

LOUISIANA STADIUM AND EXPOSITION DISTRICT
BOARD OF COMMISSIONERS MINUTES
FROM THE MEETING OF NOVEMBER 19, 2020

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

ABSENT: Commissioners J.P. Morrell and Wells T. Watson.

I. ROLL CALL and WELCOME

Chairman Kyle France called the November 19, 2020 meeting to order at approximately 1:06 p.m. Present: Commissioners Kyle M. France, Hilary H. Landry, Gregory A. Morrison, Casey J. Robin, and Henry N. Baptiste. Absent: Commissioners J.P. Morrell and Wells T. Watson.

Chairman Kyle M. France reads aloud the Certification under Act 302 of the 2020 Regular Session of the Louisiana Legislature related to open meetings, pursuant to which the LSED is authorized to conduct the November meeting via telephone conference.

Chairman France, with the assistance of Matt Boyd, ASM's IT Manager and Katie Bourque, ASM's Business Operations Coordinator, conducts a roll call, with four commissioners responding. Legal Counsel confirms there is a quorum in order to proceed with the Board meeting.

II. APPROVAL OF MINUTES OF SEPTEMBER 24, 2020 MEETING

Chairman France asked for a motion for approval of the Minutes of the (September 24, 2020) Board Meeting. Commissioner Morrison moved for approval of same, seconded by Commissioner Robin. All were in favor, and the Minutes of the September 24, 2020 Board meeting were adopted.

III. ASM REPORT

Doug Thornton begins the ASM report by providing updates on the current year to date financial overview, industry outlook as it relates to event reactivation, and the financial impact on the NBA and NFL seasons. With respect to the 2021 fiscal year budget, Doug notes that there is absolutely no revenue being generated. There are currently no outside events taking place due to the pandemic and we are not entitled to receive any net revenues from the Saints games under the terms of their lease, and the same will be the case when the NBA restarts in December, with the Pelicans. Looking ahead into April and May, there was an original forecast of four live concerts

that are now likely to get postponed until later in the year, or even to 2022. The anticipated annual Monster Truck show has been canceled all over major stadiums across the country due to the pandemic. There has been a very aggressive approach to managing cost due to no revenue generation; 46 out of 185 employees have been furloughed. The hourly workforce is being managed very carefully as it relates to Saints games. The current forecasted budget deficit is projected to be about \$1.5 to \$4 million for the current fiscal year. There are a number of ways to close the gap on the current deficit. One way, is that we can see a resurgence of the hotel tax, another way is if a vaccine becomes available we can see some last minute concerts before June 30th, the end of the current fiscal year, and lastly is to continue to manage expenses.

Doug highlights the current production of the NFL games with limited fans still being very expensive. Staffing costs are very high due to preparation of the Superdome happening from week to week as well as staffing the building on game day. He also notes that not many fans are actually showing up to games which are causing staffing costs to be much higher. Covid related expenses, such as temperature checks, restroom monitoring, and staffing on every level due to the need to spread people are out are proving to be very costly. He notes that the NBA season will face the same conditions. We hope to be able to be reimbursed for some of the Covid related expenses through the Cares Act. We are one of many agencies around the State that are seeking qualification for Cares Act reimbursement, and there is a lot of competition for the funds. Doug emphasizes that until the pandemic restrictions are lifted and we can host events, it will be difficult to manage the remainder of the year.

The concert industry is looking at the 3rd Quarter and 4th Quarter as a time frame for return of touring acts, which means that we won't be doing many concerts between now and July 1st due to the State's mandate of less than 50% capacity for events. On the convention and trade

show side of the business there are signs of hope. Some show managers are considering how they can work under the social distancing guidelines. Doug notes that there is still another six or seven months of hard times without any event revenue ahead and praises David Weidler and Evan Holmes for working hard on the financial forecast and budget operations every week.

Doug closes by highlighting that the NCAA announced that it was going to move all of the men's basketball tournament competition into one city, Indianapolis. Unfortunately, this caused 10 ASM buildings around the country to be impacted by this and notes the women's tournament is likely to do the same. Doug notes that 4 out of ASM's seven NFL stadiums are operating with fans (the Superdome being one), and all 65 arenas and 55 performing arts theatres around the country are operating as well.

[This ends the General Matters report]

Evan Holmes presents the Services Report by providing updates on current renovations. He notes that we are coming to the end of Phase 1 construction at the Superdome, and anticipates the next phase of the GMP contract to be brought forth at next month's meeting. There is a current agenda item to be brought before the Board that approves the selection of a Project Manager for the Westwego Sports Complex Facility. There were several firms that were interviewed via an RFP that was issued and there's a recommendation to select one of them to manage the process from the design into then the contractor selection, and then execution through the construction phase with the funds coming out of the Westwego Sports Complex Project Capital Outlay. Mr. Holmes notes they are continuing to keep an eye on the other venues, Shrine on Airline, TPC, and Alario Center. They're at various stages of work. Some of them have work

under way and some are completed, but there are constant conversations happening with the facility managers for updates.

[This concludes the Services Report.]

Alan Freeman presents the Facility Operations Report by presenting a few photos from the Smoothie King Center early voting huge turnout. He notes there were close to 40,000 people that showed up during the 2 plus weeks. He notes there have been no-shows for Saints games but hopes fans will get comfortable and begin to have a larger turnout for future games. The first NBA game of the season is scheduled for December 22nd. The Pelicans are planning to host one pre-season game. The NCAA is staying on top of current construction progress and are requesting a monthly update. Mike Schilling has been working with Trahan Architects to produce the monthly project reports. Alan notes that there is still hope that the last two Saints games in December will be allowed to have an increased crowd capacity, which we also hope will carry over to the Sugar Bowl, the New Orleans Bowl, and High School Football. He also notes that the Mayor has cancelled Mardi Gras parades for the City of New Orleans.

[This concludes the Facility Operations Report.]

IV. FINANCE REPORT

David Weidler presents the Finance Report by stating that hotel tax for the first five months of this year is only \$4 million compared to \$20 million last year for the same period, which is an 80 percent drop revenues through the end of September at \$16 million. He notes that contract parking at the Superdome is very low at 20% of the total that they are normally at. On a positive note, Mr. Weidler states that the Superdome has saved \$600,000 over three months in

indirect costs. At the Smoothie King Center, \$700,000 was saved. He emphasizes that they are doing everything they can to control costs going forward. He is looking at asking for 7 to 8 million in the supplemental budget to be submitted in January or early February.

[This concludes the Finance Report.]

V. CONSTRUCTION REPORT

Eileen Long presents a brief summary of the construction projects.

Alario Center Kitchen Replacement Project: Great progress moving forward with the Alario Center Kitchen Replacement Project. The pre-engineering building erection has started with columns and beams. The roof panels should start right after Thanksgiving and interior framing to start right after that. The original contract completion date was May 13th, and we are still on schedule to beat that by a few weeks.

TPC-Louisiana Bunker Renovation project: This project is about a four month job and we are half way through. Duininck, the contractor, is on track to finish by the middle of January 2021. Renovation of the 10 large bunkers was necessary for drainage improvements. Reducing the size of the bunkers reduces the maintenance costs. Evacuation pad alternate work, where the players can have shelters in their vehicles during a heavy rainstorm, should start in mid-December.

Westwego Sports Complex: The budget for Phase 1 had \$20 million and are hoping for \$10 million for Phase 2. The LSED, Jefferson Parish, and ASM have selected Legends who teamed up with DBE, Circular Consulting to provide project management services, for Phase 1 Construction. Circular Consulting will have 53 percent of the contract. They will be the on-site field project manager for the team. There is an agenda item for approval of Amendment No. 001,

which is added design services for Phase 2. This is to be able to design the Phase 2 work at the same time as Phase 1. By doing so, it will save on construction management, project management services, and construction costs. Final schematic drawings are being made by the design team, Duplantis Design Group. Construction drawings should be finished in the middle of March 2021 with bid drawings to follow on April 1st through the end of May 2021.

VI. LEGAL REPORT

Shawn M. Bridgewater introduced the LSED Legal Report and presented the following 6 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 \$65,654.35 to purchase equipment and make repairs necessary to maintain and operate the Mercedes Benz Superdome, the Smoothie King Center, and Champions Square for the 2020-2021 Fiscal Year. The source of funds for the resolution is the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution. Approval was Recommended

Voting in favor were Commissioners France, Landry, Morrison, Baptiste, and Robin.
Voting against: None Abstaining: None Absent: J.P. Morrell and Wells T. Watson Motion **20-51 passed.**

On motion of Commissioner Robin, seconded by Commissioner Baptiste, the LSED authorized, ratified, and approved Guaranteed Maximum Price Adjustment Nos. 9 and 10 to the Guaranteed Maximum Price Amendment for the contract for Construction Manager at Risk, by and between LSED and Broadmoor, LLC, with respect to Phase 1a of the 2019 Superdome

Capital Improvements Project. GMP Adjustment No. 9 provides for an increase to the Master Plan Project Guaranteed Maximum Price in the amount of \$263,198.00 to pay for work related to the purchase and installation of return air grilles at the Project Site and the replacement of sanitary sewer piping in fan rooms at the Project Site and GMP Adjustment No. 10 provides for an increase to the Master Plan Project Guaranteed Maximum Price the amount of \$36,272.00 to perform work related to the freight elevator on the event level, stairwell pressurization, electrical modifications of suites, and other areas at the Project Site. This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and has been approved by the Master Plan Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funding for GMP Adjustment Nos. 9 and 10 is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. The execution of GMP Adjustment Nos. 9 and 10 by LSED Project Representative, Commissioner Hilary Landry is authorized, ratified and approved by this Resolution. Approval was Recommended.

Voting in favor were Commissioners France, Landry, Morrison, Baptiste, and Robin.

Voting against: None Abstaining: None Absent: J.P. Morrell and Wells T. Watson Motion **20-52 passed.**

On motion of Commissioner Landry, seconded by Commissioner Morrison, the LSED authorized, approved, and ratified the Ninth Amendment and Tenth Amendment to the Contract for the Construction Manager at Risk between the LSED and Broadmoor, LLC (“CMAR Ninth Amendment” and “CMAR Tenth Amendment”, respectively) with respect to the 2019 Superdome Capital Improvements Project (“Project”) as follows: (i) Pursuant to the CMAR

Ninth Amendment, the LSED authorizes and approves Broadmoor to proceed with the early release of the North End Zone and Corner Field Side electrical substation enabling package, that includes electrical labor for installation of conduit and pipes, engineering services and release of electrical long lead materials, with respect to Phase 2 of the Project, for the sum of \$2,450,193.00, which amount shall be included within the Cost of the Work in the Master Plan Phase 2 Guaranteed Maximum Price; and (ii) Pursuant to the CMAR Tenth Amendment, the LSED authorizes and approves Broadmoor to proceed with the early release of the Electrical Substation Enabling Package, North End Zone Suites, and North End Zone Auxiliary Locker Room with respect to Phase 2 of the Project, for the sum of \$98,539.00 which includes, but is not limited to, scanning to locate utilities under the slab and subgrade to identify tie-in locations, which amount shall be included within the Cost of Work in the Master Plan Phase 2 Guaranteed Maximum Price. This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and has been approved by the Master Plan Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funding for the CMAR Ninth and Tenth Amendments is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. The execution of the CMAR Ninth and Tenth Amendments by Chairman Kyle M. France is authorized and approved pursuant to the Resolution. Approval of the resolution was Recommended

Voting in favor were Commissioners France, Landry, Morrison, Baptiste, and Robin.
Voting against: None Abstaining: None Absent: J.P. Morrell and Wells T. Watson Motion **20-53 passed.**

On motion of Commissioner Morrison, seconded by Commissioner Baptiste, the LSED authorized and approves Change Order No. 002 to the Contract between the LSED and CM Combs Construction, LLC with respect to the Alario Center Kitchen Replacement Project No. ALR-2017-KIT-AFC825KR1 (the "Project Contract"). Change Order No. 002 reflects a net increase of \$58,974.21 to the Project Contract amount that consists of the following: (i) an increase of \$1,982.23 to the Project Contract amount to remove and replace three (3) sections of 6x10 sidewalk at the Project site, (ii) an increase of \$21,066.12 to the Project Contract amount to perform work related to the installation of an electrical feed at the Project site, (iii) an increase of \$4,276.20 to the Project Contract amount to move and refeed the electrical panel at the Project site, (iv) an increase of \$1,898.05 to the Project Contract amount to install a water shut-off valve at the Project site, (v) an increase of \$3,126.20 to the Project Contract amount for the installation of a new overhead door at the Project site, (vi) an increase of \$264.57 to the Project Contract amount for the installation of a new grease trap at the Project site, and (vii) an increase of \$26,439.84 to the Project Contract amount to purchase and install a new kitchen freezer at the Project site.

This Resolution has the Staff Analysis Support and Recommendation of ASM Global and has been approved by the LSED Construction Committee. The source of funding is Alario Center Capital Outlay, and there are sufficient funds to support this Resolution. Chairman Kyle M. France is hereby authorized to execute Change Order No. 002. Approval of the resolution was recommended.

Voting in favor were Commissioners France, Landry, Morrison, Baptiste, and Robin.

Voting against: None Abstaining: None Absent: J.P. Morrell and Wells T. Watson Motion **20-54 passed.**

On motion of Commissioner Robin, seconded by Commissioner Morrison, the LSED authorized and approved the following relative to the selection of a project manager to provide construction management services (“Westwego Project Construction Manager”) with respect to the construction and development of the Westwego Sports Complex Project (“Westwego Project”):

- (a) In accordance with the terms and conditions of the Cooperative Endeavor Agreement by and between the LSED and the Parish of Jefferson, the LSED has been designated as the Westwego Project administrator and, as such (with the assistance of the Westwego Project Committee, consisting of representatives of the LSED, Jefferson Parish, and ASM Global), is responsible for the procurement of professionals to provide services in connection with the design, construction and development of the Westwego Project;
- (b) Following the advertisement of a Request for Proposal seeking proposals from firms to provide construction management services with respect to the Westwego Project (“Westwego Project Construction Manager RFP”), all proposals were received, reviewed and evaluated by the Westwego Project Committee, who unanimously selected Legends/Circular as the Westwego Project Construction Manager at a fee of \$253,000 with an additional fee of \$65, 000.00.
- (c) The LSED hereby ratifies and approves the selection of Legends/Circular as the Westwego Project Construction Manager and authorizes its Chairman, Kyle M. France, to negotiate and execute the necessary contract documents on behalf of the LSED with Legends/Circular, with same to be ratified by the LSED at a subsequent meeting.

This Resolution has the approval and recommendation of the Westwego Project Committee and the LSED Construction Committee. The source of funds for the Westwego Project construction management services will be the Westwego Sports Complex Project Capital Outlay, and there are sufficient funds to support this Resolution. Approval was Recommended.

Voting in favor were Commissioners France, Landry, Morrison, Baptiste, and Robin.

Voting against: None Abstaining: None Absent: J.P. Morrell and Wells T. Watson Motion **20-55 passed.**

On motion of Commissioner Landry, seconded by Commissioner Baptiste, the LSED authorized and approved the negotiation and execution of a First Amendment (“Amendment No. 001”) to the Agreement for Professional Services by and between the LSED and Duplantis Design Group, P.C. dated August 25, 2017 (“Agreement”) for the 2017 Westwego Sports Complex Project (“Westwego Project”). Pursuant to Amendment No. 001 the scope of services that are to be performed by Duplantis are expanded to include future phases of the Project that were not included in the Agreement. The services that are to be provided pursuant to Amendment No. 001 will be performed for a not to exceed fee of \$840,439.00. Once in final form and approved by LSED legal counsel, Chairman Kyle M. France is authorized by the Resolution to execute Amendment No. 001 with same to be ratified by the LSED at a subsequent meeting.

This Resolution has been approved by the Westwego Project Committee consisting of representatives of the LSED, ASM Global and Jefferson Parish, and has the approval of the LSED Construction Committee. The source of funding for Amendment No. 001 is the Westwego

Sports Complex Project Capital Outlay and there are sufficient funds to support this Resolution.

Approval was Recommended.

Voting in favor were Commissioners France, Landry, Morrison, Baptiste, and Robin.

Voting against: None Abstaining: None Absent: J.P. Morrell and Wells T. Watson Motion **20-56 passed.**

[This concludes the Legal Report.]

VII. BOARD REPORTS

VIII. OTHER BUSINESS

IX. ADJOURNMENT

The LSED November 19, 2020 monthly meeting adjourned at 1:54 p.m.

