

**Board Meeting Minutes**  
**Non-Flood Protection Asset Management Authority**  
**Thursday, April 25, 2019 – 5:30 P.M.**

The regular monthly Board meeting of the Non-Flood Protection Asset Management Authority was held on Thursday, April 25, 2019 at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars & 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.

**Present:**

Chair Wilma Heaton  
Vice Chair Eugene Green  
Commissioner Roy Arrigo  
Commissioner Robert Romero  
Commissioner Tom Fierke  
Commissioner Dawn Hebert  
Commissioner Carla Major  
Commissioner Chris Morvant  
Commissioner Anthony Richard  
Commissioner William Settoon  
Commissioner Robert Watters

**Absent:**

Commissioner Stanley Brien  
Commissioner Sean Bruno  
Commissioner Leila Eames  
Commissioner Pat Meadowcroft  
Commissioner Roger Wheaton

**Staff:**

Executive Director Louis Capo  
Director of Engineering and Operations Felton Suthon  
Airport Director Bruce Martin  
Executive Assistant Kim Vu  
Shelly Raborn – Human Resources Analyst  
Helaine Millner – Orleans Marina  
Chandra Chaffin – Lakefront Management Authority

**Also Present:**

Gerry Metzger – Legal Counsel

**Opening Comments**

Chair Heaton opened with sharing the first report from the agency's newly hired Grants Administrator followed by an introduction of the Flood Protection Authority's Superintendent of Police, Chief Kerry Najolia. Chief Najolia gave the commissioners a report of Orleans Levee District Police activity over Easter Weekend along Lakeshore Drive and Seabrook Bridge. Chief Najolia identified multiple issues with parking and traffic flow as well as possible solutions for the next high traffic event. The measures taken by OLD Police to direct and manage traffic and parking were discussed. Chair Heaton thanked Chief Najolia and his department for the work and noted the improvements that were made compared to Easter 2018 due to their work.

**Motion to adopt Agenda**

Motion to adopt agenda by Commissioner Fierke, seconded by Commissioner Hebert, and all were in favor.

**Public Comments**

1.) Superintendent of Police (see Opening Comments)

## **Committee Reports**

Airport Committee: The Airport committee did not meet in April; however, Chair Heaton invited Airport Director Bruce Martin to give a status update regarding FAA grants. Mr. Martin stated that the 10 million dollars for the Runway and overlay has not yet been issued, but he is expecting the FAA to begin releasing funds by the end of next week. The project is currently being advertised.

DOTD reissued four state grants to the Airport to pay for: 1.) Rehabilitation of Runway 9-27, 2.) Airport Master Plan Update, 3.) FOD Boss Sweeper Mat, and 4.) Drainage Repairs, Phase I. Chair Heaton thanked Mr. Martin and Airport Manager, Tyrone Powell, for their work stating that they really hit the ground running.

Finance: Commissioner Bruno was absent. Chair Heaton and Executive Director Capo offered to cover this committee report during the Executive Director's report.

Legal: The Legal Committee met in conjunction with the Human Resources Committee April 18, 2019 and again April 22, 2019. Commissioner Watters stated that the Legal committee spent the majority of the past month on the new version of the employee handbook that will be discussed later tonight.

Commissioner Watters met with Attorney Michael Botnick regarding the Lathan Construction litigation which is ongoing.

Commercial Real Estate: Commissioner Green stated that the last Commercial Real Estate Committee meeting was spent discussing a recommendation of an amendment to extend the term of the Lease with Lighthouse Harbor Condominium Association, Inc. which will be discussed as Agenda Item IX.1. this evening. The committee recommended to extend the lease.

Marina: Commissioner Arrigo noted that the Marina committee had no items on the agenda for discussion but that did not adequately represent the committee's busy month. Earlier in the month, the committee hosted an Open House Event at the Lake Shore Landing Facility in order to highlight the investments and showcase the progress that has been made at the southeastern corner of South Shore Harbor. The event was a success. Chair Heaton commented that the handout that was provided to guests at the Open House was available for those who missed the event as it described the improvements that have been made at South Shore Harbor.

Commissioner Arrigo stated that there are many operations and maintenance projects at the marinas, including an ongoing issue at Orleans Marina where the parking lot is washing out from underneath the pavement creating sinkholes. A new bulkhead is needed to remedy this problem but currently there is no money in the budget for an expensive repair. As such, the temporary fix is to continue refilling the sinkholes with limestone until funding is available.

Commissioner Arrigo also noted a recent struggle at Orleans Marina with an aquatic plant known as Salvinia. The long-term solution to the overgrowth of Salvinia is introducing a specific species of weevil into the environment. There was an assessment conducted on the security cameras at the Marina and they are 99.99% operational.

Chair Heaton stated she will be presenting to the Flood Protection Authority the third week of May, a proposal for Surge Protection and drainage for the Lakefront Airport and, as drainage is flood protection, the bulkhead at the Marina could be discussed.

Recreation/Subdivision: The Recreation/Subdivision Committee did not meet during April.

Human Resources: The Human Resources Committee met in conjunction with Finance Committee April 18, 2019 to discuss the Employee Handbook.

### Executive Director's Report:

Director Capo gave a brief overview of last month's committee meetings as well as an administrative update of the following topics:

- 1.) Staffing – There has been 100% turnover of staff in the Finance Department since January of this year. All positions are currently filled with the exception of one advertised finance position.

- 2.) Employee Handbook – When the Non-Flood Protection Asset Management Authority was created, the agency inherited the handbook and policies used by the Orleans Levee District and continued to use those policies until now. This will be the agency’s first original Employee Handbook. Director Capo recognized Human Resources Analyst, Shelly Raborn, for her hard work on this project.
- 3.) Departmental Procedures – Currently, the agency does not have departmental procedures. In the event that an employee is absent long-term or leaves unexpectedly, development of departmental procedures is vital to the agency. Director Capo stated that he plans to initiate development of those procedures immediately to avoid issues as the Finance Department experienced with payroll.
- 4.) Finance Staff have ADP Training scheduled next week to learn payroll procedures.
- 5.) A brief snapshot of revenue from the past nine months was presented.

Director of Engineering and Operation’s Report:

Director Suthon reported on the status of the following projects:

- 1.) Lakefront Airport
  - The contract with RCL for consulting on the service elevator will be executed next week and the project will be announced for public bid soon.
  - Runway repairs project is being advertised now.
  - The Airport Director, Mr. Martin, and the Airport Manager, Mr. Powell, are working on Conference Center rentals and future film set leases.
  - Bamboo has grown up around the sprinkler system outside and become a security issue. It had to be removed.
  - Environmental issues at the Fire Station are being addressed.
  - Grass-cutting on the concrete joints of the airfield looks great.
  - Snapshot of the status of Airport-related grants.
- 2.) Orleans Marina
  - The sinkholes previously discussed are under repair.
  - A contract has been awarded for the slip repairs.
  - The Salvinia removal was previously discussed.
  - Contractors are providing quotes for the removal of either Boathouse W17 or W18
  - The bathroom in the Harbor Master’s building is not draining properly. This may require a larger repair of drainage pipes.
  - Director Suthon discovered a group known as Anchored Roots that may have a cost-effective solution to the issue of squatters, evictions, and sunken and/or abandoned boats in the marina.
- 3.) Southshore Harbor
  - Dredging permit is currently pending based on ownership of the disposal area
  - Lazy Jack’s needed sewer pump out repairs
  - Cleat Repair was completed
- 4.) Seabrook Boat Launch
  - Trash Cleanup was temporarily successful. The red bin will be relocated.
  - DEI’s concept study is almost complete which will allow revamping of the launch.
- 5.) Lakefront Subdivisions
  - Trash pickup was successful and garbage bags distributed
- 6.) Shelters
  - Rental signs are installed
  - Shelter 4 needs water connected to it.
  - Shelter 3 needs lights repaired in the bathrooms
- 7.) Lake Vista Community Center
  - The elevator is repaired.
  - Still repairing steel doors.

8.) Fountains

- Lake Terrace Fountain is in working condition with the new pump and motor installed. This must still be isolated from the electrical workings.
- The Four Winds Fountain contract has been awarded and repairs start soon.
- The Mardi Gras Fountain is the next priority after Lake Terrace Fountain is in 100% working condition.

**Old Business:**

There were no old business agenda items.

**New Business**

- 1) Motion to approve an amendment to extend the term of the Lease with Lighthouse Harbor Condominium Association, Inc.

Commissioner Green stated that the Commercial Real Estate Committee recommends moving forward with the lease extension for Lighthouse Harbor Condominium Association, Inc. Chair Heaton thanked Legal Counsel Gerry Metzger and Al Pappalardo for protecting the interests of both the Agency and the tenants in this matter.

**MOTION: 01-042519**  
**RESOLUTION: 01-042519**  
**BY: COMMISSIONER GREEN**  
**SECONDED BY: COMMISSIONER ARRIGO**

- 1) Motion to approve an amendment to extend the term of the Lease with Lighthouse Harbor Condominium Association, Inc.

**April 25, 2019**

**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 owned by the Orleans Levee District (“District”);

**WHEREAS**, the District owns parcels of property on Lakeshore Drive on the east bank of the New Basin Canal leased for commercial and residential purposes that are non-flood protection assets under the management and control of the Management Authority;

**WHEREAS**, the former Board of Commissioners of the Orleans Levee District (**the “Board”**), as Lessor, entered into a written ground lease (**“Lease” or “Ground Lease”**), dated on January 25, 1982, for a term of fifty-five (55) years, with Lakeshore Harbor Condominium Development, a Louisiana Partnership (**“Lakeshore”**), as Lessee, and leased the property described on Exhibit A, attached to the Lease Agreement, entitled **“NEW BASIN CANAL PLAN”**, containing an area of 41,796 square feet, which Lease Agreement was recorded at COB 778E, Folio 77-84, Entry #439892 of the Conveyance Records of the Parish of Orleans, State of Louisiana (**the “Leased Premises”**);

**WHEREAS**, Lakeshore prepared and filed of record a Condominium Declaration of Lakeshore Harbor Condominium, (**“Condominium Declaration”**) dated on August 9, 1983, which Condominium Declaration was intervened in by the Board of Commissioners of the Orleans Levee District for the purpose of permitting the establishment of a condominium regime over the property subject to the Ground Lease;

**WHEREAS**, Paragraph X of the Ground Lease and Article XVII of the Condominium Declaration provide that the developer of the condominium, upon the sale of each individual condominium unit, was required to assign an undivided interest in the Lease to the condominium unit owners, in accordance with Louisiana Revised Statute

9:1122.110A (6), which provides that a lessee's right in a ground lease shall be owned in division by the individual condominium unit owners;

**WHEREAS**, in accordance with the Condominium Declaration, the individual owners of the Lakeshore Harbor Condominium Units are represented collectively through their agent, Lakeshore Harbor Condominium Association, Inc. ("**Condominium Association**" or "**Lessee**");

**WHEREAS**, the Board adopted Resolution No. 4-112096 on November 20, 1996, authorizing an amendment of the Lease to extend the term of the Lease for an additional fifteen (15) years, in consideration for major improvements made by the Lessee on the Leased Premises, which established a new lease term expiration date of December 31, 2052;

**WHEREAS**, the Condominium Association requested an extension of the Lease for an additional 29 years, which would establish an expiration date of December 31, 2052, and, in consideration for the extension, agreed to pay additional quarterly rental payments in the amount of \$7,921.79, for 134 quarters, commencing with the quarter that begins on July 1, 2019 (the "additional rent"), subject to a Consumer Price Index adjustment every ten years, representing the appraised present value of the reversionary interest of the District in the improvements located on the leased premises in the amount of \$1,110,000.00, adjusted by the cost of agreed upon permanent improvements made on the Leased Premises in the amount of \$48,480.00;

**WHEREAS**, the proposed extension of the Lease under the terms set forth above is consistent with Opinion No. 00-93 of the Louisiana Attorney General's Office issued at the request of the Board that stated that extensions of water bottom or ground leases require serious consideration for the value of the improvements located on leased premises subject to reversionary rights to avoid violation of the prohibition against donation of public property under Article VII, Section 14(A) of the Louisiana Constitution of 1974. La. Atty. Gen. Op. 00-93.

**WHEREAS**, in view of the additional quarterly rental payments for the present value of the reversionary interest in the improvements, the Staff and Consultants of the Management Authority recommended an amendment of the Lease deleting the provisions in the Lease establishing a minimum 20% increase of the quarterly rental payments every ten years and amending these provisions to establish that the adjustment of the quarterly rental payments be based upon the increase in the Consumer Price Index, U.S. City Average and Selected Areas (1967=100) all Urban Consumers, published monthly by the Bureau of Labor Statistics of the U. S. Department of Labor ("**Index**"), or if the Index is discontinued, then in accordance with a comparable index selected by the Lessor and Lessee, as currently provided in the Lease;

**WHEREAS**, the Commercial Real Estate Committee of the Management Authority considered this request at its meeting held on April 22, 2019 and voted to recommend that the Management Authority approve an amendment of the Lease extending the term of the Lease, subject to the conditions and recommendations set forth above; and,

**WHEREAS**, the Management Authority resolved that it was in the best interest of the Orleans Levee District to approve an amendment of the Lease as recommended by the Commercial Real Estate Committee.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority approves an amendment of the Lease with Lighthouse Harbor Condominium Association, Inc., as agent for the Individual Unit Owners of the Lighthouse Harbor Condominiums, to extend the term of the Lease for an additional 29 years with an expiration date of December 31, 2081, conditioned upon amendments of the Lease providing for the payment of additional rent payments in the amount of \$7,921.79 per quarter, for 134 quarters, commencing with the quarter that begins on July 1, 2019, subject to a Consumer Price Index adjustment every ten years.

**BE IT FURTHER HEREBY RESOLVED** that the Non-Flood Protection Asset Management Authority also authorizes an amendment to delete the provisions of the Lease that establish a minimum 20% increase of the base quarterly rental payments every ten years and to replace same with provisions that establish that the increase of the quarterly rental payments every ten years will be based on the increase in the Consumer Price Index, U.S. City Average and Selected Areas (1967=100) all Urban Consumers, published monthly by the Bureau of Labor Statistics of the U. S. Department

of Labor, or if the Index is discontinued, then in accordance with a comparable index selected by the Lessor and Lessee, as currently set forth in the Lease.

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

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

**YEAS:** Arrigo, Fierke, Green, Heaton, Hebert, Major, Morvant, Richard, Romero, Settoon, Watters  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** Brien, Bruno, Eames, Meadowcroft, Wheaton  
**RESOLUTION ADOPTED:** Yes

- 2) Motion to approve a Contract with Dom Development Corporation for improvements in the parking lot and sidewalks in the Smith-Lupo Shopping Center required under the American with Disabilities Act.

Chair Heaton stated that this matter is the result of an ongoing lawsuit. Legal Counsel Gerry Metzger explained that this work is fulfilling a settlement agreement where the Agency will pay 50% of the costs of the design and construction to make the area ADA compliant as the parking lots and sidewalks of the Smith-Lupo Shopping Center are owned by the Orleans Levee District. This motion is for the construction phase of the project. Chair Heaton stated that three bids were received.

The Resolution as written reflects that costs will be shared equally. A motion was made by Chair Heaton, and seconded by Commissioner Arrigo to amend the resolution from

*“WHEREAS, the contract for the project will be let and administered by the Management Authority and the cost for the engineering services and construction work will be shared equally by the Management Authority and M & O Realty, Inc., pursuant to an agreement reached between the parties as part of the settlement of the referenced civil action,”*

To read

*“WHEREAS, the contract for the project will be let and administered by the Management Authority and the cost for the engineering services and construction work will be shared with the Management Authority and M & O Realty, Inc., pursuant to an agreement reached between the parties as part of the settlement of the referenced civil action, and the Lakefront Management Authority responsible to pay 38% of construction costs.”*

The motion to amend the resolution as stated above passed.

**MOTION:** 02-042519  
**RESOLUTION:** 02-042519  
**BY:** COMMISSIONER HEATON  
**SECONDED BY:** COMMISSIONER WATTERS

- 2) Motion to approve a Contract with Dom Development Corporation for improvements in the parking lot and sidewalks in the Smith-Lupo Shopping Center required under the American with Disabilities Act

**April 25, 2019**

### **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 parking lot and sidewalks in the Smith-Lupo Shopping Center (the “Shopping Center”) are non-flood protection assets of the Orleans Levee District under the management and control of the Management Authority;

**WHEREAS**, in April of 2016 a civil action was filed against the Management Authority and other owners of property in the Shopping Center in the United States District Court in the Eastern District of Louisiana alleging violations of the American with Disabilities Act (“ADA”) in the parking area and sidewalks of the Shopping Center;

**WHEREAS**, in March of 2018 this lawsuit was settled, and part of the settlement required the Management Authority and one of the owners of property in the Shopping Center, M & O Realty, Inc., to make improvements to bring the sidewalks and parking lot in compliance with the ADA (“project”);

**WHEREAS**, the contract for the project will be let and administered by the Management Authority and the cost for the engineering services and construction work will be shared with the Management Authority and M & O Realty, Inc., pursuant to an agreement reached between the parties as part of the settlement of the referenced civil action, and the Lakefront Management Authority responsible to pay 38% of construction costs;

**WHEREAS**, the Management Authority solicited informal bids for the work as required under the Louisiana Public Bid Law, La. Rev. Stat. 38:2211, et seq.;

**WHEREAS**, the following companies submitted bids in the following amounts for the project:

Dom Development Corporation	\$77,700.00
Hard Rock Construction	\$91,000.00
Cycle Construction	\$111,287.00

**WHEREAS**, Staff recommended entering into a contract with Dom Development Corporation to complete the project in accordance with contract documents and specifications prepared by Stuart Consulting Group, Inc.;

**WHEREAS**, the funding for the project was budgeted in the approved FY 2018-2019 Operating Budget; and,

**WHEREAS**, the Management Authority resolved that it was in the best interest of the District to approve a contract with Dom Development Corporation to complete the project in accordance with the contract documents and specifications prepared by Stuart Consulting Group, Inc.

**THEREFORE, BE IT HEREBY RESOLVED** that the Non-Flood Protection Asset Management Authority approves a contract with Dom Development Corporation to complete the project for the price and sum of \$77,700.00 in accordance with the contract documents and specifications prepared by Stuart Consulting Group, Inc.

**BE IT HEREBY FURTHER RESOLVED** that the Management Authority authorizes the Authority Chairman or Executive Director 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:** Arrigo, Fierke, Green, Heaton, Hebert, Major, Morvant, Richard, Romero, Settoon, Watters

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Brien, Bruno, Eames, Meadowcroft, Wheaton

**RESOLUTION ADOPTED:** Yes

- 3) Motion to approve a contract with United Restoration and Preservation as the lowest responsible bidder (\$186,400.00) for the Four Winds Fountain Restoration at Lakefront Airport in New Orleans, LA.

Chair Heaton stated that this contract qualifies for FEMA reimbursement as a Public Assistance project for Hurricane Katrina. This phase of the project will refurbish the fountain to its pre-Katrina condition, and private funds will be raised for the remaining restoration to make it operational.

**MOTION:** 03-042519

**RESOLUTION:** 03-042519

**BY:** COMMISSIONER HEATON

**SECONDED BY: COMMISSIONER ARRIGO**

- 3) Motion to approve a Contract with United Restoration and Preservation, Inc. for the Four Winds Fountain Restoration at Lakefront Airport in New Orleans, LA.

**April 25, 2019**

**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 Four Winds Fountain at the New Orleans Lakefront Airport is a non-flood protection asset of the Orleans Levee District under the management and control of the Management Authority and the fountain is in need of repairs and restoration (the “project”);

**WHEREAS**, the contract for the project will be let and administered by the Management Authority and the cost for the engineering services and construction work will be paid by the Management Authority;

**WHEREAS**, the Management Authority solicited bids for the work as required under the Louisiana Public Bid Law, La. Rev. Stat. 38:2211, et seq.;

**WHEREAS**, the following companies submitted bids in the following amounts for the project:

United Restoration and Preservation, Inc.	\$186,400.00
Francise Horticultural Services, Inc.	\$219,000.00
Rotolo Consultants, Inc.	\$221,970.00
CM Combs Construction, LLC	\$222,000.00
Striker Construction Services, LLC	\$224,200.00
Dynamic Constructors, LLC	\$258,000.00
Python Corporation	\$314,700.00

**WHEREAS**, Staff recommended entering into a contract with United Restoration and Preservation, Inc. to complete the project in accordance with contract documents and specifications prepared by RCL Consultants, LLC;

**WHEREAS**, the funding for the project was budgeted in the approved FY 2018-2019 Operating Budget; and,

**WHEREAS**, the Management Authority resolved that it was in the best interest of the District to approve a contract with United Restoration and Preservation, Inc. to complete the project in accordance with the contract documents and specifications prepared by RCL Consultants, LLC

**THEREFORE, BE IT HEREBY RESOLVED** that the Non-Flood Protection Asset Management Authority approves a contract with United Restoration and Preservation, Inc. to complete the project for the price and sum of \$186,400.00 in accordance with the contract documents and specifications prepared by RCL Consultants, LLC

**BE IT HEREBY FURTHER RESOLVED** that the Management Authority authorizes the Authority Chairman or Executive Director 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:** Arrigo, Fierke, Green, Heaton, Hebert, Major, Morvant, Richard, Romero, Settoon, Watters

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Brien, Bruno, Eames, Meadowcroft, Wheaton

**RESOLUTION ADOPTED:** Yes

- 4) Motion to approve establishing a Small-Scale Reimbursement Agreement of up to \$100,000.00 with the FAA for the Runway 18R/36L Refurbishment Project

The Federal Aviation Administration requires a separate account be established for all grant reimbursements to be utilized for cash flow for the construction project.

**MOTION:** 04-042519  
**RESOLUTION:** 04-042519  
**BY:** COMMISSIONER HEATON  
**SECONDED:** COMMISSIONER WATTERS

- 4) Motion to approve an FAA Small Scale Reimbursement Agreement for Design Review and Implementation and Flight Check Inspections.

**April 25, 2019**

### **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 is one of the non-flood protection assets of the District under the management and control of the Management Authority (the “Airport”);

**WHEREAS**, the Management Authority and the Orleans Levee District are co-public sponsors of the Airport for Federal and State grant funding for projects at the Airport;

**WHEREAS**, the United States Department of Transportation and Development, Federal Aviation Administration (“FAA”) offers FAA Small Scale Reimbursement Agreements (“Reimbursement Agreement”) to public sponsors of airports that provides a vehicle for the FAA to assign staff to review design documents and coordinate construction to provide for the re-establishment of runway approaches at airports;

**WHEREAS**, Reimbursement Agreements also allow FAA Staff to conduct Flight Checks at the end of construction projects;

**WHEREAS**, under the terms of the Reimbursement Agreement, the Management Authority would provide a not-to-exceed amount of \$100,000.00 to the FAA, which sum would be reimbursed to the Management Authority through future FAA Grants;

**WHEREAS**, funds provided by the Management Authority pursuant to the Reimbursement Agreement not utilized on a project will be refunded to the Management Authority, as co-public sponsor of the Airport; and,

**WHEREAS**, the Management Authority at its regularly scheduled monthly meeting held on April 25, 2019 resolved that it was in the best interest of the Orleans Levee District and the Airport to approve an FAA Small Scale Reimbursement Agreement for FAA grant funded projects;

**THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority, on its behalf, and on behalf of the Orleans Levee District, as the Public Sponsors of the New Orleans Lakefront Airport, approves entering into a Small Scale Reimbursement Agreement with the United States Department of Transportation and Development, Federal Aviation Administration.

**BE IT FURTHER HEREBY RESOLVED**, that the Management Authority Chair 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:** Arrigo, Fierke, Green, Heaton, Hebert, Major, Morvant, Richard, Romero, Watters

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Brien, Bruno, Eames, Meadowcroft, Settoon, Wheaton

**RESOLUTION ADOPTED:** Yes

- 5) Motion to amend the lease for the Moffett Hangar with Encore FBO, LLC d/b/a Signature Flight Support

Chair Heaton explained that there is a section of the Moffett Hangar that is blighted and cannot be used by Signature, but they have been paying rent on the entire space. This resolution will allow an amendment of the lease to give Signature rent credit for the unusable portion of the Hangar.

**MOTION:** 05-042519  
**RESOLUTION:** 05-042519  
**BY:** COMMISSIONER HEATON  
**SECONDED BY:** COMMISSIONER GREEN

- 5) Motion to Amend the Lease for the Moffett Hangar with Encore FBO, LLC d/b/a Signature Flight Support

**April 25, 2019**

**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 is one of the non-flood protection assets of the District under the management and control of the Authority (the “Airport”);

**WHEREAS**, Encore FBO, LLC d/b/a Signature Flight Support (“Signature”) is fixed based operator at the New Orleans Lakefront Airport and is the Lessee under a written lease with the District that was made and entered into on the 18<sup>th</sup> day of July, 2001 (“Lease”);

**WHEREAS**, the Moffett Hangar is part of the leased premises under the Lease;

**WHEREAS**, Signature agreed to release to the Management Authority approximately 2,736 square feet of warehouse space located in the Moffett Hangar;

**WHEREAS**, the Management Authority agreed to the cancellation of the Lease for this space in the Moffett Hangar and to amend the Lease to remove this space from the leased premises under the Lease and to reduce the annual rental by the square foot rental charge of \$4.03 per square foot, totaling a reduction in the annual rental of \$11,026.08; and,

**WHEREAS**, the Management Authority resolved that it was in the best interest of the District to approve an amendment of the Lease in accordance with the terms and conditions set forth above.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority approves an amendment of the Lease dated on July 18, 2001 with Encore FBO, LLC d/b/a Signature Flight Support to remove 2,736 square feet of warehouse space in the Moffett Hangar from the leased premises and to reduce the annual rental for the remaining leased premises by the square foot rental charge of \$4.03 per square foot for the 2,736 square feet released from the leased premises, reducing the annual rental by \$11,026.08.

**BE IT HEREBY FURTHER RESOLVED**, that the Management Authority Chairman or Executive Director be and 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:** Arrigo, Fierke, Green, Heaton, Hebert, Major, Morvant, Richard, Romero, Settoon, Watters

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Brien, Bruno, Eames, Meadowcroft, Wheaton

**RESOLUTION ADOPTED:** Yes

- 6) Motion to approve the adoption of a Policies and Procedures Manual for Employees of the NFPAMA

Legal Counsel Gerry Metzger noted that the Employee Handbook is not a contract between the Employer and Employee, however, the employee must abide by the policies within the handbook. Chair Heaton pointed out that this Employee Handbook is a living document and will be amended and modified over time. There was discussion regarding the best way to manage updates to the handbook.

A motion was made by Commissioner Watters and seconded by Commissioner Arrigo to amend page 9, paragraph 3 of the Employee Handbook to include “*Any amendments to the handbook will be published electronically and the electronic version will be the governing version if in conflict with any prior printed version.*” The motion to amend passed unanimously.

A motion was made by Commissioner Richard and seconded by Commissioner Green to amend the Employee Handbook page 9, paragraph 3, line 6 to exclude “*Executive Director*” so that it reads “*Only the Board of Commissioners has the ability to implement changes to revisions to policies in this handbook.*” The Motion to amend passed unanimously.

A motion was made by Commissioner Fierke and seconded by Commissioner Arrigo to amend the Employee Handbook to be effective as of April 26, 2019. The motion to amend passed unanimously.

**MOTION: 06-042519**  
**RESOLUTION: 06-042519**  
**BY: COMMISSIONER WATTERS**  
**SECONDED: COMMISSIONER FIERKE**

- 6) Motion to approve and adopt an Employee Handbook as amended for the Non-Flood Protection Asset Management Authority

**April 25, 2019**

**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 has not adopted an Employee Handbook as amended to establish general guidelines, policies and procedures designed to assist the employees in performing their job duties for the Management Authority;

**WHEREAS**, the Staff prepared an Employee Handbook and submitted it for review to the Human Resources and Legal Committees of the Management Authority;

**WHEREAS**, the Human Resources Committee reviewed the Employee Handbook submitted by Staff and made recommendations for certain revisions at its meeting held on April 17, 2019;

**WHEREAS**, the Legal Committee at its meeting held on April 22, 2019 reviewed the Employee Handbook, made additional recommendations for revisions and voted to recommend to the Board approval of the draft of the Employee Handbook, a copy of which is attached to this Resolution, (the “Employee Handbook”); and,

**WHEREAS**, the Management Authority after considering the Employee Handbook at its regularly scheduled Board Meeting held on April 25, 2019 resolved that it was in the best interest of the Management Authority to approve the Employee Handbook attached to this Resolution effective April 26, 2019.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Non-Flood Protection Asset Management Authority approves and adopts the Employee Handbook, a copy of which is attached to this Resolution, which shall be effective on April 26, 2019.

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

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

**YEAS:** Arrigo, Fierke, Green, Heaton, Hebert, Major, Morvant, Richard, Romero, Settoon, Watters

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Brien, Bruno, Eames, Meadowcroft, Wheaton

**RESOLUTION ADOPTED:** Yes

A motion was offered to enter Executive Session to discuss Don J. Robertson, Jr. vs. Non-Flood Protection Asset Management Authority (Docket No. S-18500). Commissioner Settoon seconded and the Board voted unanimously to enter Executive Session.

### **Executive Session**

- 1) Don J. Robertson, Jr. vs. Non-Flood Protection Asset Management Authority (Docket No. S-18500)

The board reconvened in regular session.

Chair Heaton announced that the next regular board meeting will be held Thursday, May 23, 2019 5:30 P.M. at Lakefront Airport Terminal Building, 2<sup>nd</sup> floor conference center.

A motion to adjourn was offered, seconded, and all were in favor.