

**New Orleans Municipal Yacht Harbor Management Corporation  
Economic Development Meeting  
Tuesday, March 14, 2023 5:30PM  
Municipal Yacht Harbor Administration Building  
1<sup>st</sup> Floor – West Meeting Room  
401 North Roadway Street  
New Orleans, LA 70124**

**PRELIMINARIES**

1. Meeting called to order at: 5:35pm by Tim McConnell.

Attendance was taken by Monya Criddle. Board members present:

Tim McConnell

Mark Heck

Keith Amacker

Roger Watkins

Jessica Addison - Late

2. Meeting agenda presented by Mr. McConnell.

**ACTION ITEMS**

1. Update on West End Development

T. McConnell: There is legislation that is being developed by State Rep. Hilferty to make sure development can happen at the site and to ensure no residential development. There has been much back and forth about what can happen there and I'm no lawyer so I won't go to deep there. There's been talk about the Acts of 1906 & 1910 which is about the area and what is permitted so that's the purpose of the legislation. Jennifer Van Vrancken of Jefferson Parish and Councilmember Joe Guirruso have been involved in that process. At the last meeting there were comments made that we were planning to cut down trees. There has been no talk of that on this Board and I will not support it.

There have been many references to the 2019 Cooperative Endeavor Agreement with the State which is now expired. Any CEA that is established between the State, Jefferson Parish and the City will have to be reinstituted. There has been no progress made on developing a new CEA and I believe that is because it is still not clear what can take place there. We are looking for a concrete resolution there; whether it's legislation or not. In the meantime, it doesn't make sense to do another CEA. We are not a party to that so we won't be driving the CEA. It will be between the owners of the property which is the State, Jefferson Parish and the City.

There was a comment about rights-of-ways in the area. The riverside of the park is S. Roadway St. The lakeside is N. Roadway. The road we all come in on is W. Roadway which then turns into Breakwater Dr. On Google Maps, there is a horseshoe shaped paving that is part of the parking lot that is also labeled as Breakwater Dr. The question was asked, "Is that a City street?"

A right of way?" Also, would we need legislation or a City ordinance to develop on that area? We have done our homework and hired a company to do a survey of the area as well as contacted the Department of Public Works. Nobody has any records of that being an actual street. Although it is labeled as Breakwater Dr. it was a horseshoe to enter the parking lot of the restaurants. If the development moves forward and we needed that area, we would look to get it changed. At this point, after receiving all of the information from the survey and Public Works, there was never a street there.

If we moved forward with the development, we may need to enter into a lease with Jefferson Parish as it relates to their portion of the land to state that the Municipal Yacht Harbor will manage the sliver of land. None of this has been codified. If something is necessary, we will do it. Nothing has been done to further this until we figure out what is able to be developed there.

We have been moving forward with having an attorney on board under contract to help us expedite some of this as well as the sale of the boathouses so that someone is able to develop them. They will help us move forward with the development in a more reasonable timeframe. We are also looking at development consultants to help us as we go through these public meetings as well as assist with the RFQs & RFPs. No one has been selected at this time. The process is still ongoing and will be done with much transparency as required. We will need someone with expertise to help guide us through the process.

K. Amacker: Is the legislation by Hilferty ready to go or is it still in draft status.

T. McConnell: It is not ready. It is in her office now and it is up to them to develop it completely. We will provide as much information as possible and advise what we would like to see in the legislation, but we don't compose legislations; that is what the legislators are for.

K. Amacker: Do we expect it to be introduced in the next regular session?

T. McConnell: We would hope so.

K. Amacker: Would it be fair to say until the legislation reaches its final language, it would be irrational for us to do anything significant other than prepare the site for what may come?

Meaning, maintaining security for the area, keeping the grass cut and debris clearance. We're not touching the trees. That's all we can do until the legislature passed a law that codifies what we believe the 1910 law allows as opposed to the 1906 law.

T. McConnell: I don't want to answer concretely. We believe that we are allowed to develop. I don't know if we would move forward and invest too much financially. Once we get our attorneys on board, we'll discuss what steps should be taken. Whether that means concrete development on the site or messing with any infrastructure. Whatever we put there will be torn up if any type of development happens. I don't believe we would want to invest too much there. I know that Bryan has been working to get the site secured and getting it cleaned up so that we can have an economic development there. Perhaps we can lease out spots for the trailers.

K. Amacker: The bottom line is that we're not going to do anything regarding the RFQ/RFP until the legislation has been put into law.

T. McConnell: Once we talk to an attorney we may start getting things developed. Since this is going to be a long term project we can start working with them on getting what it would look like. I am no lawyer but as we talk about the Act of 1910, it stated for the granting of rights and privileges for the establishment, operation and conduct of amusement institutions or attractions



or devices or other private businesses be operating of it in said park. To me it sounds like they want to make it a park but I'm not a lawyer. To say we won't do anything just because the legislation didn't make it through Baton Rouge; that would be a decision for this board to make. One of the reasons this board was put here was to get things moving.

K. Amacker: What about residential development?

T. McConnell: That's one of the things we will codify if the legislation went through. However, as a board we could easily say that we're not going to put residential developments. If we hear enough people say that it's not logical or the best development, we don't have to vote for it. People were adamant about not wanting anything residential. We do represent all citizens of New Orleans not just vocal people. I do not prefer one over the other. This is where developers come in and say what needs to be done to become financially feasible. At the last economic development meeting people wanted to know what I wanted and the answer is I don't know. We're going to do an RFQ to find the people that's qualified, select them and let them give us proposals for what is financially viable for them.

M. Heck: This is going to be a long process. Are we going to start a new thing? I don't see us putting on an RFQ before the legislation passes. This is going to take a lot of time to vet properly and get the input needed in order to get a fiscally responsible submission. We don't want something to get halfway through and then it dies. We don't want a vacant structure. It is going to be on us and the consultants to identify an opportunity but you're just going to be on the developers themselves to submit a viable business plan. It needs to prove some level of competence. No one should expect an RFQ to come out of this organization within the next two-three months.

T. McConnell: I agree.

R. Watkins: We are not going to let anything slip by the residents. If things start moving you will hear that directly from us.

T. McConnell: The CEA was very clear about public comments. I would not go down quietly if the board tried to do something without public knowledge. We believe in transparency and will let you know every step of the way the process. That is what this meeting is for.

M. Heck: Tim, as we outlined the RFQ and RFP we need to outline the need of developers to provide the budget for community outreach and engagement. Mini RFQ's require you to put the community engagement plan into the response. It will behoove us to have that requirement so that developers understand they can't disappear for a year, come back and present the final product. The people that live here should have a voice but that doesn't necessarily mean you're going to get what you want. It does mean that your ideas should be heard in weighed and if it's not going to work then we should know why ideas couldn't be addressed. If constituents show up and everyone states that they do not want residential and residential is selected, then there needs to be factual statements of why this had to happen.

T. McConnel: I agree. I am one vote on the entire board it is not 100% my decision. If the legislation in fact says no residential it would make our job much easier. We do not have the money for development if we want to develop then we have to go through the process.

R. Watkins: There has been some discussion on us working with other city departments and how they could provide guidance.

M. Heck: That was in reference to Jeff Schwarts' office. I think that is why we are looking at a development consultant internally; to assist where we thought the City was going to step in. I



believe it would be a much cleaner process. The consultant would have a much more open mindset.

T. McConnell: The City does have its own economic development team. They were working on an RFQ/RFP for us; they still may be working on it. I have been on this board for 2 years and they have been working on this project for 2 years. Nothing was wrong with their process but we wanted to look into ways that could make the process move a little faster. By having our own team, we are in a position where we are driving the bus.

R. Watkins: Is it possible that we can be developing two different RFQ's?

T. McConnell: They are aware that we have started our own process.

M. Heck: The people in that office can change based on a change in administration. The problem with going through Economic Development is that we could get to a point where we think we have this all wrapped up and then there is a change in administration and the process starts again.

T. McConnell: We are all appointed as well but we are independent.

Public Comment by Thomas Long: I just want to support and commend your efforts in furthering this development. I am not a lawyer but I have read the Acts, especially 1910. If you read carefully, the Act of 1906 basically leaves it open for the City to do whatever they want. The City has since given the authority of West End Park to MYHMC, therefore you are empowered to use your best judgement. Whoever is chosen as the developer will be subjected to the Neighborhood Participation (NPP) process. They would have to hold public meetings and they would have to keep public records of those meetings. I hope to see you develop it appropriately and sensitively.

M. Heck: You're absolutely right, they would need to follow the NPP process. I believe the NPP process is excessively flawed. I expect much more than the NPP requirements. Whatever we put in the RFQ will exceed the requirements of the NPP. The NPP requires community input prior to the submission. You take that input into account and submit your plans. Most of the time things get left out. We will make the NPP the bare minimum. To me that process does not reflect community engagement.

T. McConnell: It sounds like we should be having additional meetings after proposals are submitted.

J. Addison: can we talk extensively about this? At the last meeting we made a point to clearly state that would be the process all the way through.

Charles Marsala: I believe the CEA has already been renewed. I believe the CEA has already been renewed in May of 2022. Who is responsible for repairing the sea wall? We don't have enough infrastructure for water and sewerage right now. There is no plan to fix the infrastructure so I don't understand why we would keep building. The CEA calls for the most revenue generating proposal. It calls for housing and that hasn't been taken out. There is a lot of meetings in New Orleans about short term rentals and mixed-use zoning. We know that zoning has been changed and legislation can change from year to year. Even if Hilferty says no housing this year she can come back and change it next year. I don't know if having much faith at the state level is going to work. We should look to put this back in the parks budget, because we are paying taxes to the park. This is a wildlife habitat which is what the citizens of New Orleans want.



Kerry Cuccia: To my understanding the strip of land that is in Jefferson Parish does not belong to them. It is owned by the state land office. Therefore we would not need to lease with Jefferson Parish but would with the State. It seems that Jefferson Parish would virtually have no say in the matter.

T. McConnell: For clarity, you're saying unlike us, Jefferson Parish does not have an agreement with the State to lease that piece of property.

K. Cuccia: Unless something has changed within the last year - they do not.

T. McConnell: Because the CEA said that all three parties had to agree it seemed as if Jefferson Parish had control of that land. Are you aware of any agreement between the State and Jefferson Parish to lease the land at any time?

K. Cuccia: Working with the State Land Office, going back several years, JP only collected taxes on whatever business was operating there but they did not own the land. I know you were saying about getting a lease with Jefferson Parish but I just want to make sure that the lease is with the entity that owns the land. Whatever is developed there, we want to make sure that it is consistent with the area for reasonable use and to maintain the ambience of what's there. We don't want the people of West End to suffer. Maybe we can put noise restrictions in the lease.

Frank Scurlock: My suggestion is to survey the people that live back here to see what they want so when RFPs are developed he can be representative of the people. We don't want another Six Flags project to happen here. Didn't the state have a meeting years ago on this?

M. Heck: Yes, it was the Regional Planning Commission. Dana Brown's team put something together.

F. Scurlock: I don't remember the stakeholders having any input in that. Just like HOA's, the community should be able to vote on changes.

T. McConnell: We will continue to hold these meetings to ensure we get as much feedback as possible. Nothing will get railroaded through.

M. Heck: I heard someone mention "traffic" in the crowd earlier. Something on this scale will require a traffic study. Even if the city doesn't require it, we will include it in the planning. They will come out and count the current cars and then estimate what the crowd would be with the development. We can make that a part of the RFP. That can be considered of how we view the projects. It does not mean that we will pick the one with the least amount of traffic, but we will know the implications could be. It is not a perfect science. Generally, most people seem to be in support of this. By show of hands, what percent of people here are in support of a reasonable development of this site? If we found a developer willing to work with the community, who would be in favor of this idea? If only one person raised their hand, we would know that we're in a different situation. We are hearing that there are legitimate concerns and that the majority of folks that are showing up have interest in something being developed. When we can have a conversation and it can be handled to have a reasonable back and forth and the answer is not just "no", I can tell you from my years of experience, you'll have a much better project. As different people come and go I may ask this question every time. As the process goes on, your opinion may change.

T. McConnell: Meeting adjourned at 6:20pm