LAKEFRONT MANAGEMENT AUTHORITY LMA BOARD MINUTES THURSDAY, APRIL 25, 2024 – 5:30 P.M

6001 Stars and Stripes Blvd. New Orleans, LA 70126

PRESENT: Commissioner Anthony Richard – Chair

Commissioner Carlos Williams - Vice Chair

Commissioner <u>Howard Rodgers</u>, <u>III</u> – Secretary (left early at 6:06 PM)

Commissioner Esmond Carr
Commissioner Philip Clinton
Commissioner Stanley Cohn
Commissioner Robert Drouant
Commissioner Brian Egana
Commissioner Adonis Exposé
Commissioner Wilma Heaton

Commissioner Sandra Thomas (arrived at 5:46 PM)

ABSENT: Commissioner <u>Brad Brandt</u>

Commissioner Stan Brien

Commissioner <u>Jennifer W. Herbert</u> Commissioner <u>Randolph Odinet</u>

Commissioner Terry Scott

STAFF: Louis Capo – Executive Director

Vanessa McKee – Assistant to the Executive Director

Bruce Martin - Director of Aviation

Adam Gulino – Director of Operations and Engineering

Kristin Clinard – LMA Finance Margie Brown – LMA Finance Michael Sciavicco – Harbor Master Helaine Millner – Harbor Manager Keljuane Brownfield – LMA HR

ALSO

PRESENT: Gerry Metzger – LMA LegalCounsel

Jeff Dye – LMA Legal Counsel

Al Pappalardo – Real Estate Consultant

Stephen Peychaud – Charbonnet & Associates, SR. Planner Bane Shepherd – Signature Aviation, Area Gen. Manager

Phillip Everett – Signature, Duty Manager

Richard Smith – Signature, OPS Supervisor Ankur Hukmani – Jazz Aviation, Manager Wendy Bell – Flightline, Manager Pierre Villere – Flightline, Owner

The regular monthly LMA Board meeting of the Lakefront Management Authority was held on Thursday, April 25, 2024, at 5:32 PM at the Lakefront Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, LA 70126 after due notice of the meeting was sent to each board member, the news media, and posted.

- I. Called to Order at 5:32 PM.
- II. <u>Pledge of Allegiance</u> led by Chair Richard.
- III. Roll Called by Mr. Capo. (10) were members present for a quorum.
- IV. <u>Opening Comments</u> Chair Richard thanked everyone for their attendance and hoped for a good meeting.

V. <u>Motion to Adopt Agenda</u>

A motion was offered by <u>Commissioner Expose</u> and seconded by Commissioner Cohn.

With no questions or comments, Chair Richard called for a vote. All were in favor. The motion passed.

VI. <u>Motion to Approve Minutes</u>

1. Marina Minutes - March 19, 2024

A motion was offered by <u>Commissioner Heaton</u> and seconded by <u>Commissioner Clinton</u>.

With no questions or comments, Chair Richard called for a vote. All were in favor. The motion passed.

2. Full Board Minutes - March 28, 2024

A motion was offered by <u>Commissioner Drouant</u> and seconded by <u>Commissioner Exposé.</u>

With no questions or comments, Chair Richard called for a vote. All were in favor. The motion passed.

VII. New Business

1. Motion to approve Change Order #2 for the Contract with Roof Tech, LLC for the Williams Hangar Roof Replacement Project at the New Orleans Lakefront Airport, in the amount of \$11,670.00, increasing the contract price to an amount not to exceed the sum of \$1,013,687.75. (Recommended by the Airport Committee).

A motion was offered by <u>Commissioner Heaton</u> and seconded by <u>Commissioner Cohn.</u>

<u>Commissioner Carr</u> asked what was the total cost associated with both change orders.

<u>Adam Gulino</u> replied that the first change order was \$4000 and the total for both change orders is approximately \$15,000.

<u>Commissioner Heaton</u> added that this change order is associated with moving the air conditioners.

With no questions or comments, All were in favor. The motion passed.

MOTION: VII-01-04252024 RESOLUTION: VII-01-04252024

BY: COMMISSIONER HEATON SECONDED: COMMISSIONER COHN

April 25, 2024

1.) Motion to approve Change Order #2 for the Contract with Roof Tech, LLC for the Williams Hangar Roof Replacement Project at the New Orleans Lakefront Airport, in the amount of \$ 11,670.00, increasing the contract price to an amount not to exceed the sum of \$1,013,687.75. (Recommended by the Airport Committee).

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 of the District under the management and control of the Management Authority ("Airport");

WHEREAS, the Management Authority issued an Invitation for Bids for the replacement of the roof on the Williams Hangar which is owned by the District and located on the Airport, in accordance with the provisions of the Louisiana Public Bid Law, <u>La. Rev. Stat.</u> 38:2212, et seq., (the "Project"); 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, Roof Tech, LLC (the "Contractor") submitted the lowest responsive bid for the Project in the amount of \$997,826.00 and was awarded the contract for the Project by Resolution adopted by the Management Authority;

WHEREAS, the Contractor proposed Change Order No. 2 to relocate the air conditioning units located on the roof to stands on the side of the Hangar, which will insure the integrity of the roof system and the roof warranty, for the price and sum of \$ 11,670.00 ("Change Order No. "2");

WHEREAS, the requested Change Order is within the scope of work for the Project and authorized under Section 2212 (M) of the Louisiana Public Bid Law, <u>La. Rev. Stat.</u> 38:2212 (M);

WHEREAS, the request for Change Order No. 2 and recommendation

of the Engineer of Record was reviewed by the Airport Committee of the Management Authority at its meeting held on April 16, 2024 and the Committee voted to recommend that the Management Authority approve Change order No. 2; and,

WHEREAS, the Management Authority after considering the recommendation of the Airport Committee for approval of Change Order No. 2 resolved that it was in the best interest of the Management Authority and District to approve the request for Change Order No. 2 for the Project. NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves the request for Change Order No. 2 for the Williams Hangar Roof Replacement Project, for the price and sum of \$11,670.00, increasing the contract sum for the Project to a price and sum not to exceed \$1,013,687.75.

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

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

YEAS: RICHARD, WILLIAMS, RODGERS, CARR, CLINTON,

COHN, DROUANT, EGANA, EXPOSE, HEATON

NAYS: NONE ABSTAIN: NONE

ABSENT: BRANDT, BRIEN, GERHART, HERBERT, ODINET,

SCOTT

RESOLUTION: PASSED

The resolution was declared adopted this 25th day of April 2024.

2. Motion to approve a Cooperative Endeavor Agreement with Tuskegee Airmen, Inc. for use of office space in Suite 113 in the Terminal at the New Orleans Lakefront Airport in connection with youth aviation education classes and programs conducted by Tuskegee Airmen, Inc. at the New Orleans Lakefront Airport.

(Recommended by the Airport Committee)

A motion was offered by <u>Commissioner Heaton</u> and seconded by <u>Commissioner Clinton</u>.

<u>Commissioner Heaton</u> said that her committee was excited for the CEA. It was a long time coming. It will be great for the kids.

With no questions or comments, All were in favor. The motion passed.

MOTION: VII-02-04252024 RESOLUTION: VII-02-04252024

BY: COMMISSIONER HEATON SECONDED: COMMISSIONER CLINTON

April 25, 2024

2) Motion to approve a Cooperative Endeavor Agreement with Tuskegee Airmen, Inc. for use of office space in Suite 113 in the Terminal at the New Orleans Lakefront Airport in connection with youth aviation education classes and programs conducted by Tuskegee Airmen, Inc. at the New Orleans Lakefront Airport. (Recommended by the Airport Committee).

RESOLUTION

WHEREAS, the Lakefront 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 ("Management Authority");

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

WHEREAS, Tuskegee Airmen, Inc. is an Alabama based non-profit corporation dedicated to preserving and honoring African Americans who served in air crews, ground crews and operations in the United States Army Air Corp during World War II and in promoting youth aviation education classes and programs;

WHEREAS, the City of New Orleans has approved funding for the Tuskegee Airman under the American Rescue Plan Act of the United States Congress to further the mission of the Tuskegee Airmen to promote youth aviation education classes and programs;

WHEREAS, the Tuskegee Airmen have offered to conduct aviation education classes and programs with the funding provided by the City of New Orleans at the New Orleans Lakefront Airport:

WHEREAS, the staff and instructors of the Tuskegee Airmen will need office space at the Airport to organize, promote and administer the aviation education classes and programs it intends to conduct at the Airport;

WHEREAS, there is office space available in Suite 113 in the Terminal at the Airport for use for these purposes;

WHEREAS, Article 7, Section 14(C) of the Louisiana Constitution of 1974 provides that the State and political subdivisions of the State may enter into cooperative endeavor agreements with each other, or with any public or private corporations or individuals to promote and support public education, economic growth and other public purposes;

WHEREAS, the Airport Committee of the Management Authority at its meeting held on April 16,2024 considered the request of the Tuskegee Airman for a Cooperative Endeavor Agreement with the Management and

voted to recommend that the Management Authority approve a Cooperative Endeavor Agreement ("CEA") with the Tuskegee Airmen to use available office space in Suite 113 in the Terminal in connection with aviation education classes and programs it intends to conduct at the Airport, for a term of one (1) year commencing on May 15, 2024, with one 1-year option to renew, subject to the right of the Management Authority to terminate the CEA on sixty (60) days' written notice; and,

WHEREAS, the Management Authority after considering the recommendation of the Airport Committee resolved that it was in the best interest of the Airport to approve a Cooperative Endeavor Agreement with the Tuskegee Airmen for the purposes and under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Cooperative Endeavor Agreement with Tuskegee Airmen, Inc. for use of available office space in Suite 113 in the Terminal at the New Orleans Lakefront Airport in connection with aviation education classes and programs conducted at the Airport, for a term of one (1) year, commencing on May 15, 2024, with one 1-year option to renew, subject to the right of the Lakefront Management Authority to terminate the CEA on sixty (60) days' written notice.

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

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

YEAS: RICHARD, WILLIAMS, RODGERS, CARR, CLINTON,

COHN, DROUANT, EGANA, EXPOSE, HEATON

NAYS: NONE ABSTAIN: NONE

ABSENT: BRANDT, BRIEN, GERHART, HERBERT, ODINET,

SCOTT

RESOLUTION: PASSED

This resolution was declared adopted this 25th day of April, 2024.

3. Motion to approve he amendment of the FBO Lease with Jazz Aviation, LLC at the New Orleans Lakefront Airport to add an additional ten (10) year option term and provide that the term of the Lease shall be for a term of ten (10) years with three (3) ten-year options to renew the Lease. (Recommended by the Airport Committee)

A motion was offered by <u>Commissioner Heaton</u> and seconded by Commissioner Drouant.

With no questions or comments, All were in favor. The motion passed.

MOTION: VII-03-04252024
RESOLUTION: VII-03-04252024
BY: COMMISSIONER
SECONDED: COMMISSIONER

April 25, 2024

3) Motion to approve an amendment of the FBO Lease with Jazz Aviation, LLC at the New Orleans Lakefront Airport to add an additional ten (10) year option term and provide that the term of the Lease shall be for a term of ten (10) years with three (3) ten year options to renew the Lease. (Recommended by the Airport Committee).

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, located on the shores of Lake Pontchartrain in the City of New Orleans, Parish of Orleans, State of Louisiana, is a non-flood protection asset owned by the District and managed by the Management Authority (the "Airport");

WHEREAS, the Management Authority entered into a written lease with Jazz Aviation, LLC, ("Lessee"), dated on March 25, 2024 to build a hangar and other improvements to establish a fixed base operation ("FBO") and provide specialized aviation services at the Airport (the "Lease");

WHEREAS, the Lease is for a term of ten (10) years, commencing on April 1,2024, with two (2) ten year options to renew;

WHEREAS, Lessee applied for financing to be secured by a 30 year leasehold mortgage to secure funding for construction of the hangar and other improvements on the leased premises;

WHEREAS, the lender conditioned approval of the loan for the financing for construction of the hangar and other improvements on the Lease having a maximum term of 40 years;

WHEREAS, Lessee requested that the lease be amended to provide for an additional ten (10) year option to renew to satisfy the requirements of the lender for the leasehold financing;

WHEREAS, the Airport Committee of the Management Authority considered the proposed request to add an additional ten (10) option term to the Lease at its meeting held on April 16, 2024 and voted to recommend that the Management Authority approve the requested amendment of the Lease to provide for an additional ten (10) year option term; and,

WHEREAS, the Management Authority after considering the

recommendation by the Airport Committee resolved that it was in the best interest of the District and Airport to approve the requested amendment of the lease.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves an amendment of the Lease with Jazz Aviation, LLC, dated on March 25, 2024, to provide that the Lease shall be for a term of ten (10) years, commencing on April 1, 2024, with three (3) ten year options to renew, with all other terms and conditions of the Lease to remain in full force and effect.

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

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

YEAS: RICHARD, WILLIAMS, RODGERS, CARR, CLINTON,

COHN, DROUANT, EGANA, EXPOSE, HEATON

NAYS: NONE ABSTAIN: NONE

ABSENT: BRANDT, BRIEN, GERHART, HERBERT, ODINET,

SCOTT

RESOLUTION: PASSED

This resolution was declared adopted this 25th day of April, 2024.

4. Motion to approve a lease with Courtney A, Enderle and Phillips J. Cusimano of the property located at Municipal Address 6508 Spanish Fort Boulevard in the Lake Vista Community Center, for a term of one year, commencing on May 1, 2024, with two 1-year operations of the Bird's Nest Cafe.

(Recommended by the Commercial Real Estate Committee).

A motion was offered by <u>Commissioner Rodgers</u> and seconded by <u>Commissioner Exposé</u>.

<u>Commissioner Heaton</u> expressed that The Bird's Nest has been a great long-standing tenant.

With no questions or comments, All were in favor. The motion passed.

MOTION: VII-04-04252024 RESOLUTION: VII-04-04252024

BY: COMMISSIONER RODGERS SECONDED BY: COMMISSIONER EXPOSE

April 25, 2024

4) Motion to approve a lease with Courtney A. Enderle and Phillips J. Cusimano of the property located at Municipal Address 6508 Spanish Fort Boulevard in the Lake Vista Community Center, for a term of one year, commencing on May 1, 2024, with two 1-year options to renew, with an annual rental of \$27,882.00, for operation of the Bird's Nest Café. (Recommended by the Commercial Real Estate Committee).

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 Lake Vista Community Center is one of the non-flood protection assets of the Orleans Levee District under the management and control of the Management Authority;

WHEREAS, in April of 2021 Courtney A. Enderle and Phillips J. Cusimano ("Lessees"), pursuant to the terms of a written lease agreement approved by the Management Authority, leased Municipal Address 6508 Spanish Fort Boulevard, Store B, in the Lake Vista Community Center, (the 'leased premises"), containing 1,549 square feet more or less, for a rental rate of \$18.00 per square foot, for the purpose of operating a café, named the Bird's Nest Café, serving, among other things, gourmet coffees, espressos, cold and hot drip coffees, lattes, frozen coffee, hot and iced teas, "grab and go" prepackaged meals and packaged to go beer and wine;

WHEREAS, the lease was for a term of one year with two 1-year options to renew, commencing on May 1, 2024;

WHEREAS, the Lessees exercised the two-1 year options to renew and the lease will expire on April 30, 2024;

WHEREAS, the Lessees requested a new lease for a term of one year commencing on May 1, 2021, with two-1 year options to renew, with a rental rate during the term of the lease of \$18.00 per square foot, for an annual rental of \$27882.00, payable in monthly installments of \$2,323.50, in advance of the beginning of each month;

WHEREAS, the lease proposal by Courtney A. Enderle and Phillips J. Cusimano was considered during the monthly meeting of the Commercial Real Estate Committee of the Management Authority on April 18, 2024, and the Committee voted to recommend approval of the lease under the terms set forth above and the standard terms and conditions for leases in the Lake Vista Community Center by the Management Authority.

THEREFORE, BE IT HEREBY RESOLVED that the Lakefront Management Authority hereby approves a lease with Courtney A. Enderle and Phillips J. Cusimano for the property located at Municipal Address 6508 Spanish Fort Boulevard, Store B, in the Lake Vista Community Center, for a term of one year, with two 1-year options to renew, commencing on May 1, 2024, with a rental rate during the term of the lease of \$18.00 per square foot, for an annual rental of \$27,882.00, payable in monthly installments of \$2,323.50 in advance of the beginning of each month, and under the standard terms and conditions for leases in the Lake Vista Community Center.

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

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

YEAS: RICHARD, WILLIAMS, RODGERS, CARR, CLINTON, COHN, DROUANT, EGANA, EXPOSE, HEATON

NAYS: NONE ABSTAIN: NONE

ABSENT: BRANDT, BRIEN, GERHART, HERBERT, ODINET, SCOTT

RESOLUTION: PASSED

This resolution was declared adopted this 25^h day of April, 2024.

5. Motion to approve the amendment to the Professional Legal Services Contracts by increasing the Budget for Fiscal Year Ending June 30, 2024, to a sum not to exceed \$70,000 with Gerard G. Metzger (APLC) and to a sum not to exceed \$125,000 with David Jefferson Dye. (Recommended by the Legal Committee)

A motion was offered by <u>Commissioner Drouant</u> and seconded by <u>Commissioner Cohn.</u>

<u>Commissioner Carr</u> commented on LMA's updated DBE policy which qualified new members to participate in the legal program; and wanted to know if we had vetted any of the other qualified members before extending these contracts.

<u>Mr. Capo</u> informed the board that the money remains in the budget. <u>Chair Richard</u> asked for confirmation that the motion was only to increase the cap not to extend the contract.

Mr. Capo affirmed Chair Richard's statement.

<u>Commissioner Carr</u> expressed his opposition to extending the contracts in the motion again. He suggested bringing in new attorneys who have been vetted for legal services.

<u>Commissioner Cohn</u> added that the basis of the increase is due to ongoing proceedings. He felt it made no sense, as fiduciaries of this board, to bring in new legal counsel in the middle of litigation.

<u>Commissioner Egana</u> informed the Chair and board that as chair of the finance committee, he asked staff for a brief memo explaining the reason

for the increase. He said the explanation was justifiable and was in support of this motion.

Mr. Capo added that the increase would not take away from the other attorneys.

<u>Commissioner Carr</u> asked where would the funds to cover the increase come from.

<u>Mr. Capo</u> said the funds would come from the Capital Projects budget. We will not purchase a truck and a man lift for maintenance. He explained the legal services budget and its expenditures in detail over the fiscal year thus far.

<u>Commissioner Egana</u> reminded the board that the rationale behind the motion is to continue legal services until the end of the fiscal year on June 30, 2024, without an interruption of services.

He said in another creditable mention to staff is that they did not reallocate the \$30,000 that was allotted to the new pool of attorneys.

<u>Commissioner Drouant</u> commended Commissioner Egana and agreed with his and Commissioner Cohn's explanations of the motion on the floor. He closed by saying that there is no guarantee that they will spend what is authorized.

Commissioner Thomas arrived at 5:46 pm.

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

MOTION: VII-05-04252024
RESOLUTION: VII-05-04252024
MOTION BY: COMMISSIONER DROUANT
SECONDED BY: COMMISSIONER COHN

April 25, 2024

5) Motion to approve the amendment to the Professional Legal Services Contracts by increasing the Budget for Fiscal Year Ending June 30, 2024 to a sum not to exceed \$70,000.00 with Gerard G. Metzger (APLC) and to a sum not to exceed \$125,000 with David Jefferson Dye. (Recommended by the Legal Committee).

RESOLUTION

WHEREAS, the Lakefront Management Authority ("Management Authority"), a political subdivision of the State of Louisiana and the governing authority of the non-flood assets of the Orleans Levee District, entered into a written Professional Legal Services Contract with Gerard G. Metzger (APLC) and David Jefferson Dye, L.L.C. (the "Contract") on the 1st day of November 2024, and the Resolution for the Contracts was approved by the Office of the Attorney General of the State of Louisiana as required under Louisiana law;

WHEREAS, the Contracts were for a term of nine (9) months commencing on November 1st, 2023 and ending on June 30, 2024, with two one (1) year options to renew and established a budget for attorney's fees and expenses in the amount of \$50,000 for Gerard G. Metzger (APLC) and \$75,000 for David Jefferson Dye, L.L.C, and set forth other terms and conditions for professional legal services;

WHEREAS, the legal services under the Contract are anticipated to eclipse the amended budget established for fees and reimbursement of expenses by the end of April 2024 due to ongoing work on and new litigation in multiple matters;

WHEREAS, the Staff of the Management Authority recommended that the Contract be amended to increase the contract amount by \$20,000, for Gerard G. Metzger (APLC) and \$50,000 for David Jefferson Dye, L.L.C., a not to exceed contract amount of \$70,000 for Gerard G. Metzger (APLC) and \$125,000 for David Jefferson Dye, L.L.C.,

WHEREAS, a quorum of the Legal Committee met on Thursday, April 18th 2024 and after discussion and the opportunity for public comment, voted unanimously, in favor of recommending the amendment to increase the cap on compensation for the Legal Services Contract; and

WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and Orleans Levee District to approve an amendment of the Contract under the terms and conditions specified hereinabove.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves an amendment of the Professional Legal Services Contract Gerard G. Metzger (APLC) and with David Jefferson Dye, L.L.C. to increase the budget of the Contract for legal services and reimbursement of expenses to the sum of \$70,000 and \$125,000 respectively, and, with all other terms and conditions to remain the same.

BE IT FURTHER HEREBY RESOLVED that the Management Authority Chairman or Executive Director be and is hereby authorized to sign an amendment of the Professional Legal Services Contract and any and all other documents necessary to carry out the above.

YEAS: RICHARD, WILLIAMS, RODGERS, CARR, CLINTON,

COHN, DROUANT, EGANA, EXPOSE, HEATON

NAYS: NONE ABSTAIN: NONE

ABSENT: BRANDT, BRIEN, GERHART, HERBERT, ODINET, SCOTT

RESOLUTION: PASSED

This resolution was declared adopted this 25th day of April 2024.

6. Motion to approve a revision to the Professional Service Budget for Legal Services by increasing the Budget for the Fiscal Year Ending June 30, 2024, from \$248,000 to a sum not to exceed \$348,500 for Legal Services. (Recommended by the Legal and Finance Committees)

A motion was offered by <u>Commissioner Egana</u> and seconded by <u>Commissioner Drouant.</u>

With no questions or comments. All were in favor. The motion passed.

MOTION: VII-06-04252024 RESOLUTION: VII-06-04252024

MOTION BY: COMMISSIONER EGANA SECONDED BY: COMMISSIONER DROUANT

April 25, 2024

6)Motion to approve a revision to the Professional Services Budget for Legal Services by increasing the Budget for the Fiscal Year Ending June 30, 2024 from \$248,000 to a sum not to exceed \$348,500. (Recommended by the Legal and Finance Committees).

RESOLUTION

WHEREAS, the Lakefront Management Authority ("Management Authority"), a political subdivision of the State of Louisiana and the governing authority of the non-flood assets of the Orleans Levee District, approved the 2023-2024 General Operating Budget by Resolution IX-04-03232023 on March 23rd, 2023, including a line item for Professional Services;

WHEREAS, part of the Professional Services Budget are services for Legal Services and the budget provided for \$248,000 in Legal Services for the current fiscal year;

WHEREAS, the Legal Services Budget is close to the approved budget amount for Legal Services and will need an increase to the budget to complete the current fiscal vear:

WHEREAS, the Staff of the Management Authority recommends that the Legal Services Budget be increased from \$248,000 to an amount not-to-exceed \$348,500 for the remainder of the 2023-2024 fiscal year;

WHEREAS, a quorum of the Legal Committee met on Thursday, April 18th 2024 and a quorum of the Finance Committee met on Thursday, April 25th 2024, and after discussion and the opportunity for public comment, voted unanimously, in favor of recommending the amendment to increase the budget for the Legal Services; and, WHEREAS, the Management Authority resolved that it was in the best interest of the Management Authority and Orleans Levee District to approve the revision to the Fiscal Year 2023-2024 Professional Services Budget;

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves a revision to the 2023-2024 Budget for Professional Services to an amount not-to-exceed \$348,500 for Legal Services.

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

YEAS: RICHARD, WILLIAMS, RODGERS, CARR, CLINTON,

COHN, DROUANT, EGANA, EXPOSE, HEATON

NAYS: NONE ABSTAIN: NONE

ABSENT: BRANDT, BRIEN, GERHART, HERBERT, ODINET, SCOTT

RESOLUTION: PASSED

This resolution was declared adopted this 25th day of April 2024.

7. Discussion on the bylaws and proposal for update as presented at the first bylaws committee meeting.

<u>Commissioner Cohn</u> spoke on behalf of Chair Herbert of the Bylaws committee who was not present. He said that the Bylaws committee had its initial meeting, and nothing was resolved or recommended. It is premature to discuss this as no decisions have been made. For any interested persons, the meeting was recorded, and audio may be requested.

<u>Commissioner Carr</u> asked if the redlined Bylaws were available by public records request.

<u>Chair Richard</u> responded that while a commissioner could request a draft of the incomplete bylaws, they are not available for public distribution at this time as Commissioner Cohn previously explained. He added that he understood that the bylaws revisions were tabled until they could conclude on several items.

<u>Commissioner Carr</u> admitted that he requested this topic be put on the agenda for discussion after being denied a public record request and then subsequently receiving a copy of the bylaws which was he wanted.

<u>Chair Richard</u> asked Commissioner Carr if he attended the Bylaws Committee meeting.

Commissioner Carr replied that he did attend the meeting.

<u>Commissioner Heaton</u> commented that it had been some time since the bylaws had been reviewed.

<u>Chair Richard</u> replied yes. It was the reason he formed the committee to review the bylaws and that the full board would have the final say as to what changes are made.

Commissioner Egana commented that he also attended the meeting and commended the committee for holding such a meeting to have these discussions. Although he missed the first few minutes of the meeting, he felt it was a good meeting with great discussions and suggestions where nothing was acted upon. He would agree that it would be premature to continue the discussion today with nothing before us. He offered his support and sent over other bylaws of boards he serves on.

Chair Richard stated that the committee and staff were appreciative of Commissioner Egana's support.

VIII. <u>Director's Reports</u>

Mr. Capo reported on the following:

- Mother's Day Preparations
 - EDS to put out 200 disposable trash cans
 - Placement of No Liter signs
 - Roll off dumpsters
 - OLDPD to add staff
 - New Orleans EMS (2) ambulances
 - (4) NOPD mounted officers
 - Camera placement along Lakeshore Drive

<u>Commissioner Heaton</u> commented that at the last FPA board meeting, Secretary Fierke mentioned the costs associated with the mounted police was approximately \$20,000. She said that the FPA is willing to take on that cost next year (2025).

Mr. Capo continues his report as follows:

- Last Tuesday at 6 pm FPA had a public meeting on the reconfiguration of Lakeshore Drive. It was well received by the community and the FPA will move forward with their reconfiguration plans.
- The LMA will hold it's first Love the Boot clean-up day during Earth Week, tomorrow, Friday, April 26th. It is one of the deliverables of the state grant through the Secretary of State's office for having received (10) trash cans with lids that were placed In various locations along Lakeshore Drive. LMA's staff and a group of students from UNO's Environmental Studies will be out at shelter #2 from 12 2 pm.

<u>Commissioner Egana</u> commented that it's typically very clean when he drives along Lakeshore Drive. The clean-up crew does a great job.

- Version has expressed interest in placing a tower at Lake Vista. We will be working with Paul Caboche, Lake Vista's President to coordinate a public meeting.
- Brew, boils and Bubbles will only be on May 11th. They were having trouble with parking coordination and are working with the OLDPD and UNO's Police Chief Rondeno to resolve said issues.

Adam Gulino added that the South Shore finger piers are wrapping up.

Bruce Martin reported:

- The NFL came out last week. We had a good meeting. They will be coming back every month until the Super Bowl.
- Included in your packets is information on the Warbird Expo featuring old bombers next week. They will offer paid tours and flights.
- We will host a women's pilot group called FlyCulture on July 5th. They are working with the Military to have a flyover with a few jets.
- The Part 139 presentation from this month's Airport Committee is also included in your packet.

IX. Committee Reports

- Commercial Real Estate Chair Rodgers: The only thing discussed in the Commercial Real Estate committee was putting 406 S. Roadway back out for bid.
 - **Mr. Papalardo** added that the staff is working on putting the bid back out to bid as soon as possible.
 - **Mr. Rodgers** also reported that we recommended a lease renewal for the Birds Nest Café at Lake Vista.
- Airport Committee Chair Heaton: thanked the board for their support on the action items vetted today. She also acknowledged the LMA staff for their hard work. She informed the board that ICE did a very good presentation on Part 139 which talked in detail about the necessary steps and costs associated for our airport provide commercial airline services. She mentioned that she wanted to be sure that Commissioner Williams and all board members had a copy in their packets.
- Marina Committee Chair Clinton (DEFERRED)
 <u>Commissioner Clinton</u> reported that questionnaires went out to the tenants with a deadline of May 5th. We have tentatively set a public hearing on May 30th for the consulting group to present their suggestions to move forward.
- Recreation Committee Chair Thomas (DEFERRED)
 Chair Thomas reported that her meeting was deferred due to no action items. She noted that the (2) past meetings had no attendance from the public.
- DBE Committee Chair Exposé: (NO QUORUM)
 Chair Exposé reported that they didn't have a quorum, but they had a great meeting to prepare for the first DBE Outreach Event which will be held on May 8th at 10:30 am in this conference room. Mr. Capo will give an overview of the Agency and our properties and Mr. Martin and Mr. Gulino will speak on our small and large projects. We also discussed getting the

word out to the public, the DBE community, and the different agencies that assist these businesses. Lastly, we have a member in the audience, Mr. Steven Peychaud, who is a member of the DBE community. He will also be assisting with getting the word out to the DBE community.

<u>Commissioner Thomas</u> asked Commissioner Exposé to send the flyer to her and she will publish it in Councilman Green's weekly newsletter that goes out to over 20,000 people.

<u>Mr. Capo</u> said we advertised with Mr. Vincent Sylvain's email blast. He also invited the commissioners to attend if possible.

<u>Commissioner Heaton</u> commended Chair Exposé for putting this together with Mrs. McKee. She also mentioned that Mr. Capo sent it to FPA and she made sure to mention it. She felt it would be a good opportunity for some of the professional services at FPA to attend.

- Legal Committee Chair Drouant: Reported that his committee recommended two items that they passed earlier this evening. He also welcomed other commissioners to attend his committee meetings.
- Finance Committee Chair Egana: Reported that his committee met and had a quorum. They discussed the legal contract extensions and the budget to actuals across all of our properties. He was particularly glad to see the spreadsheet Mr. Capo presented and commented that it was a good working document.

X. Public Comments – Limited to (2) Minutes- No Comments

The legal staff, Gerry Metzger and Jeff Dye thanked the board for their support in passing the Legal Services amendments and budget.

Chair Richard announced the next meeting and called for adjournment.

XI. Announcement of next Regular Board Meeting

• Thursday, May 23, 2024, at 5:30 PM.

XII. Adjourn

A motion was offered by <u>Commissioner Drouant</u> and seconded by <u>Commissioner Heaton</u>.

Chair Richard called for a vote. All were in favor. The motion passed and the meeting was adjourned at 6:10 pm.