

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

October 9, 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 Howard Rodgers.

Board of Directors Present:

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

Board of Directors Absent:

A quorum was present.

There were no amendments to the agenda.

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

On a motion by Ric Smith, seconded by Connie Uddo, and unanimously carried, the minutes from the regular meeting of September 11, 2018 were approved.

Action Items:

1. The first item is a Resolution Authorizing Revisions to the Boathouse Transfer Checklist. Mr. Casey said that this Resolution was discussed at the September meeting by the Environmental Quality Committee headed by Mr. Forbes with Mr. See, and Mr. Cuccia. The Committee asked for some additional time so that Mr. Cuccia could distribute the Resolution to the boathouse residents in order to get some feedback. Mr. Cuccia provided some additional comments, and the transfer checklist has been amended to include the following wording (on the second page of your packet): "Wherever possible it is recommended that sewer and water lines not be placed under the first floor deck level of the boathouse except as needed to connect to the City's sewer and water connections. This will greatly reduce the risk of broken/leaking pipes, and will make repairs much easier to perform." This wording has been added to the verbiage that had previously been provided by the plumber to Mr. Forbes and Mr. See. Mr. Tureaud asked if this was the only change to the checklist. Mr. Casey said that this was the only change from the comments that Mr. Cuccia had received.

Mr. Tureaud asked if there were any additional comments. Mr. Forbes mentioned that this Resolution addresses boathouse transfers and does address periodic inspections of the sewer systems of the boathouses. Mr. Tureaud said that hopefully this is just a first step, and that the Board can continue to work in concert with the Boathouse Owners Association with the approach that the Committee is taking to pass some additional Resolutions in the future to ensure that the boathouses will be environmentally friendly to the Lakefront area.

There was a comment from someone in the audience about the possibility of performing smoke tests in order to locate leaks in the boathouse sewer systems. It was suggested that a smoke test could be performed after a major storm. Mr. Tureaud said that he is familiar with the process on large diameter lines, but he will defer that comment to the Committee members who actually have discussed the inspection process with a licensed plumber. Mr. Forbes said that these proposed changes to the checklist apply to the structural support and the slope of the boathouse sewer systems, but that further discussions can be held relative to the possibility of smoke tests. As per the lease, MYHMC cannot require boathouse owners to perform periodic inspections, but it would be great if the owners are willing to voluntarily perform routine inspections that would include a smoke test.

There was another comment from someone concerning some occasional problems flushing first floor toilets. Mr. Casey said that this issue was previously discussed with someone with S&WB, and they had mentioned that their collection system may tend to fill up with water when the Lake level is elevated as it is currently.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of October 9, 2018

On a motion by Howard Rodgers, seconded by Thomas Forbes, and unanimously carried, the Resolution "Authorizing Revisions to the Boathouse Transfer Checklist" was approved

2. The next item is a Resolution Authorizing a Revision to the Boathouse Design Criteria. Mr. Casey said that this Resolution is very similar to the first one that was just presented. The same verbiage that was recommended by Mr. Cuccia has also been added to this Resolution: "Whenever possible, it is recommended that sewer and water lines not be placed under the first floor deck level of the boathouse except as needed to connect to the City's sewer and water connections. This will greatly reduce the risk of broken/leaking pipes, and will make repairs much easier to perform." Once again this Resolution addresses the situation where someone is buying a boathouse and is doing a major renovation such as changing plumbing, electrical, etc.

Mr. Tureaud said that this Resolution further fills the gap beyond the transfer process when someone purchases a boathouse. Whenever someone needs to obtain an approval (Certificate of Compliance) from MYHMC's "Rules and Standards Committee" this requirement will come into effect. Requests for plan approvals for renovations will probably happen more frequently than boathouse transfers. Mr. Rodgers asked if this Resolution would apply to current construction or renovations, and Mr. Tureaud said that it will not be retroactive. These Resolutions represent two steps that the Board is taking for the better, and again I would like to thank the Committee for the work they have done. There has been a lot of due diligence and stakeholder involvement which seems to have given a pretty good product thus far. He asked if there were any questions or comments.

On a motion by Thomas Forbes, seconded by David Halpern, and unanimously carried, the resolution "Authorizing a Revision to the Boathouse Design Criteria" was approved.

Information and Discussion Items:

1. Boathouse Lease Extensions and Transfers were discussed by Ms. Graves. For the month of September, there were two boathouse transfers (BH#110) where MYHMC recognized a transfer fee in the amount of \$7,275.00 and (BH #111) with a transfer fee of \$7,275.00 for a total of \$14,550 for the month of September.

Mr. Tureaud asked what is budgeted for boathouse transfer fees through September. Mr. Smith said that \$45,000 was budgeted, and MYHMC has received \$32,000 through September.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of October 9, 2018

2. The FEMA Update is included in the Executive Director's Report.
3. The September Financial Report was presented by Mr. Smith. As of September 30th, MYHMC has total assets of \$3,618,000 with current assets of \$3,613,000 and the bulk of which is in the form of cash of \$3,484,000 at JPMorgan Chase Bank. On the liability side, MYHMC has total liabilities of \$1,049,000 of which \$544,000 is current liabilities, and the bulk of that is accrued interest on the NOAA Bonds of \$336,000. The long term liability of \$505,000 is the balance on the NOAA Bonds. Approximately \$840,000 of MYHMC's total liabilities consists of the NOAA Bonds and the accrued interest. That leaves MYHMC with total net equity of \$2,569,000 of which \$1,944,000 is unrestricted net assets. For the month of September, total revenue was \$70,000 and operating expenses were \$52,000 such that net ordinary income was \$18,000. Net other expense for the monthly interest accrual on the NOAA Bonds was (\$3,500) such that MYHMC's net income was \$15,000 for the month. For the period of January through September, MYHMC had total revenues of \$529,000 and operating expenses of \$463,000 which yielded \$66,000 in operating income. Net other expense was (\$31,000) such that net income for the year-to-date was \$34,000.

Mr. Smith asked anyone if they had any questions.

4. The Economic Redevelopment Committee Report was presented by Mr. Rodgers who reported that the Committee met with Councilman Giarrusso last month. Earlier this month, a meeting was held at the Regional Planning Commission's Office with Councilman Giarrusso and Councilwoman Van Vrancken of Jefferson Parish along with representatives of various City and Parish agencies and the State Lands Office. The meeting followed up on conversations that had been started under Mayor Landrieu's Administration, and Mr. Rodgers is optimistic about the process. It looks like it is proceeding well with respect to future discussions regarding the old restaurant parking lot. In addition to the most recent meeting, the Committee has discussed other opportunities and so far one or two individuals have expressed interest in renting out some rooms in the Administration Building when it is completed. The Committee has also discussed the possibility of conducting a due diligence study to see what other opportunities may lie within the West End Area.

Mr. Tureaud asked Mr. Rodgers who is going to do the due diligence study. Are you going to contract someone to do it and recommend that? Mr. Rodgers said that he doesn't know yet, and we will have to figure that out.

Mr. Tureaud asked if there was some money in the budget. Mr. Casey said that there is some money in the budget for appraisal work, and for an additional study if it is needed. Mr. Tureaud said that he thinks that the Committee is moving in the right direction. He asked Mr. Rodgers if there was anything else. Mr. Rodgers said, "Not at this time."

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of October 9, 2018

5. The Environmental Quality Committee was discussed by Mr. Forbes. Mr. Forbes said that he thought steps had been taken earlier in the meeting with the two Resolutions that were approved by the Board. The Committee will continue to work with the boathouse representatives as to whether there is any consensus or interest in having any type of voluntary inspections.

6. The Quality of Life Committee was presented by Ms. Uddo. Ms. Uddo said that she was not here last meeting and Mr. Cuccia gave her report. Since then we spoke about choosing garbage cans, signage, and things like that. One question we had was, "When we select the garbage cans will that be voted on, or is it something we just select?" Mr. Tureaud said with any expenditures like that, the Committee would make a recommendation to the Board and then the Board will approve it. Ms. Uddo said the Committee will get with Warner, Taylor, or possibly the City's Sanitation Department to get some feedback. Mr. Tureaud said one thing that you may want to consider, and Ric, Ashlyn, and Taylor can respond to this as well. The FEMA Committee was in a bit of a quagmire and it had nothing to do with what you are doing, Connie. We were looking at how we would handle sanitation on the East side of the Harbor, and placing a dumpster on this new beautiful thoroughfare did not seem to be appropriate. I hope that we can get rid of the dumpster on the Point, and I can't wait to hear your ideas to replace it with something more attractive. What the FEMA Committee recommended for the East side is to use a selection of rolling trash cans, and Taylor was familiar enough with the sanitation that they would come in and roll them out from the breezeway under the comfort station. My point is, we have already looked at the feasibility of doing it there. And when I say "it", I am referring to just having the rolling cans. We may even want to have you take whatever theme you go with for the linear park, instead of just having some dark green or black cans from waste management. Maybe we will have nautical theme cans or whatever your team comes up with. We were overstepping our boundaries and we should have called Connie. What we looked at was using rolling cans instead of a big dumpster along with the fact that the Sanitation Department's contractor will only walk a certain distance. I will be happy to discuss with you what we looked at so far, and maybe you can incorporate the East side and I guess the West side too. But we are also using a dumpster for the West side which will be removed from the entrance to the Harbor. Mr. Casey said that there is one dumpster in that location, and there will be a need to have a dumpster someplace on the property. Mr. Tureaud said that it is more accommodating on the West side than it is the East side. There have always had one historically there. I just couldn't see creating an entirely beautiful thoroughfare/pedestrian walkway on the East Side and placing a dumpster in that location. That is where we are, and we can't wait to see which direction you go, and it will be just like the FEMA Committee. You will come and make recommendations to the Board, and the Board will vote on it. But you will be the expert. Mr. Casey said that on an interim basis from the standpoint of not having a staff to actually empty cans, there will be a need to have the garbage service that we have picking up the cans around the park and on the West piers.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of October 9, 2018

That may be an interim solution until we get to the point where the Lakefront project is actually on the way and built. Mr. Tureaud said he is looking forward to it. He asked Connie if that concluded her report. She said, "Yes."

7. Executive Director's Report was presented by Mr. Casey. There were five topics:
 - 1.) The MYHMC office has been without phone and internet/email access as a result of an accident at AT&T's distribution box on Lakeshore Drive on Saturday, September 29th. AT&T anticipates that the repairs will be completed this week;
 - 2.) Demolition of the east side of the Harbor is progressing on schedule and should be completed in the next two weeks. The dead-men piles have been installed and now the tied-back system connecting to the sheet pile wall will be able to be completed. Purchasing accepted bids on October 2nd for Capital Projects for the completion of the Administration Building. They are waiting on the receipt of post bid documents from the lowest bidders;
 - 3.) Although the homepage of MYHMC's website was updated, other areas of the site have not been able to be updated due to the internet access issue at the office;
 - 4.) MYHMC is in the process of working with SYC to relocate boats from the wet slips that SYC leases from the Corporation. This will get those boats out of the contractor's way for the tied-back system to be completed. Also I have been asked to provide a brief update on the Harbor reconstruction at an SYC Town Hall meeting next Tuesday; and
 - 5.) During the next several weeks, I will be following up on the status of the development of boathouses 1 and 2 as well as the legal process to get boathouse #31 back into commerce.

Other Comments and Issues from the Public:

Mr. Tureaud had some comments with respect to the AT&T outage. He mentioned the need for Taylor and Wayne to check their emails after they leave the office and get home is not a good way to run an operation. He knows that Ashlyn is more technologically inclined. He was wondering if she can look into this and give an opinion on how we could or should move forward with redundancy so that the staff can operate. This is not the first time where we have actually been dead in the water communication-wise. I don't have any recommendations and maybe whatever you do with your business, we can maybe mirror that where the staff can operate and not operate at the dinner table at their houses on their own time. We need to operate even when things are not looking good. Mr. Smith said that we are outside the levee, so we are more subject to communication interruptions. Mr. Tureaud said that someone rolls over AT&T's distribution box periodically. Mr. Casey said that AT&T moved the box to another location. Mr. Tureaud said we still have to be able to operate in the event of whatever happens. I will ask Ashlyn to come up with whatever she thinks is appropriate. I know when you run a business you can't be out of communication. So whatever the recommendation is to keep staff in communication during a

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of October 9, 2018

hurricane I know at the Port we would have non 504 phones distributed to us, so in the event there was a major event in the area, the phones would still work because it was coming from a different area code. Mr. Casey said that we can also talk to the City's IT department because there are some restrictions in terms of what can be done to receive the City email and they have their rules and regulations. Mr. Tureaud said to tell them that we need to be able to operate and you guys checking your emails at the dinner table at 8 o'clock at night is not the way to do this. I appreciate the effort but there is a better way. Ashlyn I would appreciate any help that you can give us on this issue.

Executive Session:

Mr. Tureaud said that the Board will be going into an Executive Session and that section of meeting will be closed to the public, so we will entertain any issues or questions that the public may have before we enter into Executive Session.

Motion to go into Executive Session was moved by David Halpern, seconded by Ric Smith and all in favor.

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

Adjournment:

On a motion by David Halpern and seconded by Ric Smith, the meeting was adjourned at approximately 8:15PM.

Date and Time of next meeting:

The next meeting is scheduled for Tuesday, November 13, 2018 at 6:30PM at the Lake Vista Community Center.