New Orleans Lakefront Airport for the price and sum of \$940,643.00.

**BE IT FURTHER HEREBY RESOLVED** that the Management Authority authorizes the Chairman or Executive Director to sign a contract with Eutaw Construction Company, Inc. and any and all other documents to carry out the above.

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

**YEAS: HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO**

**NAYS:**

**ABSTAIN:**

**ABSENT: BRIEN, ERNST, HEBERT, MAJOR, HENRY**

**RESOLUTION ADOPTED: YES**

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

.....  
**08-052517 - Motion to award contract to the lowest responsible bidder for the Rehabilitate Runway 36R/18L project at New Orleans Lakefront Airport**

E.D. Noel advised that one bid was received in response to the advertisement, which bid was not responsive due to an error with proper licensing per the specifications. Mr. Metzger advised that a substitute motion was required to reject the bid and re-advertise. If the bid was accepted it would be in violation of the Public Bid Law

Comm. Arrigo offered a motion to reject the bid and re-advertise the project, second by Comm. Richard. The Resolution was adopted to wit:

**MOTION:** 08-052517  
**RESOLUTION:** 08-052517  
**OFFERED:** COMMISSIONER HEATON  
**SECONDED BY:** COMMISSIONER

May 25, 2017

**RESOLUTION**

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

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

**WHEREAS**, the LADOTD approved a project identified as "Rehabilitate Runway 36R/18L" (the "project");

**WHEREAS**, the Management Authority advertised, as required under the Louisiana Public Bid Law, a Request for Bids and received three (3) bids for the Rehabilitation of Runway 36R/18L at New Orleans Lakefront Airport as described in the bid documents;

**WHEREAS**, the Management Authority received one bid, which was deemed unresponsive.

**WHEREAS**, the Management Authority's consultants and staff recommended that the Management Authority reject the bid and re-advertise the project identified as "Rehabilitate Runway 36R/18L" (the "project"); and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Orleans Levee District to reject the bid and re-advertise the project identified as "Rehabilitate Runway 36R/18L" (the "project"); and;

**THEREFORE, BE IT HEREBY RESOLVED** that the Management Authority rejects the sole bid received due to being non-responsive and will re-advertise the project identified as "Rehabilitate Runway 36R/18L" (the "project"); and,

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.  
.....

**09-052517 - Motion to authorize renewal of legal services contract with Gordon Arata for a term of one year commencing on July 1, 2017 and ending on June 30, 2018**

Chair Heaton noted this items was vetted by the Legal Committee. Mr. Metzger advised that the one year term was recommended. There are safeguards with this contract in that any new cases must be brought before the Legal Committee.

Comm. Fierke offered a motion to authorize renewal of legal services contract with Gordon Arata for a term of one year commencing on July 1, 2017 and ending on June 30, 2018, second by Comm. Wheaton. The Resolution was adopted to wit:

**MOTION:** 09-052517  
**RESOLUTION:** 09-052517  
**OFFERED:** COMMISSIONER FIERKE  
**SECOND:** COMMISSIONER WHEATON

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, occasions arise when the Management Authority requires professional legal services for matters involving the non-flood protection assets owned by the Orleans Levee District and managed by the Management Authority;

**WHEREAS**, effective the 29th day of July 2015, the Management Authority entered into a written Contract for Professional Legal Services with Gordon, Arata, McCollam, Duplantis & Eagan, LLC, (now Gordon, Arata, Montgomery, Barnett, McCollam, Duplantis & Eagan, LLC) (the "Firm") for Legal Services (the "Contract");

**WHEREAS**, the Contract was for a term commencing on July 29, 2015 and ending on June 30, 2016, with an option to renew for one (1) year, with rates not to exceed the Attorney General's rate sheet, dated September 15, 2014 or as amended, for legal services, plus expenses, under the terms and conditions specified in said Contract;

**WHEREAS**, the Legal Committee of the Management Authority at the April 7, 2016 Legal Committee Meeting voted to recommend that the Management Authority exercise the option to renew for one (1) year the Contract, and the Management Authority at its meeting held on April 21, 2016 adopted a resolution exercising the option and renewing the Contract for one (1) additional year ending on June 30, 2017;

**WHEREAS**, Gordon, Arata, Montgomery, Barnett, McCollam, Duplantis & Eagan, LLC is counsel for the Management Authority in the pending case captioned and entitled, *Non-Flood Protection Management Authority v. The Lathan Company, Inc., No: 2014-6983, Civil District Court for the Parish of Orleans, Division "G"*;

**WHEREAS**, the Legal Committee at the April 11, 2017 Legal Committee Meeting voted to recommend that the Management Authority extend the Contract for one (1) additional year ending on June 30, 2018;

**WHEREAS**, Louisiana Revised Statutes Title 42, Section 263 (Amended by Acts 1979, No. 78, §1; Acts 1982, No. 570, §2) provides that no state board, including levee boards, (unless excluded under the statute), shall retain or employ any special attorney or counsel to represent it in any special matter or pay any compensation for any legal services whatever unless a real necessity exists, made to appear by a resolution thereof stating fully the reasons for the action and the compensation to be paid; and, the resolution then shall be subject to the approval of the Attorney General and, if approved by him, shall be spread upon the minutes of the body and published in the official journal of the parish;

**WHEREAS**, the Management Authority hereby declares that a real necessity does exist to engage professional legal services by the Firm for the Management Authority because of the referenced pending litigation involving the Management Authority and also in connection with the non-flood protection assets of the Orleans Levee District managed by the Management Authority, including but not limited to the Orleans Marina, South Shore Harbor Marina and the New Orleans Lakefront Airport, which requires legal counsel to assist with transactions and legal issues involving these non-flood protection assets;

**WHEREAS**, the Contract approved by the Management Authority for professional legal services with the firm will be on an "as needed" basis, at hourly rates not to exceed the maximum rates listed below:

Michael Botnick	10+ years	\$225.00/hr.
Marion Weinstock	10+ years	\$225.00/hr.
Scott O'Connor	10+ years	\$225.00/hr.
Greg Grimsal	10+ years	\$225.00/hr.
Phil Antis	10+ years	\$225.00/hr.

**WHEREAS**, the Legal Committee of the Management Authority at its meeting held on February 14, 2017 unanimously moved to recommend to the Management Authority adoption of a resolution to extend the Contract for an additional one (1) year term, commencing on July 1, 2017 and ending on June 30, 2018; and,

**WHEREAS**, the Management Authority resolved that it was in the best interest of the District to extend the Contract for Professional Legal Services with Gordon, Arata, Montgomery, Barnett, McCollam, Duplantis & Eagan, LLC, for one (1) year, under the same terms and conditions specified in the Contract for Professional Legal Services effective July 29, 2015.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves the renewal of the Contract for Professional Legal Services with Gordon, Arata, Montgomery, Barnett, McCollam, Duplantis & Eagan, LLC, for a term of one year, commencing on July 1, 2017 and ending on June 30, 2018, under the same terms and conditions specified in the Contract for Professional Legal Services effective on July 29, 2015.

**BE IT FURTHER HEREBY RESOLVED**, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above. The foregoing was submitted to a vote, the vote thereon was as follows:

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

.....

**10-052517 - Motion to amend Resolution No. 06-022317 approving an extension of the Professional Legal Services Contract with Gerard G. Metzger (APLC) to comply with La.R.S. Title 42, Section 263**

Mr. Metzger noted that the A.G.'s office is now requiring specific language showing there is a real necessity for outside legal counsel. The same Resolution was used for seven years, but the A.G. requested the modified language. This Resolution amends the original Resolution approving the legal contract, which was adopted in February.

Comm. Wheaton offered a motion to amend Resolution No. 06-022317 approving an extension of the Professional Legal Services Contract with Gerard G. Metzger (APLC) to comply with La.R.S. Title 42, Section 263, second by Comm. Meadowcroft. The Resolution was adopted to wit:

**MOTION: 10-052517**  
**RESOLUTION: 10-052517**  
**OFFERED: COMMISSIONER WHEATON**  
**SECOND BY: COMMISSIONER MEADOWCROFT**

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, occasions arise when the Management Authority requires professional legal services for matters involving the non-flood protection assets owned by the Orleans Levee District and managed by the Management Authority and with other legal matters;

**WHEREAS**, the Management Authority by Resolution No. 06-022317 (the "Resolution") approved an extension of the Professional Legal Services Contract with Gerard G. Metzger (APLC), for an additional one year term, commencing on July 1, 2017 and ending on June 30, 2018, under the same terms and conditions specified in the Professional Legal Services Contract with Gerard G. Metzger (APLC), effective on October 29, 2015 (the "Contract"), subject to approval by the Office of the Attorney General of the State of Louisiana as required under Louisiana law;

**WHEREAS**, Louisiana Revised Statutes Title 42, Section 263 (Amended by Acts 1979, No. 78, §1; Acts 1982, No. 570, §2) provides that no state board, including levee boards, (unless excluded under the statute), shall retain or employ any special attorney or counsel to represent it in any special matter or pay any compensation for any legal services whatever unless a real necessity exists, made to appear by a resolution thereof stating fully the reasons for the action and the compensation to be paid; and, the resolution then shall be subject to the approval of the Attorney General and, if approved by him, shall be spread upon the minutes of the body and published in the official journal of the parish;

**WHEREAS**, Resolution No. 06-022317 was submitted by the Executive Director to the Office of the Attorney General on April 21, 2017;

**WHEREAS**, by letter dated on May 9, 2017, the Attorney General's Office returned without approval the Resolution stating that a statement showing that "a real necessity exists" for employment of counsel is required in the resolution, a copy of which said letter is attached to this Resolution;

**WHEREAS**, the Management Authority hereby declares that a real necessity does exist to engage professional legal services by special counsel for the Management Authority because of pending litigation involving the Management Authority and in connection with the non-flood protection assets of the Orleans Levee District managed by the Management Authority, including but not limited to the Orleans Marina, South Shore Harbor Marina and the New Orleans Lakefront Airport, which requires legal counsel to assist with transactions and legal issues involving these non-flood protection assets;

**WHEREAS**, the law firm of Gerard G. Metzger (APLC) has represented the Management Authority and the former governing authorities of the Orleans Levee District with legal matters for over 20 years, and is currently counsel of record in all but one of the litigation matters involving the Management Authority and assists the Management Authority with transactions and legal issues involving the non-flood protection assets;

**WHEREAS**, the Contract approved by the Management Authority for professional legal services with Gerard G. Metzger (APLC) provides for hourly rates for attorney fees not to exceed the maximum hourly rates authorized by the Office of the Attorney General for special counsel, which rates are as follows:

Gerard G. Metzger	10+ years	\$190 per hour on litigation matters and \$175 per hour on non-litigation matters
Charles T. Curtis, Jr.	10+ years	\$190 per hour on litigation matters and \$175 per hour on non-litigation matters

**WHEREAS**, the Legal Committee of the Management Authority at its meeting held on April 11, 2017 unanimously moved to recommend to the Management Authority adoption of a resolution, if required by the Office of the Attorney General, to comply with La.Rev.Stat. 42:§263, to extend the Contract for an additional one (1) year term, commencing on July 1, 2017 and ending on June 30, 2018;

**WHEREAS**, the Management Authority resolved that it was in the best interest of the District to amend in its entirety Resolution No. 06-022317 and approve and substitute this Resolution in lieu of Resolution No. 06-022317, in accordance with the request of the Attorney General's Office, to comply with La.Rev.Stat. 42:§263, and, subject to the approval of this Resolution by the Attorney General's Office, extend the Contract with Gerard G. Metzger (APLC) for a one (1) year term, commencing on July 1, 2017 and ending on June 30, 2018, under the terms and conditions set forth in the Contract.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority amends in its entirety Resolution No. 06-022317 and substitutes this Resolution in lieu of Resolution No. 06-022317, and hereby approves an extension of the Professional Legal Services Contract with Gerard G. Metzger (APLC), for an additional one year term, commencing on July 1, 2017 and ending on June 30, 2018, under the same terms and conditions specified in the Professional Legal Services Contract with Gerard G. Metzger (APLC), effective on October 29, 2015, subject to the approval of this Resolution by the Office of the Attorney General of the State of Louisiana, as required under Louisiana Revised Statutes Title 42, Section 263.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES,  
ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25th day of May, 2017.

**11-052517 - Motion to approve amending the grass cutting contract with Rotolo Consultants, Inc. with a contract ending date of December 31, 2017**

Mr. Noel stated that the Authority issued the original Rotolo contract in 2013, which had four 1-year options. The Authority is now in a position to exercise the last option with a contract end date of June 2018, which puts the Authority in a precarious situation.

Comm. Wheaton offered a motion to approve amending the grass cutting contract with Rotolo Consultants, Inc. with a contract ending date of December 31, 2017, second by Comm. Richard. The Resolution was adopted to wit:

**MOTION:** 11-052517  
**RESOLUTION:** 11-052517  
**OFFERED:** COMMISSIONER WHEATON  
**SECONDED:** COMMISSIONER RICHARD

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, the Lakeshore Drive recreational parks and parkways, the New Orleans Lakefront Airport and Orleans and South Shore Harbor Marinas are some of the non-flood protection assets managed and controlled by the Management Authority;

**WHEREAS**, these non-flood protection assets require landscape maintenance;

**WHEREAS**, the Management Authority issued a Request for Proposal for landscape maintenance of the Lakefront parks, Marinas and Airport in May of 2013;

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

**WHEREAS**, the contract commenced July 1, 2013 and had an expiration date of June 30, 2014 with four (4) additional one (1) year options to renew with the 4<sup>th</sup> option ending on June 30, 2018; and,

**WHEREAS**, the Management Authority staff has recommended amending the contract to provide for an end date of December 31, 2017 to allow for adequate maintenance activity during the height of grass growing season; and,

**WHEREAS**, the Recreation/Subdivision Committee at its meeting held on May 11, 2017 resolved that it was in the best interest of the Management Authority to amend the contract to end on December 31, 2017,

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, the Management Authority approves amending the contract for landscape maintenance and grass cutting with Rotolo Consultants, LLC, to have an end date of December 31, 2017.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSTAIN:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25th day of May, 2017.

.....

**12-052517 - Motion to extend the Professional Service engineering contract for Design Engineering, Inc., for one year commencing July 1, 2017 and ending June 30, 2018 with a not to exceed amount of \$75,000 subject to funding as provided in the budget**

Mr. Noel advised that this matter and the next three items are professional service contracts for engineering. The RFQ process will be let in 2018. These contracts will give the Authority access to engineers for the next year. Chair Heaton noted that these engineering contracts were from the RFQ process three years ago.

Comm. Richard offered a motion to extend the Professional Service engineering contract for Design Engineering, Inc., for one year commencing July 1, 2017 and ending June 30, 2018 with a not to exceed amount of \$75,000 subject to funding as provided in the budget, second by Comm. Arrigo. The Resolution was adopted to wit:

**MOTION:** 12-052517  
**RESOLUTION:** 12-052517  
**BY:** COMMISSIONER RICHARD  
**SECONDED BY:** COMMISSIONER ARRIGO

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, the Management Authority manages two marinas, the New Orleans Lakefront Airport, a fifteen unit office building, 5.2 miles of Lakeshore Drive, four recreational shelters, and approximately 430 acres of open space and public parks;

**WHEREAS**, the Management Authority has a need for professional engineering services, and does not have an engineering department;

**WHEREAS**, Design Engineering, Inc. is currently providing engineering services to the Management Authority, pursuant to the terms of a written contract, and has the necessary expertise and licensure to perform said services;

**WHEREAS**, Design Engineering, Inc. has presented in conformance to LADOTD allowable billable rates for engineering services; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Orleans Levee District to authorize a contract with Design Engineering, Inc. for professional engineering services, on an "as needed" basis, to end June 30, 2018 with an amount not to exceed \$75,000.00 per annum subject to funding as provided in the budget.

**THEREFORE BE IT HEREBY RESOLVED**, that the Management Authority approves a contract with Design Engineering, Inc. for professional engineering services, on an "as needed" basis, to end June 30, 2018, with an amount not to exceed \$75,000 per annum, subject to funding as provided in the budget.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSTAIN:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25th day of May, 2017.

.....

**13-052517 - Motion to extend the Professional Service engineering contract for Stuart Consulting Group for one year commencing July 1, 2017 and ending June 30, 2018 with a not to exceed amount of \$75,000 subject to funding as provided in the budget**

Chair Heaton noted that this contract is from the RFQ process three years ago.

Comm. Richard offered a motion to extend the Professional Service engineering contract for Stuart Consulting Group for one year commencing July 1, 2017 and ending June 30, 2018 with a not to exceed amount of \$75,000 subject to funding as provided in the budget, second by Comm. Settoon. The Resolution was adopted to wit:

**MOTION:** 13-052517  
**RESOLUTION:** 13-052517  
**BY:** COMMISSIONER RICHARD  
**SECONDED BY:** COMMISSIONER SETTOON

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, the Management Authority manages two marinas, the New Orleans Lakefront Airport, a fifteen unit office building, 5.2 miles of Lakeshore Drive, four recreational shelters, and approximately 430 acres of open space and public parks;

**WHEREAS**, the Management Authority has a need for professional engineering services, and does not have an engineering department;

**WHEREAS**, Stuart Consulting Group is currently providing engineering services to the Management Authority, pursuant to the terms of a written contract, and has the necessary expertise and licensure to perform said services;

**WHEREAS**, Stuart Consulting Group has presented in conformance to LADOTD allowable billable rates for engineering services; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Orleans Levee District to authorize a contract with Stuart Consulting Group for professional engineering services, on an “as needed” basis, to end June 30, 2018 with an amount not to exceed \$75,000 per annum subject to funding as provided in the budget.

**THEREFORE BE IT HEREBY RESOLVED**, that the Management Authority approves a contract with Stuart Consulting Group for professional engineering services, on an “as needed” basis, to end June 30, 2018, with an amount not to exceed \$75,000 per annum, subject to funding as provided in the budget.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSTAIN:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

**14-052517 - Motion to extend the Professional Service engineering contract for Richard C. Lambert Consultants, LLC for one year commencing July 1, 2017 and ending June 30, 2018 with a not to exceed amount of \$75,000 subject to funding as provided in the budget**

Chair Heaton noted that this is the third professional services contract, which will be extended for one year.

Comm. Richard offered a motion to extend the Professional Service engineering contract for Richard C. Lambert Consultants, LLC for one year commencing July 1, 2017 and ending June 30, 2018 with a not to exceed amount of \$75,000 subject to funding as provided in the budget, second by Comm. Fierke. The Resolution was adopted to wit:

**MOTION:** 14-052517  
**RESOLUTION:** 14-052517  
**BY:** COMMISSIONER RICHARD  
**SECONDED BY:** COMMISSIONER FIERKE

May 25, 2017

**RESOLUTION**

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

**WHEREAS**, the Management Authority manages two marinas, the New Orleans Lakefront Airport, a fifteen unit office building, 5.2 miles of Lakeshore Drive, four recreational shelters, and approximately 430 acres of open space and public parks;

**WHEREAS**, the Management Authority has a need for professional engineering services, and does not have an engineering department;

**WHEREAS**, Richard C. Lambert Consultants, LLC is currently providing engineering services to the Management Authority, pursuant to the terms of written a contracts and has the necessary expertise and licensure to perform said services;

**WHEREAS**, Richard C. Lambert Consultants, LLC has presented in conformance to LADOTD allowable billable rates for engineering services; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Orleans Levee District to authorize a contract with Richard C. Lambert Consultants, LLC for professional engineering services, on an “as needed” basis, to end June 30, 2018 with an amount not to exceed \$75,000 per annum subject to funding as provided in the budget.

**THEREFORE BE IT HEREBY RESOLVED**, that the Management Authority approves a contract with Richard C. Lambert Consultants, LLC for professional engineering services, on an “as needed” basis, to end June 30, 2018, with an amount not to exceed \$75,000 per annum, subject to funding as provided in the budget.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSTAIN:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

**15-052517 - Motion to approve renewing the Stuart Consulting Group FEMA Consultant contract for one additional year beginning on July 1, 2017 through June 30, 2018**

Chair Heaton noted that Stuart was selected prior to the Authority having a Board. It is not recommended to change consultants as the PW process is near the end. This is for contractual services for FEMA reimbursement. Mr. Noel advised that this is reimbursable through FEMA; it is not an IDIQ contract. Chris Fenner (Stuart) stated that originally the PWs included Direct Administrative Costs (DAC). FEMA is redoing that and there is now one PW for those costs.

Comm. Richard offered a motion approve renewing the Stuart Consulting Group FEMA Consultant contract for one additional year beginning on July 1, 2017 through June 30, 2018, second by Comm. Settoon. The Resolution was adopted to wit:

**MOTION:** 15-052517  
**RESOLUTION:** 15-052517  
**BY:** COMMISSIONER RICHARD  
**SECONDED BY:** COMMISSIONER SETTOON

May 25, 2017

**RESOLUTION**

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



**WHEREAS**, pursuant to Resolution No. 08-082114, the Management Authority established a policy to advertise for professional services every two years, and the Management Authority issued a Request for Qualifications on May 12, 2015 for professional engineering services wherein five firms responded, responses were read, reviewed and scored according to the minimum qualifications and scoring criteria;

**WHEREAS**, Stuart Consulting Group, Inc. was awarded the contract for professional engineering services, for a term of two years, and is the current provider of professional services for FEMA Public Assistance Program services for hurricane damage claims and grant management services and has been providing those services satisfactorily, pursuant to the terms of the contract for professional engineering services;

**WHEREAS**, Stuart Consulting Group, Inc., in addition to being the current provider of FEMA grant services, is also a qualified engineering consulting firm;

**WHEREAS**, many of the current project worksheets being handled by Stuart Consulting Group, Inc. are in the close-out stages; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Management Authority and the Orleans Levee District to extend its Agreement with Stuart Consulting Group, Inc., for one year commencing on July 1, 2017 until June 30, 2018, to provide professional services for FEMA Public Assistance Programs for hurricane damage claims and grant management services.

**NOW, THEREFORE BE IT HEREBY RESOLVED**, that the Management Authority approves an extension of the agreement for professional engineering services with Stuart Consulting Group, Inc. under the terms and conditions set forth in the RFQ and the response of Stuart Consulting Group, Inc., for a term of one year commencing on July 1, 2017 and ending June 30, 2018;

**BE IT FURTHER HEREBY RESOLVED** that the Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:**

**ABSTAIN:**

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

**16-052517 - Motion to approve new waste pick-up contracts with Employment Development Systems**

Mr. Noel noted that the trash collection contract is for the Airport and Lakefront. EDS does a good job collecting trash. The Airport is a monthly price and the Lakefront is per service so it can be escalated and de-escalated as needed.

Comm. Richard offered a motion to approve new waste pick-up contracts with Employment Development Systems, second by Comm. Arrigo. The Resolution was adopted to wit:

**MOTION:** 16-052517

**RESOLUTION:** 16-052517

**BY:** COMMISSIONER RICHARD

**SECONDED:** COMMISSIONER ARRIGO

**May 25, 2017**

**RESOLUTION**

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

**WHEREAS**, the Lakefront Airport and Lakeshore Drive are non-flood protection assets of the District under the management and control of the Management Authority;

**WHEREAS**, Lakeshore Drive encompasses a 4.5 mile stretch of grassy area and Lakefront Airport includes 20.99 acres that requires trash pick-up services to maintain those grounds;

**WHEREAS**, the Management Authority received proposals for annual trash pick-up service contracts from Employment Development Systems (EDS) for the term commencing on July 1, 2017 through June 30, 2018;

**WHEREAS**, the proposals submitted by EDS were as follows:

Trash pick-up for Lakefront Airport \$1,509.03 per month

Trash pick-up from West End Drive to

Seabrook Bridge (4.5 miles) \$ 628.88 per service

**WHEREAS**, the Management Authority resolved that it is in the best interest of the District to approve trash pick-up contracts with EDS, under the terms set forth above.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves contracts for trash pick-up services with EDS for one year, commencing on July 1, 2017, in the amounts set forth above for trash pick-up services, as summarized on the attached contracts for trash pick-up at Lakefront Airport and trash pick-up from West End Drive to Seabrook Bridge.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES,  
ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO  
**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY  
**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.

.....  
**17-052517 - Motion to authorize a new janitorial contract with Primero Services, Inc., d/b/a ServiceMaster Commercial and Industrial Cleaning Services for Lakefront Airport Terminal Building**

Chair Heaton advised that this contract was recommended by the Airport Committee. It is janitorial services for Lakefront Airport.

Chair Heaton offered a motion to authorize a new janitorial contract with Primero Services, Inc., d/b/a ServiceMaster Commercial and Industrial Cleaning Services for Lakefront Airport Terminal Building, second by Comm. Richard. The Resolution was adopted to wit:

**MOTION:** 17-052517  
**RESOLUTION:** 17-052517  
**BY:** COMMISSIONER HEATON  
**SECONDED:** COMMISSIONER RICHARD

May 25, 2017

**RESOLUTION**

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

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

**WHEREAS**, the buildings and other facilities at the Airport, including the Terminal Building, were severely damaged by Hurricane Katrina which struck southeastern Louisiana in August of 2005, and the Management Authority recently completed extensive repairs and renovations of the Terminal (the "Terminal");

**WHEREAS**, the Terminal includes a large atrium, leased office space, conference rooms and the office of the Aviation Director of the Airport;

**WHEREAS**, janitorial services will be required to maintain the Terminal;

**WHEREAS**, the District solicited and received bids for an annual janitorial service contract and the lowest bid was submitted by ServiceMaster;

**WHEREAS**, the bid submitted by ServiceMaster was in an amount not to exceed \$35,000.00 per year, plus waxing as requested at \$3,254.00 per wax, for the Terminal;

**WHEREAS**, the Legal Committee considered the bid submitted by ServiceMaster for the janitorial contract at its meeting held on May 9, 2017 and voted to recommend approval of the janitorial service contract with ServiceMaster; and,

**WHEREAS**, the Management Authority resolved that it is in the best interest of the Orleans Levee District and New Orleans Lakefront Airport to approve the janitorial service contract under the terms set forth above with ServiceMaster.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves a contract for janitorial services with ServiceMaster for one year, commencing July 1, 2017 and ending June 30, 2018, in an amount not to exceed \$35,000.00 per year, plus waxing as requested at \$3,254.00 per wax, for the Terminal Building at the Lakefront Airport.

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

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

**YEAS:** HEATON, GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES,  
ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO  
**NAYS:**  
**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY  
**RESOLUTION ADOPTED:** YES

This resolution was declared adopted this 25<sup>th</sup> day of May, 2017.  
.....

**18-052517 - Motion to authorize procurement of Property, Casualty, Liability, Flood, Auto, Employee Practices and Workers Compensation Insurance Coverages for a one year period effective July 1, 2017 through the Southeast Louisiana Flood Protection Authority-East's agent of record in order to effectuate savings through the consolidation of said coverages by said entities.**

Chair Heaton noted that a Memo was passed out and a Resolution adopted by the Flood Authority was distributed stating what occurred and why we are here, and read aloud a document which has been added to the record. The estimated cost savings across all districts would be approximately \$300-\$400,000.00, and would save taxpayer money. No member was solicited to vote either way, but as the representative of SLFPA-E there was a fiduciary responsibility to advise of the possible savings. This motion was recommended due to the synergy and there were questions on why the Non Flood Authority had to purchase property insurance.

Comm. Richard noted concern regarding the first time he was aware of this issue. During the joint Finance/Insurance meeting there was a quote wherein the Authority could save approximately \$30,000. The possible savings was discussed, but in order to obtain quotes you have to be the Agent of Record. Gallagher did not address concerns regarding DBE participation. There was no decision made at that meeting or no recommendation was made to this Board. Comm. Fierke advised that the Insurance Committee met prior to the Board meeting and made a contrary recommendation to the full Board. Initially when insurance was authorized for the second year the Flood Authority suggested utilizing Gallagher due to possible savings. There were concerns because the Flood Authority did not go through the RFP process. After listening to both proposals, the Insurance Committee came to the conclusion that the difference is approximately \$40,000 in favor of Eagan and recommended renewing Eagan as the Agent of Record for 2017-2018 as Eagan has worked with the Authority for some time and understands the policies, exposures and risks with the fuel farm. Eagan also has a DBE business partner. The Insurance Committee unanimously agreed to recommend Eagan to the Full Board. There were also concerns regarding the speculative numbers that Gallagher brought forward.

Comm. Wheaton noted that a large part of the savings Gallagher would realize for the Authority was due to raising the deductibles on flood insurance from \$5,000 to \$50,000. The Authority previously decided not to raise the deductibles, but later decided on that issue. The property insurance market would come down realizing another \$69,000.00. Eagan has provided those quotes yesterday. The Flood Authority had their meeting and selected Gallagher. The Non Flood Authority did the RFQ process and selected Eagan, who has been working with the Authority since that time. It would be problematic to pull Eagan at this time as Gallagher is not saving the Authority any money as previously advised. The Authority may want to explore with the Flood Authority how property insurance is procured. At that time, the Flood Authority - who owns the property - can possibly pay the property insurance.

Comm. Fierke offered a motion to amend that the Authority authorize procurement of Property, Casualty, Liability, Flood, Auto, Employee Practices and Workers Compensation Insurance Coverages for a one year period effective July 1, 2017 through Eagan Insurance in order to save approximately \$40,000.00, second by Comm. Richard. Motion passed.

The Resolution was adopted to wit:

**MOTION: 18-052517**  
**RESOLUTION: 18-052517**  
**BY: COMMISSIONER FIERKE**  
**SECONDED BY: COMMISSIONER RICHARD**

**May 25, 2017**

**RESOLUTION**

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

**WHEREAS**, the Management Authority authorized the issuance of a Request for Qualifications/Proposals for professional services agreements every two years, beginning 2015 in Resolution No. 08-082114, which includes the Agent of Record for all casualty, general liability, marina liability, worker's compensation, employee practices, auto liability, airport owner's liability, and property and flood policies for the insurable non-flood protection assets of the District;

**WHEREAS**, responses were reviewed by the Insurance Committee and the Insurance Committee voted unanimously to select Eagan Insurance Agency, LLC ("Eagan") as Agent of Record for a period of one (1) year commencing on May 1, 2015 and ending on June 30, 2016;

**WHEREAS**, the Management Authority approved a written contract for FY 2016-2017 with Eagan as Insurance Agent of Record under the same terms and conditions as set forth in Resolution 04-041615, for a period of one (1) year commencing on July 1, 2016 and ending on June 30, 2017.

**WHEREAS**, the Eagan contract for Insurance Agent of Record expires on June 30, 2017.

**WHEREAS**, the Special Insurance Committee met jointly with the Finance Committee on May 9, 2017 to continue discussions with Arthur J. Gallagher & Co. and Eagan Insurance Agency, LLC;

**WHEREAS**, a Special Insurance Committee held a meeting on May 25, 2017 to review proposals submitted by Arthur J. Gallagher & Co. and Eagan Insurance Agency, LLC;

**WHEREAS**, the Proposal of Services and Agency Qualifications submitted by Eagan Insurance Agency, LLC offered to provide the full range of services requested in the Request for Qualifications/Proposals, including but not limited to assisting the Management Authority in administering all insurance plans, negotiating with providers on all issues related to premiums, special terms, conditions, and claims and soliciting proposals from national and world insurance markets which specialize in casualty, general liability, marina liability, worker's compensation, employee practices, auto liability, airport owner's liability, property insurance and all other insurance needs of the Management Authority;

**WHEREAS**, Eagan Insurance Agency, LLC submitted the most cost effective range of services for procuring casualty, general liability, marina liability, worker's compensation, employee practices, auto liability, airport owner's liability, property and flood insurance and all other insurance policies required by the Management Authority, exclusive of health and dental coverages;

**WHEREAS**, after considering the proposals submitted for the most cost effective Insurance Agent of Record, the Special Insurance Committee voted to recommend to the Management Authority the selection of Eagan Insurance Agency, LLC as Agent of Record for a period of one (1) year commencing on July 1, 2017 and ending on June 30, 2018;

**WHEREAS**, the Management Authority after considering the recommendation of the Special Insurance Committee and proposal submitted by Eagan Insurance Agency, LLC resolved that it would be in the best interest of the Orleans Levee District to select Eagan Insurance Agency, LLC as Agent of Record for a period of one (1) year commencing on July 1, 2017.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority selects Eagan Insurance Agency, LLC as Agent of Record for a period of one (1) year, commencing on July 1, 2017, for procuring all required casualty, general liability, marina liability, worker's compensation, employee practices, auto liability, airport owner's liability, property and flood insurance policies for the property of the Orleans Levee District under the management and control of the Non-Flood Protection Asset Management Authority and all other insurance policies required by the Non-Flood Protection Asset Management Authority, except for health and dental insurance.

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

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

**YEAS:** GREEN, FIERKE, WHEATON, RICHARD, SETTOON, EAMES, ARRIGO, MORVANT, GRANT, MEADOWCROFT, BRUNO

**NAYS:** HEATON

**ABSENT:** BRIEN, ERNST, HEBERT, MAJOR, HENRY

**RESOLUTION ADOPTED:** YES

### **ANNOUNCE NEXT MEETING**

Chair Heaton announced the next full Board meeting will be held on Thursday June 22, 2017 at 5:30 p.m.

### **ADJOURNMENT**

Comm. Wheaton offered a motion to adjourn, seconded by Comm. Fierke. Motion passed. The meeting adjourned at 6:43 p.m.