

**LOUISIANA STADIUM AND EXPOSITION DISTRICT**  
**BOARD OF COMMISSIONERS MINUTES**  
**FROM THE MEETING OF AUGUST 23, 2018**

**PRESENT:** Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin.

**ABSENT:** Commissioner Kathleen B. Blanco

**I. ROLL CALL and WELCOME**

Chairman Kyle France welcomed everyone to the August 23, 2018 meeting, calling it to order at approximately 1:11 p.m., and Commissioner Lapeyrolerie led everyone in attendance in the Pledge of Allegiance. A moment of silence was observed for the intentions of Commissioner Blanco. Present were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Absent: Commissioner Kathleen B. Blanco. There was a full quorum.

**II. APPROVAL OF MINUTES OF JULY 26, 2018 MEETING**

Chairman France asked for a motion for approval of the Minutes of the July 26, 2018 Board Meeting. Commissioner Lapeyrolerie moved for approval of same, seconded by Commissioner Landry. All were in favor, and the Minutes of the July 2018 Board meeting were adopted.

**III. SMG REPORT**

Doug Thornton begins the SMG report noting that hotel taxes for April through June are approximately \$100,000 above last year's \$3.5 million, with July possibly being stronger due to Essence. Mr. Thornton presents an update on the enhanced security measures in place with regard to parking and traffic, using dogs and search crews, all a part of operating and NFL best practices. Turning to the Master Plan, a meeting was held with the project work team and Saints to discuss items of priority, with a goal to have a scope of the work, costs, and schedule by year's end.

With respect to the Consolidated Promoter Score for events at the Arena and Superdome, we are trending well above a Score of 8, reiterating that the Dome was ranked No. 1 in terms of guest services and fan experience.

[This ends the General Matters report.]

Evan Holmes presents the Services Report, beginning with the additional Capital Encumbrance request before the Board for projects that fell off the priority list and a request for selection of a municipal advisor with respect to the Master Plan, as required by State statute, to assist in developing a plan of finance. SMG has been working through Capital planning for

some of the LSED facilities, in addition to the Dome and Smoothie King Center, together with The Tobler Company and the Baby Cakes, with a similar process at the Alario Center and TPC Louisiana, for purposes of having the facilities up to date, identifying projects/priorities and availability of funds for the highest and best use.

Mr. Holmes turns to SMG's conversations with the PGA, and the prior announcement by Zurich of the extension to remain the sponsor of the event at the TPC. The next process is to ensure that the PGA stays on board as the manager on behalf of the LSED and the State.

Turning to the Business Opportunity Program, meetings have been ongoing with Jade Russell Consulting to ensure that all the foundational work was done and all of the processes were in place. Software has been improved for a more efficient operation of letting the public know what is being done and how work is being procured.

[This concludes the Services Report.]

Alan Freeman begins his Facility Operations Report by reviewing the past events, with the Saints first preseason game having 53,583 fans in attendance and food/beverage about \$20 a head. Fine-tuning of the screening process will continue over the next three or four games along with the new ticketing system employed by the Saints.

The Smoothie King Center hosted the Imagine Dragons on August 5, with 12,476 in attendance, and J. Cole on August 21, with 6,045 attending. Stone Temple Pilots, the Cult and Bush, Evanescence, and Lindsey Stirling performed at Champions Square.

Mr. Freeman reviews the year-end bar charts for the Dome, SKC, and Champions Square relating to ticketed events, attendance, and upcoming events, which include the Saints games, Jay-Z, Paul Simon, Beyoncé, Taylor Swift, Def Leppard, Journey, Monday Night Raw, Nick Cannon's Wild N-Out, Lil' Weezyana, and Gleason Graw. The Pelicans 2018-19 schedule has been released, with their first home regular season game on October 19. Champions Square and the Dome will host a private event for Tableau Software, which includes a "Data Night Out" on October 25, with approximately 18,000 attending. The Globetrotters will be back in New Orleans on December 1; in 2022, LSU and Florida State will be in the Dome.

[This concludes the Facility Operations Report.]

Jennifer Cooke Talbot (Director of Sales & Marketing) highlights marketing and promotions, with an ad posted in Facilities & Event Management to highlight the SKC being selected as the 2018 Prime Site Award winner, along with a Paul Simon Lyric Quiz. Over the past year, 152 e-mails were sent out, which generated over \$1.0 million in ticket revenues.

[This concludes a report presented by Ms. Cooke.]

#### **IV. FINANCE REPORT**

David Weidler presents the Finance Report, noting a very robust year. Taxes were up \$5.1 million over the previous year; facility revenues were up \$7.2 million, off-set by some additional expenses of the teams related to the playoff games, which netted an additional excess of \$9.2 million. Hotel taxes should come in over \$4.0 million.

[This ends the Finance Report.]

#### **V. CONSTRUCTION REPORT**

Pat Tobler of The Tobler Company presents the Construction Report. The Dome gutter tub replacement project is still underway, with foaming of the gutter tubs by the contractor, working around the Saints and event games. Early stages of the Master Plan have begun in order to determine a more accurate cost estimate schedule and sequencing for the project. Digital survey work has completed in the building. Currently under bid are the backup electrical replacement for the Engineering Control and Fan Rooms.

Eskew Dumez Ripple is still working on the SKC design of the roof replacement.

Alario Center kitchen replacement work is still underway, and TTC is working with the Center for the 2019 FY capital improvements.

TPC Phase II regrassing is underway with PGA, with hopes to see the plans by mid-September, to have the bid out later that month. Resolutions are also before the Board to select contractors for the TPC Greens Keepers Lounge Air Conditioner and the AC roof unit. Work continued on the 2019 Capital improvements for this facility.

Baby Cakes Stadium has established its 2019 Capital improvement list.

The Westwego Clearing Project should close out in September. The Committee meeting was cancelled, and efforts to establish a new date is underway.

[This concludes the Construction Report.]

#### **VI. LEGAL REPORT**

Edward N. George introduced the LSED Legal Report and presented the following ten (10) Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Morrison, seconded by Commissioner Landry, the LSED authorized and approved an appropriation from the LSED Capital Reserve Account in the amount of \$262,499.00 to purchase equipment and make repairs/renovations necessary to

maintain and operate the Mercedes Benz Superdome, the Smoothie King Center, and Champions Square for the 2018-19 Fiscal Year. The funding source was the LSED Capital Reserve Account, and there were sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-50** passed.

On motion of Commissioner Lapeyrolerie, seconded by Commissioner Morrison, the LSED authorized and approved the supplemental encumbrance in an amount up to \$1,513,000.00 for LSED Repair & Replacement and Capital Projects as described on the Fiscal Year 2018 Capital Reserve Supplemental Encumbrance Request – LSED Capital Projects Summary. The projects identified will be subject to the procurement and bidding processes required by law. All expenditures will continue to be subject to LSED Board approval by specific Resolution. The source of funds for the projects is the LSED Reserve Account. The projects have the Staff Analysis Support and Recommendation of SMG and have been approved by the LSED Construction Committee. Approval of the Resolution was recommended.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-51** passed.

On motion of Commissioner Robin, seconded by Commissioner Lapeyrolerie, the LSED authorized and approved the selection of a firm to provide municipal advisory services on behalf of the LSED. On or about June 13, 2018, the LSED received responses to its Solicitation for Proposals for Municipal Advisory Service. Following a review and evaluation of the Solicitation Responses by the LSED Municipal Advisor Selection Committee, a recommendation was made to select PFM Financial Advisors, LLC to act as the LSED Municipal Advisor, subject to the negotiation and finalization of an agreement on terms that are acceptable to the LSED Municipal Advisor Selection Committee and LSED legal counsel. The Resolution had the recommendation and approval of SMG and the LSED Municipal Advisor Selection Committee. Approval of the Resolution was recommended.

A brief discussion/clarification concerning this particular Resolution being pulled at the August meeting due to issues with certifications.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-52** passed.

On motion of Commissioner Morrison, seconded by Commissioner Baptiste, the LSED authorized and approved Amendment No. 2 to the Contract between the LSED and Eskew Dumez Ripple, APC with respect to the Smoothie King Center Roof Replacement Project. Amendment No. 002 provided for an increase of \$20,500.00 to the Contract amount to retain the

firm of Wiss, Janney, Elstner Associates, Inc. to conduct infrared surveys to further evaluate and study existing conditions with respect to the main roof and gutter roof of the Smoothie King Center roof. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG and had been approved by the LSED Construction Committee. The source of funds for Amendment No. 2 is LSED Capital Reserve, and there were sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Brief discussion with regard to questions posed by Commissioners Baptiste and Lapeyrolerie as to original contract price and the infrared study for this project

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-53** passed.

On motion of Commissioner Landry, seconded by Commissioner Morrison, the LSED authorized and approved Amendment No. 3 to the Contract between the LSED and Eskew Dumez Ripple, APC with respect to the Smoothie King Center Roof Replacement Project. Amendment No. 3 provided for an increase of \$2,175.00 to the Contract amount to retain the services of Southern Earth Sciences, Inc. to: (i) conduct adhesion testing at the Project site, (ii) submit photographs, and (iii) submit detailed reports with respect to the Smoothie King Center roof. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG and had been approved by the LSED Construction Committee. The source of funds for Amendment No. 3 was LSED Capital Reserve, and there were sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Discussion with regard to the original scope of the roof replacement project and the most effective cost. Contractors are given a budget to base their fee for the project. The condition of the roof does not allow a full replacement under the current budget. Alternative sources are being reviewed, such as adhesion tests of suggested materials. Manufacturers are willing to put samples on the roof at no charge, so the additional increase of \$2,175 is to pay for the third-party testing of all samples and the production of a report.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-54** passed.

On motion of Commissioner Lapeyrolerie, seconded by Commissioner Robin, the LSED authorized and approved the selection of SAS Mechanical, LLC. to perform work related to the TPC Golf Course Greens Keepers Lounge AC Project. On or about July 27, 2018, a single bid was received for the Project and found to be in accordance with Public Bid Laws. Following review by the LSED Project Manager and the LSED Construction Committee, the LSED recognized and accepted the bid submitted by SAS Mechanical, LLC in the amount of \$9,440.00 as a responsive bid for the Project. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG and had been approved by the LSED

Construction Committee. The source of funds for the Project was TPC Capital Outlay, and there were sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-55** passed.

On motion of Commissioner Landry, seconded by Commissioner Robin, the LSED authorized and approved the selection of SAS Mechanical, LLC to perform work related to the TPC Golf Course Outside Air Rooftop Unit Project. On or about August 3, 2018, the bids for the Project were received and found to be in accordance with Public Bid Laws. Following review by the LSED Project Manager and the LSED Construction Committee, the LSED recognized and accepted the Base Bid submitted by SAS Mechanical, LLC in the amount of \$145,115.00 as the lowest responsive bid for the Project. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG and had been approved by the LSED Construction Committee. The source of funds for the Project was TPC Capital Outlay, and sufficient funds existed to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-56** passed.

On motion of Commissioner Morrison, seconded by Commissioner Baptiste, the LSED authorized and approved Change Order No. 1 to the Contract between the LSED and Alternative Source, Inc. for the Alario Center Kitchen Replacement Project. Change Order No. 1 provided for (i) an increase of \$4,528.20 to the Project Contract amount to allow for the demolition and removal of an existing concrete grade beam and the disposal of all debris related thereto, and (ii) an extension of the Contract completion date for two (2) additional days to allow for the completion of same. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company, SMG, and Lourie Consultants (the Project Architect) and had been approved by the LSED Construction Committee. The source of funds for Change Order No. 1 was Alario Center Capital Outlay, and there were sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Discussion between Commissioner Landry and Pat Tobler concerning cutoffs on change orders to contractual agreements, access to original plan/construction documents (for the original design/build), the scope of the original work, statute limitations on change orders, discovery of conditions that were not anticipated in the original scope of the work, etc. Legal Counsel will research the issue and report.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-57** passed.

On motion of Commissioner Morrison, seconded by Commissioner Robin, the LSED authorized and approved Change Order No. 1 to the Contract between the LSED and Magee Builders, LLC for the Westwego Sports Complex Site Clearing Project. Change Order No. 001 provided for an increase to the Project Contract time of twenty-five (25) days due to the substantial amount of rainfall and the delays to the Project work as a result thereof. The Resolution had the Staff Analysis Support and Recommendation of The Tobler Company and SMG and had been approved by the LSED Construction Committee. Approval of the Resolution was recommended.

Mr. Tobler clarifies that this extension is for the delays due to the excessive rain beyond the contract allowances.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-58** passed.

On motion of Commissioner Landry, seconded by Commissioner Lapeyrolerie, the LSED authorized and approved the retention of Chaffe McCall, LLP as special counsel to represent the LSED in connection with the Claim filed by Michael Hintz, against the LSED Board of Commissioners. Pursuant to the Resolution: (i) the LSED recognized the need to retain special counsel with experience, training, and expertise in representing public agencies and matters relating to the American with Disabilities Act and requests approval of the Attorney General pursuant to the provisions Louisiana Revised Statutes to employ Chaffe McCall, L.L.P. as special counsel for the LSED in this matter, and (ii) Chairman Kyle M. France was authorized to execute the Contract for Professional Services providing that the fees and expenses to be paid for the legal services are governed by the State of Louisiana, Hourly Fee Schedule as set by the Attorney General's office. Consideration of the Resolution was recommended.

Discussion between Chairman France and legal counsel concerning the Attorney General's office declination to represent the LSED with respect to claims for declaratory judgment or injunctive relief in this matter and future matters such as this on behalf of Boards and Commissions, the upcoming meeting with defense counsel in the *Hintz* matter, and the LSED's limited role.

Voting in favor were Commissioners Kyle M. France, Henry N. Baptiste, Hilary H. Landry, Renee A. Lapeyrolerie, Gregory A. Morrison, and Casey J. Robin. Voting against: None. Abstaining: None. Absent: Commissioner Kathleen B. Blanco. Motion **18-59** passed.

[This concludes the Legal Report.]

Mr. Holmes summarizes the year-end and discretionary spending reports and the DBE participation.

**VII. BOARD REPORTS**

None.

**VIII. OTHER BUSINESS**

None.

**IX. ADJOURNMENT**

On motion by Commissioner Morrison, seconded by Commissioner Lapeyrolerie, the August 2018 monthly meeting adjourned at 2:05 p.m.