

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
SPECIAL BOARD MEETING MINUTES
THURSDAY, JULY 26, 2022
5:33 PM – 7:10 PM**

PRESENT:

Chair Anthony Richard
Secretary Thomas Fierke
Commissioner Stanley Brien
Commissioner Stanley Cohn
Commissioner Wilma Heaton
Commissioner Pat Meadowcroft
Commissioner Howard Rodgers
Commissioner Bob Romero
Vice-Chair Esmond Carr (Arrived at 5:48 PM)

ABSENT:

Commissioner Sean Bruno
Commissioner Brian Egana
Commissioner Monika Gerhart
Commissioner Dawn Hebert
Commissioner Renee Lapeyrolerie

STAFF:

Louis Capo – Executive Director
Vanessa McKee – Assistant to the Executive Director/Board Secretary
Bruce Martin – Airport Director
Adam Gulino– Director of Engineering and Operations
Bruce Cain – Harbormater
Eli Ivory – LMA IT

ALSO PRESENT:

Gerard G. Metzger – Legal Counsel to the LMA
David Jefferson “Jeff” Dye – Legal Counsel to the LMA
Al Pappalardo – Real Estate Consultant to the LMA
Michael Liebaert - Ponchartrain Beach Foundation
Dana Brown – Landscape Architect (PBF)
Patrick Dougherty – Zack Kuppermann
HaroldMatherne - Lake Oaks Resident
Ann Duffy – Lake Oaks Resident
John Skinner – Lake Oaks Resident
Ashley Haspel – Lake Terrace Property Owners Assn.
Phalon Cornist – President Lake Oaks Civic Assn.
Sage Michael Pallet – Lincoln Beach

A *Special* Board Meeting of the Lakefront Management Authority was held on Thursday, July 26, 2022, at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana 70126, after due legal notice of the meeting was sent to each Board member and the news media and posted.

I. **Call to Order**

Chair Richard called the meeting to order at 5:33 P.M.

II. **Pledge of Allegiance**

Commissioner Fierke led in the Pledge of Allegiance.

III. **Roll Call**

Executive Director Louis Capo called the roll, eight board members were present and a quorum was not established. The meeting was informational only.

IV. **Opening Comments – Chair Richard**

Chair Richard thanked everyone for tonight’s attendance of this special meeting. He went on to say that it is important to be fair to the community, his fellow commissioners, and the LMA, its staff, and advisors, and last but not least, we want to remain fair to Mr. Guy Williams and his team.

Chair Richard went on to say that for tonight he would suspend too many comments, questions, and answers. This is a special meeting and public hearing for a very important topic of discussion.

Chair Richard acknowledged Vice Chair Carr’s arrival at 5:53 pm.

Chair Richard went on to say that we want to get it right and that it’s important for all stakeholders to express their thoughts, make comments, ask questions and give Ponchartrain Beach Foundation the opportunity to address those to hopefully come to a common ground.

Chair Richard called for Mr. Williams and his team to present.

Gerry Metzger, attorney for the LMA Board asked to be recognized. Mr. Metzger advised Chair Richard that the agenda could be adopted now that there is a quorum.

V. **Motion to Adopt the Agenda**

Chair Richard called for a motion to adopt the Agenda

A motion to adopt the agenda was made by Commissioner Cohn and second by Commissioner Heaton. With no objections heard the agenda was adopted unanimously.

VI. New Business

1. Public hearing for the discussion and presentation by the Pontchartrain Beach Foundation regarding the proposed lease and the development of the former Pontchartrain Beach site.

Ms. Dana Brown thanked the LMA Board for allowing her to present again on behalf of the Ponchartrain Beach Foundation.

Ms. Brown began her slide presentation by introducing herself as a local landscape architect who is working with Mr. Guy Williams, Founder, and CEO of Gulf Coast Bank, and Mr. Michael Liebaert; retired managing director of the Azby Fund. Both gentlemen created the Ponchartrain Beach foundation for the sole purpose of reopening Ponchartrain Beach to the public. They have worked with up over seven years investing a lot of time developing plans and studying things. They have invested a lot of money in where they are now.

They are asking for the right to negotiate a lease. If awarded the lease,

- the development team will build upon the vision plan that has been previously presented.
- They will conduct more site analyses, particularly with conditions underwater structures such as the fishing pier and jetties.
- Develop a rigorous safety and security plan. Including security before the site is opened
- There will be an Outreach and Engagement period, which is handled through Ms. Brown's architect office. The community will be able to provide input online as well as in person for a period of time regarding at they would like to see at the beach.
- We will begin the engineering of the waterside improvements
- We will begin the design of the landside improvements

This would be the first steps if we are awarded the lease.

Ms. Brown spoke about one of the development team members, Mr. Zach Kupperman, who was quoted as saying "New Orleanians need and deserve a world-class beach. Bringing Ponchatrain Beach Back will serve as a huge quality of life amenity for our residents and a catalyst for jobs and economic opportunity." Mr. Kuppermann is also on the PBF Board of Directors.

Ms. Brown continued the presentation by showing the plan and website address at BACKTOTHEBEACH.org. where any interested person could take a look at the plan for themselves. She went on to show pictures of the development and the advisory teams. Mr. Sage Michael Pellet is a member of our advisory team and also one of the main advocates for Lincoln Beach. We pledge to work with them to bring that beach back, in whatever way we can, as well. There may be some synergy and economy of volumes of sand. Maybe if we order it together, we could both save money. I think it would be fabulous to bring both beaches back. Mr. Phalon Cornist, President of Lake Oaks, agreed to be on the advisory committee to help with public engagement, community engagement, and programming of the site. Ms. Brown took the board through what will be doing each year.

Year One will include:

- Financing and seeking, grants and other funds for the project
- Starting public engagement including a website and multi social media outlets to provide interaction
- Detailed investigation of the waterside improvement which involves engineers who put on dive suits to investigate facilities that have been sitting without care for forty years. This is to ensure that we do everything necessary for safety which is of the utmost importance.
- Develop ideas for the improvements and prioritize what needs to be done first. To include protecting the sand and shoreline.
- Landside improvement investigations and programming. Program meaning ‘what kinds of things do we want to allow or encourage to happen on the beach.’ There is an arborist on staff to study the conditions of the oak trees on the site to ensure that they are protected.

Year Two:

- Continued financing and funding. This project is not inexpensive nor is it short-term.
- Continued public engagement
- Start getting permits for the waterside engineering improvements
- Safety and security plan for the waterside
- Finalize the landside master plan, a good cost estimate, safety plan in place and also begin to obtain permits

Year Three:

- Continued financing and funding. This project is not inexpensive nor is it short-term.
- Continued public engagement
- Constructing waterside and landside improvements

Year Four:

- Finish Construction to open The Beach

Ms. Brown concluded her presentation by saying it is our goal to open the beach in four years for the public to enjoy. A world-class beach I think it will be

VII. Public Comment

Cair Richard opens the floor for public comments.

Robert Drouant, a forty-five-year resident of Lake Terrace, who has always been interested in the development of the lakefront area. He has been amazed at the speed of this development and has never had the opportunity to provide feedback and input. He asked that they measure it well to make sure to achieve your goals in this matter. Don't expedite it for mere convenience.

Harold Matherne, resident of Lake Oaks; born, raised, and educated in New Orleans. He has been here for sixty-eight years and truly remembers Ponchartrain Beach. He is also a member of the Lake Oaks Security District Board, who had a discussion last night regarding concerns with this project. The Civic Association has an emergency meeting to discuss the information gathered last week and collect input from the constituents in the neighborhood. He informed another resident in Lake Terrace to be sure he heard.

Mr. Mathern prepared a detailed list of concerns that he read and was willing to give to the board members and the Ponchartrain Beach Foundation as well. The main concern of the Lake Oaks residents is to keep the neighborhoods as they are. It is quiet and peaceful and low crime compared to other areas.

- **Parking:** concerned about any destruction of greenspace to develop a parking lot. Using the parking lot of The Chapel of the Holy Comforter, The People program, and The Baptist Center, and any parking within any residential area.c
- **Traffic:** Increased vehicular traffic including Leon C. Simon; Allen Toussaint, Lakeshore Dr. Franklin Ave., and St. Bernard Ave; particularly on the weekend with the motorcycles, and high-performance cars.
- **Noise:** Increase in ambient noise during construction. We would prefer the Amphil Theater stage face the Lake, not the subdivisions.
- **Security:** the increased vehicular and foot traffic would increase the need for more police patrols
- **Sanitation:** Increase in traffic to the area will increase the need for additional trash collection.
- **Rushed lease approval:** The lease approval has been rushed. He has not seen the wording, details, or scope of the lease. We have collected ideas that we would like to feed in. We would like to see the LMA Board review and approve each development phase of the project to ensure the best possible job is being done. We would like to see a fine included to put teeth in violations. He would like to see a security fence included in the build-out that runs along Lake Oaks Park to tighten the corridor to prevent vandalism. He would also like to see traffic cameras installed at Franklin Ave and Lakeshore Drive; Elysian Fields Circle, at the western entrance of the park to tie in NOPD. Mr. Matherne closed by stating that from the general pushback from the neighborhood, there are ways to mitigate these concerns and make this more palatable for everyone. He explained to the board that his list is still a working list and he would share the list once it was completed.

Mr . Matherne thanked the board for allowing him the time to address his points.

Commissioner Heaton wanted to remind everyone, for the record, that Mr. Matherne's reference to parking near the church grounds is referred to as "Religious Row". There is a covenant to only be used by Religious Row. It would be illegal for them to use the area.

Ann Duffy agreed with Mr. Matherne. He covered everything she wanted to say. However, her big concern would be the trees referencing a newspaper article. Her next concern is using green space at the park for parking. The final concern would be to add

enough bathrooms at the park to keep beachgoers from relieving themselves on private property. Otherwise, this will become a health and sanitation issue.

John Skinner also agreed with Mr. Matherne and his wife, Ms. Duffy. As treasurer of the Lake Oaks Security District, which is a special taxing district, he is more concerned about the lease and the federal money that will drive the project. He is also concerned because he was told that there is no lease. He couldn't see moving forward without a public exposure of the lease for review by the neighborhood and the public to know the guidelines and restrictions. He has heard and is majorly concerned about the length of the lease being anywhere from fifty years to ninety-nine years. Why not consider a five-year lease instead? His next concern was he would like to hear a discussion about who will get the \$15,000,000 in federal funding, how will it be managed, and what mechanism will be in place to oversee the spending of the funds. The last item of concern would be the rumor that the lease will be \$300 per month.

Ashley Haspel, President of Lake Terrace Property Owners Association, addressed the board as a private citizen of Lake Terrace. She expressed her concern with the speed of the lease approval especially since all of the members of this board's seats are due to expire on August 15, 2022. Some may be reelected and some may not. Her issue is that we would be rushing to approve this lease and the current board members may not return. Also, Ms. Brown proposed an opening date of 2026, the next term for the board members begins August 16, 2022, to August 16, 2026, which is something that members of the public should also take into consideration. The lease needs to be iron clad. If the current board will be involved with writing the lease; it would be rushed because August 15th is two weeks away so making a decision on this now would be a huge problem. My next issue would be security/police. As it stands now the LMA is not in charge of the police the FPA is. If something happens, would it fall on the FPA? NOPD certainly will not come. The thing that bothered her the most was a quote from Mr. Williams which said this should reflect the history and culture of the lakefront. Having been present to listen to the presentation two times there was never any mention of a fee until last week. I was not present last week. To enact a fee would be totally racist, classist, and elitist and would definitely reflect the history of the culture of the lakefront.

Ms. Haspel expressed her concerns about Back to the Beach expecting between ten to twenty thousand people to visit over a three-year span; in addition, the idea the beach is used for weddings and corporate events is unacceptable as well. This will bring more foot traffic and trash which is a ridiculous use of money. When there are other important items to be repaired at the marinas and neighborhoods and other pieces of property which have been neglected. What will you do to keep events like Voodoo Fest from moving here? Finally, the dog park and swimming area are not the greatest of ideas. No one should want or have to swim in the same water where dogs void.

Ms. Haspel closed by stating, on a side note, that no one from the Ponchartrain Beach Foundation has ever reached out to talk to her neighborhood at Lake Terrace which touches the border of the beach.

Phalon Cornist, President of the Lake Oaks Civic Association. Mr. Cornist agreed with Mr. Matherne that we need some things in place to protect the sanctity of Lake Oaks.

Commissioner Cohn stated he has heard many good ideas from the residents and asked Mr. Cornist, as the president of Lake Oaks, if the Ponchartrain Beach Foundation is able to overcome those concerns, would your group be in favor of developing this beach property.

Mr. Cornist responded by stating, for the record, the bottom line is, that if the Ponchartrain Beach Foundation agreed to a lot of the terms that we've put down, we would be in favor of that. But we need to be sure the PBF does what we need to protect our sanctity. Also for the record, we are creating a list of items that we need to be addressed by the PBF. I want to make sure that our demands are met before the board votes on Thursday. Are there any other questions?

Commissioner Fierke ask what he hoped would be a non-controversial question. What's the border between Lake Terrace and Lake Oaks?

Mr. Cornist replied that UNO.

Mr. Capo added a visual map, for clarity, to illustrate Lake Oaks and Lake Terrace neighborhoods.

Commissioner Romero stated that he does not know anything about a lease but he does know where the information came from. He also questioned Mr. Cornist's time frame to challenge the board to meet his demands before Thursday's board meeting.

Mr. Cornist asked Commissioner Romero and the board if there was a drafted lease in place.

Commissioner Romero replied that this board does not have a lease in place. But asked Mr. Cornist for clarification on his request to execute a lease that includes the neighborhood's concerns by Thursday.

Mr. Cornist replied that they just do not want a bate and switch situation. At the time, he was very open to the idea of everything moving along until Mr. (Commissioner) Cohn put him on the spot.

Commissioner Carr asked if item number one on Thursday's Full Board agenda was available, or if could the motion be read for item number one which he believes to be where the confusion is.

Gerry Metzger, Attorney for the LMA Board, stated that the resolution is written verbatim, same as Parcel-L, and read the motion to the board.

Commissioner Carr added that what he heard was, just like the Parcel-L resolution, is the board delegating authority to staff, and what he heard from members is we don't want to delegate that authority.

Commissioner Romero was under the impression that the board has never delegated authority to staff to execute a lease.

After further discussion regarding how the Ponchartrain Beach resolution should be proposed for Thursday's board meeting, Commissioner Romero suggested that it is important for the board to know what's in the lease before we meet. Commissioner Carr suggested that the board revises the motion to have the staff negotiate the lease, bring it back to the committee for review and discussion then recommend the lease for approval at the full board meeting. That way there is more than one opportunity for review by the public and the board.

Commissioner Heaton added that tonight's discussion is excellent. Your concerns about public, safety, litter, and parking are valid. To be honest, this will impact not just Lake Oaks and Lake Terrace but the entire lakefront. Many stakeholders want to see the beach brought back but at what cost? It's easy to do nothing and in New Orleans, we tend to do nothing to remain safe. It took a lot of courage for the Ponchartrain Beach Foundation and the communities to engage and step up to be heard. I believe strongly in consistency. She too wants to see the beach come back but she also wants the issues to be addressed. She has kept her word regarding the police station which is only one piece of the puzzle.

Commissioner Heaton added that between tonight's meeting and Thursday's board meeting; no lease will be negotiated in two days. Some of the basic concerns, such as parking and such, can be written in as provisos. It is done often in the city. She doesn't think we are far away from an agreement. However, you do have a right to be concerned about bate and switch. She personally thinks very highly of this pristine group at The Ponchartrain Beach Foundation. But we're not going to write a lease based on their good word. We will write it for the project. The board could change at any time. The lease will need to be confected for the project and the community. This group has put in a lot of work to seek grants for the project. She closed by stating that we are not far apart from the agreement but she understands that what the community is asking for is reasonable.

Dana Brown stated that her group is not asking the LMA to vote on giving us a lease on Thursday. They are asking for the LMA to vote to negotiate a lease with us. We also need some assurance that we're getting an opportunity, having been the only submittal for this. If you really want the beach back; we will work to do what is right for the neighborhoods. Whatever the provisos and provisions need to be.

Commissioner Carr stated that the board is interested in working with the Ponchartrain Beach Foundation, but is there any objection to having the lease go back to the committee for review?

Ms. Brown stated she had no objections.

Commissioner Cohn asked from the discussion tonight if there was any obstacle that could not be surmounted.

Ms. Brown replied she sees no obstacles regarding the conditions discussed tonight. They have ideas regarding the issues of security and parking, for instance. However, we cannot begin to negotiate parking until we have a lease. There have been some things discussed tonight that are not accurate. But we can overcome all of this in time.

Commissioner Carr stated that he agreed with Mr. Drouant and Mr. Matherne's concerns regarding parking, traffic, noise, security, sanitation, and rushing the lease. We won't rush and we have no lease in place at this time. Once we get to the lease it will include all of this. The only comment I heard tonight and object to was the racist comment. There may be a valid reason to charge a nominal fee. The Audubon Institute charges to go to the zoo and the aquarium.

Commissioner Cohn concluded by saying everyone on this board agrees in theory, about the concerns of the community and the developer as well. It sounds like obstacles that we could overcome; including the LMA working with both groups.

Dana Brown added the Ponchartrain Beach Foundation is not in this to make money. Kuppermann Companies is from here, also not in this to make money. There are engineers that have been giving their time for years to help make this happen, also not getting paid. My office gets paid some of what we put into it. I couldn't afford to do all those plans without some compensation. Ms. Bron believes that everyone's heart is in the right place and doesn't want to make the community unhappy or unsafe.

Mr. Matherne added what we got from the agenda for Thursday's meeting was that a lease was going to be approved so we were working from the perspective that there was a lease drafted that we couldn't see and that What we saw positioned us to address the board with our concerns.

Phalon Cornist stated from the Lake Oaks resident's position, that what we want is to get the Ponchartrain Beach Foundation to commit to working with us, and based on that we would be for it.

Commissioner Carr asked who would manage the federal funds for the project.

Dana Brown stated that we don't have any funds. We were thinking maybe the Foundation or LMA would apply for it. That is not worked out just yet.

Michael Liebaert, Co-Founder of the Ponchartrain Beach Foundation, and retired managing director of the Azby Foundation. I can tell you that being in a nonprofit foundation opens the officers and directors to criminal and civil penalties if money is misappropriated. Guy Williams, who manages a huge banking system will manage this

money in a very detailed way. Nothing will be wasted or pocketed. We're doing this for free as a volunteer service on our part.

Commissioner Heaton pointed out to Commissioner Carr that in all of her years she is not aware of any grant funding that doesn't require a match. Keep in mind, that as a nonprofit, they will be able to seek a grant and they will be pledging and having accountability for the match, not LMA. However, it doesn't mean that the LMA couldn't go out as a public entity to seek grants.

Commissioner Heaton asked Mr. Liebaert if the foundation was prepared to raise the money for the match. She would just like to know for the record.

Michael Liebaert replied yes. We will have to. We won't have any choice. There was a handful of people who were willing to put up funds in 2015 and 2016 to develop the beach but we ran into trouble with the parking. Without parking, the project is dead. We must have parking. There's just no way around that. The UNO Research Facility seems more inclined to work with us now. There was some mention earlier that we were taking away green space to create parking. We don't want to take the 3.1-acre green space for parking. We would like to utilize the UNO Research Facility parking which is the most convenient option. Once we can establish parking, he believes donations will be available once we have a viable business model.

Commissioner Romero asked for clarification as to the location of the parking space that Mr. Liebaert is speaking of.

Commissioner Carr stated that the parking lot is on the other side of the flood gate. You're actually talking about working with Research and Technology now referred to as 'The Beach' the paved area that we see.

Commissioner Cohn asked for clarification from the PBF group, if you're able to meet your goals, how far along this timeline will it be before you reach the point of knowing this project can be completed? What's your make or break date?

Dana Brown stated there is a lot of prework to do including investigation and design and we'll know the cost. At that point, we will have hopefully raised some money and have enough to know we can start building. We wouldn't start building something and then have to start.

Commissioner Cohn said we would need to know the benchmarks when we draft the lease.

Dana Brown stated we can figure that out as part of the lease. There is a lot to do before we can get a truck out there. While that's going on, we'll be doing fundraising and grant writing and hopefully getting the funds.

Chair Richard called for any additional public comments.

Ray Landeche, president of Lakeshore Neighborhood. Mr. Landeche commented as a resident about the numerous issues regarding usable parking space on the lakefront and the continuous problems with overparking in the neighborhoods. Ms. Ann Duffy quoted the history earlier this evening. He complained that the Flood Authority made the lakefront one lane in each direction which forced 80% of the traffic in front of his house on Canal Blvd and now they have to deal with increased traffic and trash/sanitation problems. He attested to all of the concerns raised by residents here tonight needing to be addressed.

Ray Landeche continued to speak as the president of Lakeshore Neighborhood. Lakeshore has shown up to state its concerns and requests whenever a new lease is signed along the New Basin Canal only to be ignored. LMA does not have the best track record of doing what the residents ask for. He complained that the trash cans in the big parking lot that still have no trash can lids.

Chair Richard opened the floor to the commissioners for comments.

Commissioner Carr asked for clarification on revising the Ponchartrain Beach resolution that will go before the full board at Thursday's Regular Board meeting.

Chair Richard stated that we will amend the agenda during the board meeting. He also reiterated that the board will not be approving a lease at the full board meeting. There is time for the residents to submit concerns to staff for input on the lease.

Commissioner Fierke stated that the way the resolution is set up right now, is to confect the lease and that's what some object to.

Chair Richard stated that he didn't intend to let that happen. His objective is to have a resolution that addresses the concerns of the Ponchartrain Beach Foundation so that they have some assurance to get an opportunity to negotiate a lease. I think we should recognize the fact that we had one bid to come in back in December and I think it's only fair that we give them some assurance to negotiate a lease. All concerns from the community and commissioners should be taken into consideration. He has no issues with Commissioner Carr's recommendation to go back to the committee.

Gerry Metzger added that the board has done this before where resolutions were drafted for review on the committee level who then recommends the resolution for approval by the full board.

Chair Richard added, as stated by Commissioner Cohn and others there are fair concerns that can be overcome. He feels safe to say that even the presenters have accepted the concerns. We need to find a happy medium by working together to make it happen. The main purpose of the meeting tonight was for everyone to have ample time to express their concerns.

Chair Richard closed by expressing his appreciation for everyone taking out time to be here. He asked for a meeting with Commissioner Carr to work out the terms and wording of the revised resolution.

Director Capo asked for the board members to submit their audit questionnaires to Vanessa McKee or you may send them directly to the auditors.

**VIII. Chair Richard Announcement of next Regular Board Meeting:
Thursday, July 28, 2022, at 5:30 PM.**

IX. Motion to Adjourn

Chair Ricard called for a motion to adjourn A motion to adjourn was made by Commissioner Rmero and second by Commissioner Fierke at 7:10 PM.

