

LOUISIANA STADIUM AND EXPOSITION DISTRICT
BOARD OF COMMISSIONERS MINUTES
FROM THE MEETING OF DECEMBER 17, 2020

PRESENT: Commissioners Kyle M. France, Hilary H. Landry, Gregory A. Morrison, J.P. Morrell, Wells T. Watson, and Henry N. Baptiste.

ABSENT: Commissioners Casey J. Robin.

ROLL CALL and WELCOME

Chairman Kyle France called the December 17, 2020 meeting to order at approximately 11:10 a.m. Present: Commissioners Kyle M. France, Hilary H. Landry, Gregory A. Morrison, J.P. Morrell, Wells T. Watson, and Henry N. Baptiste. Absent: Commissioners Casey J. Robin.

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 December 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.

I. APPROVAL OF MINUTES OF NOVEMBER 19, 2020 MEETING

Chairman France asked for a motion for approval of the Minutes of the (November 19, 2020) Board Meeting. Commissioner Morrison moved for approval of same, seconded by Commissioner Baptiste. All were in favor, and the Minutes of the November 19, 2020 Board meeting were adopted.

II. ASM REPORT

Doug Thornton begins the ASM report by providing updates on the current budget outlook, business industry forecast for the remainder of the fiscal year, and continued NBA preparations. With respect to the current fiscal year budget, Doug notes that the continued lack of hotel tax and self-generated revenues are the two biggest factors that are causing budget deficits. Hotel tax is 60% lower than what it was in 2019. The current forecast is \$26 to \$27 million in total taxes for the District by the end of the fiscal year compared to \$65 million, which is a normal projection for a year. The loss of Bayou Classic, New Orleans Bowl, and High School Football Championships have had a major impact on self-generated revenues. There is a \$9 million projected shortfall for

million projected shortfall for the current fiscal year. Doug emphasizes that the Cares Act application has been submitted and will help reduce the budget deficit if approved by the end of the fiscal year. Doug states that with the recent announcement of the approval of the Pfizer vaccine and the pending approval of the Moderna vaccine, promoters and event organizers have started to inquire about late 2021 events beginning with July 2021 and into 2022. He also reports that the audit exit conference was completed and we received a clean audit for the fiscal year ending June 30, 2020, from the Legislative Auditor's office.

Alan Freeman briefly discusses the current preparations being made at the Smoothie King Center for the upcoming NBA season such as: No courtside seating will be allowed this year, temperature testing of all fans that attend the games will take place, and the city has approved 1400 to attend basketball games to start the season off. Temperature testing is not required by the NBA or NFL, but is being done at both Saints and Pelicans games, pursuant to city requirements and notes that it is a very costly thing to do. All workers working in zones near players and coaches will have to be Covid tested twice leading up to every game, and the media will be relocated to the 300 level of the building and the press box. Plexiglass installations will be installed in all locker rooms and official's rooms as it was in the Superdome. All interviews will be done virtually, and the Chairman's club will not be operational this year because it will be the entry point for the players getting into the building. There are many new protocols in place to ensure the safety of staff and players.

[This ends the General Matters report]

Evan Holmes presents the Services Report by providing updates on current renovations. He notes that the terms of an extension for TPC to continue management services at the TPC

Evan Holmes presents the Services Report by providing updates on current renovations. He notes that the terms of an extension for TPC to continue management services at the TPC Louisiana was finalized, which ties the management and the agreement for the Zurich Classic to the same time frame allowing stability for the local charitable partner. Evan discusses a few agenda items to be passed by the board such as the Guaranteed Maximum Price contract with Broadmoor which allows Chairman France to execute the agreement once in final form. The agreement will lock in the construction contract for the 2021 project year. The second agenda item is the authorization to approve architectural services adjustments for the TPC renovation, and the third is the Project Development Agreement (PDA). The PDA outlines the rules and regulations of the project itself, with the project team being the LSED, the Saints, and ASM.

[This concludes the Services Report.]

Alan Freeman presents the Facility Operations Report by reporting on the outcome of Saints games. He notes that there were two home games in December, each permitted 6,750 in attendance with 6,600 attending. Food and Beverage for the two games were successful at around \$38 per person. The Christmas Saints game has an approval of 3,000 fans in attendance. The NBA games for the season have been reduced to 72 to conclude in May with playoffs starting immediately after, and playoffs to conclude in mid-July in time for players to participate in the summer Olympics in Tokyo. No public tickets will be sold for the New Orleans Bowl and the Sugar Bowl due to Covid. The LHSAA games were forced to move elsewhere due to the uncertainty with the city requirements and permitted attendance. Those games will now be held at Northwestern State University. There are 7 or 8 rescheduled shows that are locked in to take place in the last six months of 2021. The only shows that are scheduled in the first six months of 2021 are the James Taylor Show in May with the

possibility of it being pushed back due to the virus and vaccine not being fully distributed at that point in time. We also are anticipating a couple of Saints playoff games in January, with as many as 3 games being hosted at home.

[This concludes the Facility Operations Report.]

IV. FINANCE REPORT

David Weidler presents the Finance Report by stating that he has prepared the BA-7 to be submitted in the supplemental budget which will be submitted in January. David notes that there are three items in the request for a total of \$9.7 million pending approval. If approved it will be a break even for the fiscal year based on current evaluations.

[This concludes the Finance Report.]

V. CONSTRUCTION REPORT

Eileen Long presents a brief summary of the construction projects.

Alario Center Kitchen Replacement Project: Framing and roof panels have been installed, sidewalk and mechanical platforms have been poured, and in the next two weeks wall foam, roof clips and fireproofing will be done. Mechanical and plumbing work will begin right after Christmas. The project is still projected to be completed two weeks before the contract date of May 13th.

TPC-Louisiana Bunker Renovation project: 3 out of 11 bunkers still need to be completed with a projected completion date of January 1st. The evacuation pads and some punch lists are the only things left to be completed by the January 17th contract date.

Westwego Sports Complex: The architect Duplantis Design Group is in design development for Phase 2. Duplantis has come up with a budget and a scope in schematic design, working with Jefferson Parish Recreation Department. Phase 1 had a budget amount of \$20 million and we are hoping Phase 2 will get the approval for \$10 million. Phase 1 and 2 will have three multipurpose fields, which includes baseball, soccer and flag football. It will have two baseball/lacrosse fields, a whiffle ball field, batting cages, shade structures, a playground, and a parking and maintenance building. Construction drawings are estimated to be completed by middle to late March of 2021. Once the bidding, negotiations and construction starts, the project management which consists of Legends and Circular Consulting will begin the project.

[This concludes the Construction Report.]

VI. LEGAL REPORT

Shawn M. Bridgewater introduced the LSED Legal Report and presented the following 4 Resolutions, which were approved by the Board of Commissioners as noted below:

On motion of Commissioner Watson, seconded by Commissioner Morrison, the LSED authorized and approved an appropriation from the LSED Capital Reserve Account in the amount of \$36,162.02 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 Kyle M. France, Hilary H. Landry, Gregory A. Morrison, Henry N. Baptiste, and Wells T. Watson. Voting against: None Abstaining: None Absent: Casey J. Robin. Motion **20-57 passed.**

On motion of Commissioner Landry, seconded by Commissioner Watson, the LSED authorized the negotiation and execution of an Amended and Restated AIA A133-2019 Standard Form of Contract to supersede and replace the contract for Construction Manager at Risk between the LSED and Broadmoor, dated May 1, 2019, (“Amended and Restated CMAR Agreement”), and a Phase 2 Guaranteed Maximum Price Amendment (“Phase 2 GMP Amendment”) for Phase 2 of the 2019 Superdome Capital Improvements Project (“Master Plan Project”). The Amended and Restated CMAR Agreement and the Phase 2 GMP Amendment, will be on terms and conditions that are acceptable to the Master Plan Project Team (consisting of the ASM Project Representative, the LSED Project Representative and the New Orleans Saints Project Representative), Legends Hospitality (the Master Plan Project Manager) and LSED legal counsel and will provide that the work with respect to Phase 2 of the Master Plan Project will be performed by Broadmoor for an amount in line with the Master Plan Project budget, acceptable to, and approved by the Master Plan Project Team and recommended by the LSED Legal Counsel. Once approved, finalized, and executed the Amended and Restated CMAR Agreement and Phase 2 GMP Amendment will be ratified at a subsequent LSED meeting.

This Resolution has the Staff Analysis Support and Recommendation of Legends Hospitality (the Project Manager) and the Master Plan Project Team. The source of funds for the Phase 2 GMP Amendment is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. Chairman Kyle M. France is hereby authorized to execute the Amended and Restated CMAR Agreement and Phase 2 GMP Amendment once in final form and approved by LSED legal counsel. Approval was Recommended.

Voting in favor were Commissioners Kyle M. France, Hilary H. Landry, Gregory A. Morrison, Henry N. Baptiste, and Wells T. Watson. Voting against: None Abstaining: None Absent: Casey J. Robin. Motion **20-58 passed.**

On motion of Commissioner Morrison, seconded by Commissioner Landry, the LSED authorized, approved, and ratified (i) ratifies the execution of the attached Project Development Agreement with respect to Phase 1A of the 2019 Superdome Capital Improvements Project (“Master Plan Project”), and (ii) authorizes the negotiation and execution of a Project Development Agreement with respect to Phase 2 of the Master Plan Project (“Phase 2 PDA”), on terms that are acceptable to and approved by LSED legal counsel and the Master Plan Project team, (consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative). Once approved and executed by Chairman Kyle M. France, the Phase 2 PDA will be ratified at a subsequent LSED meeting. Approval of the resolution was Recommended

Voting in favor were Commissioners Kyle M. France, Hilary H. Landry, Gregory A. Morrison, Henry N. Baptiste, and Wells T. Watson. Voting against: None Abstaining: None Absent: Casey J. Robin. Motion **20-59 passed.**

On motion of Commissioner Baptiste, seconded by Commissioner Morrison, the LSED authorized and approved Trahan Architects to provide additional architectural services with respect to the 2019 Superdome Capital Improvements Project (the “Master Plan Project”) in accordance with Additional Services Requests Nos. 9r6, 13r1, 14r1, and 15r1 (“Additional Services”) under its Contract for architectural services, dated March 25, 2019, as amended (“Trahan Contract”). The Additional Services, are more fully described on the attached Recommendation for Approval letter of the Master Plan Project Manager, Legends Hospitality and shall consist of the following: (i)

revised proposal to eliminate the ground level entries for the sum of \$2,304,932.63 (ASR #9r6), (ii) commissary revisions for the sum of \$3,176,226.00 (ASR #13r1), (iii) Master Plan Project Phase 1-5 Redraw for the sum of \$1,432,098.00 (ASR #14r1), and (iv) Design Schedule Acceleration/Extension for the sum of \$1,539,090.00 (ASR #15r1). The total aggregate fee for the Additional Services is a not to exceed fee of \$8,452,346.63. Approval of this Resolution and the payment of Additional Services fees is expressly conditioned upon the final reconciliation of, and a credit to, the LSED of any and all amounts previously paid to Trahan with respect to the Additional Services, if any.

This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager) 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 funds for this Resolution is the Master Plan Project Budget and there are sufficient funds to support the Resolution. The execution of ASR Nos. 9r6, 13r1, 14r1, and 15r1 by Commissioner Hilary Landry is hereby authorized and approved. Approval was Recommended.

Voting in favor were Commissioners Kyle M. France, Hilary H. Landry, Gregory A. Morrison, Henry N. Baptiste, and Wells T. Watson. Voting against: None Abstaining: None Absent: Casey J. Robin. Motion **20-60 passed.**

[This concludes the Legal Report.]

VII. BOARD REPORTS

VIII. OTHER BUSINESS

IX. ADJOURNMENT

The LSED December 17, 2020 monthly meeting adjourned at 11:57 a.m.