

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
AIRPORT COMMITTEE MEETING
HELD ON THURSDAY MARCH 25, 2021**

PRESENT: Chair Wilma Heaton
Vice Chair Thomas Fierke
Commissioner David Francis
Commissioner Renee Lapeyrolerie
Commissioner Pat Meadowcroft

STAFF: Louis Capo – Executive Director
Daniel Hill – Director of Engineering and Operations
Bruce Martin – Airport Director
Chris Henderson – Airport Manager
Madison Bonaventure – Assistant to the Executive Director/Board Secretary

ALSO
PRESENT: Gerard Metzger – Legal Counsel to the LMA

The Airport Committee of the Lakefront Management Authority met on Thursday March 25, 2021 virtually via Zoom. The Committee met after notice was posted and sent to the public and media. The meeting was livestreamed via the Lakefront Management Authority’s YouTube channel. All comments were accepted in writing up until the meeting start time pursuant to the agenda.

Chair Heaton called the meeting to order at 4:34 P.M., and Commissioner Meadowcroft led in the pledge of allegiance.

Louis Capo, Executive Director, called the roll, and a quorum was present.

Opening Comments:

None

Motion to Adopt Agenda:

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

Motion to Approve the Minutes:

A motion was offered by Commissioner Francis, seconded by Commissioner Lapeyrolerie, and was unanimously adopted, to approve the minutes of February 9, 2021.

Public Comment:

None

Airport Director’s Report:

Bruce Martin, Airport Director, said that staff had been focusing on advancing roof repairs around the Airport and had also contracted tree maintenance to be performed.

He explained that Airport staff was collaborating with the New Orleans Fire Department (NOFD). He said that space was offered to NOFD for tabletop exercises on Airport property, and the Airport's own ARFF department would also be able to participate.

Mr. Martin said staff was also focusing on the 9-27 Runway Decommissioning Project with its consultants to meet its May 3rd grant submittal deadline.

He announced that fencing and sinkhole repairs would begin after a delay due to inclement weather.

He expressed that there was a continued interest from film industry professionals to use the Airport property for upcoming projects.

Old Business:

1) Motion to recommend approval of the request of Messina Lakefront Airport, LLC to keep Messina's Runway Cafe in the Terminal at the New Orleans Lakefront Airport closed from January 6, 2021 through April 6, 2021 because of the Coronavirus Pandemic and regulatory restrictions on the operation of restaurants in the City of New Orleans.

A motion was offered by Commissioner Fierke and was seconded by Commissioner Francis to discuss the recommendation of approval of the request of Messina Lakefront Airport, LLC to keep Messina's Runway Cafe in the Terminal at the New Orleans Lakefront Airport closed from January 6, 2021 through April 6, 2021 because of the Coronavirus Pandemic and regulatory restrictions on the operation of restaurants in the City of New Orleans.

Mr. Martin explained that George Messina, proprietor, was seeking ratification from the Board for his restaurant's closure due to local COVID-19 restrictions.

Chair Heaton asked if staff was recommending the item because it was her understanding that only the Board could amend the terms of the lease.

Director Capo concurred. He explained that the Board had adopted resolutions previously, and Mr. Messina had appeared before the Airport Committee. He indicated that Mr. Messina had put out signage announcing the restaurant's reopening on April 6, 2021 and noted the positive uptick in event rental bookings.

Vice Chair Fierke inquired if the Airport would receive the credit owed for its outside catering orders it fulfilled at the Terminal facility.

Director Capo said that Mr. Messina noted that the outside catering order sales would amount to approximately \$7,000.00 in payments to the LMA.

Commissioner Meadowcroft asked if Mr. Messina presented any back up documentation to his figures, Director Capo said staff only reviewed the sales tax records.

Commissioner Francis inquired if the Authority could request to review his financials.

Director Capo deferred to Mr. Metzger and said he was unsure if they could request insights from his other enterprises to verify.

Mr. Metzger explained that the Authority did have the right to obtain records from Messina Lakefront Airport, LLC.

Chair Heaton confirmed that he had been paying the base rent.

Commissioner Lapeyrolerie inquired about the results after the Legal Committee discussed the issue.

Mr. Metzger explained that the issue that was referred to the Legal Committee was pertaining to the percentage rent issue and not on the closure issue and did not recall any objection to the ratification of the closure. Madison Bonaventure, Board Secretary, confirmed that the Legal Committee had not offered a formal recommendation regarding the percentage rent issue.

Commissioners Francis, Meadowcroft, and Lapeyrolerie voted to withdraw the motion. The motion was withdrawn.

New Business:

1) Motion to recommend approval of a lease with Messina Lakefront Airport, LLC of Suite 121 in the New Orleans Lakefront Airport Terminal under the standard terms and conditions for leases in the New Orleans Lakefront Airport Terminal.

A motion was offered by Vice Chair Fierke and was seconded by Commissioner Meadowcroft to discuss the recommendation of approval of a lease with Messina Lakefront Airport, LLC of Suite 121 in the New Orleans Lakefront Airport Terminal under the standard terms and conditions for leases in the New Orleans Lakefront Airport Terminal.

Mr. Martin explained that Mr. Messina claimed to have an arrangement with the prior administration to use Suite 121 for storage of his business's furniture and equipment. Mr. Martin added that the suite was not built out and was adjacent to U.S. Customs.

He said Mr. Messina should be charged for the space, and staff had attempted to come up with a plan moving forward but coming to terms with Mr. Messina had been difficult. He said staff had requested that he pay the back rent, and after refusing Mr. Messina challenged the rental rate.

Commissioner Lapeyrolerie asked why he had been allowed to use the space.

Mr. Martin explained that he allegedly had an arrangement with the previous executive director. He said the Board had passed a resolution to lease the space to him, and a lease was never signed between the two parties. Mr. Martin explained that it came to his attention when he was auditing units and leases.

Director Capo said that when he had discovered the issue, and he met with Mr. Messina to discuss his options. He explained he told Mr. Messina that he had the option to vacate or pay rent, and shortly thereafter the coronavirus pandemic began. Chair Heaton expressed concern that Mr. Messina had claimed that staff members had verbally approved his use of the space. Director Capo said Mr. Messina had named previous staff members had authorized his use of the space.

Chair Heaton reaffirmed that since the COVID-19 restrictions were ending that it was the time to address the issue.

Commissioner Meadowcroft concurred that he needed to be held accountable and inquired about options of holding him accountable for the back rent.

Commissioner Lapeyrolerie made a substitute motion to approve the lease if he paid the back rent he owed.

Commissioner Francis suggested that there was an absence of documentation.

Vice Chair Fierke questioned how the LMA could collect past due rent if there was no lease or proof of when he began using the space.

Chair Heaton said that the matter was discovered when the former director left, and the facilities were inspected, and she informed Mr. Messina that the Board could not support him not paying rent on space.

Commissioner Lapeyrolerie withdrew her previous substitute motion and offered a motion to deny the lease, have him move his belongings out, and find a new tenant to lease the space. Commissioner Meadowcroft seconded the motion.

Commissioner Francis questioned the Committee's goal. Commissioners Meadowcroft and Lapeyrolerie said it was their goal to recuperate as much rent as possible at a fair market rate.

Commissioner Meadowcroft said that staff should request the key to the unit.

Mr. Martin said the space was rekeyed in late 2020, and Messina's staff had to ask permission to access the space.

Commissioner Lapeyrolerie suggested that LMA staff was complicit. Commissioner Francis suggested that the LMA could only collect rent moving forward. Commissioner Lapeyrolerie did not see the good faith effort on Mr. Messina's part.

Commissioner Francis confirmed the start date of the lease. Mr. Metzger said the motion before the Committee would make the lease effective on April 1, 2021. Commissioner Meadowcroft opined if they could make the lease effective the date Mr. Martin was aware of the issue.

Commissioner Francis said no billing had been issued to Mr. Messina. Vice Chair Fierke concurred it would be difficult to collect back rent.

Commissioner Lapeyrolerie withdrew her motion.

Commissioner Francis suggested that the Committee revisit the original motion.

Vice Chair Fierke inquired about the rental rate. Mr. Metzger confirmed the rent was set to be \$1,431.75 per month (\$23 per square feet).

The Committee suggested that the motion be reread. Mr. Metzger reread the motion:

Motion to recommend approval of a lease with Messina Lakefront Airport, LLC of Suite 121 in the New Orleans Lakefront Airport Terminal under the standard terms and conditions for leases in the New Orleans Lakefront Airport Terminal.

Mr. Metzger reported that the term of the storage space would be concurrent with his long-term restaurant and office space leases and was subject to a CPI adjustment and passthrough fees. The Committee expressed discomfort over the long-term lease on the suite. Mr. Metzger suggested that Mr. Messina's use of the space was a month-to-month tenancy.

Commissioner Francis moved to recommend approval of a lease with Messina Lakefront Airport, LLC of Suite 121 in the New Orleans Lakefront Airport Terminal under the standard terms and conditions for leases in the New Orleans Lakefront Airport Terminal. The motion was seconded by Commissioner Fierke. Commissioners Lapeyrolerie and Meadowcroft opposed. Chair Heaton abstained. The item moved to the Board without recommendation.

2) Motion to recommend approval of a lease with Airware Transportation and Logistics, LLC for Suite 244 in the New Orleans Lakefront Airport Terminal, for a primary term of two (2) years with two (2) 2-year options to renew, under the standard terms and conditions for leases in the New Orleans Lakefront Airport Terminal.

A motion was offered by Vice Chair Fierke, seconded by Commissioner Francis, and was unanimously approved to recommend approval of a lease with Airware Transportation and Logistics, LLC for Suite 244 in the New Orleans Lakefront Airport Terminal, for a primary term of two (2) years with two (2) 2-year options to renew, under the standard terms and conditions for leases in the New Orleans Lakefront Airport Terminal.

Vice Chair Fierke inquired about the firm.

Mr. Martin explained that they were a DBE firm that provided consulting relating to aviation such as logistics and consulting regarding charter services, and the firm was referred to staff by Councilwoman Nguyen.

3) Motion to recommend approval of a Mutual Aid Agreement with the Louisiana Office of the State Fire Marshal.

A motion was offered by Vice Chair Fierke, seconded by Commissioner Francis, and was unanimously approved to recommend approval of a Mutual Aid Agreement with the Louisiana Office of the State Fire Marshal.

Chris Henderson, Airport Manager, explained that the Office of the State Fire Marshal sent the Mutual Aid Agreement to each fire department in the state. He said that in the event of a declared emergency, it would allow fire departments in the area affected to share resources more readily. He said the state would reimburse the fire department for costs incurred in support efforts. He believed the Lakefront Airport's ARFF department could benefit and further explained that the agreement was mutual but not mandatory.

The Committee expressed their support.

4) Motion to recommend selection of an engineering firm(s) for the Master Services Agreement to provide professional services at the New Orleans Lakefront Airport.

Vice Chair Fierke said as an attorney and engineer he reviewed the scores and memo prepared by staff recommending 6 of the 12 respondents. He suggested that the Committee make a recommendation to approve 11 of the 12 top firms as their scores were similar and overall were nearly equally as strong but had various anomalies in different categories that would not be resolved between the meeting and the due date established by the FAA.

Mr. Martin clarified that this selection process was necessary for the Airport's Capital Improvement Plan, and if funds ever become available for capital projects any of the firms selected by the Board would be eligible for the work. He said the selection of firms for each project would be determined by their scores in the areas pertinent to the mission of the capital improvement project.

Mr. Hill said that the Request for Proposals was advertised in accordance with LADOTD and FAA guidelines.

Mr. Metzger confirmed that once the Master Services Agreement was in place, then each proposed task order would need to be presented to the Board for approval unless the contract was within the spending authority of Director Capo.

Mr. Metzger said that the LMA had used only one firm in the past. Director Capo said that the FAA preferred if the LMA had more than one firm included in the Master Services Agreement.

Commissioner Francis expressed that he felt like the scoring was a prequalification process, and the poorly rated firm should be dropped off.

A substitute motion was offered by Vice Chair Fierke, seconded by Commissioner Francis, and was approved by Commissioners Heaton and Meadowcroft to recommend selection of AIMS Group Inc., Design Engineering, Inc., ECM Consultants, Inc., Evans-Graves Engineers, Inc., Garver, LLC, Infinity Engineering Consultants, LLC, Infrastructure Consulting & Engineering, PLLC, Linfield, Hunter & Junius, Inc. Michael Baker International,

Inc., Richard C. Lambert Consultants, LLC, and Stanley Consultants, Inc. for a Master Services Agreement for professional services at the New Orleans Lakefront Airport. Commissioner Lapeyrolerie opposed the motion.

Announcement of next Airport Committee Meeting:

1) Tuesday, April 13, 2021– 2:30 PM

Adjourn:

Commissioner Francis made a motion to adjourn the meeting. Commissioner Meadowcroft seconded the motion. All were in favor. The meeting adjourned at 5:24 PM.