

**MINUTES OF
LAKEFRONT MANAGEMENT AUTHORITY
REGULAR MEETING OF THE MARINA COMMITTEE
HELD ON TUESDAY, May 17, 2022**

PRESENT: Chair Dawn Hebert
Vice-Chair Renee Lapeyrolerie
Commissioner Stanley Brien (3:50)
Commissioner Esmond Carr (3:35)
Commissioner Thomas Fierke

STAFF: Louis Capo – Executive Director
Vanessa McKee – Assistant to the Executive Director
Winifred Christopher – Airport Manager

ALSO

PRESENT: Gerard G. Metzger – Legal Counsel to the LMA
Mr. Hernandez, PCI president of

The Marina Committee of the Lakefront Management Authority met on Tuesday, May 17, 2022, at the New Orleans Lakefront Airport at 6001 Stars and Stripes Blvd., New Orleans, LA 70126.

Chair Hebert called the meeting to order at 3:30 P.M. and led in the pledge of allegiance. Director Capo called the roll, and a quorum was present.

Opening Comments:

Chair Hebert requested an update on:

- Safety issues from Director Capo
- The South Shore Marina Gate

Director Capo showed pictures of the damage to the gate at South Shore Marina. On Thursday, Col Cain had a run-in with someone who was being evicted earlier in the day. Subsequently, the camera at the gate was removed to use on Lake Shore Drive thus there was no footage of the damage. Col. Cain attested that tenants said the evicted person returned and rammed the gate three times. There were no cameras on the premises at the time to engage law enforcement.

Motion to Adopt Agenda:

A motion was offered by Commissioner Fierke, seconded by Commissioner Lapeyrolerie, and was unanimously approved to adopt the agenda.

Motion to Approve the Minutes from March 15, 2022:

A motion was offered by Commissioner Fierke seconded by Commissioner Lapeyrolerie who withdrew her motion to approve the March 15th minutes and offered a motion to differ the minutes to the full board meeting due to not enough time to review. The motion to differ the minutes was second by Commissioner Carr.

Director's Report:

Director Louis Capo presented several picture slides as he reported on several projects.

- Showed pictures of work currently being done at Orleans Marina. The Flood Authority is progressing breaking up the concrete. We will lose some slips.
- Showed pics of safety striping and painting done on the piers at Orleans Marina
- There has been much discussion of the work needed at the restrooms. Epoxy has been put down in the bathrooms at South Shore Harbor. This will also be done at Orleans Marina and also the Pavillions. Col Cain attested that this work is now complete. The Commissioners all agree that the work looks good.
- Commissioner Lapeyerlerie asked for clarification on losing slips at the bulkhead. Director Capo affirms that three of the slips closest to the bulkhead will be lost. Due for completion later this summer. Mr. capo mentioned that he had been out of the Promenade area and saw that the majority of the bulkheads were failing and would venture to that that they will need to be replaced from pier two to pier six.
- There was a pre-bid conference on the South shore Harbor Fire Protection System last week held here in the conference room. The new date for the bid submittals is Wednesday, May 25, 2022. We'll revisit the results from the bid at the June committee meeting.
- Director Capo stated that Col Cain will report on the meeting he has with the covered boat slip tenants.
- Col Cain reported that he did a walkthrough with an engineer during the pre-bid process who identified flammables, sheds, and general clutter that would have to be removed. The tenants were not happy when he met with them to relay the information. The bottom line is the flammables will have to be removed.
- Director Capo spoke on the unauthorized cabinets that were built at the covered boat slips. The lease does not allow tenants to attach or build anything on state property without prior approval. Also, a tenant has built a fireproof cabinet to store his flammables. They were notified to remove the flammables themselves or the LMA would do it. Linfield Hunter (Architect) stated they would have to redesign the fire suppression system if we would allow tenants to keep flammables onsite at the covered boat slips. To do so would triple the cost.
- Director Capo stated that we will continue to follow the lease. Flammables stored on our property will have to be removed. The Fire Marshall will come out to do a compliance inspection once the sprinkler installation is complete.
- Commissioner Carr asked for clarification on the issue of constructability. Director Capo explained that the structures were built without LMA approval. There is one tenant structure that was approved twenty years ago. However, all of the other sheds and a varnished tiki bar will have to be removed. The varnish is highly flammable.
- Commissioner Lapeyerlerie asked for clarification is the necessity of the fire suppression system at the covered boat slips due to a construction code compliance issue. Col Cain affirms that it is a state fire compliance code through the Fire Marshall.
- Commissioner Carr asked for clarification on whether the tenants were not out of code compliance but they are out of lease compliance to which Director Capo agreed. Commissioner Carr then asked if this agency would be willing to choose to work with the tenants
- Commissioner Lapeyerlerie asked for clarification on the sprinkler system design being developed on the covered slips based on 'as designed' not 'as is' which would be significantly more costly.
- Commissioner Carr asked for clarification as to how we would prevent the tenants from returning any unauthorized items once removed.
- Director Capo explained that we would do occasional sweeps to have them removed or we will remove unauthorized items and access fees.

- Attorney Mezger advised on the proper steps to address the tenants as it relates to the removal of unauthorized items at the covered boat slips. In Louisiana, you must give a 30-day notice to the tenants to remove unauthorized items. If they do not comply in the period given, they are in default and you can call the Sheriff to proceed with eviction. Once we have control of the property we would be able to dispose of the unauthorized items.
Commissioner Fierke asked why the Fire Marshall or fire code thinks that the covered boat slips should have a sprinkler system as opposed to the boat houses which do not require sprinkler systems.
Commissioner Carr added a question to be answered: “what would need to change to keep any type of structure if we were to work out an agreement with the tenants in the future”. What could we allow the tenants to have? Both questions should be answered by the engineer (Linfield Hunter) for an update at the next committee meeting.
- Chair Hebert asked if the current sprinkler system is operable. Director Capo states it passed inspection and is operable and functional.
- Director Capo Batture, the engineer of record is designing the structural timber repairs at The Timbers at Orleans Marina which is funded by the 2022-2023 Capital Projects budget. This project is set to begin this summer.
- DEI is also in design with timber and structural repair and is projected to begin repairs at South Shore Harbor Marina this summer. Again this is budgeted in the 2022-2023 Capital Projects budget.
- Marina committee approved electrical inspection at the April Committee meeting. H3The company needed to complete documentation at the Secretary of State’s office. They are now in good standing in the SOS office. The item now is set to go to the next full board meeting for final passage. Light replacement can begin upon passage.
- Chair Hebert asked when Mr. Renfro would be making his presentation at the board meeting. Director Capo explained that there have been other meetings with Mr. Renfro. He has since gone before CRE. However, there is an issue at the North Peninsula that Jeff Dye is working on. Attorney Metzger stated that there will be a motion to recommend an RFPQ for the North Peninsula on CRE’s agenda. Mr. Renfro would be able to bid once it is opened.
- Chair opened the floor for public comment. Hearing none, she moved to the next topic.

X. New Business

- 1) **Recommendation for approval to have Lakefront Management Authority incur the \$3.00 per quarter fee assessment due to increased Payment Card Industry (PCI) compliance fees by Go Park, not to exceed \$6300.00 per annum.**

A motion was offered by Commissioner Carr, second by Commissioner Lapeyerolerie.

The chair opens the floor for discussion.

Director Capo acknowledges Mr. Hernandez, President of PCI is present for discussion and questions.

Commissioner Lapeyerolerie asked for clarification as to where the additional \$3.00 fee originated from and why is it recommended that the board approve this fee.

After much discussion around Commissioner Lapeyerolerie’s question, it was clarified by Mr. Hernandez that PCI is asking for consideration by the LMA

board to absorb unexpected fees which they incurred because of the services they are providing to us at such a low cost.

Commissioner Fierke asked if LMA is legally bound to pay the \$6300 to which Mr. Hernandez stated we are not.

Commissioner Fierke clarified that Mr. Hernandez is asking for consideration for an equitable adjustment, not a legal requirement.

Commissioner Laperolerie asked for an explanation from the board or staff on whether this is recommended or not.

Commissioner Heaton offered hr opinion on whether this agency can afford to absorb this fee or not.

Chair Hebert calls for a vote after the discussion.

The motion for recommendation to approve the fee accessed not to exceed \$6300 was voted down. Passage failed and the motion dies.

2) Discussion and recommendation regarding entering a contract with Starcom Solutions not to exceed \$111, 460.00 for the equipment and installation of security cameras at South Shore Harbor.

Director Capo would like to differ this motion until the next board meeting due to not enough information to proceed at this time.

Motion to differ by commissioner Lapayerolerie; second by Commissioner Carr.

Announcement of next Marina Committee Meeting:

1) Tuesday, June 14, 2022– 3:30 P.M.

Adjourn:

A motion was offered by Commissioner Fierke, seconded by Commissioner Carr, and unanimously adopted, to adjourn. The meeting was adjourned at 5:03 PM.