

**MINUTES OF
LAKEFRONT MANAGEMENT AUTHORITY
MARINA COMMITTEE MEETING
HELD ON TUESDAY, APRIL 13, 2021**

PRESENT: Chair Stanley Brien
Vice Chair Renee Lapeyrolerie
Commissioner Howard Rodgers
Commissioner Esmond Carr

ABSENT: Commissioner Thomas Fierke

STAFF: Louis Capo – Executive Director
Daniel Hill – Director of Engineering & Operations
Madison Bonaventure – Assistant to the Executive Director
Helaine Milner – Marina Administrator
Brad Vanhooose – Harbor Master

PUBLIC: Gerard Metzger– Legal Counsel to the LMA
Wilma Heaton– LMA Chair
Ray Landeche– Lakeshore Resident
Tom Long– Orleans Marina Tenant
Bob Romero– LMA Commissioner

The Marina Committee of the Lakefront Management Authority met on April 13, 2021 at the New Orleans Lakefront Terminal Conference Center located at 6001 Stars and Stripes Blvd., New Orleans, Louisiana, 70126.

Chair Brien called the meeting to order at 4:15 P.M. and led in the pledge of allegiance. Executive Director Louis Capo called the roll, and a quorum was present.

Opening Comments:

Chair Brien commented that several items had been discussed in prior meetings and would be receiving an update.

Motion to Adopt Agenda:

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

Motion to Approve Minutes:

A motion was offered by Commissioner Carr, seconded by Commissioner Lapeyrolerie, and was unanimously adopted to approve the minutes of March 16, 2021.

Director's Report:

Director Capo advised that staff would be updating the Committee on items.

Brad Vanhooose, Harbor Master, advised the Committee that the new slips resulting from the Orleans Marina North and East Wall Slips Project were complete, and there was a waiting list for the slips. He said that Entergy would be installing electrical power and a meter the following week.

He provided the Committee with the sizes of the slips and standard rates that the LMA would be charging for the new slips. He clarified that there would be no rate increases. He advised that life rings, fire extinguishers, and additional lighting had been installed near the new slips and showed photographs of the new elements.

Director Capo gave a history on the North and East Wall Slips. He informed the Committee that in 2012, the lease with Eppling and Pellius, who had developed the Peninsula Condos, had expired. After the lease expiration, the LMA took possession of the 45 boat slips that had been developed as part of Eppling and Pellius leasehold. The LMA then refurbished the slips.

The Committee complimented the result of the project.

Mr. Vanhooose showed photographs of possible options for bathroom trailers to enhance facilities at the marinas. He advised that some options cost around \$55,000.00 while ADA-compliant options cost around \$80,000 plus approximately \$2,000 for shipping. He explained that the trailers should last a minimum 10 years and require water hook ups and pump out services monthly (about \$200/month) depending on frequency of use. Mr. Vanhooose advised that the trailers would also be able to supply hot water.

Chair Brien and Mr. Vanhooose discussed dimensions of the trailer options. Commissioner Lapeyrolerie commented that the trailers appeared sturdier than anticipated.

Mr. Vanhooose advised the Committee that the trailers are equipped with a hydraulic system so they could be removed from a given site or raised in the event of higher water.

Commissioner Carr asked how often they would be cleaned. Mr. Vanhooose informed the Committee that the trailer would be added to the normal cleaning schedule in place for its permanent facilities.

Commissioner Carr asked if staff was exploring building a permanent bathroom facility.

Director Capo advised that there was a permanent restroom near Pier 1 at South Shore Harbor Marina already, but it was a long walk as there were eight piers. He advised that the restroom has flooded a few times since repairs after Hurricane Katrina.

Commissioner Carr asked if a bid package had been assembled for the build out of permanent restroom facilities or renovation of restroom facilities. Daniel Hill, Director of Engineering of Operations, advised that they had not.

Mr. Hill offered that any on-ground building may be flooded at some point, and FEMA would not be obligated to reimburse the LMA for any repairs or refurbishment because it would be constructed below base flood elevation (BFE). He advised that build out that was accessible and above BFE could cost up to \$3 million, and the use of the trailers should be more affordable in the long term. He said staff could explore options for the refurbishment of the existing restrooms; however, they were limited on space.

Commissioner Carr expressed concern about the marina remaining competitive without expansion of permanent restroom facilities.

Commissioner Romero expressed concern about the up-front engineering compliance.

Director Capo and Mr. Hill expressed concern about constructing an ADA-compliant structure that would also meet the 13-foot BFE requirement that would be affordable and practical.

Commissioner Carr suggested that staff perform a cost benefit analysis.

Mr. Vanhose explained that there was only one restroom and shower facility at SSH Marina currently, and they were able to keep it clean. He felt confident they would be able to do the same with the trailer facilities.

Chair Brien recalled that Stuart Consulting Group had performed an analysis on constructing restrooms that would be compliant with the NFIP, and it was a very large sum. He also offered that the redevelopment of 6701 Stars and Stripes may present an opportunity for the lessee to construct facilities for the benefit of tenants. He asked Director Capo to consider that as part of the RFP.

Mr. Hill asked Mr. Metzger if the permanent structure was ADA-compliant if the new bathroom trailer would need to be ADA-compliant as well. Mr. Metzger said he would need to research the issue.

Commissioners Carr, Lapeyrolerie, and Rodgers believed the new unit should be ADA-compliant. Commissioner Rodgers advised that there have been local legal issues in the past regarding ADA-compliance.

Mr. Hill said that staff would need to put out an RFP for the restrooms due to their cost. He was hopeful there were some that could be purchased through state contract, but there were none.

Mr. Vanhose explained that marina staff was considering engaging with Pierce Commercial Laundry Distributors as they service the Orleans Marina laundry facilities. He advised the

Committee that the coin-operated machines yielded a 50/50 split between the LMA and the firm. He added that the firm installs and services the machines.

Commissioner Carr recalled that staff had proposed obtaining the laundry machines and moving them to higher ground in advance of a storm event. He did not favor the idea of moving commercial equipment for concern of bodily injury or damage. He asked if the machines were insured.

Mr. Vanhooose confirmed they were and could confirm what would happen if the machines were to flood. Director Capo offered that a notice that the machines would be outside of flood protection within the agreement may be beneficial. Mr. Metzger advised that floods were considered an act of God.

Mr. Vanhooose said it was his intention to move forward with an option at the next meeting. Director Capo and Mr. Metzger advised that they would research the prior agreement for services at the Orleans Marina.

Commissioner Lapeyrolerie asked if staff met the April 1, 2021 deadline for administering the revised lease that the Committee recommended and the Board had passed. Mr. Metzger and Mr. Vanhooose confirmed that they had. She asked if the credit checks and background checks had been implemented as part of the lease. Mr. Metzger and Mr. Vanhooose advised that the credit checks and background checks would be implemented as part of the application process, and the issue was on the agenda for discussion.

She inquired about the status of the lease auditing process. Mr. Vanhooose and Director Capo advised that the lease audit was completed at Orleans Marina, and the SSH Marina lease audit was ongoing. They advised that they collaborate with GoPark for this process.

Director Capo said that some 60-day notices had been submitted to delinquent tenants in compliance with Office of Debt Recovery (ODR).

Commissioner Lapeyrolerie requested an update at the next meeting with some additional data on lease auditing process. She asked about the application and background checks.

Mr. Metzger asked if staff was requesting action by the Committee for recommendation to the Board. Director Capo deferred to Mr. Metzger. Mr. Vanhooose expressed he was hoping for a discussion for guidance on the topic.

Mr. Metzger advised that it was his opinion the application does not need acceptance from the Board; however, the Committee could make a recommendation for changes to the application.

A motion was offered by Commissioner Rodgers to allow staff to change the application for marina tenants.

It was Commissioner Lapeyrolerie's understanding that sufficient discussion already took place regarding the application for background checks.

Mr. Vanhoose said that the application had been updated to the extent in which the approved lease changes should affect the application such as additional information necessary for filing reports with ODR.

Commissioner Lapeyrolerie asked how staff was implementing the changes discussed. Mr. Vanhoose expressed concern for how background checks may discourage tenants because other marinas were not performing them in the area. She asked if they had followed up on researching best practices for public marinas. He explained that he had talked to local marina managers, including the nearby public marina in the West End area.

Commissioner Lapeyrolerie suggested that the research expand perhaps on a national level.

Chair Heaton believed it was under purview of the Marina Committee to guide staff despite the Board generally not being involved in the approval of administrative forms. She explained that the former administration did not wish to explore the possibility of implementing background checks due to potential legal liability. She believed that safety could be enhanced but everyone should be treated equally during the vetting process.

Commissioner Lapeyrolerie thought it had been sufficiently discussed.

Commissioner Carr asked Mr. Vanhoose if his concern was that the individuals who choose a marine lifestyle may not want to be subjected to background checks.

Mr. Vanhoose suggested that the competition was in the immediate area did not run background checks.

Commissioner Rodgers felt that anyone who leases from the LMA should be subjected to a background check. He believed that the surrounding competing marinas would implement a background check if the LMA did so.

Commissioner Carr said he would be open to hearing feedback about how background checks may discourage tenants and expressed concern about avoiding discrimination.

The Committee discussed how the marina staff could implement background checks for existing tenants. Mr. Metzger expressed concern about how current tenants already have a lease, and staff could not compel them to perform a background check.

Chair Brien suggested that staff choose a date in the future, such as the new year, to implement background checks with new tenants.

Mr. Vanhoose said it was his intention to have more discussion on the topic.

Commissioner Lapeyrolerie suggested that staff discuss the issue more to make a determination on the matter. The Committee concurred.

Chair Brien noted that Orleans Marina was in higher demand than SSH Marina, and Mr. Vanhose was trying to market the SSH Marina while keeping it safe.

Public Comments:

None

Old Business:

1) Update and discussion regarding the Orleans Marina North and East Wall Slips Project and upcoming leasing for new slips.

The item was covered during the Harbor Master's report.

2) Discussion regarding the updated slip rental application for Orleans Marina and South Shore Harbor Marina.

The item was covered during the Harbor Master's report.

3) Update on proposed laundry facilities at South Shore Harbor Marina.

This item was sufficiently covered during the Harbor Master's report.

4) Discussion regarding proposed restroom and shower trailer facility options at South Shore Harbor Marina.

This item was sufficiently covered during the Harbor Master's report.

New Business:

1) Discussion regarding upcoming clean sweep of the piers at the marinas.

Mr. Vanhose explained that some of the liveaboard tenants leave extraneous items outside of their leasehold on the piers, and it created situations that posed as a tripping hazard. He said staff was going send a communication to tenants to let them know their items should be picked up, and he would check the piers with maintenance crews.

2) Discussion regarding upcoming tenant event at South Shore Harbor Marina.

Mr. Vanhose explained that the former tenant of the Shore Shop, below the Harbor Master's office, had retail items left behind. He further explained that staff was going to sell the items on May 15, 2021 and invite tenants to the sale.

Commissioner Lapeyrolerie asked if an inventory had been taken and if there was photo or video evidence of what was left behind.

Chair Heaton advised that staff had taken an initial inventory and took photos.

Commissioner Lapeyrolerie asked how long the LMA had been in control of the inventory. Director Capo advised that they had possession of it since they had evicted the tenant. He further explained that there was a dispute of who owns the inventory. He explained that the LMA had entered into a settlement with the estate of the late Mr. Von Kurnatowski to split proceeds from the sale of items claimed by the estate.

Commissioner Carr said he imagined that there was not much value in the inventory. Mr. Vanhose concurred. Director Capo estimated that there was approximately \$3,500.00 in full retail value worth of items in the space.

Chair Heaton said it was her understanding that this was a means of disposing the items, so staff could make better use of the space. Mr. Vanhose and Director Capo concurred.

Commissioner Carr asked for additional details about the event. Mr. Vanhose said it would virtually be a garage sale, and the marine community would be invited.

Commissioner Carr asked if there were any refreshments or entertainment the LMA could provide. Director Capo offered that staff could reach out to a food truck vendor.

Mr. Vanhose said it was staff's desire to host more events with tenants to offer education opportunities and to build relationships with tenants, but COVID-19 had hampered past efforts.

Commissioner Lapeyrolerie and Commissioner Carr concurred that it would be a good opportunity for the marina tenant community.

The Committee commended staff for the improvements to the marina thus far.

Announcement of next Marina Committee Meeting:

1) Tuesday, May 18, 2021 – 3:30 P.M.

Adjourn:

A motion was offered by Commissioner Lapeyrolerie, seconded by Commissioner Carr, and was unanimously adopted, to adjourn. The meeting was adjourned at 5:30 PM.