

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

April 19, 2016

6:30 p.m.

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

The meeting was called to order at 6:38pm and requested a roll call by David Halpern.

Board of Directors Present:

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

Board of Directors Absent:

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 Warner Tureaud, seconded by Ric Smith 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 March 8, 2016 were approved.

Action Items: None

Information and Discussion Items:

1. Boathouse Leases and Supplemental Lease Agreements were discussed by Mr. Casey. Susan Bankston, who is the owner of Boathouse #18, has expressed an interest in obtaining the extended lease. On March 30th. Wayne Bloom and Taylor Casey met with Ms. Bankston and her attorney to discuss the process which is required to resolve a violation that had been issued by Safety and Permits several years ago. The leasehold improvements for three (3) boathouses were sold and the associated leases were transferred during the first half of April. Ms. Graves reported that the following transfer fees will be recognized as income in the month of April: BH #119 in the amount of \$2,700, BH #22 in the amount of \$12,936, and BH #47 in the amount \$10,815. Also, Boathouse #78 (Estate of Ronnie Wriborg) is in the foreclosure process and is scheduled to go to Sheriff's sale on Thursday, April 21st at 12 noon in the lobby of Civil District Court. The Estate currently owes approximately \$8,630 in rent and fees to MYHMC. An email has been received by MYHMC from the law firm representing the lender stating that they have asked the Sheriff to announce to the public at the sale that the fees totaling \$8,630 must be paid to MYHMC in order for the lease on BH#78 to be transferred to a new owner.
2. The FEMA Update was presented by Mr. Tureaud and Mr. Casey. The City's Bureau of Purchasing accepted RFQ responses from seven (7) engineering firms on February 18th for a marina engineering firm to provide consulting services for the design of the proposed harbor improvements. The RFQ Selection Committee met on Wednesday, April 6th and Mr. Smith represented MYHMC on the Committee which short listed three of the seven (7) firms. As per Miguel Viteri (CPA), the RFP was issued to the three engineering firms last week. A pre-proposal conference will be held on the April 27th. The Board's FEMA Claims Committee held a meeting with Miguel Viteri on Thursday, March 17th, and he is in the process of developing a projected schedule which will include the Engineering RFP submission date, the FEMA environmental approval process, and the Coastal Use Permit process along with other items that are required in order for FEMA to finalize the Harbor Claim.
3. The March Financial Report was presented by Mr. Smith. As of March 31st, MYHMC has total assets of \$3,491,000 of which \$3,480,000 are current assets primarily in cash totaling \$3,412,000 in various accounts at Capital One Bank. On the liability side, MYHMC has a total of \$989,000 with long-term liabilities of \$505,000 (the NOAA bonds which are in deferment) and current liabilities of \$484,000 which the major item is accrued interest on the NOAA Bonds of

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\$222,000. The total fund balance of \$2,502,000 of which \$1,422,000 is unrestricted. On the income side for the month of March MYHMC had total revenues of \$53,000, total operating expenses of \$57,000 and other expense (which is the accrual of interest on the NOAA Bonds) of (\$3,000) such that there was a net loss of (\$7,000) for the month. For the year-to-date, revenues were \$160,000 with total operating expenses of \$166,000 which yielded an operating loss of (\$6,000). Other income was (\$10,000) which resulted in a net loss of (\$15,000) for the year to date.

With respect to the NOAA Bonds, Mr. Tureaud asked Mr. Smith if MYHMC had received any additional comments from Mr. Dwight Reynolds and the NOAA Staff Members who attended the March 8th Board Meeting and toured the Harbor on Wednesday, March 9th. Mr. Smith said that MYHMC has not received a request for any additional information, and he is not sure that MYHMC would expect to hear anything from NOAA at this time. According to a discussion that Mr. Smith had with the NOAA Staff during the tour of the Harbor, he was informed that MYHMC's Bond Issue is currently the only remaining outstanding Bond Issue that NOAA has at this time. Mr. Tureaud asked if the other Bond Issues were forgiven. Mr. Smith said that the majority of the other NOAA Bond Issues were either paid in full to NOAA or refinanced, and that MYHMC does not currently have the financial capacity to refinance the remaining debt owed to NOAA. MYHMC is still investigating the possibility of obtaining forgiveness of the debt that is owed to NOAA, but the process may be rather difficult to accomplish.

4. Economic Redevelopment Committee Report was presented by Mr. Rodgers. Mr. Casey has had a discussion with Elizabeth Fifer, Public Affairs Manager with PCCP Constructors, concerning surveys and other information pertaining to the restaurant parking lot. She will search her files and provide some information to MYHMC in an electronic format. She anticipates that PCCP will continue to use the parking lot as a staging area until the fall of 2017. The pump station is behind on their original schedule. Someone asked about the future demobilization of the temporary pump station, and Mr. Casey responded that it will be performed under a separate contract by the Corps of Engineers.
5. Mr. Casey presented the Executive Director's Report. There were five topics: 1.) The 2015 Financial Audit is nearing completion and it is anticipated that Wegmann Dazet will make a presentation at the May 10th Board Meeting; 2.) The Boat Launch repair plans are being revised based on comments that All South Consulting Engineers received from some contractors. It is anticipated that the plans will be 100% complete within the next several weeks; 3.) The emergency access rock road from West Roadway Dr. has been redone by the Non-Flood Protection Asset Authority. Also, Thomas Tubre who is a contractor and a boathouse owner on Breakwater Dr., blocked off the outfall line from the dipö and pumped the water down on West Roadway at his expense yesterday (March 18th); 4.) The June MYHMC board meeting on the 14th cannot be held at the Lake Vista Community Center. Tuesday, June 7th or June 21st is currently available.

Also the July 12th meeting needs to be rescheduled. Tuesday, July 5th and July 19th are available. (The 5th date may not be good due to the July 4th holiday); and 5.) I was asked to attend a meeting with the Regional Planning Commission (RPC) on Tuesday, March 22nd to provide an update with respect to the FEMA Claim and the status of the Master Plan. Mr. Walter Brooks with RPC mentioned that RPC may have some available funds starting in July to assist with the continuation of the Master Plan.

Other Comments and Issues from the Public:

Mr. Thomas Tubre who is a contractor and a Boathouse owner in the area was recognized for his efforts to assist his neighbors by blocking off the drainage outfall line and pumping the water down in the area of the "Dipö" in order for West Roadway to be passable. During this past weekend, there was an ambulance that was unable to access the West End Area due to the height of the water covering West Roadway. In the process of pumping the water down on West Roadway, Mr. Tubre stated that he encountered a problem with S&WB's sewer manhole in the area of the "Dipö" which was overflowing into West Roadway. Mr. Tureaud stated that although MYHMC is not responsible for the maintenance of West Roadway, it is working with OLD, the Non-Flood Asset Authority, and S&WB in an attempt to resolve the various drainage and sewer issues in the area of the "Dipö" in order to keep West Roadway passable. Mr. Zach Butterworth with the Mayor's Office stated that he will also attempt to get the various entities together to assist in resolving the drainage and the sewer issues.

The OLD actually owns West Roadway Dr. and they are working on several alternative interim solutions to resolve the drainage issue including the installation of a backflow flap gate, a drainage vault, a sump pump, and a discharge force main. They have also entered into a contract with an engineering firm for the design to elevate West Roadway. This is a long term solution and will require permit approvals from the Corps of Engineers due to the fact that the raising of the road will add weight to the levee. The City of New Orleans is responsible for the maintenance of the balance of the streets (North and South Roadway Drives along with Breakwater Dr.) as per the 1906 legislation where the State of Louisiana gave the City the "Right of Administration" over the West End Area.

Someone asked if it is the responsibility of the Boathouse Lessees to repair their sewer lines up to S&WB's cleanout/connection point. Mr. Casey said that it is the lessees' responsibility, and that recently the Boathouse owners along North Roadway were very cooperative in having repairs made to their sewer connections which solved a major odor problem in their neighborhood. MYHMC had sent out an email to all Boathouse Lessees

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making them aware that there was a plumber who had a kayak and that he was willing to inspect and repair the lines under the deck level of the boathouses.

Mr. Steve Doody mentioned that occasionally there are large timbers floating around the marina that can possibly damage the plastic sewer plumbing pipes under the boathouses. The longer it takes to repair these issues boathouse owners may continue to have problems with their sewer systems. He would like to know what can be done to resolve this problem. Mr. Doody also said that the process to solve the drainage problem on West Roadway has taken too long. Mr. Casey said there was already a discussion in process concerning creating the rocked emergency access. Mr. Tureaud said that MYHMC is doing everything humanly possible to coordinate with OLD and the Non-Flood Asset Authority to solve the drainage problem. MYHMC decided to get involved although it has no legal standing to make repairs since it does not own West Roadway. The parties that are responsible to solve the problem are public entities and they must follow the proper process in order to spend public funds. Mr. Casey said the Non-Flood Asset Authority is the administrator of the leases for the boathouses on West Roadway and not MYHMC. Mr. Tureaud said that MYHMC decided to get involved and to come up with the best temporary solution to the problem by working with OLD, the City, and Non-Flood Asset Authority. Mr. Tureaud asked Mr. Tubre if he was paid by OLD to install the rock at the emergency access. He answered that he did the work on a voluntary basis.

Mr. Tureaud asked Mr. Casey if MYHMC had ever spoken with the Levee District about MYHMC paying for an asphalt ramp at the emergency rocked road. Mr. Casey said that discussions have been held with respect to using asphalt bags along the curb in lieu of cutting the vertical curb so that it would make it easier to drive over the curb. Mr. Tureaud said that MYHC could pick up the cost for some of these items since the Non-Flood Asset Authority has limited funds.

Adjournment:

On a motion by Alva See and seconded by Howard Rodgers, the meeting was adjourned at approximately 7:35pm.

Date and Time of next meeting:

The next meeting is scheduled for Tuesday, May 10, 2016 at 6:30 p.m. at the Lake Vista Community Center.