

**MINUTES OF
LAKEFRONT MANAGEMENT AUTHORITY
MARINA COMMITTEE MEETING
HELD ON TUESDAY, AUGUST 17, 2021**

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

STAFF: Louis Capo – Executive Director
David Martin– Director of Engineering & Operations
Thomas “Bruce” Cain, USA Ret. – Harbor Master
Madison Bonaventure – Assistant to the Executive Director/Board Secretary

PUBLIC: Gerry Metzger– Legal Counsel to the LMA
David Jefferson “Jeff” Dye – Legal Counsel to the LMA
Ryan Foster – Engineering Manager, FPA
Karl Hudson– Orleans Marina Tenant
Nathan Junius – Linfield, Hunter, & Junius
Tom Long – Orleans Marina Tenant

The Marina Committee of the Lakefront Management Authority met on August 17, 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 3:34 P.M. and led in the pledge of allegiance. Executive Director Louis Capo called the roll, and a quorum was present.

Opening Comments: None

Motion to Adopt Agenda:

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

Motion to Approve Minutes:

A motion was offered by Commissioner Carr, seconded by Commissioner Rodgers, and was unanimously adopted to approve the minutes of June 15, 2021.

Director’s Report:

Director Capo informed the Committee that the LMA advertised and hired a candidate for the Harbor Master position through the State Civil Service platform. He introduced Col. Thomas “Bruce” Cain, USA Ret. to the Committee:

“Mr. Cain was born in Harahan, Louisiana and was raised in Bay St. Louis, Mississippi. Mr. Cain has lived in various cities as he served our country in the United States Army with multiple tours in active combat zones, including four tours in Iraq, one tour in Afghanistan, and a stint in GTMO Bay, Cuba dealing with detainee operations. He retired with over 34 years of honorable service with the rank of full Colonel. Mr. Cain has a record of accomplishments while leading large teams, including a team of over 1,000 personnel members and contractors, in a fast-paced environment and has a comprehensive background in:

- Customer Relations
- Finance: Budget Development and Implementation
- Personnel Management and Training
- Logistical Expertise and Supply Chain Management
- Operations and Maintenance Management”

Director Capo complimented Mr. Cain on hitting the ground running and for seeking solutions to issues at the marinas. He advised that Mr. Cain has already spoken with other directors to determine ways in which to offer more amenities to the marina tenants. He explained that the previous Harbor Master had purchased barbeque pits for tenants, and those would be installed soon.

Commissioner Carr asked if Mr. Cain had seen the strategic plan for the marinas yet. Director Capo believed Commissioner Carr was referring to the plan developed by the Counsels of Real Estate years ago and said he would make it available to him. Director Capo said that the former Bally’s site adjacent to the marina would be advertised again.

Director Capo explained that occupancy had decreased at South Shore Harbor Marina due to the reopening of Municipal Yacht Harbor (City of New Orleans) on the West End near Orleans Marina where there were more activities and amenities. He noted that the purpose of redeveloping the former Bally’s Casino site was to provide amenities and entertainment for South Shore Harbor Marina tenants.

Director Capo advised that staff was reviewing its hurricane plan to ensure steps had been taken to prepare for incoming storms including the removal of oil in containment areas.

He advised that after Board approvals he had signed a new lease with Mr. Lyndon Saia for Boathouse N-18, adjacent to Orleans Marina. Director Capo and legal counsel reported that he had also executed new leases with Schubert’s which would increase their rental rate by about \$50,000 annually, and he signed a new lease with Sintes which would also yield a substantial rental rate increase. Both tenants provide marine services.

David Jefferson “Jeff” Dye, Legal Counsel to the LMA, reported to the Committee that the tenant of N-29 had satisfied most requirements to avoid eviction. Commissioner Lapeyrolerie asked about the history of the Boathouse N-29 lease issues. Mr. Dye explained that the tenant, Matthews Vargas, remitted payment for rent owed the eve before the scheduled court appearance

for eviction and subsequently submitted appropriate insurance documents. Mr. Dye said the tenant also paid the Authority's legal fees. Director Capo and Mr. Dye explained that they were awaiting insurance documents from the tenant to finally resolve the issue.

Commissioner Lapeyrolerie asked if one must sue to evict a tenant. Mr. Metzger and Mr. Dye confirmed that was the case in the state of Louisiana. Commissioner Lapeyrolerie offered that the Authority could have evicted the tenant to get another tenant instead. Director Capo added that the Authority would then be responsible for inspection of the improvements.

Karl Hudson, of the Orleans Marina Tenant Association, said he had just spoken to Director Capo about the unsatisfactory service he felt the security company provided to the marinas. Mr. Hudson suggested the LMA hire as many guards as possible on their payroll for accountability reasons. Director Capo advised that he was already in discussions with Mr. Cain about creating additional staff positions for guards, and he was reviewing the budget and consulting with human resources.

Commissioner Lapeyrolerie asked about the LMA's current security staffing level and if he was aware that the security company would not report to their shifts. Director Capo advised that there were two full-time LMA guards and Gulf Coast Security supplemented additional hours. He noted that since Mr. Cain started, he had also been performing nighttime checks and discovered that a guard who was scheduled was not there. He advised that they would be ending their agreement with Gulf Coast Security.

Commissioner Carr said it was his understanding that security firms had issues with maintaining adequate staffing levels and were not able to provide staffing when they scheduled it, and Lake Oaks was having the same issue. Director Capo acknowledged that the security firm cited staffing as an issue.

Commissioner Carr asked if staff quoted the cost of restoring the proximity readers at the marinas. Director Capo said staff had not and said staff could look into it.

Mr. Cain said he had suggested hiring full time LMA employees for accountability reasons. Commissioner Lapeyrolerie offered that staff could pursue the establishment of the new positions through the State Civil Service Commission while they investigate if finding another contractor is worthwhile.

Commissioner Fierke inquired if OLDPD could provide coverage at the marinas. Director Capo advised that they have asked that OLDPD increase patrols in the vicinity of South Shore Harbor Marina; however, the department requested that the LMA pay a detail for dedicated officers.

Commissioner Rodgers asked about other police department's detail rates. Director Capo responded that they were comparable.

Commissioner Fierke offered that coverage of the marinas could be negotiated in the Memorandum of Understanding (MOU) between the Southeast Louisiana Flood Protection Authority – East (FPA) and the Lakefront Management Authority.

Public Comments:

Public comments were offered or heard during the Director’s Report.

PRESENTATION:

1) Presentation by the Southeast Louisiana Flood Protection Authority – East regarding their project, Orleans Marina Bulkhead Repair Project, in the vicinity of the floodwall.

Ryan Foster, Engineering Manager for FPA, said his purpose in attending the meeting was to give historical knowledge regarding the Orleans Marina bulkhead and path forward for its repair.

He noted a chronic issue with sinkholes in the parking lot in the vicinity of piers No. 1 and 2 in the marina. In consultation with Linfield, Hunter, & Junius, the FPA remediated a drain line last year that was partially failing below the floodwall, bulkhead, and parking area. Sinkholes that had emerged were back filled. Sinkholes reemerged despite the remediation of the drain line, so they determined that the root cause of the issue had not been addressed.

He explained that the FPA was originally seeking grant funds to finance the Orleans Marina Bulkhead Repair Project; due to the unknown time frame presented by the pursuit of the grant and the critical need for the repair grant application efforts had been foregone, and management decided to fund the project.

He said approximately 400 feet of the bulkhead would be replaced. The target date to bid the job would be sometime in November with a projected start date of January 2022. Mr. Foster said that he had met with LMA staff to receive feedback regarding concerns for access and tenants. He added that he had also met with consultants earlier that day to relay the feedback.

Commissioner Lapeyrolerie thanked Mr. Foster for sharing the good news that the bulkhead project was moving forward.

Mr. Dye asked about the status of the permits for the bulkhead repair. Nathan Junius, of Linfield, Hunter, & Junius, said that permits had been obtained from the Department of Natural Resources (DNR), and they had a Letter of No Objection from the United States Army Corps of Engineers (USACE). Mr. Junius advised that as the contractor they would provide any further information needed to entities. Mr. Dye said that Office of State Lands will need to give approval and offered to assist if they incurred an issue as he had experience with obtaining approvals on another project.

Mr. Hudson asked about disruptions in service during the repair. Mr. Foster explained that there was a condition in the contract to maintain utilities/services to tenants. He noted that the repair would cost the marina a few slips because of the design. A shift of the alignment of the bulkhead is necessary and four feet of rip wrap was needed to support the prevention of rotational failure.

Mr. Foster and Mr. Junius answered the Committee’s technical questions regarding the project.

Commissioner Lapeyrolerie asked how many slips the marina would lose because of the project. Mr. Foster said the current estimate was seven slips.

Commissioner Fierke asked what the estimated cost was going to be. Mr. Foster said the estimated cost was about \$2 million.

The Committee thanked Mr. Foster and Mr. Junius.

Old Business:

1) Update on the new slips yielded from the Orleans Marina North and East Wall Slip Repair and Reconstruction Project.

David Martin, Director of Engineering and Operations, said that all lights were working at the new slips in Orleans Marina, and new meters were able to be installed. Mr. Cain advised the Committee that about five tenants who were on the waiting list had moved their vessels into the slips.

Mr. Martin informed the Committee that the Authority was notified of a loose piling on one of the finger piers. Staff was in communication with the contractor and would be notifying Stuart Consulting Group.

Mr. Dye explained that it was too early to know if natural settling caused the piling to become loose or if it was a warranty or design issue, but legal counsel was taking necessary steps to protect the Authority. He said that they would be pulling geotechnical reports and needed to further understand the cause of the loose piling before proceeding.

Commissioner Carr asked if someone was in danger of falling into the water due to the loose piling. Mr. Martin explained that the piling was not loose enough to cause the finger pier to fail.

Commissioner Carr asked what the finished date of the project would be considered as since the slips were going into commerce. Mr. Martin said he would confirm the date.

Mr. Martin said that the issue would be put forth before the Legal Committee. Mr. Dye explained that the instructions from the Legal Committee were to complete the timeline in full after receiving additional information from TKTMJ, Inc. and Stuart Consulting Group. At that time he would also be able to render an opinion on the matter. It was his understanding that it was put out for bid, and bids were accepted in 2019. The transformer was first included in the project specifications in September of 2018. It was his understanding that correspondence about the transformer did not resurface until August 2020. He wanted to sit down with them in order to render his opinion on the matter.

Commissioner Carr inquired about the substantial completion date. Mr. Dye said it was sometime in May 2021. Commissioner Carr commented that there was about a three-month period without any electrical service. Mr. Martin advised that the electrical issue was resolved, and connection was made within the last two weeks. Commissioner Carr asked if it was taken care of by the contractor. Mr. Martin confirmed that the contractor took care of the issue at no cost to the Authority.

The Committee discussed technical details relating to electrical functions with Mr. Martin and Director Capo.

Announcement of next Marina Committee Meeting:

- 1) **Tuesday, September 14, 2021 – 3:30 P.M.**

Adjourn:

A motion was offered by Commissioner Carr, seconded by Commissioner Lapeyrolerie, and was unanimously adopted, to adjourn. The meeting was adjourned at 4:46 PM.