

**MINUTES OF
LAKEFRONT MANAGEMENT AUTHORITY
MARINA COMMITTEE MEETING MINUTES
TUESDAY, APRIL 18, 2023, AT 3:30 PM**

PRESENT: Commissioner Dawn Hebert (Chair)
Commissioner Renee Lapeyrolerie (Vice-Chair)
Commissioner Esmond Carr
Commissioner Stan Brien (Arrived at 3:41 PM)

ABSENT: Commissioner Michelle White

STAFF: Louis Capo – Executive Director
Vanessa McKee – Assistant to the Executive Director
Helaine Millner – SSH Employee

ALSO

PRESENT: Jeff Dye - LMA Counsel
Anil Raj – SSH-CBS Tenant
Holly Radtke – SSH-CBS Tenant
Joe Vail – SSH-CBS Tenant
Ray Blancher – SSHCBS Tenant

The Marina Committee of the Lakefront Management Authority met on Tuesday, April 18, 2023, 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 3:31 PM

II. The Pledge of Allegiance was led by Commissioner Carr.

III. Roll Call

Mr. Capo called the roll. With (3) members present, a quorum was established.

IV. Opening Comments – Chair Hebert

Chair Hebert stated that she was anxious to get started as there were many important items on the agenda.

V. Motion to Adopt Agenda

A motion was offered by Commissioner Carr; seconded by Commissioner Lapeyrolerie.

Chair Hebert called for questions and comments. Hearing none called for a vote. All were in favor. the motion passed.

VI. Approval of Minutes

1. October 11, 2022 - Joint Marina and Legal Committee

A motion was offered by Commissioner Carr; seconded by Commissioner Lapeyrolerie.

Chair Hebert called for questions and comments. Hearing none called for a vote. All were in favor. the motion passed.

2. October 18, 2022 – Marina Committee

A motion was offered by Commissioner Carr; seconded by Commissioner Lapeyrolerie.

Chair Hebert called for questions and comments. Hearing none called for a vote. All were in favor. the motion passed.

VII. Public Comments

Mark Renton commented that he thought the boat slips needed a washer, dryer, and other basic necessities before the camera system installation.

Anil Raj, SSH-CBS tenant, commented on the proposed covered boat slip lease revisions. While he appreciated the incorporation of some of the tenants' requests, he felt there were additional concerns at the root of the problem that has yet to be considered. He said he had a written draft and would like them added to the minutes for consideration. He closed by making himself available for discussion if necessary.

VIII. Director's Report

Mr. Capo showed photos of Jefferson Sprinkler starting their work.

Adam Gulino stated that Jefferson Sprinkler has started fabrication offsite. When the components for the sprinkler system arrive, they will pull down and install sections at the same time. ITS has started its electrical components. The conduit is up and they will run the wiring in the coming days.

Chair Hebert asked when is the scheduled date of completion.

Mr. Gulino stated that originally, we estimated 100 days to completion. With the change order, we're predicting to add an additional 30 days due to Fire Marshall delays on the approval. We're now looking at 130 days which will put us in June or July for project completion.

Mr. Capo stated that Harbormaster Cain had been working on ideas to generate money for the marinas and would present his idea for use of the dry storage area as SSH.

Bruce Cain reported that he would like to put the dry storage area at SSH into commerce as a parking area for lease. Based on the numerous requests he has received to park cars, trailers, boats, and large motor homes in the area his research estimated the lot to hold 100 parking slots. He also estimated that at \$130/month per space could yield approximately \$156,000/year at full occupancy. It will need minimal fencing and gate repairs. The proposed plans for security cameras include installation in this area.

Chair Hebert expressed her concern that having to pass by this lot

may not fit well with the Coaxum project.

Mr. Cain stated that he would like to use the green privacy fence strips to aid with aesthetics.

Commissioner Lapeyrolerie asked what was his plan to fill the area.

Mr. Cain said that he would advertise and fill the spaces on a first come first serve basis.

Mr. Capo reported that the SSH occupancy is still down at 40%. Orleans Marina is still at 90% occupancy.

Chair Herbert asked what could be done to increase the occupancy.

Mr. Capo believed that the Coaxum development would encourage activity and increase occupancy at SSH.

Chair Hebert asked what was the occupancy a year and a half ago and what's the reason people are leaving.

Mr. Capo stated that it was approximately 70%

Mr. Cain stated that the municipal offered newer marinas with floating docks and better amenities.

IX. Old Business

1. Update on the South Shore Harbor Marina Covered Boat Slips Sprinkler System Project

This item was discussed during the director's report.

X. New Business

1. Motion to recommend approval of a contract with LA Tech in the amount of \$98,235.05 for the camera installation at South Shore Harbor Marina

A motion was offered by Commissioner Carr; seconded by Commissioner Brien.

Bruce Cain stated this project should be prioritized as a crime deterrent. We have had numerous trespassing calls to OLDPD at all times of day and night.

Commissioner Lapeyrolerie asked if the electrical work and camera installations directly complement the H3 electrical quote. She questioned the 200 hours of labor which equates to 5 weeks that LA Tech has quoted also asked what is H3's hourly rate. This system seems extreme compared to our other needs.

Commissioner Carr felt that the cost seems extreme based on the need and lack of occupancy. He asked if there were police reports and how many were there to support this project.

He felt that there are more constructive uses for the funds for more quality-of-life projects citing that \$20,000 was spent on new piping for diesel fuel and the pump is not completed. Tenants are looking for a laundry facility and a restroom.

Commissioner Brien was supportive of the camera installation and felt that security is an important piece to the quality-of-life measure. He agreed with Commissioner Carr's point regarding data. The cameras have been on the list of requests for quite some time long before our current harbormaster even.

Chair Hebert asked for examples of the police reports over the last 6 months that would support these security camera installations. She also asked about barricading the area to prevent trespassers.

Mr. Cain stated that the police are called to OLDPD on an average of 2 to 3 times per week regarding:

- Trespassing
 - o In the large parking area across from Parcel-L
 - o On the marina grounds
 - o Traffic doing illegal things

- There are barricades on the other side of Stars and Stripes going in currently. Placing barricades on the outgoing side would prevent tenants' access if the gate is not working

Mr. Cain stated that he did a staff study and 60% of the other marinas have security cameras.

Chair Hebert asked if Orleans Marina has cameras.

Mr. Capo stated the Orleans Marina and Southshore Harbor had cameras that were made in China.

Mr. Cain added that the Federal Government, Homeland Security directed us to stop using the cameras due to China's ability to tap into those Chinese-made cameras.

Commissioner Carr asked for clarity on the directive based on his understanding that the cameras were only connected to the guard shack and not IP connected.

He talked about POE (power over ethernet) switches and asked other questions regarding connectivity and who could access them.

Mr. Cain stated that was before his employment. Commissioner Carr and Mr. Cain discussed questions regarding camera placement and connectivity and who would be monitoring the camera.

Mr. Cain included that his master plan was to:

- Get the cameras installed, up and running first
- Address the laundry facility and restroom
- Bring the dry storage into commerce to generate money to do some of the other projects needed.

Commissioner Carr asked if there was a South Shore Harbormaster plan of action to follow or is the plan you mentioned based on what we think should be done next.

Mr. Cain stated that each of these items is in the master plan. However, they have been prioritized based on the need.

Chair Hebert asked who chose the placement of the cameras and why were they placed in clusters in some areas?

Mr. Cain stated that he chose the camera placement, and added, in detail, that in the area Chair Hebert pointed out, the clustering of cameras outside of the covered boat slips were to cover 3 gates and a bathroom which is necessary because of the constant reports of men found in the women's bathroom.

Commissioner Lapeyrolerie asked what would be the annual cost to maintain the system and warranty plan for the equipment.

Mr. Cain did not have that information in front of him.

Commissioner Lapeyrolerie discussed the importance of having the annual maintenance costs and warranty information to account for future budgeting purposes before moving forward.

Chair Hebert called for a vote. With (2) yays and (2) nays, the vote was tied.

After further discussion, the committee decided to forward this motion to the board without recommendation.

- 2. Motion to recommend approval of a contract with H3 in the amount of \$89,435.00 for electrical work at South Shore Harbor Marina.**

A motion was offered by Commissioner Lapeyrolerie; seconded by Commissioner Brien.

Chair Hebert called for a vote. With (2) yays and (2) nays, it was a tied vote. This Item will go to the next full board meeting without recommendation.

Based on the discussion from the previous motion, the committee decided to forward this motion to the board without recommendation.

3. Motion to recommend approval of the South Shore Harbor Marina Covered Boat Slip Leases for 2023-2024

A motion was offered by Commissioner Brien; seconded by Commissioner Carr.

Jeff Dye stated for clarification that this is only applicable for the (20) annual leases. It is not applicable for the (6) long-term leases. He also informed the committee that the tenant's comments were due on March 31st and the responses from the staff were due back to the tenants by April 11th.

Chair Herbert stated that there has been a lot of discussion and input by the tenants regarding the draft lease and asked for any questions or comments on the motion.

Commissioner Carr asked for a summary of where we were in reaching an agreement with the draft lease.

Chair Hebert asked if any of the comments and suggestions from the tenants were incorporated into the updated draft.

Mr. Dye replied yes and went into detail to describe the terms and provisions of the lease and how the draft lease showed the suggestions that were adopted.

Anil Raj commented that he had discrepancies with Mr. Dye's analysis of the SSH CBS tenants' suggestions. He expressed that the tenants were vexed by the timing of the Cease-and-Desist order and the unreasonable amount of time to respond given the fact that most tenants do not reside on their boats. They requested either 10 business days or 15 calendar days which has not been considered. He also discussed the issue for flammables and combustibles.

He agreed that LMA should protect and keep its assets safe for their sake as well as the tenants and asked that the LMA staff and counsel take tenants' requests in the intended context.

Mr. Dye addressed Mr. Anil's discrepancies stating that he took no issue with the request to increase the notice provisions to 10-15 days. However, he said he was most concerned with how the 15 days are calculated. The lawn mower analogy was not a good analogy given that homes are not subject to the Right to Know law.

Commissioner Lapeyrolerie and Attorney Dye discuss the legal standing of the delivery method of the default notices.

Holly Radtke, SSHCBS Tenant, commented on her issues with emailing the default notices. She also commented that the tenants requested the ability to have the full board review and decide on the issues that cannot be resolved with LMA staff.

Ray Blancher, SSHCBS Tenant, commented that the Right to Know Act was based on threshold levels. He gave an example of the threshold for gasoline and asked if 26 tenants could store 500 lbs.

He also asked for clarity on the correct timeframe to give notice to renew, is it 60 days or 30 days.

Mr. Dye stated the threshold for gasoline is under 500 lbs. At 6.8 ounces per gallon could be possible.

He also said that the current lease states that the timeframe is 90 days. However, he is proposing to reduce the time frame to 60 days to give notice to renew.

Mr. Blancher expressed his frustrations and suggested that examples of items that would be allowed should be provided.

Chair Hebert called to start the voting process for the motion on the floor.

Mr. Dye advised the committee to amend the resolution to include the change of the curating period.

Commissioner Carr commented that he expects staff to work with the tenants regarding what items can be allowed.

Chair Hebert added that tenants should be certain to have requested

items of furniture approved prior to purchasing.

Holly Radtke talked about ASTM Standards and shared them with the committee. She also shared her marina lease in Mystic Connecticut with the committee.

Commissioner Lapeyrolerie commented that she would like to see the board and staff committed to being more consistent in their business practices.

Mr. Dye advised the committee to first vote on the motion on the floor, then there needs to be a motion to amend the motion followed by a vote on the amended motion.

Chair Hebert called for a vote on the motion on the floor.

There were (3) Yay votes and (1) abstention by Commissioner Lapeyrolerie abstained. The motion passed.

Chair Hebert called for a motion to amend the motion to change the curated time to 15 days

A motion to approve was offered by Chair Hebert; seconded by Commissioner Carr.

Mrs. McKee announced that the Tier 2.1 questionnaires are due by May 15th. Hard copies are available after the meeting. Also, the ethics course is due by December 31st.

Chair Hebert announced the next meeting and called for adjournment.

XI. Announcement of the next Marina Committee Meeting

- **Tuesday, May 16, 2023, at 3:30 PM**

XII. Adjourned at