

**LOUISIANA STADIUM AND EXPOSITION DISTRICT**  
**BOARD OF COMMISSIONERS MINUTES**  
**FROM THE MEETING OF DECEMBER 15, 2022**

**PRESENT:** Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin.

**ABSENT:** Henry N. Baptiste, Wells Watson

**ROLL CALL and WELCOME**

Chairman France called the December 15, 2021 meeting to order at approximately 1:00 p.m. Present: Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. Absent: Henry N. Baptiste, Wells Watson

Chairman 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 September meeting virtually via Microsoft teams.

**I. APPROVAL OF MINUTES OF OCTOBER 28, 2021 MEETING**

Chairman Landry asked for a motion for approval of the Minutes of October 28, 2021 Board Meeting. Commissioner Robin moved for approval of same, seconded by Commissioner Landry. All were in favor, and the Minutes of the October 28, 2021 Board meeting were adopted.

**II. ASM REPORT**

Doug Thornton begins his report by expressing his optimism for business and live music events moving forward through the fiscal year, and cited the strong concert performance over the last few months.

Part-time staffing remains a challenge, mainly during football games, which require up to 3,000 workers. This issue is temporarily mitigated through contracts with third-party contractors for on-call labor services.

In terms of a financial overview, hotel tax collections are tracking at about 75%, which is on par with predictions by Evan and David in the fiscal year forecast. Despite the 75% hotel tax, it is still projected that there will be up to a \$25 million deficit. With that said, the Harrah's settlement money is expected to help achieve a balanced budget and help with cash flow once approved by the Joint Legislative Budget Committee.

In regards to the Superdome financing plan, Items 8 and 9 on the agenda are to be considered and involves the buyback of the LSED 2013 Bonds that are currently held by the State. This is for funding the balance of the Master Plan project, Phases 3 and 4. The plan involves the LSED paying off the existing 2013C bonds being held by the State, which is \$28.1 million. This action would be in lieu of the debt commutation, which will make available \$35 million in LSED bonding capacity. Once approved by the Bond Commission, in the form of a resolution, the authorization to buy back the debt at the book value and the authorization to buy back the debt at the book value and the authorization to amend the original resolution that the LSED was granted in 2019, to allow us to borrow for that purpose. By the end of fiscal year '21, the LSED lost 48.5 million, the appropriation of the \$26.8 million from the Joint Legislative Bond Commission would help to fill in that gap.

Mr. Thornton concludes his report by mentioning the bond plan has been summarized and sent to Senate Leadership.

**[This concludes the ASM Report.]**

Evan Holmes began his report by noting an agenda item concerning an early release authorization to purchase certain equipment for the progression of the next round of work, which includes the building of the Atrium in the Superdome, in April. These items have a long lead-time and it would be best to take action now in order to avoid delays and risking the schedule. Phase 1 and 2 have been completed and Phase 3a, which includes the commissary work is underway on the event level. We are monitoring the budget closely and pre-construction discussions are ongoing with our Contractor, Broadmoor and the Architects, Trahan.

Mr. Holmes, passes the floor to Kathleen Turner to give her report on the LSED Business Opportunity program. Ms. Turner goes on to discuss the staffing shortage and the engagement with Henry Consulting, and the \$200,00.00 increase in spending to help fill the staffing gap.

In regards to the supplier Meet and Greet, GMC & Co. is helping to facilitate the implementation of the SEB connect App to serve as a unified hub for vendors and suppliers to access business opportunities, from the likes of the LSED, the convention center and the city.

Ms. Turner proceeds by mentioning Bayou Classic weekend and the successful initiation of the shadowing program. According to the Dean of Students at Dillard University, many of the students felt welcome by the ASM staff and enlightened by the exposure to the inner workings of event production.

Ms. Turner concludes her report by expounding on Sodexo and their desire to partner with ASM on DE&I initiatives, including internships, community outreach and possibly sponsorships.

**[This concludes the Services Report.]**

Zane Collings presents the Facility Operations Report, highlighting the busy holiday schedule, which yielded record-setting ticket sales from events like the Dave Chappelle and Joe Rogan show, amongst multiple Saints games, 11 Pelicans games, return of the Battle of the Bands, Bayou Classic and the LHSAA Football Championship.

We've recently confirmed eight additional shows, including Hot Wheels Monster Truck, the Tool concert, the MercyMe concert, Gabriel Iglesias, the Maxwell concert, Wild 'N Out, Dude Perfect and we confirmed a high school basketball exhibition game between the local team, Newman, and Sierra Canyon. There are already 14 shows scheduled for the first half of the year, which already surpasses the 10 previously forecasted. In regards to attendance rate, there's still a 10%-20% disparity between the amount of tickets sold and the number of actual attendees but hopefully, that will shift in 2022.

Good news is that, according to an industry trade ranking, the Smoothie King Center ranks at No. 51 in the top 200 Arenas in the world, which is an improvement from past years rankings.

Mr. Collings introduced current ASM employee, Caroline Guidry, as the new Sales Manager and then passes the floor to Mark Waguespack's marketing report.

Mr. Waguespack gave a brief visual overview of marketing graphics and methods used to gain exposure for the venue. Methods including as on Nola.com and in print with the Advocate as well as email marketing and social media campaigns.

Tim Suire, takes the floor to discuss the outreach and marketing for the Shrine on Airline. A grass roots campaign and continued positive outreach, with the likes of the Visit Jefferson team and other local organizations. The NOLA Gold rugby team extended their lease until the end of October 2022, with an option for an additional year.

Past events at the Shrine include a Netflix movie production and staging, as well as concerts and the Thrillville Fair, which was very successful. Events to look forward to include, the ten (10) NOLA Gold games and two Raceland party events.

Mr. Collings concludes his report by highlighting upcoming events, NCAA site meetings, personnel promotions (i.e. Jeff Newton, Asst. of Public Safety) and resignations (i.e. Ken Scott, Chief of Public Safety).

**[This concludes the Facility Operations Report.]**

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

David Weidler presents the Finance report by conservatively highlighting the hotel tax revenues are at about 70%. Projections do not show that the LSED is fully funded, however the next few months, will be funded.

Mr. Weidler concluded his report by mentioning the capital account and the need to rebuild it within the next 6 months. It was previously at \$7million and was mostly depleted due to the pandemic and long periods of no revenue. The audit has been delayed and is still up in the air as to when it will be completed.

**[This concludes the Finance Report.]**

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

Eileen Long brings the construction report highlighting and sharing photographs of progress made on the Master Plan Project, specifically Phase 3a, which is the commissary work under way. The design drawings for Phase 3b are expected to be complete by the end of February 2022 and construction is set to begin in April 2022. The Superdome roof repair recoating project has been going on for a few months and is at 85% completion and should be 100% done by mid-January 2022.

In regards to the John Alario, Jr. Sports Complex, Beverly Construction started work on December 13<sup>th</sup> with the Phase 1a which is the site clearing for earth work and 1b fill for the surcharge program. This work will take up to 6 months total. We are hoping to bid out the Phase 1b work, which includes the entry buildings, parking, a playground, etc.

The TPC Practice Tee renovation is ongoing and there is a change order for an extension of that original contract, so the completion of that project is set to be around February 2022. Next we will bid out an electrical project in which we'll need to replace all three electrical generators that drain the golf course and provide power for the irrigation system.

Ms. Long concludes the construction report by discussing the Smoothie King Center and bids the two large exterior video displays, which are due by December 28<sup>th</sup>. The two video boards will be replaced within the next six or seven months.

**[This concludes the Construction Report.]**

## **VI. LEGAL REPORT**

Shawn M. Bridgewater begins her LSED Legal Report, presenting the following thirteen (13) Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Alario, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized and approved appropriation from the LSED Capital Reserve Account in the amount of \$388,278.32 to purchase equipment and make repairs necessary to maintain and operate the Caesar's Superdome, the Smoothie King Center, and Champions Square for the 2021-2022 Fiscal Year. ASM has received competitive proposals for the equipment and the repairs related hereto. The source of funds for this Resolution was the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin **Motion 21-101** passed.

On motion of Commissioner Robin, seconded by Commissioner Alario the Louisiana Stadium and Exhibition District ratified, authorized and approved the execution of Change Order No. 003 to the Superdome Roof Re-coating Contract. Change order No. 003 provides for (i) an increase in the amount of \$62,112.00 to the Roof re-coating Contract amount, for the completion of work associated with the replacement of the lightning rod boots that are located on the parapet of the Superdome gutter tub, and (ii) the addition of 70 days to the Roof Contract substantial completion date. Change Order No. 003 has the Staff Analysis Support and Recommendation of ASM Global (the Project Manager) and has been approved by the LSED Construction Committee. The source of funds for Change Order No. 003 is LSED Capital Reserve, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin **Motion 21-102** passed.

On motion of Commissioner Alario, seconded by Commissioner Smith the Louisiana Stadium and Exhibition District authorized and approved the LSED's purchase of its Subordinate Revenue Refunding Bonds, Taxable Series 2013C, as provides as follows: the purchase by the LSED of the Series 2013C Bonds shall take place not later than March 1, 2022 at the price set forth by the Louisiana State Bond Commission, subject to the availability of funds for said purpose; the Chairman, Vice-Chairman and Secretary of the LSED Board of Commissioners, acting on behalf of the LSED, are further authorized to work with the officials and agents of the Louisiana State Department of the Treasury to draft an Act of Sale or similar document to memorialize the sale of the Series 2013C Bonds to the LSED; the Chairman, Vice-Chairman and Secretary of the LSED Board of Commissioners shall are authorized pursuant to the Resolution to execute and deliver such instruments, documents and certificates, including but not limited to the aforesaid Act of

Sale or similar document, as may be required and/or necessary, convenient and appropriate in connection therewith. Approval of the Resolution was recommended

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-103** passed.

On motion Commissioner Alario, Seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District adopted a Fourth Supplemental Note Resolution supplementing and amending the General Bond Anticipation Note Resolution adopted by the LSED on August 21, 2019. This resolution provides for the issuance of a Bond Anticipation Note of the Louisiana Stadium and Exposition District, pursuant to said General Bond Anticipation Note Resolution and provides for other matters in connection therewith. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-104** passed.

On motion of Commissioner Robin, seconded by Commissioner Alario, the Louisiana Stadium and Exhibition District authorized, approved, and ratified Phase 1 Guaranteed Maximum Price Adjustment No. 18 to the Guaranteed Maximum Price Amendment for the Phase 1 Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC, dated May 1, 2019, with respect to the 2019 Superdome Capital Improvements Project. Phase 1 GMP Adjustment No. 18 provides for a credit to the Phase 1 GMP in the amount of \$106,999.00 that consists of the following:

- (a) A no cost change related to additional ramp demolition at the Project Site;
- (b) A credit in the amount of \$2,286.00 to the Phase 1 GMP amount for the removal of the ductwork and dampers installation at the Project Site; and
- (c) A credit in the amount of \$104,713.00 to the Phase 1 GMP amount for the close-out of various allowances as more fully set forth in the Phase 1 GMP Adjustment No. 18.

This Resolution was recommended by Legends Hospitality (Master Plan 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. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-105** passed.

On motion of Commissioner Alario, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District the execution of the Phase 2 Project Development Agreement with respect to Phase 2 of the Master Plan Project with same to be ratified, once executed and approved by the Master Plan Project Team and LSED legal counsel. The Resolution located at Tab 11 ratifies the execution of the Phase 2 Project Development Agreement by Chairman Kyle M. France. Approval of the Resolution was recommended

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-106** passed.

On motion of Commissioner Smith, seconded by Commissioner Landry, the Louisiana Stadium and Exhibition District authorize and approved the execution of an Eleventh Amendment to the AIA A133-2009 Agreement by and between Broadmoor, LLC as the Construction Manager at Risk with respect to the Phase 2 of the 2019 Superdome Capital Improvements Project. Pursuant to the terms and conditions of the Phase 2 CMAR Eleventh Amendment, additional pre-construction services related to Phase 2 of the Master Plan Project were performed by Broadmoor in the month of November, 2020 for a not to exceed fee of \$50,000. 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. The source of funds for the Phase 2 CMAR Eleventh Amendment is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-107** passed.

On motion of Commissioner Smith, seconded by Commissioner Robin and Pursuant to LSED Resolution No. 21-87, dated September 23, 2021, the Louisiana Stadium & Exposition District authorized and approved the execution of Change Order No. 005 to the Contract between the LSED and ANC Sports Enterprises, LLC with respect to the Phase 2 LED Fascia Displays and Control System. ANC Change Order No. 005 provides for an increase in the amount of \$13,800.00 to the ANC Contract amount to allow for four (4) additional days of Ross System Training. ANC Change Order No. 005 was recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and was approved by the Project Team. The source of funds for ANC Change Order No. 005 is the Master Plan Project budget and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-108** passed.

On motion of Commissioner Smith seconded by Commissioner Alario, and Pursuant to LSED Resolution 21-79, dated August 26, 2021, the Louisiana Stadium and Exposition District authorized the negotiation and execution of a contract with Trimark USA with respect to the acquisition of certain food service equipment that is required in connection with Phase 3a of the Superdome Capital Improvements Project with same to be ratified by the LSED, once executed. The LSED approved and ratified (i) the execution of the Trimark Contract by Chairman Kyle France, and (ii) the execution of Change Order No. 001 to the Trimark Contract which provides for an increase of \$66,421.00 to the Trimark Contract amount to account for manufacturer delays and price increases and additional freight charges with respect to refrigeration equipment that is part of the Trimark Contract. Trimark Change Order No. 001 has been recommended by Legends Hospitality (Master Plan Project Manager), Trahan Architects (Project Architect), and ASM Global and has

been approved by the Project Team. The source of funds for Trimark Change Order No. 001 is the Master Plan Project Budget and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-109** passed.

On motion of Commissioner Landry, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized, approved and ratified the execution of the Phase 3a Guaranteed Maximum Price Adjustment No. 1 to the Phase 3a Guaranteed Maximum Price Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to the 2019 Superdome Capital Improvements Project. Phase 3a GMP Adjustment No. 1 provides for a net increase of \$32,361.00 to the Phase 3a Guaranteed Maximum Price Amendment for the Master Plan Project that consists of the following:

- (i) A no cost time extension due to Hurricane Ida that extends the Substantial Completion Date to March 15th, 2022;
- (ii) An increase of \$32,361.00 for Abatement of hazardous material and containment construction and removal at the Project Site; and
- (ii) A no cost change to the Phase 3a Final Guaranteed Maximum Price Baseline Schedule.

This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and was approved by the Master Plan Project Team. The source of funds for the Phase 3a GMP Adjustment No. 1 was the Master Plan Project Budget, and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-110** passed.

On motion of Commissioner Landry, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized, approved and ratified the execution of a Fifth Amendment to the AIA A133-2019 Agreement by and between the LSED and Broadmoor, LLC, dated December 31, 2020, as the Construction Manager at Risk for the 2019 Superdome Capital Improvements Project. Pursuant to the terms and conditions of the Phase 3a CMAR Fifth Amendment, Broadmoor is authorized to proceed with the early release of certain work related to Phase 3b of the Master Plan Project for a not-to-exceed amount of \$8,156,744.00 and shall include this amount within the cost of the work for the Master Plan Project Phase 3b Guaranteed Maximum Price Amendment. This Resolution is recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect) and has been approved by the Master Plan Project Team. The source of funds for the Phase 3a CMAR Fifth Amendment is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-111** passed.

On motion of Commissioner Smith, seconded by Commissioner Alario, the Louisiana Stadium and Exhibition District authorized and approved the selection of a firm to provide testing and inspection services with respect to the Phase 1A Site Surcharge Project at the Westwego Sports Complex Project. 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 Sports Complex Project administrator and, as such is responsible for the procurement of professionals to provide services in connection with the design, construction and development of the Westwego Sports Complex Project; Following the advertisement by Legends/Circular (as the Westwego Sports Complex Project Manager) of a Request for Proposal seeking proposals from firms to provide testing and inspection services with respect to the Westwego Sports Complex Project Site Surcharge Project, six (6) proposals were received; All proposals were thoroughly reviewed and evaluated by Legends/Circular (Project Manager) and Duplantis Design Group (Project Architect) taking into consideration the respondents' experience with (i) wick drains and site surcharge, (ii) the Project site soil and local experience with the soils, (iii) DBE participation, and (iv) testing service rates; Following the evaluation, Stratum Engineers was selected to perform the required testing and inspection services for the Westwego Sports Complex Site Surcharge Project for a not to exceed fee of \$47,200.00. Pursuant to the resolution, the LSED ratifies and approves the selection of Stratum Engineers to perform the required testing and inspection services and authorizes its Chairman, Kyle M. France to negotiate and execute the necessary contract documents on behalf of the LSED. This Resolution had the approval and recommendation of ASM Global, Legends/Circular (Project Manager,) and the selection was approved by the LSED Construction Committee. The source of funds for the testing and inspection services will be the Westwego Sports Complex Project Capital Outlay, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin **Motion 21-112** passed.

On motion of Commissioner Robin, seconded by Commissioner Alario, the Louisiana Stadium and Exhibition District authorized and approved Change Order 001 to the Contract between the LSED and Duinink, Inc., with respect to the TPC of Louisiana Practice Tee Renovation Project, dated September 2, 2021 (the "Project Contract"). Change Order No. 001 provides for (i) an increase in the amount of \$95,050.00 to the Project Contract amount for additional drainage, grading and sod at the Project Site, utilizing the unit prices that are provided in the original Project bid, and (ii) an extension of one hundred fifteen (115) days to the Project substantial completion date so that the new Substantial Completion date will be February 1, 2022. This Resolution has the Staff Analysis Recommendation and Support of ASM Global and was approved by the LSED Construction Committee. The source of funds for Change Order No. 001 is TPC of Louisiana Capital Outlay and there are sufficient funds to support the Resolution. Approval of the Resolution was recommended.

Voting in favor were Chairman, Kyle M. France, Commissioners, John A. Alario, Hilary H. Landry, Glen D. Smith, Casey J. Robin. **Motion 21-113** 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 Smith, Seconded by Commissioner Alario the December, 2021 LSED Board meeting adjourned at 2:05 p.m.