

**LOUISIANA STADIUM AND EXPOSITION DISTRICT**

**BOARD OF COMMISSIONERS MINUTES**

**FROM THE MEETING OF SEPTEMBER 22, 2022**

**PRESENT:** Commissioners John A. Alario, Jr. , Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin

**ABSENT:** Commissioner Kyle M. France, Henry Baptiste and Wells Watson.

**ROLL CALL and WELCOME**

Commissioner Landry called the September 22, 2022 meeting to order at approximately 1:16 p.m.

**I. APPROVAL OF MINUTES OF AUGUST 25, 2022 MEETING**

Commissioner Landry asked for a motion for approval of the Minutes for the August 25, 2022 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 August 25, 2022 Board meeting were adopted.

**II. ASM REPORT**

Mr. Thornton begins his report by highlighting the hotel tax levels, which for the first 3 three months of the fiscal year are tracking higher than 2019 numbers. Preparation of the 2024 budget is underway and is expected to be submitted by November and we're taking the economy, inflation and interest rates into consideration when forecasting self-generated revenues. Historically, sports and entertainment has performed well in past recessions. However, overall spending may decrease and that's something we're taking into consideration while also looking for different ways to cut expenses and increase revenues. Utility rates are increasing as well and recently we had one of the highest utility bills ever.

In terms of financing, ASM is looking for a solution in terms of refinancing the Superdome Bonds and meetings are ongoing with PFM Financial Advisor and Foley Judell, our Bond Counsel. We're currently exploring options to mitigate risks and keep our debt service affordable.

**[This concludes Mr. Thornton's Report]**

Mr. Holmes begins his report by briefly discussing the specifics regarding the new security procedures and logistics for patrons attending the football games in the Superdome due to construction; construction has created some pretty significant challenges for the team but we were able to pull it together and it was very impressive to say the least. The shift in the plan to have fans circumvent the building on the top level was changed last minute and ticket were scanned at the street level, which allowed fans to enter through Champion Square and have free range to enter the building and be in the game. It worked very well considering everything it took to put it together. Thanks to Farrow Bouton, the staff and everyone was on board and in sync with what was going on.

The LSU-Florida State Game brought in a ton of fans from Florida, which made it one of the highest grossing games we've had, generating nearly \$2 million in food and beverage. This is in large part to the hard work of Sodexo to serve what the people like and the new point-of-sale system and the analytics that help us to keep track of things. So far the system has been successful

and we plan to carry it forward in through the Saints season and over to the Smoothie King Center for the Pelicans season.

In terms of upcoming, there are quite a few concerts, including Jason Aldean and Pitbull scheduled within the next month and a Pelicans pre-season game. Wrestle Mania and Mary J. Blige will be back to back and then Chris Stapleton the next week. A lot of great acts are coming thanks to Gus who's been doing a great job in terms of leveraging relationships with agents and promoters.

Mark Waguespack gave a brief overview of the marketing department's efforts to increase, which is community service participation by highlighting event the team participated in with Habitat for Humanity and a Business After-Hours hosting industry partners to showcase some of the new event spaces.

In Kathleen Turner's absence, gave an update on the discretionary spending which is at 20 percent. He includes that ASM is taking a deep dive into DBE vendor contract to ensure that participation levels are up to par. In conclusion, Mr. Holmes highlights the AMS partnerships with HBCUs to provide internship and other opportunities for young people in the community.

**[This concludes Mr. Holmes' Report]**

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

Mr. Weidler began his report by referencing the July Financial statements provided to the commissioners. The July statement shows an increase in utilities which is up \$300,000. The 2024 Fiscal Year preliminary budget mentioned by Mr. Thornton, is complete and will be revised around February or March. Once we're six months in to the fiscal year, we'll be able to see trends that will help tighten up the budget.

In conclusion, Mr. Weidler gave a brief visual overview of the annual report, which showed a venue by venue overview of the past fiscal year.

**[This concludes Mr. Weidler's report]**

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

Ms. Long begins her report with mentioning that on September 15th three bids were received for the John Alario Junior Sports Complex construction project, all of which were rejected by Legends because they exceeded the budget for construction. The project will be rebid after we undergo a value engineering process.

At the Alario Center, there are two ongoing projects including the Paver Settlement Repair Project and the Gutter and Downspout Replacement Project.

At the Smoothie King Center, the exterior LED Boards have been installed and are up and running, along with with two sponsored ad boards that are being installed. Substantial completion is expected in September.

Ms. Long concludes her report by giving an update on the Superdome Master Plan project, there were renderings and photos showing the construction progress. Most of the demolition for the atrium area is completed and they are now working in the upper levels on electrical, mechanical and plumbing. On the east sideline the northeast ramp demolition has been completed and structural beams and metal decking are being installed before pouring concrete.

**[This concludes Ms. Long's Report]**

## **VI. LEGAL REPORT**

Shawn M. Bridgewater begins her LSED Legal Report, presenting the following ten (10) 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 authorizes and approves an appropriation from the LSED Capital Reserve Account in the amount of \$51,981.26 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. Competitive proposals have been received for the equipment and the repairs related hereto. The source of funds for this Resolution is the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-68** passed.

On motion of Commissioner Alario, seconded by Commissioner Smith the Louisiana Stadium and Exhibition District authorized PFM Swap Advisors, as the LSED's swap advisor, to undertake a procurement process to identify a counterparty providing the most favorable terms.

This resolution delegated authority to enter into the hedging transactions to Kyle France and Hilary Landry as Chair and Secretary of the Board, respectively; subject to final State Bond Commission approval and compliance with certain requirements that are enumerated in detail the resolution, including a recommendation of this course of action by the LSED's co-municipal advisors and an opinion as to legality from LSED's co-bond counsel and/or general counsel. Approval of the Resolution was recommended.

Voting in favor were Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-69** passed.

On motion Commissioner Alario, Seconded by Commissioner Robin, the Louisiana Stadium and Exhibition District authorized Chairman, Kyle M. France, to negotiate and execute one or more documents to memorialize and document the understanding and agreement between the New Orleans Louisiana Saints, LLC and the LSED regarding the funding and advance by the

Saints of \$16.5 million with respect to Southeast Atrium Scope of Phase 3b of the 2019 Superdome Capital Improvements Project. The Master Plan Southeast Atrium Scope Funding Documents will contain terms and conditions (including, without limitation re-payment terms) that are acceptable to and approved by LSED legal counsel and co-bond counsel, Saints legal counsel and the Master Plan Project team. Once approved and executed by Chairman Kyle M. France, the Master Plan Southeast Atrium Scope Funding Documents will be ratified at a subsequent LSED meeting. Approval was recommended.

Voting in favor were Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-70** passed.

On motion of Commissioner Alario, seconded by Commissioner Robin, the Louisiana Stadium and Exhibition District authorized and approved Trahan Architects, APAC to engage Lourie Consultants as a specialty consultant to provide geotechnical engineering services with respect to certain elements of Phase 3b of the 2019 Superdome Capital Improvements Project. The additional services that are to be performed by Lourie Consultants pursuant to Trahan ASR #29 shall be for a not to exceed fee of \$27,500.00.

This Resolution was recommended by Legends Hospitality and was approved by the Project Team. The source of funds for Trahan ASR #29 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 Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-71** passed.

On motion of Commissioner Alario, seconded by Commissioner Robin, the Louisiana Stadium and Exhibition District authorized, approved and ratified the execution of the Phase 3b Guaranteed Maximum Price Adjustment No. 1 to the Phase 3b Guaranteed Maximum Price Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC Phase with respect to the Superdome Master Plan Project. Phase 3b GMP Adjustment No. 1 provides for an increase of \$612,319.00 to the Master Plan Project Phase 3b Guaranteed Maximum Price that consists in part of the following:

- (i) An increase in the amount of \$24,918.00 for additional costs associated with the removal of various materials located at the Project site;
- (ii) An increase in the amount of \$51,046.00 for additional costs associated with additional demolition and slab topping at the team store;
- (iii) An increase in the amount of \$12,333.00 for additional costs associated with a survey of the existing sprinkler valves at the Project site;
- (iv) An increase in the amount of \$456,803.00 for additional costs associated with the demolition of existing plaster walls and sheet metal build-back of new plenum due to an unforeseen condition at the Project site;
- (v) An increase of \$55,524.00 for additional costs associated with painting of exposed atrium steel at the Project site; and
- (vi) An increase of \$11,695.00 for additional costs associated with the Project site level 200 flooring mock-up.

In addition to the foregoing, Phase 3b GMP Adjustment No. 1 provides for an increase of \$86,022.00 the Master Plan Project Phase 3b Guaranteed Maximum Price that is associated with Construction Change Directive No. 1 for the demolition and removal of the existing team store mezzanine. This Resolution was recommended by Legends Hospitality (the Project Manager) and was approved by the Master Plan Project Team,

The source of funds for the Phase 3b GMP Adjustment No. 1 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 Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-72 passed.**

On motion of Commissioner Alario, seconded by Commissioner Robin, the Louisiana Stadium and Exhibition District authorized, approved and ratified the execution of Phase 3b Guaranteed Maximum Price Adjustment No. 2 to the Phase 3b Guaranteed Maximum Price Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to Superdome Master Plan Project. Phase 3b GMP Adjustment No. 2 provides for an increase of \$3,141,774.00 to the Master Plan Project Phase 3b Guaranteed Maximum Price that consists of the following:

- (i) An increase in the amount of \$31,332.00 for additional costs that are associated with the tape, floating and painting of the New Orleans Saints Team Store at the Project Site (“Team Store”);
- (ii) An increase in the amount of \$69,651.00 for additional costs that are associated with electrical and HVAC modifications to the Team Store; and
- (iii) An increase in the amount of \$3,040,791.00 for additional costs that are associated with the addition of various items to the Project scope, all as more fully described on the Legends recommendation attached to the resolution.

This Resolution was recommended by Legends Hospitality (the Project Manager) and was approved by the Master Plan Project Team. The source of funds for the Phase 3b GMP Adjustment No. 2 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 Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-73 passed.**

On motion of Commissioner Alario, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized, approved, and ratified the execution of Master Plan Phase 3b Construction Change Directive No. 002 to the Phase 3b Guaranteed Maximum Price Amendment for the construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC. Phase 3b Construction Change Directive No. 002, provides for, recognizes and approves Broadmoor to set-up a tier approach to scope with unit pricing to perform the work that is necessary with respect to the Impacted Rooms at the Master Plan Project Site for the Impacted Rooms Allowance limit of \$1,100,000.00, that is currently provided for in the Master Plan Contract

This Resolution was recommended by Legends Hospitality (Master Plan Project Manager) and has been approved by the Project Team. The source of funds for the Phase 3b Construction Change Directive No. 002 is the Master Plan Project Budget, and were sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-74 passed.**

On motion of Commissioner Robin, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized and approved the engagement of Robert Dye LLC and the execution of a Consulting Agreement by and between Robert Dye, LLC and the LSED to provide consulting services and advise the LSED, for a not to exceed fee of \$11,800.00, with respect to various matters that relate to the Master Plan Phase 3b work that is to be performed on the Superdome roof by Broadmoor, LLC. The consulting Agreement will be on terms and conditions that are acceptable to Chairman Kyle M. France and LSED legal counsel.

This Resolution was recommended by Legends Hospitality (Master Plan Project Manager) and has been approved by the Master Plan Project Team. The source of funds for the Agreement is the Master Plan Project Budget, and there were sufficient funds to support this Resolution. Approval of the Resolution was recommended.

Voting in favor were Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-75 passed.**

On motion of Commissioner Alario, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorized, approved and ratified the acceptance of the proposal of AFL Enterprise Services to relocate the DAS infrastructure and other related electrical equipment located on the 100, 200 and 300 Levels of the Superdome, in connection with Phase 3b of the 2019 Superdome Capital Improvements Project (“Master Plan Project”), for not to exceed fee of \$60,044.19, all as more fully set forth in the AFL proposal and Appendix A attached to the resolution.

The AFL Proposal was recommended by Legends Hospitality (Master Plan Project Manager) and has been approved by the Master Plan Project Team. The source of funds for the AFL Proposal 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 Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-76 passed.**

On motion of Commissioner Robin, seconded by Commissioner Smith, the Louisiana Stadium and Exhibition District authorizes and approves the execution of an additive change order in the amount of \$16,812.00 to the Alario Paver Settlement Project Contract that consists; of:

(i) an increase in the amount of \$12,012.00 that pertains to the removal, regrade and re-installation of additional pavers with respect to an additional 1,300 square feet at the Project Site, for the unit price of \$9.24 per square foot as provided for the Project Contract, and

(ii) an increase in the amount of \$4,800.00 for added scope to remove and palletize 960 square feet of pavers at a price of \$5.00 per square foot.

Alario Paver Settlement Project Contract Change Order No. 001 has the Staff Analysis Support and Recommendation of ASM Global and has been approved by the LSED Construction Committee. The source of funds for the Change Order is the Alario Center Capital Outlay and there are sufficient funds to support the Resolution. Approval of the Resolution is recommended

Voting in favor were Commissioners John A. Alario, Jr., Hilary H. Landry, Jr. Glen D. Smith, Casey J. Robin. **Motion 22-77 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 September 22, 2022 LSED Board meeting adjourned at 2:09 p.m.