

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE MARINA COMMITTEE MEETING
THURSDAY SEPTEMBER 5, 2013 – 4:00 P.M.**

The regular monthly meeting of the Marina Committee of the Non-Flood Protection Asset Management Authority was held on Thursday, September 5, 2013 at 4:00 P.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 4:11 p.m. and led in the pledge of allegiance.

The roll was called which did not constitute a quorum. The Marina Committee meeting started as informational only until a quorum was constituted at 4:21 p.m. with the arrival of two additional commissioners.

PRESENT:

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

STAFF:

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

ALSO PRESENT:

Gerry Metzger - Legal Counsel
Al Pappalardo – Real Estate Consultant
William Hoffman – Commissioner
Gene Simon – Tenant South Shore Harbor Marina
Al Herrera – Tenant South Shore Harbor Marina
Ray Landeche – Lakeshore subdivision

ADOPT AGENDA

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

APPROVAL OF PRIOR MINUTES

The minutes of July 11, 2013 were deferred until the October Marina Committee meeting as all Committee members did not review the minutes.

OPENING COMMENTS

Chairman Dufrechou informed the Committee of his background in small end sailing and of his association with Lake Pontchartrain. The Marinas have been an anchor to the community. South Shore Harbor is a diamond in the rough with plenty of potential. Mr. Capo and Mr. Dixon will schedule a walk through Orleans Marina and South Shore Harbor to get me familiar with those facilities and update me on current issues and we will go from there.

PRESENTATION ON CURRENT MARINA ISSUES

Mr. Dixon informed the Committee of several burglaries and major thefts at South Shore Harbor Marina. A security plan to attack this problem is underway. The New Basin Canal slips will be open soon and there is an issue for the Finance Committee regarding electrical issues. The Orleans Marina and South Shore Harbor Marinas were chosen by the Dept. of Natural Resources as the model to be used for the Clean and Resilient Marina of Louisiana.

Mr. Capo noted for the record the arrival of Commissioner Cantrelle.

NEW BUSINESS

1) **Discussion and approval for security fencing at South Shore Harbor Marina**

Chairman Dufrechou informed the Committee of a series of break-ins at South Shore Harbor Marina during the past several weeks.

Mr. Dixon informed that the break-ins have ceased and security has been increased to two guards at night patrolling 24 hours on weekends. Guards now stay on the promenade to have a better view of the entire Marina. Proposed security measures at the Marina include fencing, gates and barriers. Jersey barriers will be placed by the intersection at Stars & Stripes to deter vehicles from entering and driving to the back of the old Bally's building. The barriers should be in place by September 14th. Fencing will start where the Casino sports lounge used to be and continue to the Promenade, past Pier 8 and back to the curb. The fencing will go back to the Marina and will include a three foot fan that extends out to the water. An access gate will be put in place and open during the day. At night shortly after sundown the gate will be locked.

The Jersey barriers will stop vehicles from going behind the Bally's building. The barriers can be moved back and forth by a fork lift for functions held at South Shore Harbor. The Flood Authority will assist with providing and moving the barriers. The barriers are temporary security until a decision is made regarding the old Bally's terminal building.

Mr. Dixon advised of safety issues with people using the area around the old Bally's building. If a person enters the area and gets hurt the Authority is liable. Mr. Metzger noted that there had been a safety railing where the Point Building is, but that railing is now gone. Mr. Capo noted this was more of a security issue due to the Point Building being robbed of copper and vandalized after Katrina. There were air conditioning units in other places also in which the copper was stolen. Vandals entered the Bally's Terminal Building breaking through the front doors. Since that time fishing has not been allowed in that area. As a courtesy, Orleans Levee District police advise the public that fishing is not allowed in that area.

Commissioner Cantrelle suggested this matter be discussed as it is public property. If people are just fishing and causing no problems there should be no issue with people using that area. Mr. Capo advised that the recent break-ins caused a security concern. Chairman Dufrechou clarified that the fence prohibits access from east to west making it difficult to gain access to the Peninsula area. However, Commissioner Cantrelle has a good point in that if public access is cut, the Authority is not doing its' job.

Commissioner Dufrechou noted for the record the arrival of Commissioners Brien and Lupo, which constituted a quorum. The Agenda was adopted and July minutes were deferred until the October Marina Committee meeting as all committee members had not reviewed the minutes.

Commissioner Dufrechou noted that the Authority should maintain access to the public areas as much as possible, but considering the recent break-ins at South Shore Harbor this committee should consider what staff is recommending. The barrier can go out immediately. After the fence is in place and security is stabilized this issue can be reviewed in the next 60-90 days.

Mr. Dixon advised that an ornamental gate will be installed across the Promenade in the front portion of the Marina from the covered slips to the existing fencing. This fence will block entrance on the west side. Commissioner Dufrechou noted that tenants will gain access through a key card and show a valid driver's license. Mr. Capo advised that fencing proposed for the east side is approximately \$9,000-\$10,000 and is within the Executive Director's purview to authorize. When the quote is received for the west side and if it is within Executive Director authorization, due to the recent rash of break-ins, the fencing should be installed.

Commissioner Dufrechou conferred with the Marina Committee and authorized Mr. Capo to move forward with the fencing. Mr. Metzger advised that Mr. Capo has authority to move forward with contracts under \$25,000 after notification to the Finance Committee.

2) Discussion and approval regarding security plans at South Shore Harbor Marina

Mr. Dixon advised that the low bidder for security cameras was Stanley at \$30,000 for nine cameras. The cameras are fixed and record continuously and guards can monitor the cameras. When there is motion in a particular area, the camera will give an alert that there is motion in the area. Cameras will be pointed in various directions and at the entrance gate to give complete coverage of the Promenade and parking lot. There are currently no funds for the security cameras, but bids were obtained to get an idea of the costs involved. Chairman Dufrechou advised to do the fencing immediately and the cameras would be discussed the next go around.

Mr. Dixon suggested placing aluminum gates at the heads of each pier such as the gates at Orleans Marina. Quotes were received for the gates and EBE Fencing was the low bidder at \$29,000. Chairman Dufrechou noted that the fencing would secure the entire area and the gates would secure each pier. The outer fence will be placed immediately and when funding is in place the gates will be addressed.

Commissioner Lupo questioned the reason for two forms of perimeter fencing. Mr. Dixon stated that there are several ways people can enter the perimeter fencing. The outer fence is the first line of defense and deters the public and/or vandals from entering the Marina. Gates at the head of each pier will deter people from coming on to the pier. The gates and locks will alert staff of any problems during the night by providing information on who programmed the lock to go inside of the gate.

Mr. Capo noted that as many barriers as possible should be placed in front of perpetrators. The Jersey barrier keeps vehicles from the entire area. The perimeter fence will deter people from having easy access into the Marina. If the perimeter fence is breached, there will be an additional gate at the head of each pier before gaining access to a pier where the tenant's boats are docked.

PUBLIC COMMENTS

Brooke Weber – Tenant at South Shore Harbor

Mr. Weber advised the multiple lines of defense are for different types of predators. There are two kinds of tenants in the Marina: tenants of the Marina in general and tenants that are supposed to be on each pier. A tenant on Pier 2 does not have any authority to be on Pier 4 or any other pier unless by invitation. There is no guarantee that the problem with theft is coming from outside of the Marina. The fences, barriers and gates give a line of defense not only from what comes from outside of the Marina, but what may take place inside of the Marina. South Shore Harbor Marina is home to my family. The perimeter gate would make it harder for someone to approach me, my family or anybody else walking from their car down a pier in the middle of the night. There is nothing in place to prevent vandals access to that side of the Marina whether it be by foot or vehicle. I respect the Authority's position to keep public property public, but this particular public property has a draw to unsavory activities after dark. Once a vandal enters the area there are billions of dollars of boats and it is only a matter of time before they realize there is no security or foot traffic and venture on to one boat. That one boat becomes another boat and which could eventually lead to someone bringing a fire arm.

Gail Materne – Tenant at South Shore Harbor

Ms. Materne stated that the problem is when you get to the Bally's building the fence ends. The portion along the front of the Bally's building and to the side is totally open. Our first priority is to secure that whole area around Bally's.

Mike Gillen - South Shore Harbor Tenant

Mr. Gillen noted that he is the unofficial head of the newly formed South Shore Harbor Tenant's Association. There are serious security issues at South Shore Harbor Marina. The top priority is pier gates, but that does not mean perimeter fencing should not be included. Security at South Shore Harbor is a veneer at best. Through the courtesy of the incoming Board Chairman, security has increased twofold. Until the perimeter is secured with fencing security is a joke. There is a 40-foot gap adjacent to the driveway gate with a code that can essentially be made up. Until perimeter fencing secures and separates the Bally's Building from the Marina, security is a joke. Until Jersey barriers are placed on Stars & Stripes to deter vehicle traffic from entering the area, security is a joke. Crime cannot be stopped, but it can be slowed down. Heightened security is needed at South Shore Harbor Marina. Since July, twelve boats have been burglarized, not just vandalism or theft but felonies. Boats were physically boarded, broken into and items including two handguns were stolen so these people are now armed. People like Mr. Weber who lives on board and Ms. Materne are afraid for their safety under the current conditions. The tenants of South Shore Harbor Marina have been asking for help since July. This calls for heightened action by this Committee and the Board. Something seriously wrong will happen, it is just a matter of time. We need help and we need action now. Please give the tenants of South Shore Harbor Marina relief and give us relief quickly. Individual pier gates, perimeter fencing and Jersey barriers are desperately needed and that is just the start.

Chairman Dufrechou stated that the Committee wants to assist the tenants at South Shore Harbor, but there is also fiduciary responsibility regarding the budget and the Authority has to stay within the dollars available. There is approximately \$25,000 in the budget. If the lower options are chosen both are affordable. If the pier gates are chosen, it will require the Finance Committee to weigh in for the additional \$4,000 and the perimeter fence will no longer be an option in the near term. Mr. Capo will be authorized to move forward with perimeter fencing and this Committee will do everything possible to secure the additional \$30,000 for the pier gates.

Chairman Dufrechou requested the tenants appear before the Committee in one month at which time the Committee will have an answer regarding pier gates. Bids were received for the pier gates, but the problem is that an additional \$30,000 is needed that the Authority does not currently have.

Mr. Nelson advised the Committee that there will be funding available from the Walter Wedell Hangar if the Authority decides to utilize that as an alternate project. Total funding is approximately \$2.5-\$3 million. Those funds are not available today and it will be approximately 8 months before funding is in place. Of that \$2.5-\$3 million, \$500,000 will cover NFIP penalties that were paid out. The \$500,000 reimbursement is cash in hand and can be used for operating expenses. The remainder will be for facility projects such as bricks and mortar, security cameras, fences or a building can be built. Mr. Velayos of the FAA responded via e-mail to Mr. Pruitt's question regarding the idea of paying the Authority back for funds loaned to the Airport for the Naval Reserve Facility. Mr. Velayos stated that the idea sounded good over the phone and thanked Mr. Pruitt stating it was well done.

Mr. Nelson advised that FEMA has approved the money, but this should be reviewed to maximize those funds to make sure the Authority gets the proper amount of funding for that building. Projects should be identified that the funding will be utilized on. Funding is available, it is just a matter of when the cash will be in the bank.

Commissioner Cantrelle noted many things that need attention at the Marina including the old Bally's Terminal Building. If the Bally's building will not be used for anything it should be torn down. A priority list should be prepared for the Marinas and given to the Finance Committee and the Board to request utilization of those funds.

Chairman Dufrechou requested that Mr. Capo put Jersey barriers in place as soon as possible and install the perimeter fencing. Mr. Dixon and Mr. Capo have a priority list of what needs to be done at the Marinas when funding is available. Mr. Capo advised that this year's Marina budget of \$25,000 will be used mainly for the fencing.

OLD BUSINESS

1) Discussion and approval of a contract with HTE Electric in the amount of \$14,900 for the electrical inspection of Orleans Marina

Mr. Dixon advised the Committee that Kimball Schlafley with HTE is going to come with three HTE electricians to do inspections on each pier at Orleans Marina.

Kimball Schlafley, Hi-Tech Electric, advised that he will perform the inspection at Orleans Marina. The code requires an annual inspection of the electrical systems to insure they are not corroded due to salt water. This will be a visual inspection to identify any problems that need to be addressed before a complete failure occurs. The entire electrical system will be visually inspected and any problems or potential dangers will be identified (not corrected, just identified). This is part of the National Electric Code Requirements and Marina Requirements for maintaining those systems. The electrical system is approximately 20-30 years old. Some parts have been replaced and there are multiple generations going on. Mr. Metzger advised that he had been informed the inspections were not mandatory every year under Louisiana law. Mr. Schlafley stated there has been no electrical inspection at Orleans Marina for a long time. The electrical needs a thorough look through. After the thorough inspection, annual inspections are required but will be simple because the age and basic condition of everything will be known. The inspection will start where the Authority owns the equipment as Entergy's portion is not inspected. The grounding and bonding will be verified. The inspection will be visual, no thermal energy noise. Mr. Metzger advised that this expense was within the Executive Directors purview since it is under \$25,000. Chairman Dufrechou advised Mr. Capo to do the inspection.

PUBLIC COMMENTS

Mr. Mike Gillen addressed potential funding sources for security at South Shore Harbor and noted that on May 17, 2012 a resolution was passed by the Board regarding Triathlon events held at South Shore Harbor. Those events earn the Marina \$15,000 per event and the funds would be dedicated to South Shore Harbor. A portion of those funds were to be dedicated for Capital Improvements or physical improvements for South Shore Harbor. There have been two events this year at South Shore Harbor which should have generated \$30,000 in funding. Are those funds available to assist in the security improvements South Shore Harbor?

Mr. Capo advised that the two events at South Shore Harbor that were held were in last Fiscal Year prior to June 30, 2013 and those monies were expended. The funding was structured in that \$10,000 was used for South Shore Harbor and \$5,000 for general purpose maintenance. That was passed when Mr. Burke came to the Authority in 2012 and requested use of South Shore Harbor for these events. Mr. Burke will be holding three events this year that equate to \$45,000 in proceeds for South Shore Harbor.

ANNOUNCE NEXT MEETING

Chairman Dufrechou announced that a new date and time for the Marina Committee meeting would be discussed amongst Committee members and members would be advised via e-mail of the new date and time.

ADJOURNMENT

Commissioner Brien offered a motion to adjourn, seconded by Commissioner Cantrelle and unanimously adopted.

The meeting ended at 5:09.