

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

March 12, 2019

6:30 p.m.

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

The meeting was called to order at 6:40pm and requested a roll call by David Halpern.

Board of Directors Present:

David Halpern
Thomas Forbes
Reginald Smith
Warner Tureaud
Connie Uddo

Board of Directors Absent:

Ashlyn Graves
Alva See
Howard Rodgers

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 Connie Uddo and the motion was unanimously carried.

On a motion by David Halpern, seconded by Ric Smith, and unanimously carried, the minutes from the regular meeting of February, 2019 were approved.

Action Items:

1. Mr. Casey said this a resolution and the questionnaire required by the Louisiana Legislative Auditor which we do every year for the audit firm. The audit has started for the 2018 year, and every year they add in a couple of new questions that usually don't apply to us, but they apply to municipalities. At the back of the attachments are answers to questions 3 and 7 [of the questionnaire] which list the officers of the Board and the Board's members. Mr. Tureaud asked, "What page is it?" Mr. Casey said, "The last three pages of that attachment and also they want to know what the terms of office are of the board members. It's the last page of the attachment for that resolution. This is standard to adopt the same resolution every year. It doesn't go to the State Legislative Auditor. It actually goes to the audit firm, and they certify that they received this from us to the Legislative Auditor.

Mr. Tureaud asked if there were any comments or questions. He then said, "I remember the first time we did this Wayne. It was anything but rudimentary. And now it has become second nature. I am happy to hear that we don't get any calls from the Legislative Auditor and no unkind letters, so Wayne and Taylor you must be a good job over there. I know Ric works closely with you all on that. I will open the floor up for questions or comments from the Board."

Mr. Casey said, "I might just mention in addition that last year we had this requirement with the State Legislative Auditor, in addition to me signing as Executive Director. The Secretary, Treasurer, and President have to also sign. That started last year, so while everyone is together we'd like them to sign."

Mr. Tureaud said, "Okay, Ric, you and I have to sign." Mr. Casey said, "Yes, as well as David."

Ric Smith said, "I did review this pretty carefully and it look fine to me." Mr. Casey said, "Good." Mr. Smith then continued to say, "There may some things that looks like as we get into operation is that it may change a bit, but the way we are now this is in good shape." Mr. Casey said, "Thank you."

Mr. Tureaud said, "Okay, before we vote David, we are going to need your signature as well on the document." He thanked Wayne and Taylor.

On a motion by Ric Smith, seconded by David Halpern, and unanimously carried, the resolution "Adopting the Louisiana Compliance Questionnaire for the 2018 Audit" was approved.

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2. Mr. Casey said this an item that we have had some discussion on several meetings now. As you all know Sizeler Thompson Brown has been the architect on the Administration Building for Capital Projects for the FEMA claim. They still are, and they have revised the plans that went out for bid to complete the building. And this is something that Ashlyn Graves has been heading up on the Committee that she chairs for the building for some other work, that the Board has suggested that we do to the building to make it more useable (such as removing the block petition wall on the first floor of the building and make two rooms into one large room so we will have our own meeting room in our own building at some point in time). In addition to [as well as putting windows in that exterior wall], we had a list of things that I circulated around to the Board that we asked Ken Zeto (with Sizeler) to give us a proposal and looking at some potential ADA issues, because the new permit is filed by the current contractor and has opened up some issues that weren't there maybe nine years ago that we may have to address or be prepared to address. So basically this is a resolution to start the process to enter into agreement with the Sizeler firm by the MYHMC not to exceed \$14,800 to do basically a feasibility study and the design of those items for the building.

Mr. Tureaud said, "This is an opportunity for us to not only open the Administrative Building up, but get best use of space and design. It's almost like a blank slate, so rather than us trying to figure it out, it is better to use and better ideas from an architect. This is the first step of getting the best use for that building from [inaudible] standpoint to overall use standpoint, so this is where we are with that, so with the Board's approval we will open the floor up for comments or questions.

Someone said, "One comment that I have is that I am thrilled that we are getting closer and closer to the completion of the Administration Building." Mr. Tureaud said, "Wayne and I both had dark fears when we started this whole process."

On a motion by Connie Uddo, seconded by Ric Smith, and unanimously carried, the resolution "Authorizing the Execution of a Contract with Sizeler Thompson Brown Architects/Regional Design Group" was approved.

3. Mr. Casey said, "We had a discussion at the prior meeting about the need to get an appraisal on the Administration Building and not a replacement value appraisal, but a market value appraisal as being required by FEMA to Capital Projects to make sure that... they want to see that the bids have been taken on the building which amounted to about \$700,000 to finish the building under the FEMA claim that they do not exceed 50% of the value of the building. We all feel that intuitively that's not the case, but FEMA won't buy off on our offer from Miguel or myself on that. They want to see an appraisal. We had gotten a

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proposal from the firm Argote, Derbes, and Tatje to do the appraisal and they have done some other work for MYHMC previously. One was the boathouse lease valuation years ago and the slip valuation several years ago when we thought the harbor was going to be a renovated project. They have a current contract with the Aviation Board since it is a City entity, and we were attempting to ride the coat tails of that contract as you can do legally. As we got into it, Miguel was told that it's a specific contract for some specific purposes. Big Yellow Construction is considered a "job order contractor" for the City. The City has job order contractors that they can sign contracts with to do work, and they subcontract work to someone else. This is even faster than that with the expediency process to get that other contract with the Steeg Firm approved for the boat slip lease. This is the absolute fastest way that we can get this done. Miguel basically is in a situation where he needs the appraisal as soon as possible, so that he can give it to FEMA, so that they can review it, approve it, and allow the notice-to-proceed to be issued by Capital Projects.

Mr. Tureaud said, "From my understanding, we cannot move forward without this appraisal." Mr. Casey said, "Yes, that is correct. MYHMC is taking advantage of the opportunity while we have the appraiser doing the market value appraisal of the Admin. Building, they are also doing a market valuation of the rental rate of the finished space as well as the unfinished space on the first floor of the Building since New Orleans Yacht Club has a desire to install an elevator to access their second floor area, which would utilize part of the unfinished space. Although he could not attend tonight's meeting, I have discussed this with Howard Rodgers with respect to the Economic Redevelopment Committee." Mr. Tureaud said, "We are getting more bang for our buck as opposed to paying for two (2) separate appraisals."

Mr. Smith asked, "With what we pay on a contract like this, do we pay Big Yellow and then Big Yellow pays the appraiser?" Mr. Casey said, "Miguel is working with us on all the paperwork, and just so you know, there is a 15% fee of about \$1,050 that is an additional cost that is charged by the job order contractor which is included in the total cost of \$8,050 for the appraisal."

Someone asked, "How big is that building?" Mr. Casey said, "The building totals first and second floors about 18,000 to 20,000 square feet. FEMA is requiring an appraisal based on the market value as opposed to the replacement value which is a more involved and a much more difficult appraisal, and Warner and I communicated on this issue earlier today."

Mr. Tureaud said, "I will say to the Board, I mean, David, of course you this already and Ric probably does. I might be the only one who didn't know. I was comparing this to what I would pay on a residential structure and it was way off, because when I saw the price tag and when I was reading more into how far it goes in depth. I am okay with it." Mr. Smith said, "I was thinking more of 7,500 and that is why I brought up the question." Mr. Tureaud said, "Okay."

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Mr. Casey said, "Exactly, their number was seven and the additional cost with the job order contractor."

Mr. Tureaud said, "Right, okay. Are there any other questions or comments?"

On a motion by David Halpern, seconded by Thomas Forbes, and unanimously carried, the resolution "Authorizing the Issuance of a Job Order Contract to Big Yellow Construction" was approved.

4. Election of Officers: Mr. Tureaud said "Ashlyn Graves, Vice President of the Board Chairs the Nominating Committee. In her absence, Mr. Smith will present the report of the Nominating Committee." Mr. Smith said, "At the last meeting on February 12th, the Committee presented its report as: President - Warner Tureaud; Vice President - Ashlyn Graves; Treasurer - Reginald Smith; and Secretary - David Halpern. I can tell you as part of this process, we almost begged a couple of people to take some of these jobs. There were no other volunteers. It's us." Mr. Tureaud said, "There may be some soon. Somebody's going to volunteer."

On a motion by Ric Smith, seconded by Connie Uddo, and unanimously carried, the Election of Officers was approved.

Information and Discussion Items:

1. Boathouse Lease Extensions and Transfers were discussed by Mr. Casey. The paperwork and the lease extension payment has been received from the owner of BH#129 to extend the lease from 2019 to 2030. That would be the first step for two others in that situation. Mr. Tureaud asked, "So we only have two remaining after this one?" Mr. Casey replied saying, "There are two that have been extended from 2019 to 2030, and they are in the process of being extended to 2068 like the others. And then we still have the hand full that are still with the 2030 leases that have not come forward with their paperwork to extend to 2068. We had one that's for sale, and we thought that the owner of that boathouse was very anxious to get the paperwork to us. Wayne Bloom has spoken with her, and she is going to be getting some paperwork to us thinking that is going to be required to sell the boathouse at this point in time. That is somewhat in process and there are a couple of others. Mr. Smith mentioned "Boathouses that are destroyed, the two boathouses that are destroyed, 1 and 2, right next to the Power Squadron. I assumed that they have not extended those leases." Mr. Casey said, MYHMC did at that point in time, because the owner told us that they were

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- planning to build. I do have a minor report on that as I have spoken to a contractor who was working with Mr. Holt. Mr. Holt has sold his interest in the other part of the business that he owned that was impacted by the horizon oil spill issue. It was in the fishing and boat business and had sold one company and now the other company. The contractor is ready to move forward to build the structure.ö Mr. Tureaud said, öThat's good because as the Board remembers, that is where we had the squatter of the house boat and we want that space to be put on our map, and plus we want the commerce back. We definitely want that water space occupied. We don't want another squatter because we all know it was very difficult to get them out of there.ö Mr. Casey said, öI am glad that you asked that question, because we are seeing some movement on that.ö Mr. Tureaud said, öI think we need to be the driver of that movement. We'll talk about it a little bit more, but we need to have a deadline on when it needs to get started. It can't be ten years from now, because it's been too long already. We'll talk later about it.ö Mr. Casey said, öSure, but I did want you know that was one of things that we have been talking about.ö
2. The FEMA Update was presented by Mr. Casey. There were three points mentioned. 1.) The East side comfort station is progressing on schedule and the aluminum gangway connecting the comfort station to öMö Dock has been installed. Mr. Casey said öIf you haven't seen it, you need to go see it.ö Mr. Tureaud said öI went out there today. If any Board Member hasn't gone out there, you really need to pass weekly because it's something different happening and there are monumental changes.ö Mr. Casey added öIt's the gangway that adjusts with the floating docks that connects to the first floor of the comfort station. Things look one size on paper, but when it gets delivered and built out in the field, it looks a lot bigger than I had imagined seeing it.ö Mr. Tureaud said, öI happened to go out there, and we had some discussions about where we would put these wooden guide piles. Tom, have you been out there lately since the wooden piles have been installed?ö Tom said öNot just the wooden piles, but I was last in the Harbor about two weeks ago.ö Mr. Tureaud said, öThere weren't there then.ö Someone said, öThey are there.ö Mr. Tureaud said, öYeah, they are there. Connie and David, have you had the opportunity to go out there?ö David said, öI went out there about three weeks ago.ö Mr. Tureaud said, öNo, there were not yet there at that time.ö David added, öThere was probably construction this weekend.ö Mr. Tureaud said, öYeah, well they are there now. We had some discussion as to whether or not we will use them. I would like for all of the Board Members to see it before we get into any great discussion aesthetically. I have an opinion about it, and I am only one person. I am sure everybody has an opinion of them yet. Nothing is etched in stone. I would like to say that I would like for all of the Board Members to take a ride, and if you want me to meet you out there, I am not going to pass my opinion off on what I think about them or not, but I want all of the Board Members to see it because we may or may not decide to go a certain direction. You have the steel piles that support that the docks that they go up and down on, and then on the larger slips (40' and above) we had previously decided that every other slip would have a wooden divider pile. They bring some operational concerns, because in a storm it would be hazardous to tie to those so

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then Taylor and his group would go out there and cut lines for people who must live with the dynamics of a floating pier. You cannot tie to a fixed structure. That's one thing. The second thing is I want to get the Board's opinion on it aesthetically, if this is the way we and the public envision the marina. We have to live with these things. Someone asked, "What's the potential benefit from them?" Mr. Tureaud answered "The potential benefit is that it helps you guide a larger vessel into the slips. We never intended to put them in every slip. It was every other one and 40 slips and above. Now that some of the piles have been installed, now we can see what they look like. I want to see if we even want to install any of them." Mr. Smith mentioned "the piles could not be installed 10 feet over the water instead of 20 because you could have a boat come up in a rising tide that could potentially come down on top of it. It would either have to be at the height of the steel piles or they need to not be there." Mr. Tureaud said "To their defense, the contractors and the engineers (we have a lot of experts in these meetings and the contractor being only one of the experts), and they say, "Well, aesthetically we don't think this is going to look like how we want it to look. It's not difficult for me to say, "I could have possibly made a mistake." Mr. Casey said "In Warner's defense early on in the process, Moffatt and Nichol (the lead engineering firm on the project) was asked the question "What marinas have you designed that have these intermediate piles?" and they said, "About 50% have them and about 50% don't have them, and a lot of sailors like having the pile that they can pull out the slip, hold on to, put up their sails, push off the pile, and sail out of the harbor." That's why the logic/decision was to go with every other slip, instead of every slip." Mr. Tureaud said, "I'm not calling for any action, but we have been doing certain things by committee. This is one thing, and I would like to open this up to the whole Board. I would like to get the Board's approval and opinions on this, because this is something that we are going to have to live with if we decide to continue on this route." Someone asked, "Warner, so there is a wooden mid-slip pile for guidance purposes. Is the alternative nothing?" Mr. Tureaud said, "Nothing, yes. There is no better alternative, and we don't have it in the budget to put the steel piles in place of the wooden piles. The beauty of the new slips is that they are very wide and they have soft edges around them, so you really don't need the pivot point. We don't have them down the center of the slip, and we only have one in the middle. Once your stern swings past the end of the slip, if you don't have control of the vessel, it's going to the other side anyway." Mr. Smith said "Do any boat handlers in the crowd have a view on this?" Taylor asked, "Chris Wilke, do you have an opinion?" Chris said, "I'll make a couple of comments. I was up on the deck of the Yacht Club today looking down at the timber piles and they don't necessarily fit. However, I chose a slip with a timber piling for a couple of reasons. Not necessarily because I want to back out and hold on to it. I do not trust the guy who may be in the adjoining slip. I want to have something between the two of us when he comes into his slip." Mr. Tureaud said "and that's the reason we opted to put one in every other slip." Chris said "the second point is that there are systems that let you tie that pile. There are some roller systems that don't require modifications to the pilings at all that allow you to tie the pile." Mr. Tureaud said, "Okay, we are not looking at that at this time

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and it may exist.ö Chris added öit's just really an attachment to your dock pile, and I talked to someone in Houston during the storm and it was very successful.ö Mr. Tureaud said, öOkay, I got you.ö Someone else said, öThe sailboats and just the tying up.ö Mr. Smith said öThey're right there but you need them sometimes?ö The person said, öYes, they come in handy but they are not necessary.ö Mr. Tureaud said, öWe are not going to allow any lines to be tied to them anyway. They are strictly for guiding purposes.ö Someone asked, öWho is going to be the line policeman?ö Mr. Tureaud said, öExactly. In a storm, Taylor and his group will get out there and cut lines. That's the operational end of the concern that we have.ö Someone mentioned dress them up and put a nice cap on top of it, to dress it up a little bit. Mr. Tureaud said, öYes that could be done.ö Someone asked, öWhat about a sleeve that slides over it?ö Mr. Tureaud said, öWe don't know anything thing about that.ö Mr. Casey said, öThe HDPE sleeves are very expensive, because that was looked at one point in time to use that over the steel piles.ö Mr. Smith said, öWe can probably discuss this more at the next meeting.ö Mr. Tureaud said, öYes, absolutely. We appreciate your comments because we want this thing to be beautiful, and not because we could have just settled for the \$2 million or \$10 million, or whatever it was all this time we've been waiting. We don't want to have a hodge-podge and we want everybody to be happy. I told Ric when I saw those wood piles out there, it just gave me a flash back of the old marina. Maybe it's just me. Connie or David may go out there and have a different opinion. It gave me a flash back.ö; 2.) Bids were received on Wednesday February 27th by purchasing for the Breakwater Drive/Park project. The two low bidders, TKTMJ, and Barriere Construction have submitted their post bid documents to purchasing. As of today, an award letter has not been issued by the City. Purchasing must review everything before they choose a contractor. Someone mentioned something about the Boat Launch. Mr. Casey said, öThis job is actually for that entire Breakwater Drive Park project at the shoreline restoration as well as the Boat Launch parking lots will be included in that. The work that is going on with the Boat Launch is really the first phase of that overall project. That's a matching grant that MYHMC obtained from Wildlife and Fisheries under the Wallop-Breaux Act to do that work; and 3.) Finger piers were delivered for öö Dock last week and power Pedestals are being installed. Mr. Tureaud said, öIf anybody wants a tour when we go out there, I know that you have not been out there in a while, just shoot me an email and I will be more than happy to meet you there. Taylor is in the office, but he is usually busy. It is a lot to see. We spent years working on this. I'm surprised that I'm not sleeping out there on those docks.ö

3. The February Financial Report was presented by Mr. Smith. At the end of February, MYHMC has total assets of \$3,648,000 with current assets of \$3,628,000 and the bulk of which is in the form of cash of \$3,537,000 in two accounts at JPMorgan Chase Bank. On the liability side, MYHMC has total liabilities of \$1,087,000 of which \$582,000 are current liabilities and the bulk of that is accrued interest on the NOAA bonds of \$357,000. The long term liability

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of \$505,000 is the balance on the NOAA Bonds. That leaves MYHMC with total equity of \$2,560,000 of which \$1,971,000 is unrestricted net assets. For the month of February, total operating revenue was \$55,000 and operating expenses were \$49,000, such that ordinary income was \$6,000. Net other expense was (\$4,000) which yielded net income of \$3,000 and the other expenses in accrued interest on the NOAA bonds. Year-to-date gross revenues were \$110,000, and total expenses were \$104,000, such ordinary income was \$6,000 with (\$8,000) of net other income on the interest accrual on the NOAA Bonds. That gives MYHMC a net of the loss of (\$1,000).

Mr. Smith asked if there any questions. Ric Paulk had a question with respect to the occupancy of the marina and financial projections. Mr. Casey said, "We have worked on a couple of different scenarios, and one of which is that we are waiting to see how many slips we are going to actually end up with, because the Capital Projects Administration had to hold back about \$2 million in a contingency for items that may come up in construction, and basically to see if a portion or all of the main backbone structure of "Kö Dock (which will be the one closest to your boathouse), paralleling the other docks if that can be built, which will give us some side tied areas."

Mr. Paulk said, "I was just curious what the income was going to look like once everything is finished and what the plan is and how the money is going to be used." Mr. Smith said, "We are not ready to address that in public yet because we haven't formally approved the slip lease schedule, which we have to approve, and then that needs to go to the City for approval, and of course that's a main element. The other thing is that when we look at the additional layout of the harbor, we have X number of 70' slips, but there is a power float in the middle of one so that is really a 65' slip and we are waiting to kind of get a handle on that, plus what Taylor had mentioned. it is my intention as weí and the other thing that we don't know is "Do we lease on day one?" or "Do we end up at 60%, 70%, 80%, you know, where are we in that group?"

Mr. Paulk said, "You have a list of reservations now?" Mr. Smith said, "Yes, we have a list of reservations, but somebody who says they want a slip and then they see the slip lease rate and the rules and they say, "No, I'll stay where I am so we really don't know but clearly as Treasurer as we generate funds, I want to see that MYHMC does the right thing, which is to create funds for periodic dredging, funds for replacement of major items, because we don't have the ability to go out and borrow money, so we have to have cash sitting in the account to cover the type of things like another storm and a huge deductible, so as we get into the budgeting process it will also be about in time that we are having more of these questions answered. That will come in here and it will be a public discussion. Part of it is that I can't wait to pay off the NOAA bonds, but I don't want to pay them off because we have cash sitting there. If we suddenly ended up with a large loss, we could go to the Federal Government and ask them to forgive the debt which I don't think we currently have a chance but we don't know yet because the future is not certain. If you bear with us, I am personally convinced that the Harbor will

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operate at a very positive cash flow, and it's our intention to plow that money back into things to improve the Harbor, like building our "Kö Dock." Mr. Casey said, "Finishing the construction of the harbor." Mr. Tureaud said, "No, funds that are generated must stay in West End. Not just the harbor, but West End." Mr. Casey said, "The West End area." Mr. Tureaud said, "Breakwater Drive, the Park, it has to stay within West End property, so it doesn't go to the City's General Fund. I think what you are talking about is a Master Plan, and you have to give us a little bit of time until we get to that point. We don't know what our financial status is going to be."

Mr. Paulk said, "I like what I hear. I like knowing that the money is staying and it's just going to constantly improve the area." Mr. Tureaud said, "That is a good problem to have when we have access to additional funds and when we have enough operating funds. You look around. We have, you know, we use the term "staff" loosely. Staff is Taylor, Wayne, and Kim. And that's it. We don't have fluff. We don't waste any money. We have been doing more with less and what does that mean? This is one of the very few Boards, and I've sat on many, where the Board Members actually do work. You know Ric and I, along with Taylor. We have David in there too and Ashlyn. We attend two to three meetings sometimes in a week, and we don't just say, "Oh hey Taylor, by the way here you go." You know, when we have Committees on this Board, Connie is on one Committee, Ric is on another one, I'm on some, Tom and David have spearheaded a couple. Our Committees do the work. They don't dump them on one or two people we have. And that's why, if you notice, we have vacancies on the Board. We can't beg people to come on this Board because this is not one of those Boards where you just show up. We don't get lunches and private invitations, we don't get anything." Mr. Smith said, "We can't even get on the waiting list." Mr. Tureaud said, "I can't even get a slip in the new marina." Someone asked, "Are you kidding?" Mr. Tureaud responded, "No, I am not kidding. It would be a conflict of interest, so Ric and I couldn't even get on the waiting list, so the whole "Build it, and they will come" we are building it, but we aren't coming because we are currently on the Board and are prohibited from getting on the waiting list. Anyway, I'm not looking for any pity. I'm sure it's going to be a great marina, and look that's a good problem to have. We look forward to having the problem where MYHMC has increased cash flow, and has funds to do some additional master planning of the West End Area. We first have to get our arms around what our potential revenue stream is going to be. We won't know that until we know how many slips we are going to end up with, the variation of slips, how rentable they are, etc. As you can appreciate, there are many variables."

4. The Economic Redevelopment Committee Report was presented by Mr. Casey. As per a discussion with Chad Dyer (Deputy CAO) today, the legislation is being finalized for the development of the RFP for the restaurant parking lot site. As many of you know, it's a rather unique situation that parish line between Orleans

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and Jefferson goes through that site. Part of the property on the Jefferson side is still controlled by the State Land Office. It is still considered state water bottoms, so the good news is Chad Dyer used to work for the State Land Office. He was an in-house Attorney, so he had some experience dealing with some of these issues. The Bill is going to be introduced in this upcoming Legislative Session, and hopefully it will pass and we can proceed with the development of the RFP.

5. Environmental Quality Committee was discussed by Mr. Forbes. There was nothing new to report. If there is any bad sewage discharges into the lake, I'm blissfully unaware of it. Someone said, "In reference to that Committee, I did have a problem that has been solved down the way with the sewer odor, but what about all the algae or whatever that's floating in the Harbor and is trapped by the floating docks. Have you thought about how to address that? Can you get somebody to come in and scoop all that stuff up, or is that just going to be there?" Mr. Casey said, "I spoke with the head biologist for the Lake Pontchartrain Basin Foundation, who has helped us with the sewer issues, and that is actually an invasive species of water hyacinth. Bayou St. John has it terribly, because they opened up the flood gates and water came into the Bayou from the Lake. In fact in some areas, they had it on the news a few weeks ago that looked like you can almost walk across the Bayou. Basically what he said is that salt water is one of things that this material doesn't like. The lake has become less and less saline as the flood improvements have been done, such as the great wall of St. Bernard restricting access with water flowing in and out of the lake. That's also why we are seeing more and more alligators in the lake over the last couple of years. He basically said the material is going to die, and you can see that it's starting to turn a dark color from a bright green that it originally was, and it will drop out. They were actually amazed to see this because this is the first year that they've seen it and we've seen it, and it's all around the lake. It's all over the place." Mr. Tureaud said, "It's more prevalent in the inner harbor. I walked on the piers today and it's minimal compared to Orleans Marina." Mr. Casey said, "Oh, is it? I haven't walked their piers yet." Mr. Tureaud said, "A couple of weeks ago I was at Orleans and it was pretty bad. It wasn't brown yet." Mr. Casey said, "It's going to deteriorate basically." Someone asked, "So that's the way for it to die off?" Mr. Casey said, "I think that at this point in time since we are under construction and when Ric was mentioning about the budget situation, we haven't had this issue to deal with previously. It may be something we have to think about." Mr. Tureaud said, "We will monitor it, and Tom's group will keep an eye on that, if it becomes some sort of hazard where we have to address it at a later point, but at this point we don't have any plans."

Mr. Casey said, "The good news is that it's not growing from what the biologist told me. It's not going to grow like you see water hyacinths grow with extensive leaf systems that choke bayous and canals. It's not that type of material that is going to get with huge leaves, where you get to a point where you can't traverse the canal or bayou."

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Mr. Tureaud asked, "Tom is there anything further that you would like to say?"
Mr. Forbes said, "No."

6. Status of New Boat Slip Lease was discussed by Mr. Forbes. Mr. Forbes said, "With thanks to Wayne with moving things along and David has helped a lot, and to the Steeg firm that we are going to use, Margaret Glass and Robert Steeg that we can report. Wayne handed this to me (the expediency packet) which means that it only takes a couple of months as oppose to I don't know how long. The expediency packet was just approved by the City Attorney. The packet and the contract go to the Mayor's Office tomorrow morning for review and signature. It goes there for a signature, and I don't know whether she is going to review and sign it. It's almost there, and we will have a chance. David and I will sit down with Margaret Glass and go over the lease and try to get things moving along. Mr. Casey said, "Typically when it goes to the Mayor's Office, the Executive Counsel reviews everything before the Mayor signs anything, so that has been the process in the past for whoever is in that position. Even though the Law Department reviews it, the Executive Counsel reviews it, and then the Mayor signs it." Mr. Forbes said, "Soon, soon, and very soon we will have an Attorney." Mr. Tureaud said, "Very good Tom."
7. Marina/Harbor Committee was discussed by Mr. Smith. Ric said, "We will be meeting on that frequently over the next couple of weeks to get things like slip lease rates, decide on the question of live-a-boards, and decide on a lot of the things that have been brought up in here that we just finally need to put a "Yes" or "No" or how it's going to work. That will come in, and we are hoping at the next meeting and it will be open for discussion at that stage of the game. Any decision that we make on pricing or anything as I mentioned earlier, we need to approve and then we need to give that to the City for them to approve. And all that they are looking for is that these are market rate leases. I did want to mention one other thing at the beginning for the record, and it's not really part of the FEMA Committee that's been working. Something that we had talked about and we are aware of and it came up and discussed more fully in the construction meeting last Thursday, is the design of the floating docks ("Hö Dock") and the equivalent dock on the West side and such they are heavier, deeper docks, and then they connect as those of you who've looked at them with a quarter piece to a lighter weight dock (which are just meant to hold the boats, but are not meant to attenuate waves). When you have two things like that that float at different rates, these are designed in that corner to break, but there will be things within them that are Katrina-type event that will need to be fixed, but it is thousands of dollars, as opposed to hundreds of thousands of dollars. The reason that we wanted to be sure that I got this into the minutes here is that someday when it does happen that we get another Katrina type storm in, and everybody is saying that those guys did not know what they were doing (which we probably don't, but we hire people who do). That is the way it is designed. It is designed quarter pieces, designed to be a separation when those things are moving around on 5 to 6 foot waves." Mr. Tureaud said, "That is a very good point. I would like to add on too, if you should happen Tom, David, and Connie if you should happen to go out there because

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Ric, Ashlyn, Taylor and I listen to these engineers about the dynamics of the wave attenuators, I actually have a little video on my phone where it was a little choppy. It was the south wind, so it wasn't as good as the north - what would it be Taylor? The north-east winds, so that would be the big waves coming in from the north-east, but it was still a nice little chop on the southern side, and as I am standing there so the water is moving about a high a foot high chop, and on the other side it was still as this table. Now that's not a Katrina effect obviously and it's not going to diminish a twenty foot wave and I don't want to tell you that, but the attenuators do work. I was amazed at it, so if you go out there if you can pass out there on a rough day, especially a strong north-east when it's really choppy on that northern side, and take a look at that southern side. As you get further back like when you get towards Kerry's house, it starts to chop up again but we are not trying to protect Kerry's house, we are trying to protect the boats. It would be worth seeing. Does that conclude your report? Mr. Forbes answered, "Yes, that's my report."

8. Quality of Life Committee was reported by Connie Uddo. Ms. Uddo said, "I don't have anything new to report, but I do have questions to try to move forward on with Kerry and I. Should we get with you Taylor on starting to pick out garbage cans and signage to try to nail down?" Mr. Casey said, "That is a very good question, and I am glad that you brought that up, because one of the things that I had a conversation with Miguel Viteri on relative to the bids that were received for the Breakwater Drive Project, and he brought up the fact and I didn't have that in my report to mention until they picked a contractor we know who the contractor is based on the bids that have come in, it appears that there will be cushion to basically upgrade the quality of the fixturing of items of signage, garbage cans, etc. Miguel has had some experience of utilizing some products from a certain manufacturer that really is kind of the top of the line, long-time life products. Some of these may be that you all have taken pictures of in the parks to present it, but in terms of stuff that is going to last and not have to be replaced on a regular basis." Mr. Tureaud said, "I'm glad that you brought that up because I had a very similar conversation with Miguel, and what I would like to do is take that out of our regular list. A lot of things come up in our FEMA Committee meetings, and I can have you and your Committee work with Miguel and pick out the best quality, best looking whatever, and then present that to the Board, versus Ric, Ashlyn, and I coming in saying, "This is a by-product of our Committee meeting." We are starting to get to the point where other people need to have input, and this is one of the areas where I really don't know what I'm doing, and I don't want to know what I'm doing, and I want to turn it over to somebody who knows what they are doing."

Someone made a comment saying, "Connie, include trash cans for the park." Ms. Uddo said, "West End Park." The person said, "Yes." Mr. Tureaud said, "Well, I don't know if we can put any trash cans in the park, but for Breakwater Drive, that will come out of it because everything is so sub-divided into all these FEMA Claims. What we can afford for the Park, and what we can afford for Breakwater Drive may be two different things." Ms. Uddo said, "We can shoot for stuff in

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West End Park, right? Mr. Tureaud said, "You can do that, I mean your Committee is your Committee." Mr. Casey said, "I will get the information from Miguel as to the name of manufacturer." Ms. Uddo asked, "So do you suggest that we get with Miguel?" Mr. Tureaud said, "Yes, we are going to put you in contact with him." Mr. Casey said, "And one of things that we did talk about with Miguel is that we are meeting with the contractor on an every two week basis. We meet with Miguel on an "as needed basis", but we are going to have more regular meetings with Miguel." Mr. Tureaud said, "But he needs that information relatively quickly to meet with you." He asked Ms. Uddo, "You know Miguel, right?" Ms. Uddo replied, "Yes." Mr. Tureaud said, "So let's just do that, and you can let us know what you think." Ms. Uddo said, "Okay." Mr. Casey said, "We can set something up with Miguel." Ms. Uddo said, "Yeah, we could carry this out with Miguel and you. It is up to how many placement and where and just picking." Mr. Tureaud said, "Well you're picking." Ms. Uddo said, "Right." Ms. Uddo then said, "Well, no, I would like the Board to pick." Mr. Tureaud said, "Well, you will make the recommendations and you'll tell us what you think. Alright, is that it Connie?" Ms. Uddo said, "Yes, that's it." Mr. Casey said, "I think once they have a contractor selected, there is also some allowances for other types of signage that are in the job (no swimming, no climbing on the rocks) you know, other kind of stuff like that." Mr. Tureaud said, "I also think about the Boat Launch like what do we need there. It is going to be a linear park. It's going to be interesting. We haven't forgotten about West End Park either, so it's all inclusive."

9. The Executive Director's Report was presented by Mr. Casey. There were six topics: 1.) The movement of the boats from the West side to the East side is anticipated to occur starting on Saturday, March 30th. And running from that weekend through the next weekend on April 6th and April 7th is the Leukemia Cup Regatta weekend. A final decision will be made at the construction meeting with CPA on Thursday, March 21st from our meeting last week, there was a discussion based on weather. The electrical contractor and general contractor would work. They complete on the piers to be able have that as firm date. That will be made on Thursday, March 21st and that time we will get an email out to all the slip tenants. We have a meeting on the 21st and at that point in time the contractor told us to hold off until that date. They will be able to tell us if everything is starting on the 30th. They are still talking about the possibility of moving boats from the northern pier on the West side over to "Hö earlier. Someone asked, "Do you know when that is anticipated?" Mr. Casey answered by saying, "We got a call from the contractor's project manager today. In fact Wayne and I need to get together in the morning to talk about a couple of things relative to not just the northern side of that pier, but also the southern side of that pier. It also ties into the issue that Warner brought up earlier about the timber piles. The contractor is on hold." Mr. Tureaud said, "no additional timber piles will be installed until the Board gets a chance to give us their opinion." Mr. Casey said, "Basically their subcontractor needs work to keep that crane and that barge working. As you all can imagine that

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it costs about \$5,000 a day to sit there idle. We are working with the contractor to help them move around, so that they can start some demo work sooner than they anticipated and if they hold off with driving those piles until the Board decides which direction they want to go. Someone asked a question about slips on the Northern pier. Mr. Casey said, "Well, I got hit with that late this afternoon as I was preparing for the meeting tonight. We are going to have further discussion about that tomorrow, but they may not be able to go into the exact slips that they picked. There are extra slips. The extra slips on the "Hö Dock as well as on a short-term basis, there are side tied areas on the "Hö Dock, so we are going to have to take a look and see the number of slips, number of boats, and sizes figured out. Mr. Casey said, "This isn't going to be a tomorrow decision, an email will be sent out probably such that people will have the opportunity to move this weekend." Mr. Smith said, "Based on today, they still have to pull a good bit of the electrical cable, which they have been working on from the "Hö Dock. They are not going to let anybody on the "Hö Dock until they have all the electrical completed." Mr. Casey said, "Those are the issues that need to be worked out with the general contractor, but as I said we'd like to" Mr. Tureaud said, "It's almost impossible with the work going on to give you a concrete date." Someone else said, "I understand, but if there is an anticipated date." Mr. Smith said, "And the contractor has offered to help people move their boats, because they have all those little runabouts out there." Someone said, "I have seen them driving around." Mr. Tureaud said, "It's not going to happen. But the piers did pretty good though, you know?" Mr. Cuccia had a comment saying, "It's the idea of moving the boats over to the "Hö Dock and my concern about the side tie. There are some large motor yachts on the west side that are going to move over. My concern is that if you put a large motor yacht on the side tie, I might as well be looking into that wall. I won't see the trees or anything. That is why I sent you pictures with the diagram. The big sailboats and sports fishermen probably have the same kind of thing that you have to break, so if you have to move the large motor yacht to the "Hö Dock rather than put them on the side tie, put it in one of slips so that it goes in a north-south orientation, and it won't have that same blocking effect." Mr. Casey said, "I appreciate that, so when the contractor called, I went to look at the board that we used for the slip pick to see that we did have about a dozen slips on the south side of that pier that were not chosen and not being used, because we didn't have bigger boats that could be used on a temporary basis until they can move to go into their slip. Mr. Tureaud said, "I don't think that we have anything big enough in the marina other than 50 feet. Maybe 60' at the most?" Mr. Casey said, "Fifty." Mr. Tureaud asked, "When you say large motor yacht, what is your definition of large?" Mr. Cuccia said, "It really has to do with the height and the length. If you are going to have a 70' sports fisherman that only has maybe a 50' and 20 foot block that is open, but you take something like the "Candy Land" that is over on the landing dock on the Canal that's 20 feet tall and 75 feet long." Mr. Tureaud said, "Well, we don't have anything like that in the marina." Mr. Cuccia said, "Don't you have on the West side a couple of maybe 60 footers that are boating docks for sports fisherman?" Mr. Casey said, "Those are going to the sports fishermen, and some of those larger ones have already chosen a slip on the

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south side of the slip; 2.) The Boat Launch construction is progressing and it is anticipated that it will be completed in late March/early April. Mr. Smith asked, "Are they still within their contract with all of the allowances?" Mr. Casey answered by saying, "No, we had to give them an extension, because of what we had to do of going through the City Planning Commission Advisory Committee and the time it took to do that." Mr. Smith asked, "Were they in their timeframe?" Mr. Casey said, "Yes, they are within their timeframe. We had to do all that for them to get the building permit, which nobody told us." Mr. Tureaud said, "But it's a thing that the public doesn't know that, they just see equipment just sitting there." Mr. Casey said, "No, but they are building the piers now, and they are moving along." 3.) The 2019 Capital budget has been revised and submitted to Capital Projects. We have mentioned about that the City is planning on going on out on a bond issue in 2020. All of the departments, Boards, and Commissions have been asked for a wish list, so we've revised that; 4.) I also spoke with Chad Dyer today about assistance with the sale of the lease hold improvements of BH#127 and he has someone in the Law Department who will work with MYHMC on this issue. He does have someone who he is working with on the restaurant parking lot site, and he is now getting familiar with West End and he is going to put me together with that person with the Law Department who will be handling that for us on that issue, as well as the other release of the other site; 5.) The field work for the 2018 Financial Audit started this week; and 6.) Tom reminded me, and I circulated it to everyone on the Board a very good article was published in "Marina Dock Age" pertaining to the reconstruction of the Municipal Yacht Harbor. The link to the article has been posted on MYHMC's website. They did a story talking to the Bellingham people getting information about the harbor and the construction of it. It was very positive. We have also updated the aerial of the harbor on the homepage. Mr. Tureaud said, "Okay, great. Yes, I saw that."

Other Comments and Issues from the Public:

Mr. Tureaud asked, "Do we have any additional issues by the Board before we move into the Executive Session? We'll entertain short comments or questions from the audience before we resume to Executive Session."

Corky Potts said, "I was looking at some of the rub rail that was sort of the edge of the dock, and noticing that it may have a nail every 18 inches. Upon looking at it, I said to myself that certainly it would be better to have a strip of metal along that edge. I was wondering if someone with their slip, if they have leased a slip, or the Yacht Club into joining that, if they were to put a strip of metal to hold that rubber corner pad onto the edge of the dock. That would be something to be proved to be more useable over a longer period of time. When I looked at what was there, I said, "Oh, it's not going to be there very long. The rubber may wear away but its attachment was lightly attached." Mr. Tureaud said, "We'll bring that to the table. Can you send me an email or maybe take a picture of it if you get a

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chance? We meet every other Thursday with the City's engineers and if it's the sustainability issues. Mr. Smith said, "Because they have it trimmed all the ways they need to trim." Mr. Tureaud said, "Right, because when I walked out there I saw some cracked whalers and I was out there with Miguel. We are going to have a Quality Inspection Report. I don't know if that's the finished product Corky to be honest with you, but let's talk about it." Corky said, "When I redid our boathouse, I had some strips of metal along this stuff, and I'll take a picture of that." Mr. Tureaud said, "Take a picture and show me your idea, and let us bring it in our next meeting, which is not this Thursday, but the following Thursday. I will let you know if that's something that is the finished product or if we can maybe look into it." Corky said, "I suggested to the Yacht Club if they are going to be using that they would beef it up, because it's going to be used." Mr. Tureaud said, "We would have to approve that because now you talking about drilling a hole into the wood which is how do you seal that, is there premature rotting, you know, that kind of thing so we got to talk about that. Any other questions or comments?"

Executive Session:

On a motion by David Halpern and seconded by Ric Smith to go into Executive Session the motion was unanimously carried.

David Halpern authorized Burglass and Tankersley to file action against Richard Goldenberg in Civil District Court to interim description in our claim for past due rent and pursue other asset evaluation techniques to determine the true value of the claim, but to maintain our rights within an amount in our contract budget.

Wayne Bloom said that the contract amount is \$15,000. David Halpern said, "The fees are whatever they charge, and I don't know if MYHMC is exempt or not by being a City agency for filing fees. So it may be exempt from the filing fees for \$400 or \$500, and we get to scale on that, and I am pretty sure typically, so you can check that. And then the draft of the petition, and Tom, correct me if I'm wrong, but I think that the filing of the petition went through. It is in the \$1,000 range." Mr. Tureaud said, "Okay. That sounds right." Mr. Smith said, "Two hours to draft it." Mr. Tureaud said, "I don't want to spend 15 to get 20." David said, "Right, no, no, no we're not going to do that." Mr. Tureaud said, "It's the idea of being pound smart and penny foolish." Joe Valencino said, "I need to give the budget to the investigative service and we have up to 'X' dollars." Someone asked, "Do you have an idea of what that would run?" Joe said, "It runs around \$1,000 or \$1,500 for them to do." Mr. Tureaud said, "I would like that." Someone said, "Right, that way no one will criticize the Board." Mr. Tureaud said, "That would put a cap on it, because we don't want to spend all our money, because we need it for our services on just this one part. So this is not to exceed the other \$2,000 if he thinks he can do it for \$1,000." David said, "So the investigative service has \$2,000 to do the asset search." Mr. Smith said, "One way or another we may be going to vote on this Board to write it off." Mr. Tureaud said, "That's correct." Mr. Smith continued on to say, "And with a

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number like that, we want to make sure that we've done why reasonable proof that we do in order to collect the debt." Mr. Tureaud said, "Okay." Mr. Halpern said, "Genesis is excellent, and you can find out anything on anyone. It's amazing."

Mr. Tureaud asked, "David, can you restate your motion?" David said, "Motion has been stated to authorize counsel to file suit against Richard Goldenberg to preserve MYHMC's rights in a claim for past due rent from his tenancy to the present or until eviction. We also authorize Joe Valencino to engage investigative service. I think Genesis Investigative Services was recommended by Counsel and not to exceed \$2,000 and then fees for filing a petition not to exceed almost \$1,200 just in case."

The motion was seconded by Thomas Forbes and none opposed. The motion was passed.

Mr. Tureaud thanked everyone.

Adjournment:

On a motion by Ric Smith and seconded by David Halpern, the meeting was adjourned at approximately 8:00pm.

Date and Time of next meeting:

The next meeting is scheduled for Tuesday, April 9, 2019 at 6:30 p.m. at the Lake Vista Community Center.