

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY**  
**Minutes of the**  
**Joint Marina/Commercial Real Estate/Legal Committee Meeting**  
**Monday January 12, 2016 – 2:00 P.M.**

A joint meeting of the Marina/Commercial Real Estate/Legal Committees of the Non-Flood Protection Asset Management Authority was held on Monday, January 11, 2016 at 2:00 p.m., in the Lake Vista Community Center, Second Floor, 6500 Spanish Fort Blvd., New Orleans, Louisiana after due legal notice of the meeting was sent to each Board member, the news media, and a copy of the call was posted.

Chairman Green called the meeting to order at 2:00 p.m. and led in the pledge of allegiance. The roll was called which constituted a quorum.

**Present - Marina:**

Chair William Settoon  
Comm. Glenn Higgins

**Absent - Marina:**

Comm. Stanley Brien

**Present: Commercial Real Estate:**

Chair Eugene Green  
Comm. Glenn Higgins  
Comm. Leila Eames

**Present – Legal:**

Chair Thomas Fierke  
Comm. Leila Eames  
Comm. Anthony Richard

**Staff:**

Cornelia Ullmann – Chief Operating Officer  
Sharon Martiny – Administrative Assistant  
Charles Dixon – Marina Director

**Also Present:**

Al Pappalardo – Real Estate Consultant  
Charles Curtis – Legal Counsel  
Jim Martin – DEI  
Jose Garcia  
Taylor Casey – Municipal Yacht Harbor  
Wayne Bloom – Municipal Yacht Harbor  
John Lopez – Lake Pontchartrain Basin Foundation  
Ray Landeche – Resident Lakeshore

**Adopt Agenda**

Comm. Green requested to move Item No. 8 (Presentation by John Lopez) become Item No. 7 and Executive Session be placed at the end of the Agenda after New Business. Comm. Eames moved to adopt the Agenda as amended, seconded by Comm. Settoon. Motion passed.

**Approval of Prior Minutes**

Comm. Eames moved to approve the October 13, 2015 CRE Committee meeting minutes, seconded by Comm. Higgins. Motion passed. Comm. Fierke moved to approve the November 19, 2015 Legal Committee meeting minutes, seconded by Comm. Eames. Motion passed.

## **Presentations**

### **John Lopez - Lake Pontchartrain Basin Foundation South Shore Harbor Marsh Restoration Project (in conjunction with Roland von Kurnatowski of Studio Network, Lakefront LLC)**

Mr. Lopez advised that the marsh project is a collaboration with several entities that could impact the community. The working title is South Shore Harbor Marsh Restoration Project. The goal is to enhance fishing and crabbing by creating a wetland habitat that supports crab, fish and other species found in the Lake. Water will be routed through a nearby water pump station nearby, which will improve water quality. The Project will enhance future activities that Tipitina's will provide under the agreement to develop property near Lakefront Airport. Mr. von Kurnatowski indicated Studio Network would support the project, which fits well with the potential redevelopment of that property. The first steps of the project include joint planning with partners (Flood Authority, Non-Flood Authorities and Studio Network), how to pursue funding, design, development, cost estimates, permits, secure funding and bidding out the project. Portions of the project may be done by volunteers.

The structural part of this project is to build a hard breakwater (sheet pile or stone) in two locations. The breakwaters will reduce wave energy, circulate discharge of storm water exiting the pump station and expose that water to the wetlands. The wetlands break down pollutants in the water. An additional marsh may naturally accrete with the addition of the hard breakwater. A boardwalk/fishing pier will extend into the marsh and provide a nexus to many activities. The marsh area is approximately three acres. There is no formal schedule, and the project will work parallel with Tipitina's going forward. If funding is available the project may be complete in three years. The cost of this project is approximately \$4-5 million. Comm. Green stated that any development east of the Airport will create an area of tremendous potential. A beach/marsh will provide recreation to the public and is strongly supported.

The marsh will be in an area semi-protected by existing breakwaters and possibly complimented with an additional breakwater. A shallow exposed mud flat exists, which was created by the breakwater accumulating sediment. The mud flat provides an opportunity for marsh creation as only two feet of additional mud is needed to sustain a wetland. Tipitina's potential development will be immediately adjacent to the marsh. Sediment dredged from the harbor could be utilized beneficially in the marsh project if there are no environmental contaminants. The hard breakwater may reduce maintenance in the channel by separating the channel from the area of accumulated sediment. The boardwalk and fishing pier would create a water area for kayaking, canoeing and fishing.

Comm. Settoon noted that an additional breakwater may create fill on the north side, which will hamper ingress and egress to the Marina. The bulkhead may cause additional silt to build up on the north side, and there are currently issues in that area. Mr. Lopez advised that a small beach may be constructed in that area to prevent sand from being disbursed into the channel. The issue of additional silt build up will be researched and addressed. Chuck Dixon, Marina Director, advised that a draft of 10-12 feet is maintained for Marina tenants. But some spots are shallower. Comm. Settoon noted that the Authority may change the slip structure of the Marina to offer larger boat slips which will require deeper draft. The existing bulkhead created the present silting issues.

Mr. Lopez noted that the project has multiple benefits and will provide a measure of flood protection. The project addresses water quality, creates recreation and economic opportunity. Tipitina's involvement will provide a jump start the entire process and provide additional credibility that the project will happen.

## **Old Business**

### **Status on condition of boathouses 41-46, W-1 and W-7**

The COO advised that this issue will be included in Executive Session.

## **New Business**

### **Request by Municipal Yacht Harbor to extend agreement to use the Lake Vista Community Center for one additional year to hold the Board meetings**

The COO advised that staff is in agreement to this request subject to future repairs to the Lake Vista Community Center. Repairs are needed at the Center, which repairs may require to rearrange the meeting dates.

Taylor Casey (Executive Director - MYH Mgmt. Corp.) advised that the Community Center provides a meeting space for monthly Board meetings. The Municipal Yacht Harbor administration building (owned by the City) is tied up in litigation. Capital Projects advised that resolution regarding the issue is very close. The current MOU between Municipal Yacht Harbor and the Authority expires in April 2016. Mr. Casey (on behalf of Municipal Yacht Harbor) requested the Authority extend the MOU for one additional year.

Comm. Settoon moved to extend the agreement to use the Lake Vista Community Center for one additional year to hold the Board meetings, seconded by Comm. Richard.

Mr. Casey addressed the FEMA (Katrina) claims and reconstruction of the Municipal Yacht Harbor. Capital Projects is administering several Claims on behalf of the City; the major claim being the Harbor claim. Additional claims include the boathouse for the fire dept, and valuation of the Harbor claim (\$8 million differential). FEMA elected not to fight the claim in arbitration, and the valuation issue has been resolved. The claim is being converted from a repair claim to a replacement claim (\$21-\$28 million). FEMA requested, and an RFP has been completed, for a marina feasibility study which would determine slip sizes, slip mix, etc. Moffett, Nickel (marine engineering firm) was awarded the contract. The study was forwarded to Capital Projects Administration who will handle final negotiations with FEMA. The study is not a public document at this time. Once the document is reviewed by Capital Projects, Municipal Yacht Harbor will share same.

Comm. Green moved to extend the MOU for one additional year for Municipal Yacht Harbor to lease the Lake Vista Community Center, second by Comm. Settoon.

### **Discussion regarding bulkhead at Orleans Marina**

The COO advised that Anders Construction (currently examining piles for W-1 through W-20) advised of a small breach in the bulkhead. The sheet pile condition is poor and corrosion at the mud line ate through the wall. Fill behind the wall is eroding from the parking lot into the Marina. Mr. Anders advised that replacing the entire bulkhead requires moving tenants out of those piers. Replacement of the bulkhead could cost millions of dollars, and would require driving sheet pile at the bulkhead. Comm. Settoon requested the COO provide a quote for replacement of the bulkhead on the entire south side of Orleans Marina.

The COO advised that the cost to inspect the bulkhead would be several thousand dollars. A diver would rent a meter that tests the sheet pile thickness (metal meter). Comm. Green suggested authorizing the same firm that inspected the pilings to inspect the sheet wall.

**Discussion regarding waiver requested by Charles Curtis, Esq**

Charles Curtis (Legal Counsel for the Authority) advised that he leases a 30-foot boat slip in the Orleans Marina. Leasing the boat slip is technically doing business with the Authority and a written waiver is required from the Authority waiving potential conflict of interest which may arise as a result of the boat slip lease. The minimal lease (\$2,000 annually) is one of several hundred boat slip leases. The Waiver would waive any conflict of interest which may arise as a result of Mr. Curtis doing business with the Authority.

Comm. Fierke suggested an amendment that prevents Mr. Curtis from lobbying for rent changes of any type. Comm. Settoon noted Mr. Curtis' institutional knowledge and recommended the Authority accept the Waiver, second by Comm. Richard. Comm. Fierke requested a motion the Joint Committee agree in principal these with the Waiver request. Comm. Settoon moved to allow Comm. Fierke to amend the Waiver as described above and that the joint Committees agree with the Waiver request in principal, seconded by Comm. Eames.

**Confirm dates of February Legal, Commercial Real Estate and Marina Committee meetings (Mardi Gras falls on February 9, 2016)**

Comm. Fierke advised that the Legal Committee will meet on February 4, 2016. That is the Thursday before Mardi Gras at 2:30 p.m. Comm. Green advised that the CRE Committee will meet on February 4, 2016 at 1:30 p.m. Comm. Settoon advised that the Marina Committee will keep its original meeting date of Tuesday, February 2, 2016 at 4:30 p.m.

**Executive Session**

*Duplessy v. Mayer*, CDC 10-12602 "E"

Boathouses 41-46 and along New Basin Canal (R.S. 42:17(A)(2) (2))

A unanimous roll call vote was taken and members conducted Executive Session. No votes or action were taken.

**Announce Next CRE Committee Meeting**

Chairman Green announced that the next Commercial Real Estate Committee meeting is scheduled for Thursday, February 4, 2016 at 1:30 p.m.

**Announce Next Marina Committee Meeting**

Chairman Settoon announced that the next Marina Committee meeting is scheduled for Tuesday, February 2, 2016 at 4:30 p.m.

**Announce Next Legal Committee Meeting**

Chairman Fierke announced that the next Legal Committee meeting is scheduled for Thursday, February 4, 2016 at 2:30 p.m.

**Adjournment**

Comm. Settoon offered a motion to Adjourn, seconded by Comm. Higgins and unanimously adopted. The meeting adjourned at 4:02 p.m.