

**MINUTES OF
LAKEFRONT MANAGEMENT AUTHORITY
REGULAR MEETING OF THE MARINA COMMITTEE
HELD ON TUESDAY, July 19, 2022**

PRESENT: Chair Dawn Hebert
Vice-Chair Renee Lapeyrolerie
Commissioner Esmond Carr
Commissioner Thomas Fierke

ABSENT: Commissioner Stanley Brien

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
Ray Landeche – Lakeshore
Marcia Williams – ENONAC
Arthur Bosley – ENONAC
Guy Williams – PBF
Mark Schexnayder – Batture, LLC
Carlton Dufrechou
Dana Brown – PBF (Advisor)

The Marina Committee of the Lakefront Management Authority met on Tuesday, July 19, 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 reported that the 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 – No Minutes

Director’s Report:

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

Shown pictures of work currently being done at Orleans Marina. The Flood Authority is progressing with breaking up the concrete. We will lose some slips.

Shown 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 Pavilions. Col Cain attested that this work is now complete. The Commissioners all agree that the work looks good.

Commissioner Lapeyrolerie 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 most of the bulkheads were

failing and would venture to that they will need to be replaced from pier 2 to pier 6.

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 Capó stated that Col Cain would report on the meeting he had with the covered boat slip tenants.

Bruce 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 Capó 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 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 allowed tenants to keep flammables onsite at the covered boat slips. To do so would triple the cost.

Director Capó stated that we will continue to follow the lease. Flammables stored on our property will have to be removed. The Fire Marshal 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 Capó explained that the structures were built without LMA approval. There is one tenant structure that was approved twenty years ago. However, all the other sheds and a varnished tiki bar will have to be removed. The varnish is highly flammable.

Commissioner Lapeyrolerie asked for clarification on the necessity of the fire suppression system at the covered boat slips due to a construction code compliance issue.

Col Cain affirmed that it was 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 Lapeyrolerie 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 would remove unauthorized items and access fees.

Attorney Metzger 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 within the period given, they would be in default, and you could call the sheriff to proceed with eviction. Once we have control of the property, we will 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.

The Marina committee approved the electrical inspection at the April Committee meeting. The H3 Electric 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 would Mr. Renfroe be making his presentation at the board meeting.

Director Capo explained that there have been other meetings with Mr. Renfroe. He has since gone before the Commercial Real Estate Committee. 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. Renfroe would be able to bid once it is opened.

Chair Hebert 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 Lapeyrolerie.

Chair Hebert opened the floor for discussion.

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

Commissioner Lapeyrolerie 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 Lapeyrolerie's question, it was clarified by Mr. Hernandez that PCI is asking for consideration by the LMA board to absorb unexpected fees that 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 Lapeyrolerie asked for an explanation from the board or staff on whether this is recommended or not.

Commissioner Heaton offered her 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 defer this motion until the next board meeting due to not having enough information to proceed at this time.

Motion to defer by Commissioner Lapeyrolerie; second by Commissioner Carr.

Announcement of next Marina Committee Meeting:

- 1) **Tuesday, August 16, 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.