

LOUISIANA STADIUM AND EXPOSITION DISTRICT

BOARD OF COMMISSIONERS MINUTES

FROM THE MEETING OF MARCH 22, 2023

PRESENT: Chairman Kyle M. France, Commissioners John A. Alario, Jr., Hilary H. Landry, Glen D. Smith.

ABSENT: Commissioners Henry N. Baptiste, Casey J. Robin and Wells T. Watson

ROLL CALL and WELCOME

Chairman Kyle M. France called the March 22, 2023 meeting to order at approximately 1:11 p.m.

I. APPROVAL OF MINUTES OF FEBRUARY 9, 2023 MEETING

Chairman France asked for a motion for approval of the Minutes for the February 9, 2023 LSED Board of Commissioners Meeting. Commissioner Alario moved for approval of same, seconded by Commissioner Smith. All were in favor, and the Minutes of the February 9, 2023 Board meeting were adopted.

II. ASM REPORT

Mr. Thornton began his report by giving an update on the full year forecast, mentioning that the actual numbers are pacing ahead of the budget. This great performance is heavily attributed to the non-tenant events held at the Smoothie King Center. The ASM team has done a very good job of maximizing the revenue, keeping the costs down and controlling the costs on the operations and staffing sides. Another thing that contributes to our overall performance is premium seating sales and food and beverage increased point of sale revenues. Overall, we're on track to break records for the most sales and gross proceeds from a concert in the history of the Smoothie King Center.

The hotel tax is also ahead of the forecasted budget, which is a great sign. Spring festivals, including Mardi Gras, French Quarter Fest and Jazz Fest have a huge impact on these numbers that continue to trend higher. Construction on the Master Plan is moving along. There are a little more than 90 days to get ready for Essence Fest, which means there's a lot to do and fast.

The legislative session is getting ready to start and meetings are taking place to complete the agenda that will list LSED the priorities, including capital outlay and general requests.

[This concludes Mr. Thornton Report]

Mr. Holmes began his report by emphasizing that though the numbers are performing above the forecasted budget, things are still battling from the effects of the pandemic.

Conversations with the underwriting syndicate regarding the bond funding of the Master Plan Project are underway. There are a lot of moving parts and people involved in this effort and we intend to have more meetings with the rating agencies to get ahead of the bond funding exercise, which is hopefully taking place in June.

In regards to the Legislative session, the first hearing was this past Monday and the team met with the Senate Finance Committee. More meetings are scheduled for next week with Appropriations staff and we're looking forward to the presentation with them.

Construction with respect to the Master Plan is ongoing and we're in the most impactful phase of the entire project. Build back is happening on one side while, demo is happening on another side and there's a lot of people working in the building at any given time. The challenges

come during Pelican's games when so many people are walking in the area while construction is still happening but the team is doing a great job at keeping safety first.

Alan Van Zandt was introduced as the new Director of Technology Services to help with the technology during events. The Employee Appreciation event is on Friday as an opportunity to say thank you to our staff for a great Saints season.

Recent venue events include the Professional Bull riding event and of course the Pelicans games right after so the cleanup effort was massive.

Gus Canazio share the upcoming events, starting with the Master P & Friends, Zach Bryan which sold out in three days. There is also Drake and 21 Savage, which is a huge show for the market. Snoop Dogg, Comedian Bert Kreischer and Three Doors Down are also on the roster for August.

Tim Suire gave an overview of the Shrine on Airline Thrillville Fair, which was up 15-16% in revenue from past years.

[This concludes Mr. Holmes' Report]

III. FINANCE REPORT

Mr. Weidler began his report with an update on the hotel tax, which is expected to increase by about \$3 million between the one-penny tax and the four penny tax. The request from the State relating to the increase in the statutory dedication was granted and they agreed that the increase due to the statutory dedication will be approximately \$3 million. The facilities are up about \$6 million in revenue and after expenses that make it about a \$3.5 million increase.

The budget for five buildings are underway but there's still a lot to do. This will be complete by the end of the fiscal year. We are still awaiting the final audit report.

Commissioner France thanks Mr. Weidler and his team for the good work.

[This concludes Mr. Wielder's report]

IV. CONSTRUCTION REPORT

Ms. Long begins her report with an update on the John Alario Junior Sports Complex which held a bid on February 16th, 2023 and Ratchiff Construction was the lowest qualified bidder, with a bid of \$20,560,000. The project budget is \$22.6 million. Once the contract is approved, the project should start in mid April.

Holly and Smith submitted the low proposal for professional fees at about \$94,500 for the Alario Center repair plan and code evaluation and analysis.

The Lot 4 storage addition project is finally underway as NANO, LLC. works on the schematics and design and construction drawings and the deadline for those is March 5th. The available funds for that project is \$1.7 million.

The Master Plan project update from Legends will show the construction at every level including northeast and northwest atrium, along with drywall, sprinkler systems and vertical transportation.

[This concludes Ms. Long's report]

VI. LEGAL REPORT

Shawn M. Bridgewater begins her LSED Legal Report, presenting the following Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Landry, seconded by Commissioner Smith the Louisiana Stadium and Exhibition authorized, approved and ratified the execution of the Master Plan Phase 3b Guaranteed Maximum Price Adjustment No. 07 (“Master Plan Phase 3b GMP Adjustment No. 07”) to the Guaranteed Maximum Price Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to Phase 3b of the 2019 Superdome Capital Improvements Project (“Master Plan Project”). Master Plan Phase 3b GMP Adjustment No. 07 provides for a net increase of \$533,037.34 to the Master Plan Project Phase 3b Guaranteed Maximum Price that consists of the following:

- (i) An increase in the amount of \$106,990.61 for additional material, labor and equipment costs that are associated with the demolition in various areas of the Project site;
- (ii) A decrease in the amount of \$94,157.25 for credits that are associated with credits for guardrail changes on multiple levels of the Project site;
- (iii) An increase in the amount of \$13,102.17 for additional labor, material and equipment costs that are associated with the installation of new balancing dampers at the Project site;
- (iv) An increase in the amount of \$74,117.03 for additional labor, material and equipment costs that are associated with additional escalator power and circuit requirements at the Project site;
- (v) An increase in the amount of \$15,235.72 for additional labor, material and equipment costs that are associated with topping slab demolition at the Project site;
- (vi) An increase in the amount of \$1,864.98 for additional labor, material and equipment to install break metal cladding at the storefront shoe of the Team Store at the Project site;
- (vii) An increase in the amount of \$395,302.65 for additional labor, material and equipment costs that are associated with the addition of terrazzo to the Project site; and
- (viii) An increase in the amount of \$20,581.43 for additional labor, material and equipment costs that are related to the floor tile and pipe insulation at the Project site.

This Resolution was recommended by Legends Hospitality (the Project Manager) and Trahan Architects (Project Architect) and was 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 funds for the Master Plan Phase 3b GMP Adjustment No. 07 is the Master Plan Project Budget and there are sufficient funds to support this Resolution. The execution of the Master Plan Phase 3b GMP Adjustment No. 07 by Commissioner Hilary H. Landry is hereby authorized, approved and ratified.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-6** passed.

On motion of Commissioner Alario, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District authorizes, approved, and ratified the execution of Amendment No. 04 to the PSI Agreement (“PSI Amendment No. 04), to provide additional material testing and inspection services with respect to Phase 3b of the Master Plan Project for a not to exceed fee of \$370,483.00, all as more fully shown on PSI Amendment No. 04, a copy of which is attached to the Resolution.

PSI Amendment No. 04 was recommended by Legends Hospitality (the Project Manager) and was approved by the Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for PSI Amendment No. 04 is the Master Plan Project budget, and there are sufficient funds to support the Resolution. The execution of PSI Amendment No. 04 by Chairman Kyle M. France was hereby authorized, approved, and ratified.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-7** passed.

On motion of Commissioner Landry, Seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized and approved the following: (i) the acceptance of the proposal of Howe Engineers, Inc., to perform Smoke Control Special Inspection Services with respect to Phase 3b of the 2019 Superdome Capital Improvements Project (“Master Plan Project”) for a not to exceed fee of \$174,980.00, and (ii) the execution of an Agreement with Howe Engineers, Inc. to perform Smoke Control Special Inspection Services with respect to Phase 3b of the Master Plan Project (“Howe Engineers Contract”).

The Howe Engineers Contract was recommended by Legends Hospitality (the Project Manager) and was approved by the Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for the Howe Engineers Contract is the Master Plan Project Budget and sufficient funds exist to support the Resolution. The execution of the Howe Engineers Contract by Chairman Kyle M. France was hereby authorized and approved.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-8** passed.

On motion of Commissioner Alario, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District authorized and approved the acceptance of the proposal of Roofing Solutions, LLC, and the execution of a contract with Roofing Solutions, LLC to make roof repairs and install the gutters at Hall B of the Alario Center for a not to exceed amount of \$51,805.00 (“Roofing Solutions Contract”).

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (attached to the Resolution) and was approved by the LSED Construction Committee. The source

of funds for the Roofing Solutions Contract will be the Alario Center Capital Outlay, and sufficient funds exist to support this Resolution. Once in final form and approved by LSED Legal Counsel, Chairman Kyle M. France is hereby authorized to execute the Roofing Solutions Contract on behalf of the LSED.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-9** passed.

On motion of Commissioner Alario, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized and approves the execution of a Contract with Holly and Smith Architects, a Professional Architectural Corporation to perform architectural and related services with respect to code analysis and the development of a repair plan for the Alario Center, for a not to exceed fee of \$79,500.00, plus reimbursable expenses of approximately \$15,000.00 (“Holly and Smith Contract”).

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (attached hereto) and was approved by the LSED Construction Committee. The source of funds for the Holly and Smith Contract will be the Alario Center Capital Outlay, and sufficient funds exist to support this Resolution. Chairman Kyle M. France is hereby authorized to sign the Holly and Smith Contract on behalf of the LSED.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-10** passed.

On motion of Commissioner Alario, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District takes the following actions with respect to the Westwego Sports Complex/John Alario Sports Complex Project, LSED Project #ASC-2023-Develop-AFC22.9M (“Project”):

- (i) On or about February 16, 2023 four (4) bids were received for the Project and all were found to be in compliance with Louisiana Public Bid Law;
- (ii) Following a review of the submitted bids by Legends Hospitality (Project Manager), Duplantis Design Group (Project Architect), ASM Global and the LSED Construction Committee, the LSED recognizes the bid submitted by Ratcliff Construction Co., LLC as the lowest responsive bid for the Project; and
- (iii) The LSED hereby accepts the Base Bid of Ratcliff Construction Co., LLC in the amount of \$16,805,000.00, plus Add Alternate No. 1 in the amount of \$670,000.00, Add Alternate No.2 in the amount of \$2,747,000.00 and Add Alternate No. 3 in the amount of \$338,000.00 (for a total contract value of \$20,560,000.00) for the Project and authorizes the negotiation and execution of a contract with by Ratcliff Construction Co., LLC on terms and conditions that are acceptable to the LSED Construction Committee and LSED legal counsel.

This Resolution was recommended by ASM Global and Legends Hospitality, as Project Manager (copies attached to the Resolution) and was approved by the LSED Construction Committee. The source of funds for the Contract with Ratcliff Construction is the Project Budget, and there are sufficient funds to support this Resolution. Once approved by LSED Legal Counsel and in final form, the LSED hereby authorizes the execution of a contract with by Ratcliff Construction Company by Chairman Kyle M. France.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-11** passed.

On motion of Commissioner Alario, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized and approved the acceptance of the proposal of Terracon Consulting, Inc. (“Terracon”) and the execution of a Consulting Agreement with Terracon to perform and provide material testing and inspection services related to the Westwego Sports Complex/John Alario, Jr. Sports Complex project (“Project”), for a not to exceed fee of \$127,200.00 (“Terracon Contract”).

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (attached to the Resolution), was recommended by Legends Hospitality as the Project Manager (attached to the Resolution), and was approved by the LSED Construction Committee. The source of funds for the Terracon Contract will be the Project budget and sufficient funds exist to support this Resolution. Chairman Kyle M. France is hereby authorized to execute the Terracon Contract on behalf of the LSED, on terms and conditions as are acceptable to LSED legal counsel.

Voting in favor were Chairman Kyle M. France, John A. Alario, Jr., Hilary H. Landry, Glen D. Smith. **Motion 23-12** passed.

[This concludes the Legal Report]

VII. BOARD REPORTS

None.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

Chairman France asks for a motion to adjourn. On motion of Commissioner Alario, the February 9, 2022 LSED Board meeting adjourned at 2:00p.m.