

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

February 20, 2018

6:30 p.m.

Lake Vista Community Center, 6500 Spanish Fort Blvd, New Orleans, Louisiana

The meeting was called to order at 6:30pm and requested a roll call by David Halpern.

Board of Directors Present:

Ashlyn Graves
Alva See
Connie Uddo
Thomas Forbes
David Halpern
Howard Rodgers
Warner Tureaud

Board of Directors Absent:

Reginald Smith

A quorum was present.

There were no amendments to the agenda.

The agenda was approved and adopted on a motion by David Halpern, seconded by Ashlyn Graves and the motion was unanimously carried.

On a motion by David Halpern, seconded by Ashlyn Graves, and unanimously carried, the minutes from the regular meeting of January 9, 2018 were approved.

Presentation: The Regional Planning Commission (RPC) West End Redevelopment Area Feasibility Study (Mr. Walter Brooks, Ms. Maggie Woodruff, and Ms. Dana Brown)

Mr. Walter Brooks discussed several development concepts that were examined for the old restaurant parking lot, and then he introduced Ms. Maggie Woodruff and Ms. Dana Brown. Ms. Brown talked about a summary overview of the primary concept contained in the Study. She talked about bringing back the West End restaurants. Mr. Brooks mentioned the possibility of the development of several small sites and the restrictions due to the discharge point of the new drainage pump station. Ms. Brown also talked about the development restrictions due to the new drainage pump station and hydrologic movement of the Lake. She mentioned the property line that runs through the site that is shared by both Orleans and Jefferson Parishes along with the area that is owned by the State of Louisiana that is considered State Water Bottom. There are a number of entities that will be involved in the development of a Request for Proposals (RFP) for the site. The site is adjacent to West Roadway and it has great access to West End Park. As you drive into the area, you have the giant flood walls and drainage pump station that restrain your views and your sense of arrival. Ms. Brown presented a sketch of the area and explained that when you get to the intersection of West and South Roadways the area is a lot more open such that you can see that you have arrived. She mentioned utilities (water, sewer, etc.) that are available to the site and the fact that they are all on the Orleans Parish side of the property. There is no feasible way to provide them from the Jefferson Parish side of the 17th Street Canal. Some of the critical things that she mentioned with respect to a sense of arrival are how do you provide access to the area for pedestrians and bicycles from the residential areas nearby. When people come into the area, there should be some iconic sense of arrival by highlighting the pavement of the crosswalks and the bike paths. We want to beef up the quality of the experience of driving along the entrance road by installing street trees. There is another sense of arrival when you turn into the parking lot and see additional green space within the lot that would be used to manage storm water runoff. Ms. Brown's traffic engineers performed an analysis to see that the roadways function with increased traffic, since they estimate that the development of the site will probably double the volume of traffic from what it currently is now. She mentioned parking issues and the parking analysis that is included in the study. She asked if there were any questions. Someone from the audience commented about West Roadway flooding frequently. Ms. Brown said that it was her understanding that drainage will be improved once that the road is reconstructed after the completion of the drainage pump station. She mentioned the possible size of the proposed buildings was determined by looking at the sizes of the existing restaurants in the area. She mentioned four proposed buildings with a building height being 17 plus one foot. The first useable floor needs to be at +18' up in the air. So it will create a great opportunity when dropping people off and having a common access to get up to the proposed restaurants due to the fact that the structures are very connected. One really important feature of the conceptual plan is that there

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is an open area at the Northwest corner of the site for a small plaza that could provide a view of the Lake. She mentioned parking where people can temporarily dock their boat while visiting one of the businesses. Someone asked if the proposed docks are floating or stationary and Ms. Brown said that would be a design issue, but access to the boardwalk could be provided. The old Fitzgerald's site is a different kind of animal from the standpoint of Parish jurisdiction. It is located in the water in Jefferson Parish next to the Northern side of the seawall. Although the site has no parking in Jefferson Parish, it is currently being shown on the conceptual site plan. Since the first usable floor of the buildings will be at +18 feet, they can have one or two floors of a restaurant and possibly some residential use above it. Someone from the audience asked a question with respect to the location of the Orleans and Jefferson Parish line in reference to the location of the old flood wall indicating that the proposed structures will split the line. Mr. Brooks said that the proposed structures will have to be built on land, and that the two Parishes will have to work together or we will have nothing at all.

Mr. Cuccia commented that they are in the same position they were in 2003/2004 when the joint venture concept was being discussed, and has there been any real progress towards that and what level of cooperation has already been established between the Parishes. Mr. Brooks mentioned the stake holders (Councilmembers from Orleans and Jefferson, State Lands Office, Army Corps. of Engineers, MYHMC, and economic developers of the respective Parishes). Mr. Cuccia asked what was agreed upon. Mr. Brooks responded that they basically liked the concept. Someone from the audience stated that the problem before was that Jefferson Parish received all of the sales tax from the restaurants and then the City started charging for parking which hurt the businesses. Mr. Brooks said that the Parishes will probably have to form a non-profit development corporation to deal with the revenues and the maintenance expenses of the site. We are trying not to saturate the area with intense development because we know boathouse owners like their peace and quiet and the lifestyle that they have. We are trying to find something that is workable for the public to have access to West End and to bring it back as a nice place to go.

Ms. Brown talked more about the boardwalk. She showed a sketch with 33,000 square feet of buildings and 8,000 square feet where the Fitzgerald restaurant site was as part of the concept. She mentioned structures being attached to each other and waiting areas with chairs, temporary boat docking along the boardwalk that is along the lake and the 17th Street Canal, and a plaza.

Someone in the audience asked about any provisions for bringing back the pedestrian bridge across the 17th Street Canal, so that there is pedestrian access from Jefferson Parish. Ms. Brown said "Yes, the RPC is working on that issue."

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Mr. Brooks mentioned that the Corps of Engineers has to complete the drainage pumping station and get out of the way in order for the pedestrian bridge to be built. He said he can't give the exact site in reference to where the bridge will be placed. Ms. Brown mentioned an early analysis of how pedestrian, bicycle, and vehicle traffic circulation would work, and the key part of it is getting that connection for pedestrians and bikes across 17th Street Canal.

She showed another sketch to the audience explaining the proposed West End development which showed the proposed restaurants and pedestrian cut troughs, parking areas, 17th Street Canal, and the pump station. She also mentioned a continuous connection and experience that is opened to the public and a plaza area, walkways, and pathway along a street. Public access along the lake should be strongly considered. Parking could be on the ground floor with restaurants on the second floor with the possibility of residential above it.

There was another question about a timeline and height restriction. Ms. Brown said there is a height restriction. There are two different parishes with two different zoning codes and restraints on development here. Jefferson Parish requires a lot more parking per restaurant than Orleans. What we did is average the parking requirements. The height restriction is above the existing ground elevation. There was another question about how much parking basis do you have available for these four restaurants. Ms. Brown said for the parking lot, there are 219 spaces for four restaurants. On street parking is estimated to be about 50 spaces which we did not count.

There was a question about considering what a developer would want to do with the entire project when leasing the site. Ms. Brown said this came about because a Council member in Jefferson Parish had developers coming to her about the old Fitzgerald site. It is on the Jefferson Parish side of the line although the site has no parking in Jefferson Parish. The conceptual plan is a vision of what the stakeholders would like to see developed in the area with a common set of guidelines. This is how the RPC got involved in the process.

Someone else commented saying that with his experience being a real estate appraiser that parking for this venture should be in the 150 to 200 range to make the business a success. The greatest failure in commercial property is lack of adequate parking. You can see that with various restaurants that have opened and closed in our area out here that don't have enough parking, so they failed. Someone suggested having a parking garage. Mr. Cuccia said he thinks that the conceptual plan is a wonderful concept and that it is the exact type of concept that we need. It is a unified idea that is coordinated, but it is the responsibility of the Municipal Yacht Harbor Board to have the controls in place that the particular aspects of the project protect our quality and way of life. The concept of bringing pedestrians and bicycles is wonderful, but cutting down

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access on West Roadway to two lanes for vehicles is a problem. He said developers will come in and say that we can't put four restaurants with 219 parking spaces. You would have to find another 200 spaces. He personally likes the idea and knows that the Board will be very responsive to the concerns of the boathouse owners. It will bring West End back and make it attractive to the area.

Mr. See said it's a good idea to have a second level promenade that would satisfy the condition of people going from one restaurant to the other. The balconies or promenade from the parking lot side will probably be used for outdoor cafes for the restaurant and not circulation because the design will restrict that. The straight promenade at the second floor level would be helpful. We can take the lid off it and investigate the first floor of all those buildings and encourage parking in part of it, and picnic tables and sitting areas for the other part to lay that out. This will help the residents better understand what capacity the parking has. He opened the discussion to the old Fitzgerald restaurant site to make it look like a lighthouse, a multi-story structure where the first story could be a parking deck, that could accommodate more parking on the site.

Mr. Tureaud said he would like to give the two members of the Economic Development Committee (Mr. Rodgers and Mr. Halpern) a moment to add any comments they may have. Mr. Rodgers said the only comment he had was preliminary with the 6 months of work with the two parishes coming together. He said will speak more into it when he does his report.

Mr. Halpern made a comment saying that parking is very important and need to pay more attention to that. We will end up with a consensus and would like to see some other form of attraction other than just restaurants that will give a unique appeal to the area, whether it's a museum to give it a little more personality. He said he is looking forward to working with everybody.

Mr. Tureaud thanked Mr. Brooks, Ms. Woodruff, and Ms. Brown for this presentation. The big elephant in the room has always been the revitalization of the harbor. In the meantime, we had several balls in the air in the background and economic development is one of those. We all know that the economic engine has always been the marina. It is taking some time and it is not built yet, and when this is done we want to have all of these cylinders firing at one time. It is for us to sit back and wait. As long as 8 years ago we visited the Mandeville Harbor front area, and the continuous nature and flow of it was inspirational. That continuous nature is what he sees in the boardwalk here. It is going to continue on throughout the linear park. It is part of the Master Plan. It's the Board's responsibility to make sure the quality of life remain in tact. We have a dedicated Economic Development team that has been working with RPC. We will have many more meetings after this. The emphasis is to

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get ahead of this procedure to speak and come up with a plan. I think that this is a very good first step.

Ms. Cunningham said Council member Susan Guidry was involved in the discussion and planning meetings for the West End redevelopment study. She has been working with the Administration and Law Department to discuss next steps with moving forward. Unfortunately, turnover in the Administration had delayed action to move things forward. Clearly parking and zoning and planning are critical elements to any development for the area. We are aware of several possible other developments in other areas around West End and Municipal Yacht Harbor. No plans have been submitted to the City that we are aware of or the immediate vicinity at this time, except 400 Lake Marina Dr. She said to let us know if you have any specific concerns or questions we can address for you. You can contact Gordon McCleod (Chief of staff for Ms. Guidry): tgmcleod@nola.gov or you can call the office at (504)658-1010.

Mr. Tureaud said Ms. Guidry has been instrumental in helping to put this process together and as well as getting the MYH Board a seat at the table for the planning stages and revitalization at the harbor. She has always been active with what we are trying to do. He thanked Mr. Brooks and his team and enjoyed the presentation and looks forward to working with him.

There was a question from an audience member about the rest of West End and how this proposed development will interface with Breakwater Drive all the way to the point. There are some parking lots at the old boat launch out there that are not being used, except for construction staging. She was wondering if we will be hearing more about that development in conjunction with it. Mr. Tureaud said "Yes" we have a Master Plan, and we will integrate this with the Master Plan. Let's speak a little bit more specifically about the Boat Launch. MYHMC has obtained a grant from Wildlife and Fisheries (Wallop-Breaux Act) that is being finalized now which will revitalize the Boat Launch. That is the next step as you turn the corner on Breakwater Dr. and it is all part of a Master Plan for the area.

There was another question about getting the Boat Launch revitalized. Mr. Tureaud said "Yes", that it will be discussed later in the meeting.

Action Items: None

Information and Discussion Items:

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1. Boathouse Leases and Supplemental Lease Agreements were discussed by Mr. Casey. The owners of boathouses #21 and #130 have applied for the extended ground lease through 2068. There were no boathouse sales during the month of January.
2. The FEMA Update was presented by Mr. Casey. As per the Capital Projects Administration (CPA), the redevelopment of the harbor is in the award phase. The contract is in routing through the City's ECMS process, and the contract is still under review by the City. There was a question from the audience asking if there was any progress pertaining to the protest of the construction bid for the redevelopment of the Harbor. Mr. Tureaud said that issue is being handled by the City's Law Department, and MYHMC has not been provided definitive information. Although MYHMC is the end user who manages the Harbor for the City and it listened to comments from stakeholders, the City is the claimant with respect to all aspects of the FEMA Claim.
3. The January Financial Report was presented by Mr. Casey. As of January 31st, MYHMC has total assets of \$3,630,000 with current assets of \$3,622,000 and the bulk of which is in the form of cash of \$3,515,000 in two accounts at JPMorgan Chase Bank. On the liability side, MYHMC has total liabilities of \$1,084,000 of which \$579,000 is current liabilities, and the bulk of that is accrued interest on the NOAA bonds of \$304,000. The long term liability of \$505,000 is the balance on the NOAA Bonds. That leaves MYHMC with a fund balance of \$2,546,000 of which \$1,448,000 is unrestricted net assets. For the month of January year-to-date, total income was \$54,100 and operating expenses were \$48,600 such that ordinary income was \$5,480. Net other expense for the interest accrual on the bonds was (\$3,535), such that MYHMC's net income was \$1,944 for the month.
4. The Economic Redevelopment Committee Report was presented by Mr. Rodgers. The Committee held a conference call on January 31st in preparation of the Regional Planning Commission's (RPC) presentation at this evening's meeting. The Committee is currently gathering thoughts and concerns pertaining to the conceptual redevelopment plan of the old restaurant site to present to Councilmember Susan Guidry and Councilmember-Elect Joe Giarrusso. Mr. Tureaud said that the Board has been looking forward to the report from the RPC to open up dialogue and get ideas and responses back in order to have meaningful discussions on how to move the project forward.
5. Report of the Nominating Committee was presented by Ms. Graves. The Nominating Committee recently met and would like to recommend the following slate of officers:

President ó Warner Tureaud

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Vice President ó Ashlyn Graves

Treasurer ó Ric Smith

Secretary ó David Halpern

Ms. Graves said she would like to thank Mr. Rodgers, Mr. Halpern, and Mr. Smith for their time.

6. The Personal Financial Disclosure Statement was presented by Mr. Casey. Mr. Casey distributed the Tier 2.1 Personal Disclosure Statement (Form 417) to the Board Members. This form is required to be filed annually on or before May 15th by the Louisiana Board of Ethics, and it is distributed to the Board at this time of year to give everyone advanced notice. Mr. Smith was unable to be here this evening, and an email will be sent to him. Resigned Board Member Mr. Lightfoot will be sent this information also.
7. Executive Director's Report was presented by Mr. Casey. There were five topics:
 - 1.) The Orleans Levee District has accepted bids for the reconstruction of West Roadway. They have signed a contract with Hard Rock Construction and a pre-construction meeting will be held on Friday, Feb. 23rd;
 - 2.) As of February 19th, Joe Valencino with Burglass and Tankersley has not received a settlement proposal from the Attorney for Bank of America with respect to boathouse #127;
 - 3.) The boat launch bids were taken by the Bureau of Purchasing on Friday, January 26th. Ashley Savarino Unlimited Construction, LLC was the low bidder with a bid of \$123,250.00. MYHMC is in the process of obtaining approval from the State's Office of Facility Planning and Control in order for the City to award the contract;
 - 4.) The contract for the 2017 Audit has been executed by the City with the accounting firm of Erickson Krentel. It is anticipated that they will start their field work on Monday, March 12th; and
 - 5.) On Friday, February 9th Sewage and Water Board's contractor repaired the three (3) "Y" connections on the sewer collection line that is attached to the old flood wall along North Roadway. There are still several leaks in the collection line, and Sewage and Water Board has decided to install a liner inside the entire length of the sewer collection line.

Other Comments and Issues from the Public:

With respect to several leaks in S&WB's collection line, someone from the audience asked "When is S&WB going to install the liner?" Mr. Casey said that

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S&WB just informed MYHMC today and they did not provide a timeframe, but said that they will keep us posted.

There was another question in reference to the sewer line and someone asked, "Who is responsible for making sure that a boathouse is connected to the City's sewer line since the residents may have a perfectly functioning sewer system but may not realize that their line is not properly connected to the City's line?" Mr. Casey said that the connection from the boathouse to the City's line is the responsibility of the boathouse owner. Two years ago, the MYHMC Board adopted expanded requirements for boathouse transfers which included the inspection of the sewer lines under the boathouse along with the connection to the City's system. If a problem is discovered, it is property owner's responsibility to hire a licensed plumber to make the necessary repairs.

Someone else commented saying when the Lake water comes up and down, the sewer lines may become disconnected and that this could create an issue. Is there a possibility of doing a periodic inspection/survey? Mr. Casey said he had a discussion two years ago with Mr. Cuccia and the Board about a possible annual inspection process and that it was decided to require an inspection at the time that a boathouse was sold as a starting point to the inspection process. It was discussed that the next step would be to require that boathouse owners pay for an annual inspection if it became necessary. Mr. Cuccia said it is a part of the boathouse owner's lease obligation to maintain the sewer lines and the connections to the City's sewer system. Mr. Casey said that it may be time for the Board to adopt an annual inspection requirement.

Someone from the audience commented about helping a customer with a disconnected sewer line. When he got there, there were cracks in the sewer collection line on North Roadway Drive. Part of that problem that he found was that Sewage and Water Board's lift station was not operating properly, which meant that the pipe was completely filled with water. At that point, the water was backing up into the boathouse owner's pipes, which are not designed to be completely filled with water in them. Sewage and Water Board's lift station needs to be operating properly all the time, so that the level in that collection line is maintained such that it cannot back up into the boathouse sewer systems. Mr. Tureaud said MYHMC can continue to act as a conduit since it has no authority over S&WB's lines and facilities.

There was another comment from the audience concerning the specifications for the inspections of boathouse sewer lines and connections to S&WB's collection line. Boathouse owners should be required to have stiff plates/braces on the sewer collection system below the first floor that would prevent movement and breakage of the lines when the elevation of the Lake changes.

There was a question from Ms. West (owner of BH #123) concerning the material that S&WB will use to install as a liner in the collection line. Mr. Casey said that he was just informed today by S&WB that they are planning to install a liner and

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that he doesn't know what type of material will be used. Ms. West asked if there were any concerns about the inspection of the sewer line. Mr. Casey said that the line is owned by the Sewage and Water Board and that it is their responsibility.

Executive Session:

BAC Home Loans Servicing, LP, f/k/a Countrywide Home Loans Servicing, LP
v. Richard Goldenberg ó Docket No. 10-7299, Civil District Court, Orleans Parish

A motion to go into executive session was made by Howard Rodgers, seconded by Ashlyn Graves and all in favor.

Motion to come out of executive session by Ashlyn Graves seconded by Alva See, and all in favor.

Adjournment:

On a motion by Howard Rodgers and seconded by Alva See, the meeting was adjourned at approximately 8:20pm.

Date and Time of next meeting:

The next meeting is scheduled for Tuesday, March 20, 2018 at 6:30 p.m. at the Lake Vista Community Center.