

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE MARINA COMMITTEE MEETING
THURSDAY DECEMBER 3, 2013 – 10:30 A.M.**

The regular monthly meeting of the Marina Committee of the Non-Flood Protection Asset Management Authority was held on Thursday, December 3, 2013 at 10:30 A.M., in the Lake Vista Community Center, 2nd 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 Dufrechou called the meeting to order at 10:27 p.m. and led in the pledge of allegiance.

The roll was called which constituted a quorum.

PRESENT:

Chairman Carlton Dufrechou
Vice-Chair Stanley Brien
Commissioner Pearl Cantrelle
Commissioner Robert E. Smith Lupo

STAFF:

Louis Capo - Executive Director
Chuck Dixon – Marina Director
Sharon Martiny – Non-Flood

ALSO PRESENT:

Gerry Metzger - Legal Counsel
Al Pappalardo – Real Estate Consultant
Mike Gillen – South Shore Harbor Marina Tenant
Kimball Schlafly – Schlafly Engineering, Inc.

ADOPT AGENDA

Commissioner Lupo offered a motion to adopt the Agenda, seconded by Commissioner Brien and unanimously adopted.

APPROVAL OF PRIOR MINUTES

Commissioner Lupo offered a motion to approve the minutes of the July 11, September 5, October 1 and November 5, 2013 Marina Committee meetings, seconded by Commissioner Brien and unanimously adopted.

OLD BUSINESS

1) Update on security measures at South Shore Harbor

Chuck Dixon, Marina Manager, advised that pedestrian gates were installed at South Shore Harbor. A bid was received from Trilogy Locks in the amount of \$2,900 for locks to be installed on both gates using the same locks as Orleans Marina. There has been some discussion regarding another lock in which each tenant is given the same code to use for entrance.

Mr. Capo advised that there is a walk in gate on the east side and a fence area on the west side that currently has a chain and a pad lock. The lock is opened at 6:00 a.m. and closed at 8:00 p.m. by the security guard. The South Shore Harbor Tenant Association advised that it is currently problematic for tenants to access the gates after 8:00 p.m. and a request was made for a combination lock.

Mike Gillen, Tenants Association, advised that the pedestrian gates are locked after dark and tenants have no access to the outer perimeter of the

marina. Tenants within the covered slips have no access into the Marina to use restroom facilities after hours and this has presented a problem. Approval for the locks was given in October. The two proposals for the locks were approximately \$3,000, which seems high. Industrial grade, marine quality double sided keypad locks were found on-line at \$400 per lock. It will cost approximately \$500 for a welder to put gate boxes on the locks. The locks are needed to allow tenants access after-hours and it is a security item also. Mr. Dixon advised that the issue with purchasing locks on-line is the Authority becomes responsible for maintaining the locks. A lock with a five button keypad that is weather resistant is preferred.

Mr. Capo suggested that the gates be kept open longer. Mr. Gillen agreed and advised that gates being open would compromise security. The purpose of the fence was to provide a secure facility. Mr. Capo suggested leaving the one gate on the west side by the covered slips be kept open longer to allow tenants to access the rest room facilities.

Mr. Gillen suggested leaving the gate by the promenade near the covered slips unlocked for a longer time. That gate is in straight line view of the guard shack and is less likely for the public to access from that point. Mr. Gillen encouraged Mr. Dixon check into pricing on the locks for a better price than the quote received from the vendor and questioned the bidding process. Mr. Dixon advised that he specifies the type of lock and that is what was requested in the bid from Trilogy and Simplex. Mr. Gillen requested the specs be sent to the Tenant Association to further explore pricing on the locks as well. Chairman Dufrechou advised that Mr. Dixon get these locks installed for the end of the year.

Mr. Dixon addressed the cameras at South Shore Harbor and informed that Project NOLA prepared a needs estimate of approximately \$13,000 and that project is progressing. The lowest bid was \$35,000 from Honeywell. Mr. Capo advised that it would cost approximately \$300 to install the cameras and an additional \$45-\$50 per month to monitor the cameras. Those numbers were not from Project NOLA. Mr. Dixon advised that Project NOLA should provide the grant money for this project. Chairman Dufrechou noted for the record Commissioner Cantrelle's arrival at 10:38.

Mr. Dixon informed that the power pedestals, dock boxes and piers are currently being power washed. A regular dry brush is being used to clean where the power plugs and circuit breakers are on each slip. A water-based spider insecticide will be used to rid the area of spiders.

Commissioner Lupo addressed an e-mail regarding a large boat at South Shore Harbor that did not have access to the correct connector or amperage for the boat. Mr. Dixon advised that several weeks ago a transient boat needed three phase power and the only transformer with three phase power is at Pier 8. There was an issue and the boat could not get power. Mr. Pisciotta reported that a new transformer was needed, which costs approximately \$2,500 and another \$900 for installation. The boat owner was notified and offered use of the Pennick Dock at Orleans Marina for the same rate. The boat owner is awaiting the Captain's return from San Juan. The owner of the transient boat has been at South Shore Harbor approximately four weeks and does not want to dock at Orleans Marina.

Mr. Dixon informed when large boats arrive three phase power is available on the Pennick dock. There is only one power pedestal with three phase power at South Shore Harbor. More power is needed at Pier 8 as there were two large boats recently docked that had to use generators because no power was available. It will cost approximately \$75,000 to run new cable and duct work to put more power at the end of Pier 8, which is not cost feasible. Three phase power is only available at the Pennick Dock. Mr. Gillen advised that larger boats have three-phase electrical service which is a commercial service. There are three hot legs, a neutral and a ground needed for three phase power. The yacht being discussed is an 80-foot custom yacht that arrived several weeks ago. The South Shore Harbor Marina website advertises three phase power. The pedestal is there, but inspection of the pin on the receptacle indicates that a large 100 amp plug on the pedestal is missing one of the internal pins. Replacement of the receptacle may resolve the issue, but if it is a bad transformer that is a different issue.

Mr. Gillen advised that frustration results from the website advertising the ability to handle transient yachts with three phase service and a 100 amp plug. This yacht cannot power the refrigeration unit or on-board food storage so the generator runs several hours a day to avoid food spoilage, which has cost the yacht owner approximately \$1,500 to gain power that the Marina should provide. Mr. Dixon advised that HTE was the electrical contractor who re-built everything after the storm. According to the specs the three phase power should be working. Commissioner Lupo suggested that Mr. Dixon contact HTE to find out what is going on and advise that a boat owner has spent \$1,500 on something that should be in working condition. Have the electrician identify the problem and get a quote to bring to the Finance Committee to determine if this can be repaired. The Authority cannot advertise something that is not provided. If it is in print the Marina should provide it. Chairman Dufrechou advised to pull that advertisement out.

Mr. Dixon advised that the 32 dock boxes damaged in the last storm should arrive by the end of the week. One bid was received for \$5,900 to remove the 32 broken dock boxes and reinstall 32 new dock boxes. The problem comes with finding companies that provide longshoreman's insurance. Commissioner Lupo noted that the longshoreman's insurance is running the price up. Mr. Capo advised that funds for the dock boxes are a 75/25% split from FEMA, with the Authority paying 25%. The labor is also a 75/25% split covered by FEMA. The money is obligated so the Authority pays up front and is reimbursed by GOHSEP.

Mr. Dixon advised of five damaged lighting fixtures on Pier 8 at South Shore Harbor. FEMA will not do a PW for anything under \$10,000. The fixtures will cost approximately \$6,300 and installation will bring the number close to the \$10,000 mark. DEI is assisting with this issue as DEI has been assisting both Marinas with the last storm's damage. The fixtures are made in Canada upon order and take approximately two months to receive. Mr. Capo noted that a local fabricator who can fabricate the lights should be pursued as these lights are constantly breaking. These fixtures are similar to the ones on Lakeshore Drive that are provided by Ideal Lighting. Some lights on the outer end of the peninsula will be transferred to the promenade to provide additional lighting and keep the promenade area lit.

In talking with suppliers, the numbers are not that different with a fixture of that size. Chairman Dufrechou requested a price on the fixtures by the next Marina Committee meeting. Mr. Capo has authority to transfer fixtures from the peninsula to the promenade at South Shore Harbor Marina. Mr. Gillen noted that the balance of the fixtures simply need light bulbs replaced and requested Mr. Pisciotta replace the bulbs that are out. Chairman Dufrechou requested that Mr. Pisciotta perform a drive through at the Marina to determine which lights had to be replaced and get the lights replaced.

Mr. Dixon advised that HTE and the engineering partner will determine a cost for inspection of electrical fixtures at South Shore Harbor. Chairman Dufrechou addressed the pedestals on each pier and questioned if a spot inspection was going to be performed. Kimball Schlafly, Schlafly Engineering, advised that a walk-through would be performed. With South Shore Harbor being a 2009 installation it will be much newer and more accessible. After the walk-through an assessment will be taken of what repairs are appropriate.

2) Update on electrical inspection report at Orleans Marina

Mr. Schlafly informed that the Orleans Marina inspection is complete. The equipment is not falling apart; it is in relatively decent condition. The big problem is that this is a 20-year-old installation that was partially rebuilt after Katrina. The original equipment is old and hard to replace. Over the years pieces have been replaced with whatever could be found and is causing electrical coordination problems. There are circuit breakers too big for the wire they are protecting and wiring too small for the service the wire is providing. This has migrated over the years. What started as a corrosion inspection to determine what was failing turned into a code review of the installation. Several key issues are addressed in the report.

One issue is how the meters feed power to the plug boxes. The plug boxes were replaced post Katrina. The wiring installation to the plugs is inadequate and not what was originally installed. The wires are small, sometimes missing, and causes a condition where there can be a burn out of the meter, plug box or wiring in between. There are several slips with this inadequate situation and is the scariest issue at the Marina. The Marina was partially rewired after Katrina. Without reviewing the design documents or exact scope of work, there is evidence that the main feeders and panel boards are original. The drops from overhead that went into the flood waters were replaced, but not in a proper equal installation. Slip owners can rig something to pull more power than the wiring can support, which may have contributed to meter fires that occurred previously.

The equipment is so old that the main distribution equipment is becoming problematic to maintain as third party suppliers are rebuilding breakers that fit the panel boards. Not all sizes are available and a different size is used to get things working. The actual demand load from boats is minimal and has stayed below conditions which would cause a problem. If utilized to its full capacity, things would burn very often. Pressure washers and air conditions could cause a problem. The overall recommendation is to prepare the master plan for replacement of the older equipment. Katrina caused everything down low to be replaced, but everything up top must be replaced because it is at the end of its life. Post Katrina the equipment is fine, but the wiring has to be addressed. This is not a dramatic issue. Each case is minor, but there are 350 slips to be repaired.

Mr. Schlafly advised that the inspection does not include an estimate to repair the issues. A Coordination Study is recommended, which is a Code and Performance Study rather than a Corrosion and Physical Inspection. Through

the Coordination Study a Master Plan could be developed and budgeted for the Authority. The only safety issue at the time are the plug boxes and wiring to the meters which is the most important issue to address. Installation is not identical from Pier 6 to the East Pier. Pier 5 and 6 are done as they were originally installed with like replacement. Piers 4, 3, 2, 1 and the East Pier indicate smaller wires were used and only one of two phases was wired. If a tenant rigs the load to three plugs the wire would burn up. Mr. Dixon advised that there have been two meter pan fires. Mr. Capo noted that BKI (Burke-Kleinpeter) was the engineer that did the design work for the Orleans Marina. Commissioner Lupo requested BKI attend the next Marina Committee meeting to answer questions based on observations made by Schlafly Engineering. Mr. Capo advised that this was shortly after Katrina and may have been handled by the Engineering Department at Orleans Levee District. I would have to pull the contract to find out the specifics.

Commissioner Cantrelle questioned if City inspectors are required to inspect work done on the Authority's property. Commissioner Lupo advised if something is done at the Marina, the City is not required to do inspections. Tenants such as the new restaurants require City inspections in order to receive an occupancy permit. Mr. Dixon is not required to get an occupancy permit for any work performed at the Marina and as a result, a City inspection is not required. City inspections are not required as all State owned properties do not come under that jurisdiction. Mr. Capo noted that the only inspection the Authority receives is the State Fire Marshall inspection. Commissioner Lupo advised that the specs require that codes be met. Either BKI was hired to perform the inspection or the Orleans Levee District Engineering Dept. performed the inspection to make sure it was done to code because the District was not required to get City inspection. This Authority could build things on its property without getting permits. South Shore Harbor Marina was built in 1986 and was within every code the City and State requires.

Mr. Capo advised that a contract has three phases: design, construction and construction administration. The contract must be pulled to determine what BKI was required to do. Commissioner Lupo noted that somebody is at fault. There is no way the design was approved by an electrical engineer to install undersized wiring or install four plugs with wiring and amperage for only one. Mr. Schlafly agreed and advised Mr. Capo to request a complete set of bid documents from BKI.

Mr. Capo questioned if additional plugs were added when the Katrina repairs were done or subsequent to those repairs. Mr. Schlafly advised he could not say what existed prior to Katrina, but the standard was typically two 30 AMP plugs until Pier 1. Pier 1 has larger boat installations, larger single phase and larger three phase power and two plugs was the standard. If the repairs were like replacements post Katrina under a FEMA project work order, the Authority should have received that like replacement. In each case there are plugs, but not the wiring to complete the installation. I cannot say it is not to code because this is not a residence or commercial business. Six is the correct size for any service, but a Marina condition does not pull that much power so there may be some exceptions. Having a missing wire is not right as every meter should have two hot legs coming through it. Having no connection on one of the two legs is inadequate and caused one of the plugs to be dead. The report notes one plug is dead and one phase is missing. In certain cases a boat tenant put jumpers in and moved the breaker to make both plugs hot, which is not good.

Mr. Schlafly advised a proposal for South Shore Harbor will be forwarded. Mr. Capo advised if the proposal is under the threshold, the inspection will be approved to get that project moving forward.

3) Update on Seabrook Boat Launch

Mr. Dixon advised that riff raff washed onto the main passage leading to the Frank Davis Fishing Pier. The pier was designed to where the sidewalk does not go all of the way out to the pier, it stops. That is an issue that will be looked into because it is a safety issue. Commissioner Lupo suggested and Mr. Metzger agreed that the pier be closed due to unreasonably dangerous conditions.

Mr. Capo informed that there was no sidewalk prior to last week's storm. The riff raff is the only way to access the pier. Chairman Dufrechou questioned if the riff raff would provide decent access. Mr. Capo advised that the riff raff would fill in the holes where the sidewalk eroded. This has been the condition since 2006, when this Authority took over the Frank Davis Pier. Mr. Dixon advised that wave action has picked up the boat launch so it has been blocked. The boat launch was recently repaired prior to this new damage. The two smaller boat launches are fine. Commissioner Dufrechou advised that he would examine the Frank Davis Pier to determine if something can be done to make the Pier more resilient. It was agreed that the Frank Davis Pier would be closed due to safety issues.

Mr. Dixon advised that the Flood Authority would bring riff raff and pull the Jersey barrier up. Gerry Gillen from the Flood Authority is coordinating the transport of the riff raff. Commissioner Lupo suggested that Mr. Gillen be shown the condition of the sidewalk and boat launch and advised that it is an unsafe condition, and the Authority has no money to make the proper repairs. Advise Mr. Gillen that the Pier will be closed and permanently blocked unless the Flood Authority agrees to provide an appropriate safe access from where the concrete stops and the Pier starts. The Non-Flood Authority cannot take that liability on. The Flood Authority could assist and pour a concrete section while the equipment and manpower are currently out there.

Mr. Dixon advised that the north peninsula at South Shore Harbor has been raised approximately three feet with the sand from the Bayou St. John dredging. The peninsula will then be capped with mud and clay from the Lakeshore Drive cement cap project. The north side of the peninsula has been raised to fill the gap between the Jersey barrier to prevent the mud from pushing against the barrier. This will protect the boats from north winds. After the grass grows in that area, the peninsula can be used for festivals and promotions.

Mr. Dixon informed that a food truck will be at South Shore Harbor on January 4th, which is a Saturday right after the holidays. The owner understands that this is a questionable time, but she has provided insurance and the Authority is named as the additional insured. E-mails were distributed to several people regarding the beverage distribution end. Logistically, it will be determined where to locate the food trucks because people follow the food trucks on Twitter so the trucks should be available to those that follow the food trucks. The area that is being considered is underneath or outside of the driveway near the area that was cleaned for the tenants to use by the old Bally's terminal. Stars and Stripes would be opened to allow access to the food truck. Mr. Capo noted there is no cost to the vendor for the food truck as this is a trial run to determine if this can work for the food trucks and the tenants.

Mr. Capo advised the Committee that on the first Saturday in January South Shore Harbor Marina will be open from 8:00 to 1:00. Staff will work four hours on Saturday and four hours on Wednesday. Currently, there is no Marina presence at South Shore Harbor on the weekend and those who work cannot get to the Marina during the week.

PUBLIC COMMENTS

Mike Gillen – South Shore Harbor Tenants Association

Mr. Gillen requested on behalf of the Harbor Association that permission be given to interact with the consultant and engineer doing the inspection at South Shore Harbor to advise of deficiencies during the course of the inspection and prior to the report to the Marina Committee. Chairman Dufrechou suggested Mr. Gillen compile a list of issues that the tenants are aware of at South Shore Harbor Marina. If Mr. Schlafly is unable to meet with Mr. Gillen, he will be aware of the problem areas.

Mr. Gillen addressed fill for the peninsula and advised of an abundance of fill within the Marina. There is currently 1,000 feet of unusable dock space due to the area being backfilled to two feet deep. A boat cannot navigate in that section, but there is a navigational marker that can lure a boat into a shoaled area where the boat will run aground. The fill within the Marina could be used for fill on the point and is more cost effective. The area that cannot be utilized can be restored and the fill product needed to rebuild the peninsula is nearby. Mr. Dixon advised that the fill, leveling and bulldozer work are costing the Authority nothing. It is cost effective for the Authority because the haul is shorter.

Mr. Gillen advised of two locations within the Marina that pose a hazard to mariners; one of which is where the Bally's boat was previously docked. The metal pilings which supported the boat were cut after the boat was moved. The pilings were not cut low enough due to the riff raff which prevented contractors from lowering the pilings any farther. Two Marina tenants did sound testing and determined the pilings are five feet below the surface of the water. Many sailboats have a draft considerably deeper than five feet and there is the potential that a sailboat could strike one of these objects which are located directly next to the pump-out station. Mr. Gillen advised that a commercial diver was contacted and will take photographs and measurements so there will be accurate information to work with. When the pilings were cut, two "Shallow Water" signs were installed where the jagged metal pilings are located below the surface of the water. A notice should be distributed to the tenants by the Marina Director identifying obstacles below the water line. These obstacles pose a hazard to the boaters, particularly larger boats trying to get alongside the pump-out station. The "Shallow Water" sign should indicate that there are underwater obstacles and advise the boaters of a potential hazard. Commissioner Dufrechou requested that Mr. Dixon order a sign that reads "Underwater Obstacles".

ANNOUNCE NEXT MEETING

Chairman Dufrechou announced that the next Marina Committee meeting is scheduled for Tuesday, January 7, 2014 at 10:30 a.m.

ADJOURNMENT

Commissioner Lupo offered a motion to Adjourn, seconded by Commissioner Brien and unanimously adopted. The meeting adjourned at 11:37 a.m.