

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
BOARD MEETING
THURSDAY, April 28, 2022 6:45pm – 8:02 PM**

PRESENT:

Chair Anthony Richard
Vice-Chair Esmond Carr
Commissioner Stanley Cohn
Commissioner Dawn Hebert
Commissioner Wilma Heaton
Commissioner Renee Lapeyrolerie
Commissioner Pat Meadowcroft
Commissioner Howard Rodgers
Commissioner Bob Romero

ABSENT:

Secretary Thomas Fierke
Commissioner Stanley Brien
Commissioner Sean Bruno
Commissioner Bran Egana
Commissioner Monika Gerhert
Commissioner Veazey

STAFF:

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

ALSO PRESENT:

Al Pappalardo - PCI
Mike Gillen
Mike O'Connor – Mississippi River Bank
Ashley Haspel – President LTPOA
Lydia Lynn – LTPOA
Ray Landeche D. Levy – LevyLand LLC
Leonard Maryland, III – Retired Navy Commander/Retired Airline Pilot
Larry Brook - Resident of South Shore Marina

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, April 28, 2022, at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana 70126, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Chair Richard called the meeting to order at 5:33 P.M. Vice-Chair Carr led in the pledge of allegiance. Executive Director Louis Capo called the roll, and with nine members present a quorum was established.

IV. OPENING COMMENTS:

Chair Richard started by stating that last month he had to call a Special Board Meeting after having lost the opportunity to secure votes on the action items on the agenda. Moving forward, he would be limiting public comments to two minutes. He further requested that the public and commissioners as well be respectful and comply for the sake of time.

Chair Richard assured the board that he reads all of his emails.

He believes his role here is to be supportive in a way that would facilitate all our stakeholders to work together to address our issues and move the LMA forward in a positive direction.

As far as requesting and receiving information, he firmly believes in the process he proposed. Everyone is entitled to request public information in a timely manner. However, the purpose of it is to keep in mind that staff has daily duties and responsibilities and requests for information take time to gather. Please keep in mind that it is a time-consuming process.

V. MOTION TO ADOPT AGENDA:

A motion was offered by Commissioner Lapeyrolerie, seconded by Vice-Chair Carr, and was unanimously approved to adopt the agenda.

VI. MOTION TO APPROVE AIRPORT COMMITTEE MINUTES:

A motion was offered by Commissioner Lapeyrolerie, seconded by Commissioner Heaton, to approve the March 15, 2022, Airport Committee minutes and was unanimously approved.

VII. PUBLIC COMMENTS:

Leonard Maryland, III, retired Navy Commander, and Airplane Pilot read a letter he wrote to Bruce Martin Director of the Lakefront Airport commending Darrell Merrick for an outstanding job of keeping over 30 kids ages 5-11 engaged and safe during a recent static display. Mr. Maryland also stated that in the near future he would like to about a program that he has started to hopefully incorporate the Lakefront Airport into.

Chair Ricard thanked Mr. Maryland for writing a commendation letter about his experience working with Mr. Merrick.

Mike Gillen reserved his opportunity to speak until the agenda items are discussed.

Larry Brook resident of Boat of Retired at South Shore Marina. He is retired from Clark Construction where he mainly worked with federal, state, and municipal government projects for twenty-seven years. He expressed his concerns about abnormal water bill expenses incurred from fiscal year 2020 to fiscal year 2021. He further stated that in October 2021 the

Lakefront Airport received an over \$3 million water bill obviously resulting from water leaks at the airport grounds. He does not feel that the marinas should bear the burden of the cost of the exorbitant water bills. He closed by saying that this is something that needs to be seriously addressed.

Chairman Richard stated that there is much more to this topic than what we just heard. He assured the speaker that this specific topic is currently being addressed and the board plans to have an open discussion in greater detail at the appropriate time.

Carl Hudson deferred his time.

VIII. OLD BUSINESS:

- 1. Motion to approve Change Order No. 002 for an extension of the substantial completion date of the contract with Roofing Solutions, LLC for the McDermott Hangar Roof Repair Project by an additional sixty (60) days through June 24, 2022.**

A motion was offered by Vice-Chair Carr and seconded by Commissioner Rodgers.

Chair Richard Called for questions and discussions.

Vice-Chair Carr asked if there are any LD's associated with this.

Mr. David Martin stated that they are making concessions with some underlayment that is beyond their prescribed lifetime. therefore, we've granted their time extension with no additional money being added to this contract. They've been put on notice that this is all the schedule expansion we will allow.

Chair Richard called for a vote. All were in favor. **The motion passed unanimously.**

- 2. Motion to approve the Lakefront Management Authority's Change Order approval process and procedures for the continued progress of work between Board Meetings.**

A motion was offered by Vice-Chair Carr and seconded by Commissioner Cohn

Chair Richard called for questions and comments.

Commissioner Cohn stated that an issue that came up at the last board meeting where in the absence of the chair, The Finance Committee chair would sign off.

It was sent to the Bylaws Committee for review. After reviewing the duties of the Vice-Chair, which states that the Vice-Chair may serve in the absence of the Chair.

To remain consistent with the bylaws, we rarely change what a committee suggests or recommends, but we did so in this case. So that's the one substitution you see here from the

committee submitted and it basically seemed that everybody was in favor of it except for that one clause that they wanted to be reviewed.

Chair Richard called for a vote. All were in favor. **The motion passed unanimously**

IX. NEW BUSINESS

- 1. Motion to authorize the settlement of all claims by Mississippi River Bank against the Lakefront Management Authority and Orleans Levee District related to the Leasehold Mortgage and Security Interest of the Mississippi River Bank in the leasehold interest and improvements on the premises formerly leased by West End Resources, Inc. d/b/a Mayer Yacht Services located at Municipal Address 425 S. Roadway, New Orleans, LA 70124.**

A motion was offered by Commissioner Cohn and second by Commissioner Heaton.

Vice-Chair Carr asked for some background information on the motion.

Jeff Dye, LMA Attorney stated that this is the final portion previously in litigation. West End Resources leased property on Wet End. Included on that property was a crane in which Mississippi River Bank (MRB) alleged to have had a security interest. The litigation was successfully resolved in favor of Lakefront Management. This required two trials, one in Civil court and the other in Bankruptcy court.

The cost to remove the crane is \$10,500 and the cost for MRB to relinquish its reported claim is \$10,000. In total it would cost 20,500 to get this back into commerce.

He added that the next best alternative would be \$25,000 to remove the cane only. It would not resolve any issues with MRB.

Mr. Dye stated he strongly suggested the settlement that is being proposed because it would tie up all loose ends by removing and scraping the crane and also the quickest most cost-effective way to get the property back into commerce.

Commissioner Cohn added that this came before the legal committee. There was no quorum however, there was a detailed discussion on this subject. In a situation such as this, the attorneys utilized the Cost-Benefit analysis to determine whether the cost to proceed would be beneficial to the client. It was determined that it would be most advantageous for us to resolve this case and as a result, this resolution was drafted for discussion and passage.

Chair Richard called for a vote. All were in favor. **The motion passed unanimously.**

- 2. Motion to approve a contract with H & O Investments, LLC for maintenance mowing services for the Lakeshore Drive parkways and recreational parks, the New Basin Canal Park, and the Orleans and South Shore Harbor Marinas, for a term of**

one year, commencing on July 1, 2022, with an annual budget not to exceed \$342,554.00.

A motion was offered by Commissioner Romero and second by Vice chair Carr.

Char Ricard asked for comments and discussion.

Mike Gillen (public comment), of South Shore Harbor, asked for an explanation or cost breakdown of the grass-cutting contract for each of the sites including Orleans Marina, New basin Canal and South Shore Harbor Marina for this \$300k contract.

Chair Richard advised Mr. Gillen that this time has been reserved for public comment. This is not the appropriate time for questions and answers. He should meet with Mr. Capo for the answer to his question.

Commissioner Hebert stated that she previously spoke with Mr. Capo about this contract. Did this contract go up for public bid?

Mr. Capo stated that this contract did go up for public bid. We've had numerous discussions on this topic. There were multiple smaller contracts. Commissioner Lapeyrolerie had some input on having one or two contractors as opposed to multiple contracts. We went out for a public bid and now we have Airport and then all of the others. Information was provided yesterday on the bids that came in. H&O was the lowest bidder and is now the contractor for both.

Commissioner Lapeyrolerie asked how each cost center is broken down for lumping the contracts together.

Mr. Capo stated they are broken down by invoicing each property.

- Cutting along the Lakefront will be invoiced and charged to Governmental Fund and Lakefront
- Airport Grounds are charged by itself
- South Shore, Orleans, and New Basin Canal is broken down in the invoices to us and charged to the cost center for those properties.

Commissioner Lapeyrolerie thanked Mr. Capo for his response to a question of public interest.

Commissioner Romero stated that this goes over the last three or four years where we have been trying to resolve how we effectively pay for cut grassing using a better contract and calculate the cost by the acre.

Commissioner Heaton added that she believes that the tenants just want assurance that they're charged back properly.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

3. Motion to approve a contract with H & O Investments, LLC for maintenance mowing services at the New Orleans Lakefront Airport, for a term of one year, commencing on July 1, 2022, with an annual budget not to exceed \$247,733.92

A motion was made by Commissioner Meadowcroft and seconded by Commissioner Romero

Chair Richard called for questions and comments. Hearing none.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

4. Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional landscape architect services with Kyle Associates, LLC, Dana Brown and Associates and Reich Landscape Architecture for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with annual budgets not to exceed \$75,000.00 per contract.

A motion was made by Commissioner Heaton and seconded by Commissioner Romero

David Martin stated that his explanation will apply to items four through eight. The selection of items was publicly advertised in the official journal of the LMA on December 27th through January 10th, 2022. The proposals were received on January 14th by the LMA Engineering department. The LA Public Bid Law does not apply to professional engineering, architectural, or land surveying services for a public entity. Those sections must be based on qualifications. We have reviewed it internally and determined that everyone on this list meets the minimum qualifications of what we are looking for. In fact, some are more qualified for specific jobs than others which gives us more flexibility. No firm is guaranteed any work nor is this list exclusive. If a procurement agency says we must go about this in a different way, we still have the option to do so. The board will still be able to vet the selections as well as the financial aspects of the task orders before they are issued. He stated that he would like the next four items to be approved to proceed with work that needs to be done by the agency.

Chair Richard called for questions and comments. Hearing none.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

5. Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional architect services with Broadmoor Design Group, Holly and Smith Architects, Verges-Rome Architects and Waggoner and Ball for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with annual budgets not to exceed \$100,000.00 per contract.

A motion was made by Commissioner Cohn and seconded by Commissioner Lapeyrolerie

Chair Richard called for questions and comments.

Commissioner Romero asked for clarification on if this item was for approving plans.

David Martin stated that the firms under item five are architectural services directly related to buildings. We are planning to use these contracts for work at Orleans and South Shore Harbor marina(s) specifically.

Commissioner Heaton asked if the distinction between items five and seven is that an architect can be selected from either. Also, the staff has looked over all of this and is recommending this to the board.

Mr. Martin stated that Commissioner Heaton was correct. Items five and seven give us more flexibility to select the proper architect for the job.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

6. Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional engineering services with Infinity Engineering Consultants, Batture, LLC, APTIM, Davis and Sons, LLC, Design Engineering, Inc., Fairway Consulting and Engineering, Mott McDonald, RNM Consultants, Inc., and Stuart Consulting Group, Inc., for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with annual budgets not to exceed \$100,000.00 per contract.

A motion was made by Commissioner Cohn and seconded by Commissioner Romero

Chair Richard called for questions and comments. Hearing none.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

7. Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts with Linfield, Hunter & Junius, Inc., Myers Engineers, LTD. and Richard C. Lambert Consultants, LLC, for a term of one (1) year, commencing on July 1, 2022, for professional engineering and architectural services, on an “as needed” basis, with annual budgets not to exceed \$100,000.00 per contract.

A motion was made by Vice Chair Carr and seconded by Commissioner Cohn

Chair Richard called for questions and comments. Hearing none.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

8. Motion to approve of Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional land surveying services with Basin Engineering and Surveying, Batture, LLC, BFM Corporation, LLC, Bryant Hammett and Associates, LLC, Civil Design and Construction, Inc., Linfield Hunter and Junius, Inc., and Quality Engineering and Surveying, LLC, on an “as needed” basis, for a term of one (1) year, commencing on July 1, 2022, with annual budgets not-to-exceed \$75,000.00, per contract.

A motion was made by Commissioner Heaton and seconded by Commissioner Cohn

Chair Richard called for questions and comments. Hearing none.

Chair Richard called for a vote. **All were in favor. The motion passed unanimously.**

9. Motion to authorize the Executive Director of the Lakefront Management Authority to file a Response to the Complaint filed with the Louisiana Attorney General's Office alleging violations of the Louisiana Open Meetings Law by the Lakefront Management Authority

A motion was made by Commissioner Cohn and seconded by Commissioner Romero

Chair Richard called for questions and comments.

Mike Gillen respectfully asked to have one minute, and fifteen seconds added to his time.

Chair Richard agreed to allow Mr. Gillen three minutes and fifteen seconds to speak.

Mr. Gillen expressed the following concerns.

- LMA is not posting minutes due to computer issues since February.
- The last meeting notice posted on the Boards and Commissions website was for March. There was no notice posted for April.
- He asked for clarity on the rule for posting minutes when there is no quorum.
- Requested that the LMA, as a state agency that is a political entity of the state, publish the minutes on a regular basis as it is imperative for the public to have access to the minutes.

Chair Lapeyrolerie asked, regarding the draft response letter in our packets, how long have we been having problems. There was some discussion in the Airport committee regarding future website posting

Mr. Capo reported that the LMA website was created back in 2016 and is outdated. We were alerted that when attempting to access the minutes it would redirect you to an off-site server which resulted in the website being hacked last year. Ms. Madison Bonaventure began researching to revamp the website which was stalemated when she resigned. We took the website down in February, built a secure server, and are in the process of redeveloping it. He also said that he understood that LMA only needed to have three months up on the website.

Gerry Metzger affirmed.

Commissioner Lapeyrolerie requested to set up a meeting to gain access to the website.

Commissioner Hebert asked if we have a contracted person to work on our website.

Mr. Capó replied that we do not have a firm that handles our social media. We are looking to remove that from our current IT consultant. We are looking to acquire a person to specifically handle our website and social media.

Vice-Chair Carr stated that he understood, from a previous discussion at the Marina Committee that many years ago we lost rent revenue due to a virus.

Commissioner Heaton stated that it was not true.

Mr. Capó also stated it was not true and explained that previously stated a virus infected someone's stand-alone machine and the new incoming Executive Director at that time decided that they were not going to reinstall the Marina office software.

Vice-Chair Carr detailed his issues with the current IT contractor where he felt we were not receiving adequate services for our money.

He asked if it was accurate that there was a failure to communicate with the IT provider at SSH regarding removing the server leaving the gate open for some time and subsequently leaving the gate inoperable.

Mr. Capó stated that we were moving equipment out of the trailer that had to be placed elsewhere and there were problems with the board.

Vice-Chair Carr interjected that IT was needed to facilitate that move. He went on to cite that the same IT consultant is affecting our ability to comply with the law.

Mr. Capó disagreed.

Vice Chair Carr asked how long have we been working on the website and do we have a contract surrounding the website. Who is working on the website?

Mr. Capó stated that we do not have a dedicated firm working on the website. Mark Clark is our IT person. He is contracted for \$24,000 a year which isn't a lot of money to handle the entire network, the communications between here and the marinas, and many other moving parts.

Vice-Chair Carr stated that he took issue with the renewal of an IT contract for \$24,000 every year with no scope of duties. It's a failure to manage our business.

Commissioner Romero stated that we have gotten off the subject of the motion on the floor.

Commissioner Heaton shared some historical information for the benefit of those who have not served on the board for very long. We most definitely want to adhere to the law and we also want to get things done. Excuses and reasons do not matter this needs to be addressed. There have been seven heads of this agency and seven people doing minutes over the last five years. She stated that she has served as director for six months as well. We did get behind on the minutes due to high rates of staff turnover and lengthy hiring processes. Technical people cannot

post information that they haven't been given. In reality, it's a very laborious task when you're already short-staffed and you have such a high turnover rate. She added that the person who filed the complaint knows these facts, none of that mattered we will continue to move forward but wanted to put in context some of the challenges.

Commissioner Cohn stated in the interim of the website being rebuilt, a person could call or email to receive the minutes once they are approved. That should rectify the problem temporarily.

Chair Richard asked when can we realistically feel that we will have this problem fixed.

Mr. Capo stated that they should have the committee minutes for 2022 up by Monday at the latest.

Commissioner Lapeyrolerie asked if this coming Monday was a realistic timeline.

Chair Richard stated he was fine if you needed two weeks but if that is your timeline then this should no longer be a problem.

He also asked Director Capo to have a discussion with him during the week to access the challenges with IT.

Chair Richard called for a vote. Vice-Chair Carr objected. Commissioner Lapeyrolerie abstained. The motion passed.

Commissioner Rodgers offered to make a motion that the executive director is given the authority to search for another IT person.

After further discussion amongst the board, it was decided that the proposed motion was not needed at this time.

Commissioner Lapeyrolerie asked that Mr. Capo work with Vice-Chair Carr to develop a scope of duties for IT.

Director's Report

- **Director Louis Capo:**

Mr. Capo reported that in preparation for next week's Mother's Day holiday on the Lakefront

- Meet with OLDPD
- Meet with ArcNOLA for increased trash pickup
- Cameras will be set up on the lakefront. This was a huge help to OLDPD
- There will be mounted NOPD officers on patrol

David Martin updated the board on the following

- the west side of the Lake Vista roof is halfway complete. They are touching up some flashing.
- Shelter #4 should be up and running the next time we meet
- The fire sprinkler system is advertised for South Shore Harbor. D ran yesterday. We will be taking bids on May 18th.

Mr. Capo stated that the proposals for Parcel -L are due at 2:00 PM tomorrow. The RFP for Ponchartrain Beach should be advertised next week. We will keep it open for 60 days which will be due back here sometime around the first week of July.

Vice-Chair Carr asked if it would go back to Recreation for approval.

Mr. Capo stated the RFP won't go back to the committee.

X. Committee Reports

- **Airport – Chair Lapeyrolerie:**
 - Discussed the McDermott project that is on this agenda.
 - The mowing contracts
 - The infrastructure priority list
- **Finance – Chair Bruno:**
In Commissioner Bruno absence Mr. Capo reported that we went over finances for all the properties
- **Legal – Chair Cohn:** Meeting was deferred - No additional report
- **Commercial Real Estate – Chair Rodgers:** There was no quorum. There was an informational discussion only
- **Marina – Chair Hebert reported:**
 - Discussion on the electrical contract for testing and repairs at South Shore Harbor
 - Had a presentation on New Orleans Landing by Rick Renfroe
 - Submitted a priority list of safety issues for both marinas. We need to increase our occupancy which is currently at 51% at South Shore and 87% at Orleans Marina
- **Recreation/Subdivision – Chair Carr reported:**
 - H&O Investments that were on this agenda
 - Robust discussion on Ponchartrain Beach
 - Infrastructure Priority List. He also shared that he learned that the list was composed by Commissioner Heaton and not staff as they were told.

- Lake Vista residents came by to discuss work being performed in the park. He got word from an Entergy representative that someone did attend the meeting to discuss that work. We will follow back with them to ensure that this board good contact with them.

Commissioner Carr informed the board that email discussions went awry, and he felt threatened professionally by emails from Commissioner Cohn that were circulated amongst the board members and staff. He asked that we all conduct ourselves respectfully. He quoted an excerpt of Commissioner Cohn's email; “

Commissioner Romero responded to the Vice Chair's comment by stating that he believes the emails were taken out of context by the Vice Chair. He explained that the context of those emails suggested that as a member of the LMA board, who is also employed by Entergy, you should recuse yourself from a job where property was damaged by workers contracted by Entergy because of the appearance to be a conflict of interest.

Vice Chair Carr stated the conversation that took place was a matter of public record. It was suggested that I be excluded from correspondence to which he respectfully disagreed that he should be removed from any correspondence on matters of public record.

He stated as a commissioner, he has been reduced to asking for information through chairs. He asked for information on the agenda item that he voted against on tonight's agenda to which Commissioner Romero responded that I was asking for too much.

Commissioner Romero replied to ask for technical information yesterday when the staff is preparing for tonight's meeting is not reasonable. Over the last two years, we have lost both of our administrative assistants due to outside problems dumped on our staff by us. Again, it is not reasonable to ask for information on such short notice.

Commissioner Lapeyrolerie stated that Mr. Capo has to respond by tomorrow. The 29th. When would it have been appropriate to ask for the information?

Chair Richard stated that the information that Vice Chair asked for had nothing to do with responding to this letter. The staff has to respond to whether Vice Chair Carr received the information or not. He is entitled to receive the information he asked for. The chairman asked again, to be reasonable when requesting information.

Commissioner Lapeyrolerie expressed that she feels as though some board members do not want others of us to ask questions it's like Stockholm Syndrome.

Commissioner Hebert asked if the Executive Director has considered hiring someone to handle the LMA items, and minutes to take some of the load off of the secretary.

Mr. Capo stated that we are interviewing tomorrow.

Commissioner Hebert asked for clarity on exactly what is the issue with Commissioner Carr's involvement with the work in Lake Vista.

Chair Richard explained that the primary concern is that "the perception" of involvement could look like a conflict of interest by having been appointed to this board by the neighborhood association and also the fact of being employed by the company that hired the contractors to do the work.

Commissioner Cohn explained that in his role as chair of the Legal Committee he is continuously looking out for the best interest of the LMA and the commissioners as well. In his 41 years of experience as a lawyer, he has addressed conflicts of interest and Ethics Law on numerous occasions. He recognized that Commissioner Carr was not as knowledgeable of conflict-of-interest laws.

Commissioner Cohn stated that once he received word of the tree issue, he inquired who was directing the work and was told it was Entergy. At that point, assuming the information was correct, he advised Commissioner Carr over a year ago, that it would be hard for him to take a position, either way, that he would have to recuse himself because of his employment at Entergy and his seat on the board. Commissioner Cohn stated that he was trying to protect Commissioner Carr not hurt him. In no way would he threaten his job. The perspective is that it does not matter what division you work for at Entergy, the conflict of interest lies at the Corporation level.

Commissioner Cohn explained that when Commissioner Carr stated that "he respectfully disagreed" with Commissioner Cohn's suggestion of "a conflict of interest"; Commissioner Cohn suggested that Commissioner Carr ask an attorney at Entergy for an opinion and suggested someone he personally knows. He stated that he also offered to ask on Commissioner Carr's behalf to protect him not hurt him.

Mr. Capo stated that he has repeatedly invited commissioners to come in to meet with him and any necessary staff to gain a better understanding of the issues and day-to-day operations of LMA. As the director, he feels that the method of choice is email. They are mainly accusatory and full baseless unsubstantiated personal attacks from the public against me are not fair.

He closed by inviting anyone with questions and concerns to come to LMA to sit with staff for a clearer understanding of our operations.

Chair Richard reminded the commissioners about their Personal Financial Disclosure Statement which are due May 15th.

Commissioner Meadowcroft asked when the Ethics course is due.

Mr. Capo stated that Ethics is due at the end of the year.

XI. Announcement of next Regular Board Meeting
1) Thursday, May 26, 2022 – 5:30 P.M.

XII. Adjourn

A motion was offered by Commissioner Rodgers; second by Commissioner Carr. Meeting adjourned at 8:02 PM

In accordance with the Americans with Disabilities Act, please contact Winifred Christopher at (504) 355-5990 to advise if special assistance is needed and the type of assistance requested.

MOTION: VIII 01-04282022

RESOLUTION: VIII 01-04282022

BY: COMMISSIONER CARR

SECONDED: COMMISSIONER RODGERS

April 28, 2022

1) Motion to approve Change Order No. 002 for an extension of the substantial completion date of the contract with Roofing Solutions, LLC for the McDermott Hangar Roof Repair Project by an additional sixty (60) days through June 24, 2022.

RESOLUTION

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

WHEREAS, the Management Authority manages and operates the New Orleans Lakefront Airport, which is one of the non-flood protection assets owned by the District (the “Airport”);

WHEREAS, the roof of the Mc Dermott Hangar on the Airport which is owned by the District was damaged by high winds during Hurricane Zeta on October 29, 2020 and the roof needed repairs (the “Project”);

WHEREAS, the Management Authority issued an Invitation for Bids for the Project in accordance with the provisions of the Louisiana Public Bid Law, La. Rev. Stat. 38:2212, et seq. and received bids for the Base Bid and Alternate 1 for the Project (the “scope of work”);

WHEREAS, the Louisiana Public Bid Law requires that the contract for this Project be awarded to the lowest responsible and responsive bidder, as provided under Section 2212 of the Louisiana Public Bid Law;

WHEREAS, the bid submitted by Roofing Solutions, LLC was the lowest responsive bid for the Project, and the Airport Committee at its meeting in June of 2021 voted to recommend that the Management Authority accept the bid and approve a contract with Roofing Solutions, LLC, for the price and sum not-to exceed of \$298,000.00, for the Project;

WHEREAS, the Management Authority by Resolution No. 07-062421 approved a contract with Roofing Solutions, LLC, for the price and sum of \$298,000.00, for the Project.

WHEREAS, on August 29, 2021 Hurricane IDA struck southeast Louisiana and caused additional damage to roof of the McDermott Hangar;

WHEREAS, after Hurricane Ida struck southeast Louisiana, Roofing Solutions, LLC requested a change order, Change Order No. 001, to increase the contract price by the sum of \$73,758.59, for the cost to repair the damages to the roof caused by Hurricane IDA, and to extend the substantial completion date of the contract by 162 days, through April 25, 2022;

WHEREAS, the Management Authority approved Change Order No. 001 and increased the contact price by the sum of \$73,758.59 and extended the date for substantial completion of the Project through April 25, 2022;

WHEREAS, Roofing Solutions, LLC submitted Change Order No. 002 on April 12, 2022 requesting an additional extension of the substantial completion date of the contract for 60 days, through June 24, 2022, because of delays of the delivery of Gable End Panels for the Project;

WHEREAS, Roofing Solutions, LLC agreed that in consideration of the Management Authority granting the requested extension of time that it would install new underlayment, at its cost , that was not within the scope of work under its contract, which was the result of damage caused to the roof by adverse weather conditions after the issuance of Change Order No. 001 and necessary to obtain the manufacturer's warranty for the roofing material used on the Project;

WHEREAS, the Airport Committee of the Management Authority considered Change Order No. 002 to extend the substantial completion date of the contract at its meeting held on April 19, 2022 and voted to recommend that the Management Authority approve Change Order No. 002 for the contract with Roofing Solutions, LLC for the Project, conditioned on Roofing Solutions, LLC installing new underlayment on the roof, at its cost, and obtaining the manufacturer's warranty for the roofing material used on the Mc Dermott Roof Repair Project; and,

WHEREAS, the Management Authority after considering the recommendation of the Airport Committee, staff and the architect of record for the Project resolved that it was in the best interest of the District and Airport to approve Change Order No.002, subject to the condition set forth above recommended by the Airport Committee,

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Change Order No. 002 to extend the date for substantial completion of the contract with Roofing Solutions, LLC, for roof repairs on the McDermott Hangar at the New Orleans Lakefront Airport for an additional sixty (60) days, through June 24, 2022, conditioned on Roofing Solutions, LLC installing new underlayment on the roof, at its cost, and obtaining the manufacturer's warranty for the roofing material used on the Mc Dermott Roof Repair Project.

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

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

YEAS: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEROLERIE, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: VIII 02-04252022

RESOLUTION: VIII 02-04252022

BY: COMMISSIONER

SECONDED: COMMISSIONER

April 28, 2022

2) Motion to approve and adopt a process and procedure for the approval of Change Order Requests for the continued progress of work between Board Meetings

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”), including the New Orleans Lakefront Airport, Orleans Marina and South Shore Harbor Marina, Lake Vista Community Center, and Public Parks and Greenspaces;

WHEREAS, the Board of the Management Authority on occasions approves and enters into contracts for among other reasons for the

restoration, repair and maintenance of these properties for sum certain and not-to-exceed prices;

WHEREAS, there are situations where a request for a change order that will increase a contract price for a Board approved contract is presented to Staff between regularly scheduled Board meetings;

WHEREAS, in order to keep a project moving forward and thereby not delay and incur additional cost for requested change order work, the Staff recommended approval of the following approval process and procedure for change order requests made between Board meetings;

WHEREAS, Staff recommended for change orders up to \$25,000.00 that the Executive Director be authorized to confer in writing with the Management Authority's Chairman or in the Chairman's absence, the Vice Chairman, who will be authorized to approve the requested change order, and then report to the Board at the next Board meeting the change order request that was approved by the Chairman or Vice Chairman;

WHEREAS, Staff also recommended that for change order request greater than \$25,000.00 that the Executive Director be authorized to confer in writing with the Management Authority's Chairman, Vice Chairman and Chairman of the Committee that recommended the project to the Board, who will be authorized by unanimous concurrence to approve the requested

change order, and then report to the Board at the next Board meeting the change order request that was approved by the Chairman, Vice Chairman and Chairman of the Committee that recommended the project to the Board;

WHEREAS, the By-Laws Committee of the Management Authority considered the recommendation of Staff at its meeting held on April 28, 2022, and voted to recommend that the Management Authority approve the change order procedure recommended by the Staff of the Management Authority; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the District to approve these recommendations by the Staff on change order requests on Management Authority projects.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves the following process and procedure for approval of change order requests that are made between Board Meetings:

1. For Change Order Request up to \$25,000.00, the Executive Director will confer in writing with the Management Authority's Chairman or in the Chairman's absence the Vice Chairman, who be and are hereby authorized to approve the requested change order, and the Executive Director shall report to the Board at the next Board meeting the change order request that was approved by the Chairman or Vice Chairman;

2. For Change Order Request greater than \$25,000.00, the Executive Director will confer in writing with the Management Authority's Chairman, Vice Chairman, and Chairman of the Committee that recommended the project to the Board for approval, who be and are hereby authorized by unanimous concurrence to approve the requested change order, and the Executive Director shall report to the Board at the next Board meeting the change order request that was approved by the Chairman, Vice Chairman and Chairman of the Committee that recommended the project to the Board for approval.

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: RICHARD, CARR, COHN, HEBERT, HEATON, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.
.....

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its

meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 01-04282022

RESOLUTION: IX 01-04282022

BY: COMMISSIONER COHN

SECONDED BY: COMMISSIONER HEATON

APRIL 28, 2022

1) Motion to authorize the settlement of all claims by Mississippi River Bank against the Lakefront Management Authority and Orleans Levee District, including but not limited to claims related to the Leasehold Mortgage and Security Interest of the Mississippi River Bank in the leasehold interest and improvements on the premises formerly leased by West End Resources, Inc. d/b/a Mayer Yacht Services located at Municipal Address 425 S. Roadway, New Orleans, LA 70124

RESOLUTION

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

WHEREAS, West End Resources, Inc. d/b/a Mayer Yacht Services (“West End Resources” or “Lessee”) entered into a written lease agreement, dated on July 10, 2009, with the Orleans Levee District, Division of Non-

Flood Assets (“District”), for the premises located at Municipal Number 424 S. Roadway, New Orleans, LA 70124, for a primary term of five (5) years with the right to five 5-year renewal options, for the purpose of operating a commercial yacht and marine service business (the “Lease”);

WHEREAS, the Lease with West End Resources, Inc. d/b/a Mayer Yacht Services was a non-flood protection asset of the District under the management and control of the Management Authority;

WHEREAS, under Article II of the Lease, the Lessee was obligated to provide the Lessor with written notice to exercise any of the five 5-year options to renew, which written notice had to be given not more than 180 days nor less than 90 days before the expiration of the current five-year term of the lease; and, the written notice was required to be given either by personal service on any officer or registered agent of the Lessee or by certified mail, return receipt requested, addressed to Lessee at the leased premises;

WHEREAS, the first 5-year renewal option term commenced on July 1, 2014, and the Lessee timely exercised the first 5-year option to renew;

WHEREAS, the second 5-year renewal option of the Lease was to commence on July 1, 2019;

WHEREAS, Lessee did not give timely written notice to exercise the second 5-year renewal option as required under the terms of the Lease;

WHEREAS, as a result of the Lessee not providing written notice to exercise the second 5-year renewal option, the Lease expired on June 30, 2019;

WHEREAS, Lessee also failed to pay the rent owed under the Lease commencing in the first quarter of 2019, assigned the Lease to a third party without the prior written approval of the Management Authority, and failed to maintain the required insurance policies and coverages on the leased premises, all as required under the Lease;

WHEREAS, the Management Authority adopted a resolution at its monthly meeting held in September 2019 and authorized its legal counsel to institute legal proceedings to evict Lessee from the leased premises and enforce any other rights of the Management Authority under the Lease;

WHEREAS, thereafter legal counsel instituted legal proceeding to evict Lessee, and after a hearing held on July 9, 2020, a judgment was rendered decreeing that the Lease had expired, effective June 30, 2019, and ordering the eviction of the Lessee in those proceedings captioned and entitled *Lakefront Management Authority v. West End Resources, Inc. d/b/a Mayer*

Yacht Services, No. 19-10700, Div. N-08, Civil District Court, Orleans parish,
State of Louisiana;

WHEREAS, after possession of the premises was surrendered to the Management Authority, written demand, as required by law, was made on Lessee to remove a crane that Lessee had installed on the former leased premises;

WHEREAS, Lessee failed to remove the crane and the Management Authority notified Lessee and Mississippi River Bank ("Bank"), which held a Leasehold Mortgage and Security Interest in the crane and other improvements on the leased premises, securing a loan by Lessee, that it would have the crane dismantled and removed from the former leased premises by a salvage company;

WHEREAS, a dispute arose over the Bank's rights in the mortgage lien and security interest in the crane after expiration of the Lease and the Bank threatened to institute legal proceedings against the Management Authority if the crane were removed and salvaged without satisfying its security interest in the crane:

WHEREAS, after negotiations between the parties, the Bank agreed to accept the sum of \$10,000.00 and payment of the costs for the removal of the crane in the amount of \$10,500.00 by the Management Authority, in full

and final settlement of all claims of the Bank against the Management Authority, including but not limited to any claims related to its mortgage lien and security interest in the crane; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority to accept the proposed settlement with the Bank.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves the proposed settlement with Mississippi River Bank and authorizes the payment of the sum of \$10,000.00 to Mississippi River Bank, and payment of the costs for the removal of the crane in the amount of \$10,500.00, in full and final settlement of all claims of Mississippi River Bank against the Lakefront Management Authority, including but not limited to any claims related to its mortgage lien and security interest in the crane located on the property bearing Municipal Address 424 S. Roadway, New Orleans, LA 70124.

BE IT HEREBY FURTHER 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: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEYROLERIE, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 26th day of April 28, 2022.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: VIII 02-04252022

RESOLUTION: VIII 02-04252022

BY: COMMISSIONER

SECONDED: COMMISSIONER

April 28, 2022

2) Motion to approve and adopt a process and procedure for the approval of Change Order Requests for the continued progress of work between Board Meetings

RESOLUTION

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

Marina and South Shore Harbor Marina, Lake Vista Community Center, and Public Parks and Greenspaces;

WHEREAS, the Board of the Management Authority on occasions approves and enters into contracts for among other reasons for the restoration, repair and maintenance of these properties for sum certain and not-to-exceed prices;

WHEREAS, there are situations where a request for a change order that will increase a contract price for a Board approved contract is presented to Staff between regularly scheduled Board meetings;

WHEREAS, in order to keep a project moving forward and thereby not delay and incur additional cost for requested change order work, the Staff recommended approval of the following approval process and procedure for change order requests made between Board meetings;

WHEREAS, Staff recommended for change orders up to \$25,000.00 that the Executive Director be authorized to confer in writing with the Management Authority's Chairman or in the Chairman's absence, the Vice Chairman, who will be authorized to approve the requested change order, and then report to the Board at the next Board meeting the change order request that was approved by the Chairman or Vice Chairman;

WHEREAS, Staff also recommended that for change order request greater than \$25,000.00 that the Executive Director be authorized to confer in writing with the Management Authority's Chairman, Vice Chairman and Chairman of the Committee that recommended the project to the Board, who will be authorized by unanimous concurrence to approve the requested change order, and then report to the Board at the next Board meeting the change order request that was approved by the Chairman, Vice Chairman and Chairman of the Committee that recommended the project to the Board;

WHEREAS, the By-Laws Committee of the Management Authority considered the recommendation of Staff at its meeting held on April 28, 2022, and voted to recommend that the Management Authority approve the change order procedure recommended by the Staff of the Management Authority; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the District to approve these recommendations by the Staff on change order requests on Management Authority projects.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves the following process and procedure for approval of change order requests that are made between Board Meetings:

1. For Change Order Request up to \$25,000.00, the Executive Director will confer in writing with the Management Authority's Chairman or in the Chairman's absence the Vice Chairman, who be and are hereby authorized to approve the requested change order, and the Executive Director shall report to the Board at the next Board meeting the change order request that was approved by the Chairman or Vice Chairman;

2. For Change Order Request greater than \$25,000.00, the Executive Director will confer in writing with the Management Authority's Chairman, Vice Chairman, and Chairman of the Committee that recommended the project to the Board for approval, who be and are hereby authorized by unanimous concurrence to approve the requested change order, and the Executive Director shall report to the Board at the next Board meeting the change order request that was approved by the Chairman, Vice Chairman and Chairman of the Committee that recommended the project to the Board for approval.

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: RICHARD, CARR, COHN, HEBERT, HEATON, MEADOWCROFT,
RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.
.....

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 03-04252022

RESOLUTION: IX 03-04252022

BY: COMMISSIONER MEADOWCROFT

SECONDED: COMMISSIONER ROMERO

April 28,2022

3) Motion to approve a contract with H & O Investments, LLC for maintenance mowing services at the New Orleans Lakefront Airport, for a term of one year, commencing on July 1, 2022, with an annual budget not to exceed \$247,733.92

RESOLUTION

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

WHEREAS, the New Orleans Lakefront Airport is one of the non-flood protection assets managed and controlled by the Management Authority (“Airport”);

WHEREAS, the Airport covers 473 acres and requires annual landscape and grass cutting services to maintain the landscape of the Airport and to comply with U.S Department of Transportation, Federal Aviation Administration, rules and regulations;

WHEREAS, the current contract for these services expires on June 30, 2022, and the Airport Staff issued a public advertisement for bids for an annual contract for these maintenance mowing services, commencing on July 1, 2022

WHEREAS, bids for these services were submitted and the lowest responsive proposal submitted was by H &O Investments, LLC, a Louisiana limited liability company;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on April 19, 2022 reviewed the bids submitted and recommendation by the Airport and Management Authority Staff that the contract for these services be awarded to H & O Investments, LLC, and the Airport Committee voted to recommend that the Management Authority approve a contract with H & O Investments, LLC, for a term of one year,

commencing on July 1, 2022, with an annual budget not to exceed \$247,733,92; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the District to approve a contract with H & O Investments, LLC for these services under the terms and conditions set forth above.

NOW, THEREFORE, BE IT HEREBY RESOLVED, the Lakefront Management Authority approves a contract with H & O Investments, LLC for maintenance mowing services at the New Orleans Lakefront Airport, for a term of one year, commencing on July 1, 2022, with an annual budget not to exceed \$247,733,92

BE IT FURTHER HEREBY 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: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEYROLERIE, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April, 2022.

.....

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 04-04282022

RESOLUTION: IX 04-04282022

BY: COMMISSIONER HEATON

SECONDED BY: COMMISSIONER ROMERO

April 28, 2022

4) Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional landscape architect services with Kyle Associates, LLC, Dana Brown and Associates and Reich Landscape Architecture for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with annual budgets not to exceed \$75,000.00 per contract.

RESOLUTION

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

WHEREAS, the Management Authority manages two marinas, the New Orleans Lakefront Airport, the Lake Vista Community Center, 5.2 miles of Lakeshore Drive, including four recreational shelters on Lakeshore Drive,

and approximately 430 acres of open space and public parks, which are non-flood protection assets owned by the District;

WHEREAS, the Management Authority on occasions needs the services of professional landscape architects for projects on these properties and does not have a licensed architect on Staff;

WHEREAS, the landscape architect firms with contracts for these professional services with the Management Authority expire on June 30, 2022;

WHEREAS, at the Finance Committee Meeting held on March 17, 2022, the Staff of the Management Authority recommended that the Finance Committee recommend that the Management Authority enter into Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts for professional landscape architect services with Kyle Associates, LLC, Dana Brown and Associates and Reich Landscape Architecture (the "Landscape Architect Firms"), for a term of one (1) year, commencing on July 1, 2022, with a budget not-to-exceed \$75,000.00, per contract;

WHEREAS, the Finance Committee at its meeting held on March 17, 2022 deferred this matter to its meeting to be held on April 21, 2022, however, there was no quorum present at the meeting on April 21st and no action could be taken by the Committee on this matter;

WHEREAS, these Architect Firms have the necessary experience, expertise, and licensure to perform these professional services; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and District to approve ID/IQ contracts with these Landscape Architect Firms under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Indefinite Delivery/Indefinite Quantity contracts for professional landscape architect services with Kyle Associates, LLC, Dana Brown and Associates and Reich Landscape Architecture, for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with budgets not to exceed \$75,000.00, per contract.

BE IT FURTHER RESOLVED that the Authority Chairman or Executive Director is hereby authorized to sign any documents necessary to carry out the above.

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

YEAS: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEYROLERIE, MEADWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 05-04282022

RESOLUTION: IX 05-04282022

BY: COMMISSIONER COHN

SECONDED BY: COMMISSIONER LAPEROLERIE

April 28, 2022

5) Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional architect services with Broadmoor Design Group, Holly and Smith Architects, Verges-Rome Architects and Waggoner and Ball for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with annual budgets not to exceed \$100,000.00 per contract.

RESOLUTION

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

WHEREAS, the Management Authority manages two marinas, the New Orleans Lakefront Airport, the Lake Vista Community Center, 5.2 miles of Lakeshore Drive, including four recreational shelters on Lakeshore Drive, and approximately 430 acres of open space and public parks, which are non-flood protection assets owned by the District;

WHEREAS, the Management Authority on occasions needs the services of professional architects for projects on these properties and does not have a licensed architect on Staff;

WHEREAS, the architect firms with contracts for these professional services with the Management Authority expire on June 30, 2022;

WHEREAS, at the Finance Committee Meeting held on March 17, 2022, the Staff of the Management Authority recommended and the Finance Committee recommend that the Management Authority enter into Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts for professional architect services with Broadmoor Design Group, Holly and Smith Architects, Verges-Rome Architects and Waggoner and Ball (the “Architect Firms”), for a term

of one (1) year, commencing on July 1, 2022, with a budget not-to-exceed \$100,000.00, per contract;

WHEREAS, the Finance Committee at its meeting held on March 17, 2022 deferred this matter to its meeting to be held on April 21, 2022, however, there was no quorum present at the meeting on April 21st and no action could be taken by the Committee on this matter;

WHEREAS, these Architect Firms have the necessary experience, expertise, and licensure to perform these professional services; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and District to approve ID/IQ contracts with these Architect Firms under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Indefinite Delivery/Indefinite Quantity contracts for professional architect services with Broadmoor Design Group, Holly and Smith Architects, Verges-Rome Architects and Waggoner and Ball, for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with budgets not to exceed \$100,000.00, per contract.

BE IT FURTHER RESOLVED that the Authority Chairman or Executive Director is hereby authorized to sign any documents necessary to carry out the above.

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

YEAS: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEYROLERIE, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 06-04282022

RESOLUTION: IX 06-04282022

BY: COMMISSIONER COHN

SECONDED BY: COMMISSIONER ROMERO

April 28, 2022

6) Motion to approve Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional engineering services with Infinity

Engineering Consultants, Batture, LLC, APTIM, Davis and Sons, LLC, Design Engineering, Inc., Fairway Consulting and Engineering, Mott McDonald, RNM Consultants, Inc., and Stuart Consulting Group, Inc., for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with annual budgets not to exceed \$100,000.00 per contract.

RESOLUTION

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

WHEREAS, the Management Authority manages two marinas, the New Orleans Lakefront Airport, the Lake Vista Community Center, 5.2 miles of Lakeshore Drive, including four recreational shelters on Lakeshore Drive, and approximately 430 acres of open space and public parks, which are non-flood protection assets owned by the District;

WHEREAS, the Management Authority on occasions needs professional engineering services for projects on these properties and has only one professional engineer on Staff;

WHEREAS, the engineering firms with contracts for these professional services with the Management Authority expire on June 30, 2022;

WHEREAS, at the Finance Committee Meeting held on March 17, 2022, the Staff of the Management Authority recommended and the Finance

Committee recommend that the Management Authority enter into Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts for professional engineering services with Infinity Engineering Consultants, Batture, LLC, APTIM, Davis and Sons, LLC, Design Engineering, Inc., Fairway Consulting and Engineering, Mott McDonald, RNM Consultants, Inc., and Stuart Consulting Group, Inc., (the “Engineering Firms”), for a term of one (1) year, commencing on July 1, 2022, with a budget not-to-exceed \$100,000.00, per contract;

WHEREAS, the Finance Committee at its meeting held on March 17, 2022 deferred this matter to its meeting to be held on April 21, 2022, however, there was no quorum present at the meeting on April 21st and no action could be taken by the Committee on this matter;

WHEREAS, these Engineering Firms have the necessary experience, expertise, and licensure to perform these professional services; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and District to approve ID/IQ contracts with these Engineering Firms under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Indefinite Delivery/Indefinite Quantity contracts for professional engineering services with Infinity

Engineering Consultants, Batture, LLC, APTIM, Davis and Sons, LLC, Design Engineering, Inc., Fairway Consulting and Engineering, Mott McDonald, RNM Consultants, Inc., and Stuart Consulting Group, Inc., for a term of one (1) year, commencing on July 1, 2022, on an “as needed” basis, with budgets not to exceed \$100,000.00, per contract.

BE IT FURTHER RESOLVED that the Authority Chairman or Executive Director is hereby authorized to sign any documents necessary to carry out the above.

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

YEAS: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEYROLERIE, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.

.....

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 07-04282022

RESOLUTION: IX 07-04282022

BY: COMMISSIONER CARR

SECONDED BY: COMMISSIONER COHN

April 28, 2022

7)Motion to approve Indefinite Delivery/Indefinite Quantity (IDIQ) Contracts with Linfield, Hunter & Junius, Inc., Myers Engineers, LTD. and Richard C. Lambert Consultants, LLC, for a term of one (1) year, commencing on July 1, 2022, for professional engineering and architectural services, on an “as needed” basis, with annual budgets not to exceed \$100,000.00 per contract.

RESOLUTION

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

WHEREAS, the Management Authority manages two marinas, the New Orleans Lakefront Airport, the Lake Vista Community Center, 5.2 miles of Lakeshore Drive, including four recreational shelters on Lakeshore Drive, and approximately 430 acres of open space and public parks, which are non-flood protection assets owned by the District;

WHEREAS, the Management Authority needs professional engineering and architectural services for projects on these properties and has only one professional engineer on Staff;

WHEREAS, the architectural/engineering firms with contracts for these professional services with the Management Authority expire on June 30, 2022;

WHEREAS, at the Finance Committee Meeting held on March 17, 2022, the Staff of the Management Authority recommended that the Management Authority enter into Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts for professional engineering and architectural services with Linfield, Hunter & Junius, Inc., Myers Engineers, LTD. and Richard C. Lambert Consultants, LLC (the “Architectural/Engineering Firms”), for a term of one (1) year, commencing on July 1, 2022, with a budget not-to-exceed \$100,000.00, per contract;

WHEREAS, the Finance Committee at its meeting held on March 17, 2022 deferred this matter to its meeting to be held on April 21, 2022, however, there was no quorum present at the meeting on April 21st and no action could be taken by the Committee on this matter;

WHEREAS, these Architectural/Engineering Firms have the necessary experience, expertise, and licensure to perform these professional services; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and District to approve ID/IQ contracts with these Architectural/Engineering Firms under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves contracts with Linfield, Hunter & Junius, Inc., Myers Engineers, LTD. and Richard C. Lambert Consultants, LLC, for a term of one (1) year, commencing on July 1, 2022, for professional engineering and architectural services, on an “as needed” basis, with budgets not to exceed \$100,000.00, per contract.

BE IT FURTHER RESOLVED that the Authority Chairman or Executive Director is hereby authorized to sign any documents necessary to carry out the above.

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

YEAS: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEYROLERIE,
MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 08-04282022

RESOLUTION: IX 08-04282022

BY: COMMISSIONER HEATON

SECONDED BY: COMMISSIONER COHN

APRIL 28,2022

8) Motion to approve of Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional land surveying services with Basin Engineering and Surveying, Batture, LLC, BFM Corporation, LLC, Bryant Hammett and Associates, LLC, Civil Design and Construction, Inc., Linfield Hunter and Junius, Inc., and Quality Engineering and Surveying, LLC, on an “as needed” basis, for a term of one (1) year, commencing on July 1, 2022, with annual budgets not-to-exceed \$75,000.00, per contract.

RESOLUTION

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

WHEREAS, the Management Authority manages two marinas, the New Orleans Lakefront Airport, the Lake Vista Community Center, 5.2 miles of Lakeshore Drive, including four recreational shelters on Lakeshore Drive, and approximately 430 acres of open space and public parks, which are non-flood protection assets owned by the District;

WHEREAS, on occasions the Management Authority needs professional surveying services for projects on these properties and has only one professional engineer on Staff;

WHEREAS, the engineering firms with contracts for these professional services with the Management Authority expire on June 30, 2022;

WHEREAS, at the Finance Committee Meeting held on April 17, 2022, the Staff of the Management Authority recommended that the Management Authority enter into Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts with Basin Engineering and Surveying, Batture, LLC, BFM Corporation, LLC, Bryant Hammett and Associates, LLC, Civil Design and Construction, Inc., Linfield Hunter and Junius, Inc., and Quality Engineering and Surveying, LLC, (the “Engineering Firms”) for professional land

surveying services, on an “as needed” basis, for a term of one (1) year, commencing on July 1, 2022, with annual budgets not-to-exceed \$75,000.00, per contract;

WHEREAS, the Finance Committee at its meeting held on March 17, 2022 deferred this matter to its meeting to be held on April 21, 2022, however, there was no quorum present at the meeting on April 21st and no action could be taken by the Committee on this matter;

WHEREAS, the Engineering Firms have the necessary experience, expertise, and licensure to perform these professional services; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and District to approve ID/IQ Contracts for professional land surveying services with the Engineering Firms under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts for professional land surveying services with Basin Engineering and Surveying, Batture, LLC, BFM Corporation, LLC, Bryant Hammett and Associates, LLC, Civil Design and Construction, Inc., Linfield Hunter and Junius, Inc., and Quality Engineering and Surveying, LLC, (the “Engineering Firms”), on an “as needed” basis, for a term of one

(1) year, commencing on July 1, 2022, with annual budgets not-to-exceed \$75,000.00, per contract.

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

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

YEAS: RICHARD, CARR, COHN, HEBERT, HEATON, LAPEROLERE, MEADOWCROFT, RODGERS, ROMERO

NAYS: NONE

ABSTAIN: NONE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: UNANIMOUSLY

This resolution was declared adopted this 28th day of April 2022.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.

MOTION: IX 09-04282022

RESOLUTION: IX 09-04282022

BY: COMMISSIONER COHN

SECONDED: COMMISSIONER ROMERO

April 28, 2022

9) Motion to authorize the Executive Director of the Lakefront Management Authority to file a Response to the Complaint filed with the Louisiana Attorney General's Office alleging violations of the Louisiana Open Meetings Law by the Lakefront Management Authority.

RESOLUTION

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

WHEREAS, the Management Authority as a political subdivision is required to comply with the provisions of the Louisiana Open Meetings Law when it holds Board and Committee Meetings, La.Rev.Stat. 42: §11, et seq;

WHEREAS, La.Rev.Stat. 42:§19 & 20 provide that if a public body has a website that the agendas of public meetings of the public body shall be posted on the website at least twenty-four hours in advance of meetings and that minutes of meetings shall be posted on the website within a reasonable time after meetings;

WHEREAS, pursuant to La.Rev.Stat. 42:§19 & 20, agendas and minutes of meetings of committees of a public body must also be posted

on the website of the public body in the same manner as agendas and minutes of meetings of the public body;

WHEREAS, a complaint was filed with the Louisiana Attorney General's Office alleging that the Management Authority had violated these provisions of the Louisiana Open Meetings Law on posting agendas and minutes on the Management Authority's website and also for allegedly failing to publish minutes of meetings when a quorum was lost in the middle of meetings;

WHEREAS, the Management Authority received notice of the complaint, identified as Open Meetings Complaint No. 22-0007, a copy of which is attached to this Resolution, from the Attorney General's Office on April 8, 2022, and the notice requested a response to the complaint by April 29, 2022;

WHEREAS, as the Chief Executive Officer of the Management Authority, the Executive Director of the Management Authority is charged with the responsibility of preparing and posting notices of agendas of Board and Committee Meetings and with the preparation and posting of minutes of Board and Committee meetings;

WHEREAS, the Executive Director prepared a response on behalf of the Management Authority to the complaint filed with the Attorney General's Office, a copy of which is attached to this Resolution; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and Orleans Levee District to authorize the Executive Director to file the response to the complaint filed with the Attorney General's Office, a copy of which is attached to this Resolution

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby authorizes the Executive Director of the Lakefront Management Authority to file with the Louisiana Attorney General's Office the response prepared by the Executive Director to Open Meetings Complaint No. 22-0007, a copy of which is attached to this Resolution.

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

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

YEAS: RICHARD, COHN, HEBERT, HEATON, MEADOWCROFT,
RODGERS, ROMERO

NAYS: CARR

ABSTAIN: LAPEYROLERIE

ABSENT: FIERKE, BRIEN, BRUNO, EGANA, GERHART

RESOLUTION ADOPTED: PASSED

This resolution was declared adopted this 28th day of April 2022.
.....

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Lakefront Management Authority at its meeting on April 28, 2022, held in New Orleans, LA, at which a quorum was present.