

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

April 8, 2013

6:30 p.m.

First Baptist Church, 5290 Canal Boulevard, New Orleans, Louisiana

The meeting was called to order at 6:35 pm and requested a roll call by Ashlyn Graves.

Board of Directors Present:

Ashlyn Graves
David Halpern
Reginald Smith
Howard Rodgers
Warner Tureaud
Thomas Forbes

Board of Directors Absent:

Alva See
Connie Uddo
Shannon Sims

A quorum was present.

There were no amendments to the agenda.

The agenda was approved and adopted on a motion by Reginald Smith, seconded by Howard Rodgers and unanimously carried.

On a motion by Ashlyn Graves, seconded by Thomas Forbes, and unanimously carried, the minutes from the regular meeting of March 11, 2013 were approved.

Action Items:

1. There are still some items in the administration building on the west side of the main entrance of the building on the first floor that are Katrina damaged items such as old fire extinguishers, barrels, and miscellaneous items that were never removed. Capital Projects has asked that the board pass a resolution that will document the fact that the board has authorized the removal and the disposition of materials. Capital Projects has a contractor who will clean out the rest of the building and do some additional lead paint remediation work. This resolution documents the disposition of those items.

On a motion by Ric Smith, seconded by Ashlyn Graves, and unanimously carried, the resolution authorizing the disposition of Hurricane Katrina damaged contents from the Administration Building was approved.

2. There have been several discussions with Capital Projects about the Hurricane Isaac claim which is an addition to the Katrina claim. The Katrina claim is resolved and the notice to proceed has been issued to the architect for the harbor repair. The remaining item will be an Isaac claim for the harbor and the boat launch area as two separate claims. The lease that was signed in 2006 between the City and MYHMC requires that a Cooperative Endeavor Agreement be executed between MYHMC and the City that allows the City to continue to manage the FEMA claims. Capital Projects is the manager for all FEMA claims for City property.

On a motion by Ric Smith, seconded by Howard Rodgers and unanimously carried, the resolution authorizing the execution of a Cooperative Endeavor Agreement for the management of the Hurricane Isaac FEMA claim was approved.

Information and Discussion Items:

1. Mr. Tureaud welcomed and introduced the new Board member, Howard Rodgers IV. An information packet was given to him. Mr. Tureaud issued an invitation for Mr. Rodgers to tour the marina, park, and boathouse areas to get him familiar with the department.
2. Valerie Lowry and Kerney Craft from Wegmann Dazet & Co. presented the 2012 Financial Audit to the MYHMC Board. Mr. Casey and Mr. Bloom provided the Legislative Auditor's Questionnaire along with Management's Discussion and Analysis to the audit firm. Wegmann Dazet & Co. has issued an unqualified opinion.
3. The Administration Building was discussed by Mr. Casey. As of last week as per Capital Projects Administration, issues between the City and Precision Construction have not been resolved. Capital Projects is waiting on the approval of a contract with their job

order contractor to remove the remaining items in the first floor storage room and to perform additional lead paint abatement.

4. The FEMA Update was presented by Mr. Casey. On March 18th Capital Projects Administration issued a notice to proceed to Sizeler, Thompson, Brown Architects to prepare the detailed construction repair plans. CPA projects that construction documents will be completed and reviewed by November such that the project will bid in early 2014. CPA will be meeting with FEMA to review the schedule. Bids for boathouses 31 and 93 have been received by CPA and are currently being reviewed. FEMA's approval is required in order to sign a construction contract. The comment period has closed for the coastal use permit for the fishing pier and the permit should be issued in the next several weeks. A notice to proceed will then be issued for the engineered construction plans to proceed which will hopefully happen next month.

The fishing pier will be located in a new location that has been approved by FEMA and the Department of Natural Resources. The plan is for it to be built North of the boat launch area. FEMA had to approve the alternate location and the Department of Natural Resources had to approve the issuance of the coastal use permit since it involves construction in State waters.

The Cooperative Endeavor Agreement for the Hurricane Isaac claim is in process.

5. The Financial Report was discussed by Mr. Smith. MYHMC has total assets of \$3.2 million of which \$3.1 million is in cash interest-bearing accounts at Capital One bank and total liabilities of \$1,100,000. NOAA bonds which financed the last renovation at the harbor are in deferral and total \$505,000 in principal plus another \$106,000 in accrued interest. Refundable deposits from boathouse leases that were signed but never accepted by the City amount to \$365,000. Our equity position is \$2.1 million of which unrestricted assets are \$1,046,000. On the revenue and expense side, we have \$49,000 in total income and \$57,000 in total expenses. We have a year-to-date loss of \$23,000 which is well within MYHMC budget.
6. The liability insurance settlement concerning the boat launch was discussed by Mr. Casey. Mr. Casey distributed a letter to the board from the law office of Maria B. DeGracia stating that Scottsdale Insurance Company settled a recent liability law suit at the boat launch area for \$91,000. The MYHMC was billed and has paid the \$1,000.00 deductible amount as required by the liability insurance policy.
7. Mr. Casey presented the Executive Director's Report. There were five topics: 1.) Boat U.S. article from the February/March issue "Still Picking Up the Pieces After Katrina" was distributed to the board; 2.) Council member Susan Guidry will host a lake area town hall meeting on Wednesday, April 17th at 6pm at St. Dominic's Auditorium; 3.) Additional closed signs for the boat launch have been ordered and should be installed this week; 4.) A certified letter was sent to Mr. Joseph Mese owner of boathouse #57 to notify him of violation of the rules and regulations with respect to obstructing the finger pier between Boathouse #56 and #57. The letter was received on April 3rd; and 5.) The

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of April 8, 2013

accounting manual is in the process of being completed and will be presented at a future meeting.

Other Comments and Issues from the Public:

Henry Poirier asked to address the board with respect to the installation of the gate on the Breakwater wall at the boat launch. He presented a petition requesting that the gate be removed. The board took his request under advisement.

Adjournment:

On a motion by Ric Smith, seconded by David Halpern, and unanimously carried, the meeting was adjourned at approximately 7:25pm.

Date and Time of next meeting:

The next meeting is scheduled for Monday, May 13, 2013 at the First Baptist Church.