

**MINUTES OF  
LAKEFRONT MANAGEMENT AUTHORITY  
REGULAR MEETING OF THE MARINA COMMITTEE  
HELD ON TUESDAY, October 18, 2022, at 3:30 PM -**

**PRESENT:** Chair - Dawn Hebert  
Vice-Chair Renee Lapeyrolerie  
Commissioner Stan Brien  
Commissioner Esmond Carr (Arrived at 3:32 PM)  
Commissioner Michelle White (arrived at 3:33 PM)

**STAFF:** Louis Capo – Executive Director  
Vanessa McKee – Assistant to the Executive Director  
Adam Gulino – Director of Operations and Engineering

**ALSO**

**PRESENT:** Gerard G. Metzger – LMA Counsel  
Jeff Dye - LMA Counsel  
Commissioner Wilma Heaton  
Harold Matherne  
Ray Blancher - SSH-CBS Tenant  
Helaine Milner – LMA  
William Taylor - SSH-CBS Tenant  
Ray Landeche – LPOA  
Jim Moriarty – WYES VP/GM of ‘Yes’ Productions  
Guy Williams – PBF  
Martin Strelau – Lake Terrace  
Ann Duffy – Lake Oaks  
John Skinner – LOSID  
Don Cheramie – SSH-CBS Tenant

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The Marina Committee of the Lakefront Management Authority met on Tuesday, October 18, 2022, at the New Orleans Lakefront Airport at 6001 Stars and Stripes Blvd., New Orleans, LA 70126.

***I. Call to Order***

**Chair Hebert** called the meeting to order at 3:30 P.M.

***II. Pledge of Allegiance***

**Vice-Chair Lapeyrolierie** led the Pledge of Allegiance

***III. Roll Call***

**Director Capo** called the roll, and a quorum was present.

***IV. Opening Comments:***

**Chair Hebert's** opening comments were that everyone is anxious to hear the update on how to get the tenants back to their covered boat slips and a few other items to be reported on.

***V. Motion to Adopt Agenda:***

A motion was offered by **Commissioner Brien**, seconded by Commissioner **Lapeyrolierie**, and was unanimously approved to adopt the agenda.

***VI. Director's Report***

**Louis Capo** reported the following:

- The opening bid for the damaged Finger Pier Repairs damaged during H. Ida came back with one bid of \$2,369,340.00 which was above the engineers' estimate of \$390,000. It is under review and there will be further discussion in November with the bidding Cycle Construction company on why the proposal was so high.

**Commissioner Lapeyrolierie** asked if the bid came back high due to Covid inflation or lack of competition.

**Adam Gulino** replied that there are more than likely multiple factors including the fact that they were the only company that showed up for the mandatory pre-bid meeting.

**Mr. Capo** addressed Chair Hebert's (3) items:

- 1. Status of the new lease for the SSH-CBE tenants, specific to their needs.**

**Jeff Dye** explained:

- The LMA has a valid lease in place with the tenants.
- Annual leases are renewed every July 1<sup>st</sup>.
- Article 2 gives LMA the authority to amend the lease with a 90 days' notice to the tenants
- 26 Slips in total
  - o 20 annual lease tenants
  - o 6 long-term lease tenants

**Mr. Dye** added that there is a misconception that a new lease has been drafted. No lease will be drafted until a clear directive is obtained on the use and what is permissible by the State Fire Marshal and City of New Orleans Safety and permits.

## **2. Discussion of the approval process for storage sheds and other items on the concrete.**

**Mr. Dye** stated the following:

- LMA proposes to work with each tenant and handle the process of submitting anything they want to keep to the State Fire Marshals and to the City of New Orleans Safety and Permits as there has been no evidence that the current add-ons have previously gone through the proper permitting process.
- Once LMA obtains a clear directive on what is acceptable we will modify the existing lease accordingly.
- This is necessary because the covered boat slips are not all equal in size. There are (3) different widths in the building. They currently all pay the same rent. He also suggested a wider slip should pay a different rate than a smaller-sized slip. This, according to Article 8 of the lease, must go before the board.
- He also noted that the current lease does not automatically include any rights to develop a shed or any other structure. It is at the discretion of the LMA Board.

**Chair Hebert** asked if the LMA had started working with tenants on their add-ons and if permitting had started yet.

**Mr. Dye** stated we have not started this task yet. First, we would want to get the Cease and Desist lifted and then get into the plan and submission process. I until we obtain a clear directive on exactly allowable from the State Fire Marshal.

Ben Chadwick of LHJ, has developed a process for the inclusion of the specifications of each add-on for submittal to the State Fire Marshal.

**Chair Herbert** asked about moving items to an offsite storage shed.

**Mr. Capo** stated that we do not have any offsite storage facility to store their items.

## ***VII. Public Comments***

**Chair Hebert** called for public comments.

**Don Cheramie** thanked the committee and Mr. Dye for their willingness to work with the CBS tenants. He mentioned that he submitted a plan for (3) different-sized sheds and is not sure where they are in the process. He also mentioned that he spoke with the Fire Marshals, and they were very insightful in sharing things we could do. They were not against the sheds, however, they did not appreciate knowing about them. He closed by stating that all of the CBS tenants want to do what is right for all involved.

**Chair Hebert** asked Adam to work with Mr. Cheramie offline.

## ***VIII. New Business:***

### **1. Update of the Office of State Fire Marshall Report and Cease and Desist Order on the South Shore Harbor Marina Covered Boat Slip building and steps to secure occupancy of the building.**

**Mr. Capo** gave an update as follows:

- As of the meeting today we have not received an updated report from the OFSM.
- We told them we needed an additional inspection of the pipes and flow of water pressure. The flow rate and pressure are higher than when previously tested.

- Today, State Fire Marshal Investigators brought a plan reviewer to the site. There are no plans to review. We also heard that they are doing calculations.
- We were told that the Cease and Desist would be lifted and the tenants would be able to return to their slips, but they would not be allowed to sleep overnight. We have not received the report in writing to affirm what we were told.
- Went through the September deficiency report, by each line item. Those items are no longer deficiencies.
  - o There are 26 exit lights on each of the 26 doors. That building is 36 years old and has never had exit signs.
  - o We contracted Allstar to come out and run conduit to hard wire the doors.

**Chair Hebert** asked what was the holdup. She thought the sprinkler system needed a green tag and had anyone called the Fire Marshal.

**Mr. Capo** stated that we are waiting on the report from the Fire Marshal's Office. The sprinkler system has a green tag on it. They are onsite now. They stated they are waiting on word from Baton Rouge.

**Chair Hebert** stated that at Tuesday's meeting, the Chief Fire Marshal seemed accommodating as though he wanted to help. Has anyone called him directly?

**Mr. Capo** stated that we have been dealing with the personnel who is currently onsite.

**Mr. Dye** explained the chronology from Tuesday's Special meeting with the Office of State Fire Marshal(OFSM) to date.

- LMA attorneys and staff met with the OFSM's attorney, Malinda Long, and Chief Daniel H. Wallis after the committee meeting. They asked us to submit the information they requested and also information that we wanted them to review to have the Cease and Desist lifted. They would review it before Chief\_ Daniel H. Wallis was to leave out of state on Thursday.

- We submitted the information to Attorney Malinda Long Wednesday at 9:30 am and had not heard anything from them. We called and left messages to no avail.
- We heard back from Attorney Long on Thursday. She stated she was in Lake Charles and the Chief is now out of state. The review we were told was going to occur before Thursday, apparently did not happen.
- Here was a conference call with Ms. Aaron St. Pierre and Long whom both said that they would try to arrange an inspection as soon as possible. However, they are working short-staffed due to hurricane response efforts in Florida.
- They did show up yesterday to do inspections and flow rate and as Director Capo stated they are still working.

**Adam Gulino** stated that he just spoke with Captain Simpson. They are still looking at the flow rate and will have new calculations when we speak again tomorrow.

**Chair Hebert** stated that this seems to be the sticking point.

**Mr. Dye** affirmed her comment, adding that this new report will supersede the previous reports.

**Mr. Capo** stated that it is frustrating to all of us, including the tenants, is that the Chief Fire Marshal, when he was here spoke about Jefferson Sprinkler being a good company. He also stated that what's holding up the process is a green tag. The green tag was placed on the fire suppression system last Friday by Jefferson Sprinkler. Here we are on Tuesday, and now it appears that the goalpost is moving. First, it was the green tag, then the pressure flow, and now calculations. The obstacles are coming frequently.

**Chair Hebert** agreed and again suggested that someone call the Chief Fire Marshal.

**Mr. Capo** stated that he would like to see if anyone on this committee could help us.

**Vice -Chair Lapeyrolerie** addressed Mr. Capo asking who was our engineer of record. If we have a consulting engineer, she did not understand why Mr. Capo would make such a statement. It would be his job to contact the Fire Marshal's office. She objected to Mr. Capo's statement.

She added that the OSFM architect and the Chief Fire Marshal both stated that they did not know that they were being invited to a public meeting. That is not a good performance.

**Mr. Dye** stated that it was clearly communicated, in writing, with the attorney for the OSFM that this would be a public meeting before it was even scheduled. Once the meeting was scheduled for 10 am, we moved the time back to 11 am to allow for the inspection before the meeting. They expected to meet with the tenants. They did not know that the commissioners would be at the meeting.

**Vice-Chair Lapeyrolerie** added that the engineer of record would be the best point of contact to establish the line of communication with the OFSM and the commissioners should be kept abreast of what's going on.

**Commissioner Carr** asked after hearing a few issues, what was our next step.

**Ben Chadwick**, the architect for LHJ, did the initial assessment report after Coastals inspection in December 2022 which stated that the sprinkler system had multiple issues and needed to be replaced. The new sprinkler system was cost-prohibitive for the LMA.

Mr. Chadwick said he spoke with Joe Delaune, chief architect for OFSM to discuss the green tag. The calculations still don't meet the SI needed per square foot to comply with the current safety code.

He said that Mr. Delaune thought we were headed in the right direction by creating an "as built" equivalency floor plan adding the exit lights, to specify and design a more thorough and comprehensive sprinkler system with heat-detecting and alarm capabilities.

Mr. Chadwick closed by saying that OFSM is doing another flow test and new calculations to see how effective the system will be and if it will activate. The report should be expected by the end of the week and he is confident that it will come back favorable that the Cease and Desist will be lifted to allow the tenants to return to their slips with "no overnight sleeping".

**Mr. Chermie** commented on and asked questions about requalifying the building because it may not need a sprinkler system due to the building's existing construction.

**Commissioner Carr** asked if we have clarified what we're asking the tenants at this time. What are they allowed to leave in the sheds at this point?

**Mr. Capo** replied that during the walk-through yesterday all, but one storage shed's doors were open, they all have however been emptied.

**Mr. Dye** added that the OFSM did their inspection in September 5<sup>th</sup>. They required an NFPA certification letter under NFPA-70 for all of the wiring that the tenants performed in the building. H3 contractor did a walk-through inspection on a shed-by-shed basis to identify what would be necessary to conform with NFPA-70. The process has started.

**Adam Gulino** stated that we used our electrical contractor who came out and gave his assessment of the code.

Most comments received:

- were GFIs on plugs that were put in by the tenant
- (3) sheds within a 3ft range of a breaker

**Commissioner Carr** asked if an engineer would be needed to turn in a certified report.

**Mr. Dye** added that the fire marshal required an electrician on an engineer for that specification.

## **2. Motion to recommend approval of the Lakefront Management Authority's Capital Outlay Request for 2023-2024**

**A motion was offered by Chair Hebert and seconded by Commissioner Carr.**

**Chair Hebert** called for questions and discussions.

**Mr. Capo** discussed the (4) items on the resolution: **Commissioner Carr and Adam Gulino** had a discussion around DEI's current involvement in this project beyond having already submitted plans. Commissioner Carr



- Items #1 (P2) and #2 (P5) are in the pipeline with Capital Outlay. To be mentioned again at the Recreation Committee.

We want to add items 3 and 4 to South Shore Harbor. They have been on the list for a few years.

- **#3 Silt removal – South Shore Harbor Marina - \$500,000**
- **#4 Planning, designing, and constructing public comfort and laundry facilities for South Shore Harbor Marina - \$750,000**

Adam has met with DEI to start with designing and Renee Becnel who is the architect for the state.

We also have a CEA for the picnic tables in the public park and green space.

**Commissioner Carr and Mr. Gulino** had a discussion regarding current work with DEI under the IDIQ. Whether they've provided a conceptual design package and how we should proceed with the bid process.

**Mr. Capó** added that they may be modifying the original conceptual design. We're focusing strictly on the launches on the south side of Lake Ponchartrain.

**Chair Hebert** stated that she understood the design to add another pavilion and redo the beach area and parking lot.

**Mr. Capó** agreed and said the total value of this that we're responsible for is \$666,000. The state will fund \$1,840,000. We have to put up 25% and there is an administrative fee of \$67,000.

**Commissioner Carr** reaffirmed his comment to say that we should be going out for bid. Otherwise it sounds like we would be starting over and the money we've spent previously is not being considered. Mr. Gulino added that this was done in 2019 so the cost will go up considerably.

**Commissioner Carr** stated that we need a formalized scope and would like to see something more organized around the money we've already spent.

**Mr. Gulino** stated that he could have something prepared for the board meeting next week.

**Chair Hebert** called for a vote. **With (1) abstention by Vice -Chair Lapeyrolerie. The motion passed.**

**IX. Announcement of the next Marina Committee Meeting**

- 1. TBA (Tuesday, November 8, 2022 – 3:30 P.M. STATE HOLIDAY)**

**The new date was announced Wednesday, November 9, 2022 at 3:30 PM**

**X. Adjourn at 4:31 PM**

**A motion was offered by Commissioner Carr and seconded by Chair Lapeyrolerie.**