

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

February 12, 2019

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

Board of Directors Absent:

Connie Uddo

A quorum was present.

The order of the agenda was amended in order to introduce new legal counsel from The Steeg Law Firm who will assist the Board in drafting the lease language for the form of the boat slip lease in the restored Harbor.

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

On a motion by David Halpern, seconded by Thomas Forbes, and unanimously carried, the minutes from the regular meeting of January 8, 2019 were approved.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

Mr. Halpern said that he and Mr. Forbes were tasked with the responsibility to reach out to the Legal Community who we think could bring a lot of expertise to the area of immovable property, moveable property, lease drafting, enforcement of remedies, laws, etc. The Steeg Law Firm that has been in that business for probably 75 years. Mr. Moise Steeg who founded the firm and was the father of Rob Steeg (who is the current managing partner of The Steeg Law Firm) was one of the original really great real estate lawyers in the city, and Rob is following in his father's footsteps. With us tonight is Ms. Margaret Glass who is a member and an associate of the firm, and we have spoken with and were introduced to her at an earlier meeting. I have utmost confidence not only in the firm but in Ms. Glass, and subject to any comments from Mr. Forbes I am going to be making a motion to approve the Steeg Firm as MYHMC's counsel in this upcoming endeavor, and we'll invite Ms. Glass to introduce herself.

Thomas Forbes said his comments are with the process for hiring an attorney through the City and have a certain amount of bureaucracy to them. We have gotten that underway. We understand and are going to pursue what is known as an expedited contract procedure which should be simpler and it's called "expediency contact routing process" for professional services of \$15,000 or under which we estimate this to be within. We and our contract administrator, Wayne Bloom, will try to see if we can fast track this contract. I am advised by the City Attorney who is assigned to this Board for contracts that it may be able to get approved in a week or two. Then and only then will Mr. Steeg and Ms. Glass will be our attorneys, but subject to that I am happy to have Margaret on board, and we will work on this as quickly as we can. I think that an outside voice will be a breath of fresh air.

Mr. Forbes asked Margaret Glass if she had any comments. Ms. Glass introduced herself. She said, "My name is Margaret Glass. I am the associate of the Steeg Law Firm. I have about 8 years of legal experience. I am working under Rob Steeg who has 30 to 40 years of experience in real estate and in particular leasing. We have taken a look at your old lease, and we are ready to hit the ground running as soon as we check all the boxes and get everything formally retained, so we appreciate the opportunity." Mr. Tureaud said, "We appreciate you being here. We look forward to working with you. Are there any questions or comments from the Board?" Mr. Tureaud then said, "Thank you for introducing yourself. The Resolution seems a little out of order now, but we have one item of business on the Action Items before we vote on the Resolution approving the Steeg Law Firm."

Action Items:

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

1. Mr. Casey said in terms of some background on the Resolution, the Non-Flood Protection Asset Management Authority (NFPAMA) had a Real Estate Committee Meeting and a Board Meeting since MYHMC's last Board Meeting. MYHMC has had a Memorandum of Understanding (MOU) with the NFPAMA that has allowed the use of this meeting area at the Lake Vista Community Center. Initially it was a one year agreement that was extended for two (2) additional years, and the agreement is approaching the completion of the third year. The NFPAMA Board was gracious enough to grant an extension to the MOU for another two (2) years. Although according to Miguel Viteri with Capital Projects, he currently anticipates that the renovation of the Administration Building will be completed prior to the end of the two (2) year extension. Things are moving along with the award of the contract for the finalization of the repairs to the Building, but Miguel is still dealing with approvals from FEMA which are required in order for Capital Projects to issue a Notice-to-Proceed (NTP). The approval of this Resolution and the execution of the MOU will continue to provide MYHMC with a place to have its monthly Board Meeting.

Mr. Tureaud said that the Board is happy to be able to meet here, and it appreciates the NFPAMA's continued generosity. Mr. Tureaud asked if there were any comments or questions.

On a motion by Alva See, seconded by Ashlyn Graves, and unanimously carried, the resolution "Authorizing the negotiations and the execution of the Third Amendment to the Memorandum of Understanding with the Non-Flood Protection Asset Management Authority for the use of the Lake Vista Community Center at 6500 Spanish Fort Blvd" was approved.

2. Mr. Halpern said he would like to move to proceed with the Resolution that was previously discussed "Authorizing the Execution of a Contract with The Steeg Law Firm, LLC" once that the law firm is approved by City of New Orleans through the contract process. He said that he thought that Mr. Forbes had an amendment to the Resolution. Mr. Forbes said just by way of procedural matters that application to the City for authorization to hire the Steeg Law Firm is in process, and the Resolution authorizing them to contract with MYHMC for this legal work will start as soon as that is received.

Mr. Tureaud asked Mr. Casey if he understood that. Mr. Casey said, "Yes, and that is a standard item."

Mr. Tureaud asked if there are any public comments before the Board proceeds with this matter. He then said "Before we move off of the Action Items, I would like to commend the Committees that worked on this. The staff has never been busier than at this time. Wayne is doing a ton of things outside of his job description. Taylor is everything from the Harbor Master to our expert at these Committee Meetings that we hold one, two, or three a week. There are a lot of moving parts in addition to what you see out there, and I really hope that everybody gets a chance to come out to the marina now before it's finished"

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

because there is a lot of work. You can actually touch, feel, and walk on the work that's going on. There is also a lot of work that is going on behind the scenes. There are a lot of decisions are being made. For this Board to take on the responsibility of doing the leg work that Tom, David, Howard, and Ashlyn is doing, as well as Ric and Ashlyn have always been doing with respect to the FEMA Claims Committee. This has always been a working Board, and it's never shown itself more prevalent as now, because we don't have a staff of four or five people to do all these things. The Board Members have generously given of their time and they continue to do so. The job that David and Tom have accomplished in lightning speed since the Board does not have time to waste. This Boat Slip Lease needs to be put into place, we need to get our rates together, and we need our rules sharpened. We need to get things done, and we need you guys to do that with a minimum disruption of staff. The staff is Taylor and Wayne and it is what it is. Mr. Casey added "And Kim helps." Mr. Tureaud said, "And not to avoid Kim. We have a very limited staff, and we are like that because we don't have the resources and revenue coming in to hire extra people to do this stuff. Until we are running at some sort of capacity, it will probably stay like this. Maybe one day we will be a Board that just sits and just looks good and says, "Staff's got it" but today is not that day. So since it's not that day, I want to applaud and thank everyone because it's easier to get a job and dump it on Taylor. That is very easy to do and very important. Taylor is only one person, and we never are going to get to the finish line if we do that. Everybody has been pitching in and I really appreciate it, and I think we will get to the finish line in a lot better shape."

On a motion by David Halpern, seconded by Howard Rodgers, and unanimously carried, the resolution "Authorizing the Execution of a Contract with the Steeg Law Firm" was approved.

Information and Discussion Items:

1. Boathouse Lease Extensions and Transfers were discussed by Mr. Casey. There were no boathouse lease extensions or transfers in the month of January, but there are several lease extensions that are in process. The remaining 2019 lease which is for Boathouse #129 is in the process of being extended to 2030. He said that he and Kerry Cuccia had previously discussed this lease since it expires at the end of this calendar year. There are two other Boathouse Leases that have been extended from 2019 to 2030, and they are in the process of being extended from 2030 to 2068. The required documents have been submitted and they are being reviewed by the Law Department. There are currently several boathouses for sale and with

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

the spring time approaching, there will probably be several others that will go on the market.

2. The FEMA Update was presented by Mr. Casey. Mr. Tureaud said, "As you all know, Ric, Ashlyn, Taylor, and I attend regular meetings because we are now dealing with the construction aspect, changes, and change orders and this goes on Taylor's end daily with Capital Projects. Ric and Ashlyn had been involved in bi-weekly meetings which are now occurring weekly. There are a lot of balls moving to make sure even the little nuts and bolts that hold this marina together are accounted for. Not numerically accounted for, but accounted for as to the standards as to whether or not it will cause a maintenance issue down the road and operational issues and the like. It is really getting to the point where you know we thought we got the money and our job was done? Our job is really just getting started, and the hard work is really taking place right now. With that being said, Taylor you have the FEMA update." Mr. Casey said that there were five items: 1.) The first floor slab has been poured for the East side comfort station. A couple of people have noted the massive foundation and asked what is being built over there. He has jokingly responded that now that Federal Government is funding NASA projects again, MYHMC obtained a grant to construct a rocket launch pad at that location. If you look at the steel rebar that was put in there before they poured the slab, you can see that it is pretty hefty. They had a good day on Saturday to pour the concrete; 2.) Approximately 8 to 9 flat bed trucks per week are delivering the concrete floating dock sections. Basically piers "H" and "I" have been installed including finger piers. Access to the Point on Breakwater Drive will continue to be restricted. He anticipates that there will probably be a good number of trucks that will arrive tomorrow. Some came in on Wednesday and on Thursday of last week and they will probably have a similar delivery this week; 3.) The Breakwater Drive/Park Shoreline Restoration job is moving along and it has been posted on the City's Bureau of Purchasing website. This is last remaining FEMA Claim in the West End Area. The total settlement is \$7 million dollars in terms of what Miguel Viteri was able to obtain with respect to damages, as well as mitigation issues which have been discussed previously. There will be a pre-bid meeting tomorrow (2/13/19) at City Hall at 2:30 p.m. It is currently projected that bids will be accepted by Purchasing on Wednesday, Feb. 27th at 2:30 p.m.; 4.) MYHMC is in the process of getting a proposal for an appraisal for the Administration Building for the continuation of the FEMA claim for Capital Projects. Just to remind the Board that although there was a settlement between the bonding company for the contractor who went bankrupt and the City's Law Department, the Administration Building is still an open FEMA claim; and 5.) MYHMC is working with Sizeler, Thompson, Brown Architects with respect to a proposal for additional items that are not covered by FEMA primarily for the first floor of the Administration Building. That sums up the FEMA Update.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

3. The January Financial Report was presented by Mr. Smith. As of January 31st, MYHMC has total assets of \$3,703,000 with current assets of \$3,691,000 and the bulk of which is in the form of cash of \$3,568,000 in two accounts at JPMorgan Chase Bank. On the liability side, MYHMC has total liabilities of \$1,145,000 of which \$640,000 are current liabilities, and the bulk of that is accrued interest on the NOAA bonds of \$353,000 and unearned revenue of \$128,000 on prepaid leases. The long term liability of \$505,000 is the balance on the NOAA Bonds. That leaves MYHMC with total equity of \$2,558,000 of which \$1,971,000 is unrestricted net assets. For the month of January, total revenue was \$55,000 and operating expenses were \$55,000 such that MYHMC broke even on operations. Net other expense was (\$4,000) which is the monthly accrual on the NOAA Bonds, such that net ordinary income was a loss of (\$4,000) for the month. Mr. Smith asked if anyone had any questions.

4. The Economic Redevelopment Committee Report was presented by Mr. Rodgers. Mr. Rodgers said that he spoke with Councilman Giarrusso to get a status update on a bill that State Representative Hilferty will be introducing in the upcoming Legislative Session with respect to the participation of the State Lands Office in the drafting of a RFP for the future development of the old restaurant parking lot site. He anticipates meeting next week with Councilman Giarrusso to get an update on the status of the proposed Legislation along with the participation of Orleans and Jefferson Parishes in the process. In addition to that he, Ashlyn, and Taylor, have spoken about opportunities to rent out portions of the Administration Building once all of the construction has been completed. Several areas have been identified to generate additional income for the MYHMC and the Committee will continue to look for other areas. Mr. Tureaud said to Mr. Rodgers, "Very good. It is good that you are involved because Ashlyn is spearheading the additional architectural/engineering changes to the building and how that is going to impact the Corporation economically. You know, I would hope that you would also be privy to that information on the ground floor. That's good so that you can have some input on what Ashlyn is doing." Mr. Rodgers said that he has had a very detailed conversation with respect to items that would help. Mr. Tureaud said "Yes, with your expertise and your youthful spirit of looking for some out-of-the-box revenue it is not just necessarily the cookie cutter stuff. Something that won't keep Kerry up at night, but something that is never the less befitting to West End, but that's something that we may not be used to. I don't even know what that is Howard, but I'm an old guy and you're young guy. We have some young people on this Board, so you and Ashlyn I'm sure will come up with some really snappy ideas, and I'm looking forward to it."

Mr. Smith asked, "Do we know whether the Breakwater Drive project is going to need at some stage we need to get our lay down yard back. Is there any chance that the Breakwater Drive project will move on-site in the lay down area when TKTMJ is finished, or are they going to use other areas?" Mr. Casey said that is something that will need to be discussed with Miguel Viteri and DPW. Mr. Smith

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

then added, "It's just a thought as the Economic Redevelopment Committee is looking at a certain horizon when they get parking lot back." Mr. Tureaud said, "We don't know what their needs are, because it's just going out to bid now. They are going to use a certain degree of the old docks for "engineered rip-rap" I don't know if the lay down area is going to be as necessary. We knew that it was needed for the huge Harbor project. I don't know what their needs will be. It's just kind of hard to say until they break up the old docks and move them into place as they use them. I'm not sure, but that is a good point. So Howard we will have to start pulling you in closer, so that you will know what you have to work with and when you'll have it. Ric brings up a very good question, but I don't have the answer to it. Taylor, I'm sure you don't either. Taylor said, "Yes, I have not discussed this issue with CPA and DPW." Mr. Tureaud said, "Nor have I, but that's a good point. And we really need to do a better job with keeping Howard in the loop as to how the areas are going to be tied up. Howard you are pretty much tied up during the day, and you cannot make a lot of these meetings that we sometimes have at ten o'clock in the morning." Mr. Rodgers said, "Most likely I can make some of them." Mr. Tureaud said, "Okay, well between myself and Ashlyn, I know you and Ashlyn have been talking regularly and we will get you involved. We will try not to waste your time, where we will have you present for the ones where you think it's really necessary."

Kerry Cuccia asked "Does the request for proposal have a projected completion date for the Breakwater project?" Mr. Casey said there is a construction time period in the specs, but he has not read them in detail because of everything that has been going on lately with the Harbor project. The anticipated construction start date depends if it actually bids on Feb. 27th. Like a lot of construction projects, there are typically going to be questions that contractors are going to ask at the pre-bid meeting that may cause addendums to be issued that might push the bid date back, and we are right up against Mardi Gras. Mr. Tureaud said, "As we move forward we will start wrapping our arms around that, but until the City gets a contract in place, there is really nobody to ask any specific questions. Kerry Cuccia mentioned that obviously the contract time period does not start until the City executes the contract."

Mr. Alva See asked Mr. Casey, what time the pre-bid meeting for the Breakwater Drive Project was being held. Mr. Casey said, "It will be held tomorrow at 2:30 p.m. at City Hall, and the acceptance of bids is scheduled for the 27th. This job includes the shoreline restoration, sub-surface drainage, the rebuilding of the parking lots." Mr. See asked if the drawings had been modified to remove the proposed dumpster pad and enclosure at the "Point". Mr. Casey said, "No, in fact I will be having a discussion with Miguel tomorrow with respect to several proposed changes such as the removal of the dumpster enclosure and the green space areas in the Boat Launch parking lot that might restrict access to the ramps." Mr. Tureaud said that he and Miguel have discussed the fact that MYHMC would prefer to eliminate the dumpster enclosure and that there were a number of ideas being discussed for trash disposal at the "Point". The Board will be included in future discussions with respect to alternative solutions as well as to

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

how to keep the overall area clean. There are also two dumpsters that are located on the West side of the Harbor on North Roadway that he would also like to see eliminated which would improve the look of the area.

Mr. Casey said that he had two (2) other items to mention pertaining to Economic Development. Since Capital Projects needs MYHMC to obtain a market value of the Administration Building for FEMA, the appraisal will also include an evaluation of the market value for the rental of the first floor of the building. The other item is that the Regional Planning Commission (RPC) has awarded a contract for a feasibility study to Linfield, Hunter and Junius Engineers for a new bike/pedestrian bridge in Jefferson Parish to be built across the 17th Street Canal. This is the replacement bridge that has been talked about for quite a while. Mr. Casey said that he has been asked to serve on the Project Management Committee representing MYHMC. The RPC has been gracious enough to include MYHMC in the discussions although no portion of the bridge is in Orleans Parish, but the fact is that it fits in with some of the other things that they have been working on with respect to their West End Area Study. He will keep everyone posted on how the process moves along.

5. Environmental Quality Committee was discussed by Mr. Forbes. Mr. Forbes said that there is nothing new to report. Mr. Casey said "I would like to add that MYHMC has another plumber who has done some work for the Corporation. Dave Howard with American Economy Plumbing is willing to perform plumbing inspections and repairs for boathouse transfers. Someone had called the office and mentioned that Mr. Wiss was tied up with some other work and asked Wayne if there was another plumber that was available. MYHMC certainly wants to give Mr. Wiss the referral since he helped the Committee formulate some wording for the Boathouse Transfer Rules. Dave Howard has done some work for MYHMC, other boathouse owners as well as New Orleans Yacht Club. Mr. Tureaud said, "I haven't signed a boathouse transfer in a while. Have we amended it to include the plumbing inspection?" Mr. Casey said, "The rules have been amended and posted on the website along with the Boathouse Transfer Checklist." Mr. Tureaud said "so when I sign the lease transfer document I will know that the sewer inspection has been done." Mr. Casey said that is correct.
6. The status of New Boat Slip Lease was discussed by Mr. Forbes. Mr. Tureaud said "Mr. Forbes I think you already covered that, but do you have anything else?" Mr. Forbes said, "No, not really. We should have more next month and we welcome any questions from the Board or the audience." Mr. Casey said that Wayne Bloom has uploaded all of the documents into the City's electronic contract management system which were required to get the contract in routing, so that it could go through the various approval stages." Wayne anticipates that the expedited contract process will be approved by the Law Department prior to the next Board Meeting. Mr. Tureaud said "very good - in city government what Tom and David have done is like lightning speed, so my hat is off to you."

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

7. Appointment of the Marina/Harbor Committee was discussed by Mr. Tureaud. Mr. Tureaud said, "I hesitate to establish yet another Committee, but we have so more groundwork that has to be done. This is one that I think that I won't be able to delegate to anyone else, although I may ask for input. Ric Smith and I will either chair or co-chair that Committee. We probably will ask maybe Thomas Forbes to assist us as he concludes his work on the new slip lease. We are going to be looking at additional Harbor rules, slip rates, utility costs, transient slips, commercial uses, etc. We are going to define different uses and rules for those uses. We are going to discuss diversity issues. We have a myriad of different things to look at and review, and this Committee will bring recommendations to the Board. This will not be a finished product because these decisions are too important to be done in a vacuum. The Committee will work, hammer something out, and we will bring it to the Board for discussion. You will learn about the sub-topics of all of those different items that I just read off to you, but it's going to be a lot of work. We don't have a lot of time to complete it because it needs to be in place before we start issuing leases. The scope will be broader than what I have talked about. Let's say for instance if we decide if we are going to have a live-a-board policy. If we don't then that's easy -no live-a-boards- but if we do, it gets complicated because we need to define what a live-a-board is and what the rules are with respect to the minimum size vessels, etc. We need to decide the scope for the boat slip rents which will have to be approved by the City Council. We don't operate in a vacuum, and we have to justify what those rates." Mr. Casey said, "Which incidentally we do have an MAI appraisal along with a Marina Feasibility Study that was done by Moffat and Nichol before they started the design of the Harbor such that and we have a lot of the backup in that aspect." Mr. Tureaud said, "If you want to have a discussion about it since I am looking for input from everybody, and if you would like to sit on the Committee I am just trying not to tax people too much. There is a lot of leg work, but if you are volunteering to be on the Committee, I'll accept your offer." Howard Rodgers volunteered to serve on the Committee. Mr. Tureaud thanked Howard. He then said, "No worries, I mean Ric and I will do the heavy hitting but we want other opinions, so I appreciate your interest. As of now it's going to be myself, Ric, Howard, and Thomas."
8. Quality of Life Committee (Ms. Uddo was not present). There was no report from the Committee.
9. Report of the Nominating Committee was presented by Ms. Graves. Ms. Graves said, "The Nominating Committee which consist of myself, Ric Smith, Connie Uddo, and Thomas Forbes convened this week and came up with the following slate of officers:

President: Warner Tureaud

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

Vice President: Ashlyn Graves

Treasurer: Ric Smith

Secretary: David Halpern

Ms. Graves then said, "As always it's an open process and any input from the Board is always welcome. You know it's a busy time for the Board and it's nice to have some continuity but at the same time, if anybody has any other suggestions or comments, we would love to hear them."

Mr. Casey said that the Election of Officers will take place at the next meeting.

10. Personal Financial Disclosure Statement was discussed by Mr. Casey. Mr. Casey stated that he will be emailing a memo to the Board Members pertaining to the Personal Financial Disclosure Statement. This is for the 2018 calendar year, which is due on May 15th at Louisiana income tax time. This is the time of year that this information is typically distributed so that the Board Members can complete the form. Some of you may have already received the same form if you serve on other Boards. Mr. Tureaud mentioned Douglas Lightfoot. Mr. Casey said that he was notified to fill out the form for 2017, and his position was vacant for the entire 2018 calendar year.

11. The Executive Director's Report was presented by Mr. Casey. There were eight topics: 1.) The slip lottery was held on Wednesday, January 30th for the West side tenants in good standing at NOYC at 1PM and the list was posted on the MYHMC website. Mr. Casey thanked Ric Smith for attending both of these functions, and acting as the independent source from the Board to pick names out of the container at the first meeting and assisting the staff at the second meeting; 2.) The slip picking function was held on Wednesday, February 6th at 1PM at NOYC. Staff is still working on assigning slips to the 10 MYHMC sub-tenants who occupied SYC's wet slips. Since MYHMC leases those slips to SYC, they are MYHMC's sub-tenants and they were moved to the West side, when they had to be relocated from that area. SYC's tenants were told that they would not be competing with the existing West side tenants in the slip pick and that they would fill in available slips. They are smaller boats and unfortunately some of the slips are larger than they actually need. Wayne and I are also working with Jim Brusgard with SYC (Water Front Director) who worked with us in moving those boats to the West side. There are a couple of older members that Jim wanted to make sure that they had easier access to get to their boats. Mr. Casey is hoping to talk to Jim tomorrow and then the slip selections will be able to be posted on the website. One of the things that made it a little challenging is that we have ten 30' slips that are directly across from the Community Sailing Center slips and the comfort station that we cannot use, because the contractor is going to have a crane barge sitting there building that structure and people would be blocked into those

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

slips. The ten boats would have fit into those slips on a temporary basis perfectly, but that's not the case; 3.) Both the Real Estate Committee and the Board of Non-Flood Asset Authority approved a 2 year extension to use the Lake Vista Community Center; 4.) The Boat Launch Construction is proceeding, and it is in the first phase covered by U.S. Fish and Wildlife Grant. The underwater ramps and finger piers are projected to be completed in late March/early April. The next phase is included in the Breakwater Drive job that is currently out for bid which will include the rebuilding the asphalt parking lots; 5.) The hearing date in First City Court for the petition for eviction for boathouse #127 on North Roadway was held on Monday, January 28th. MYHMC is now in control of the leasehold improvements. The lock has been changed and the property has been added to the insurance schedule. Property taxes for 2019 were paid to the City by Bank of America; 6.) Tulane Sailing will be hosting the College Sailing National Championships in late May of 2020 which will be a big event. Mr. Casey received an email from Ric Smith today and will be looking at a couple of things to assist them in that process as well as look at the timing of the reconstruction of the parking lots and Boat Launch. As many of you know, Tulane had gone from a sailing club to a varsity sport. It has really put them on a map as a major sailing program. Mr. Tureaud added a comment saying, "That is primarily because of the lease that the Board entered into with the Community Sailing Center. No Community Sailing Center, no Tulane Varsity sport. Although we are not directly responsible for Tulane becoming a varsity team, we worked tirelessly to get the lease with Community Sailing approved through the previous Mayor's office. It is paying off, and hopefully we will have more college varsity teams as a result of that. Kudos to those guys"; 7.) The City is anticipating a bond sale in 2020, and MYHMC will be revising its capital request. The City has not had a bond sale in a number of years, and they basically had issued all of the bonds that were approved from the last bond sale. Although the City does not know the exact amount, they anticipate that it will take place sometime in 2020 and all of the Boards, Commissions, and Departments have been asked to review their current Capital Budgets for 2019. Capital Projects has a preliminary meeting tomorrow to discuss the process, and MYHMC is reviewing some of those items; and 8.) Mr. Riley Stogner who is an existing West side slip tenant was not included in the slip lottery asked to be here tonight to address the Board.

Other Comments and Issues from the Public:

Mr. Riley Stogner said, "My Coast Guard boat registration was delayed as a result of some issues with a family business and other family members. I asked that person to take care of getting the boat registered properly and obviously it wasn't. I know that I got notifications from management and Kimberly and everything. I just forwarded on to a family member to let them handle it until I got the certified letter informing me that it was not done properly. When I tried to get it done, there was the shutdown in Washington, D.C. for thirty days. I finally had some paperwork in and also forwarded it onto Taylor and Wayne. Knowing that

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

moving over to the East side would be a temporary move for me until hopefully I could move back over to the West side, I wasn't that particular on what slip I got. I didn't need the most decent spot up front on the East side. I just want to politely ask for a slip." Mr. Casey said, "From the material that you had sent, you showed that the purchase of the boat was in May of 2016. I know Kimberly had sent out numerous emails, and I see that you applied recently for Coast Guard registration as per your application. In addition to the letter that was sent to anyone who was not in compliance in advance of the lottery, it was also noted in the last billing that Wayne had sent out in September, in which you had to be in compliance by October 31st. The registered letter was not the first notification." Mr. Stogner said, "It may have been there on the invoice." Mr. Casey said, "It was on there, so for the record, we made everyone aware that the Board had passed that resolution with the required date." Mr. Stogner said, "I was being sloppy and relied on somebody else." Mr. Casey said, "The other issue that I will bring up is that MYHMC has had some issues with you as a tenant over the last several years. There was one time where under the state legislation dealing with the "Boat Yard Storage Act", we had to threaten to seize your vessel for payment of rent and sent you several certified letters."

Mr. Tureaud said, "Thank you for that Taylor. Wayne you do want to add something?" Wayne mentioned that Mr. Stogner had been a year past due on his rent at one point in time. Mr. Casey said, "That is where the Boat Yard Storage Act applied under the State Legislation. The State has an "Abandoned Boat Act", and they also have a "Boat Yard Storage Act" in terms of a tenant of a boatyard or a marina has to wait 180 days before the facility can threaten to seize someone's vessel for non-payment of rent." Mr. Tureaud said, "That part is not a part of a debate. What this Board does is we have met, and we set the rules in place for management to be able to govern. And we do not have the practice or superseding management. That is not how we work unless some member of the Board wants to argue differently, I am certainly open to that discussion. This appears to be a management issue."

Mr. Smith said, "I would like to add to it that we've had a fair number of people who have been paying on time, submitting documentation on time, and I've been primary when meeting on management about the fact that we can't have a first class Harbor with people who just think that they don't have to follow the rules. The rules that we put in place regarding the movement of the vessels started months ago with discussions here at the Board in a public meeting. Ultimately we adopted some guidelines for management. I would defer to management on it, and with that comment that they are not necessarily the bad guys. Mr. Stogner said, "I understand that. We got to take it as the year and it may be my memory, because I didn't bring any documentation. I am currently current."

Mr. Smith said, "If worse comes to worse, you put your name down on the waiting list, and you move down to South Shore Harbor." Mr. Stogner said, "The problem with that is it would cost my whole crew because I would have to cancel my whole sailing program." Mr. Smith said, "I'm sorry about that, but all of the

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

other people in the harbor had been compliant with the rules.ö Mr. Tureaud said, öI appreciate your comment and management will look at this case in depth, and we will look forward to management's decision.ö Mr. Stogner said, öOkay.ö Mr. Tureaud said, öThank you very much.ö

Mr. Stogner asked, öI have a question.ö Mr. Tureaud said, öYes sir, go ahead I'm sorry.ö Mr. Stogner asked, öShould I follow up with you at a later time?ö Mr. Casey said, öMaybe I can just tell you right now. I had mentioned to you over the phone as that you can get on the waiting list. And based on the rules that have been given to us that are pretty specific in terms of the resolution of people being current as of October 31st, you are not the only one. We had to send letters out to a handful of other tenants who were not included in the lottery, so you are not the only one out of the existing slip tenants, so that you know that first hand. I would say if you want to get on the slip waiting list, that would be probably the route to go. Mr. Stogner said, öOkay.ö Mr. Tureaud said, öAlright, well thank you.ö Mr. Stogner asked, öJust call the office tomorrow to get it?ö Mr. Casey said, öYes, we have the application. It is also online.ö Mr. Stogner said, öOkay, I will have that done.ö Mr. Tureaud said, öAlright, thank you. Thank you for the comment. Thank you Taylor.ö Taylor said, öThat's all I have.ö

David Halpern asked, öWith the status of the construction of the Harbor, is there a pretty respectable demand for these slips. Is that correct?ö Mr. Casey said, öYes there was.ö Mr. Halpern said öThe reason that I bring that up is in that conversation about drafting the leases and the trouble we have with revenues to chase the money and to obtain items from the boat slip tenants and all that kind of stuff. It seems to me that the greater the demand for the real estate, the greater our ability to have language in the leases that protects this Board from having to go the extra mile. Examples might be to require that tenants would be required to pay a year in advance, three months in advance, or six months in advance, or some other things so that if you don't want to live by those rules we go to the next person on the waiting list. I'm not trying to be hard about it, but the flip side of it is that we don't have the staff to chase people for \$700 at a time. So it may be since we have demand, it is like owning a piece of real estate on Bourbon Street (or Poydras or whatever). It's like you have a piece of real estate that is in demand, you will be able to dictate some terms in the leases that prevents future harm.ö Mr. Tureaud said, öI think Orleans Marina does quarterly billing in advance. Am I right Ric? They don't pay monthly, they pay quarterly right?ö Mr. Smith answered by saying, öThey pay quarterly.ö Mr. Tureaud said, öYeah, what you are saying is not unreasonable.ö Mr. Casey said, öAnd the Harbor billed quarterly in advance previously, and we currently bill every six months now.ö David Halpern said, öMaybe if the demand is there, you know, maybe there are some other things that we can do because it's simply that you learn by experience with Joe, you know, chasing somebody around for hundreds of dollars.ö Mr. Tureaud said, öWe are out of the dumpster business and the chasing business, so I am with you on that David.ö Mr. Halpern then said, öSo you know, we have met when we were talking about translating the language between now and the next meeting, and I have to talk to Ms. Glass about it, but I would like to probably be a

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

little bit aggressive on some of the language and ask for a few more things that we might not have asked for in the past. Mr. Tureaud said, "Yes." Mr. Halpern then continued on to say, "Given the demand that we have."

Mr. Tureaud asked, "Alva, you have something you would like to say?" Mr. See said, "I would like to offer another perspective respectfully to what David just said. I don't want to be in a position on a volunteer board where we are asking for one year in advance and encouraging economic discrimination against the people that may not be able to afford one year in advance." Mr. Tureaud said, "Point taken. I think that we are doing quarterly now." Mr. Casey said, "We are semi-annually currently, because the rent is so low." Mr. Tureaud said, "Before it might be cost prohibitive if at full rent to ask for six months." Mr. Casey said, "Prior to Katrina slip tenants were billed on a quarterly basis in advance."

Mr. Tureaud said, "Yes ma'am, you had a question before we move on?" The audience member asked, "Yes, I don't know of any other boathouse owners already know this, but it is possible for us to get the cell phone of whoever is the security guard is on duty? Like for example, the other night someone just drove straight over the grass over the rocks to do whatever. Well, I don't remember if it was cold or dark or wet or whatever, but I didn't feel like going to find a security guard. But if I had a phone number, I could call them." Mr. Casey said, "I thought that we had distributed their cell number that they have in the vehicle." Mr. Tureaud said, "You are definitely entitled to it." Mr. Casey said, "We can definitely do that again." Mr. Tureaud asked, "Would it be advantageous for us to put a sign up somewhere saying 'Security with a phone number' you know what I mean?" Someone else said, "I think that this is a great idea." Mr. Tureaud said, "Suppose you are walking and you are not a boathouse owner and we are paying for security and maybe we can put a sign somewhere." Someone else said, "It would help pedestrians too." Mr. Tureaud said, "Yes, because the boathouse owner has Kerry. They can call Kerry and get all the information, but what about other people?"

Someone else said, "I met with a woman today that lives on General Haig Street who this past week at 2 o'clock in the afternoon, and her neighbor next door had two dudes come up to the door wearing ski masks with a gun. Her husband (they were retired), happened to be there at the time. The only reason why the youths ran off is he reached from behind the door and pulled a shot gun and pointed it at them and said, 'You've got one shot and I'll cover yourself with it and they ran off.'" Mr. Tureaud said, "Why don't we if the Board thinks it's a good idea, I think that we can get a cost-efficient way. I think that we can strategically place a few signs 'Yacht Harbor Security' and the number. Suppose you don't have it or can't find it or whatever." Mr. Casey also added, "I think that we should also put on there the direct number for the Lakeview Crime Prevention District, as well as Orleans Levee Police because they patrol the area as well as get things circulated." Mr. Tureaud said, "Police and security. I think that is a great idea, so thanks for bringing that up. I'm sorry go ahead Wayne." Wayne said, "The outside security company is not on site during the day Monday through Friday." Mr.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

Casey said, "They are there starting at five o'clock in the evening until nine o'clock in the morning." Mr. Rodgers said, "Like Universities that have the blue boxes where you can directly call into the security person." Mr. Casey said, "It is not really posted into a location. They have a cell phone in the truck." Mr. Tureaud said, "I know what he is talking about. They have like emergency call boxes." Mr. Rodgers said, "It goes straight to the cell phone." Mr. Tureaud, "Right, I think that would be expensive but with cell phone technology, maybe it's not. I'm sure Howard if you want to look into it and bring us back something. But I think that signs are better than nothing, and signs are very cheap. Everybody has a cell phone. I appreciate you bringing that up because you stimulated some other conversation that we probably should have had a while back, especially me. I should have thought about that a long time ago. Do we have anything else before we go into Executive Session?"

Kerry Cuccia said, "With looking at the Rules and Standards for the boathouse construction. I've worked very hard, but recently we found some glitches in the rules where what we intended to do really is creating the exact opposite and it has to do with all the leases with the boathouses, because you can do certain things if you are building new and building on the first floor. It has really turned out to be counterproductive. Paul Delise and Carl worked it out it like good neighbors should. They came to a compromise that for them "worked." But it really brought up that there is a problem in the rules that I think can be solved fairly easily. I wanted Delise and Board to know that it was brought to my attention. What I would like is the Board's permission (if Steve Finegan still the consultant on that?)" Both Taylor and Warner answered, "Yes, he is." Mr. Cuccia continued on to say, "That I can go and speak with Steve about it and let him know exactly what the concerns on what I thought, because I do think that the way rules function is not a compliment with what the rules were intended to do." Mr. Tureaud said, "I would like to bring it to the Board first, and let the Board take a look at it because Steve charges by the hour. We need to make sure that we approve of what he - - we may not have the solution for it, but I would like the Board to at least review it first." Mr. Casey said, "I would like to talk to Kerry Cuccia about it first to see what is involved." Mr. Cuccia said "I can tell you basically what it is. It's the setback requirement." Mr. Tureaud said, "I knew that's what you were going to say." Mr. Cuccia said, "That is what it is because what happened is that Paul Delise built his third floor in accordance with the rules for somebody who is going up with respect to the required set-back. When Carl his neighbor adjacent to him renovated his boathouse, he installed a wall which he was allowed to do which blocks Paul Delise's view to the North. Mr. Casey said, "I worked with both parties and with their architect on the discussion with respect to the elevation of the adjoining decks." Mr. Cuccia continued on to say, "I will look at it more closely and come to you all with an idea to solve this issue." Mr. Tureaud said, "Why don't we follow up later Taylor. We are about to go into the Executive Session." Mr. Cuccia said, "The blocking of the view. What we are trying to do something and what it does is that it allows it to block the view. The lease did it and it is not a good rule. I'll try and figure it out" Mr.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of February 12, 2019

Tureaud said, "Okay, alright we'll take a look at it." Mr. Casey said, "You and I can certainly get together and talk in detail about that."

Mr. Cuccia then added, "Really, I attended the slip assignment thing, and I was very impressed with the way it was run." Mr. Tureaud said, "Good, thank you."

Mr. Halpern said, "Mr. Chairman I move to go into Executive Session." Mr. Rodgers seconded the motion.

Executive Session:

Mr. Rodgers made a motion and Ms. Graves seconded the motion to come out of Executive Session.

Adjournment:

On a motion by David Halpern and seconded by Howard Rodgers, the meeting was adjourned at approximately 7:55pm.

Date and Time of next meeting:

The next meeting is scheduled for Tuesday, March 12, 2019 at 6:30 p.m. at the Lake Vista Community Center.