

*New Orleans Municipal Yacht Harbor Management Corporation*

**MINUTES OF THE BOARD OF DIRECTORS MEETING**

**September 12, 2017**

**6:30 p.m.**

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

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

**Board of Directors Present:**

David Halpern  
Ashlyn Graves  
Warner Tureaud  
Connie Uddo  
Thomas Forbes

**Board of Directors Absent:**

Alva See  
Reginald Smith  
Howard Rodgers

**A quorum was present.**

There were no amendments to the agenda.

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

On a motion by David Halpern, seconded by Ashlyn Graves, and unanimously carried, the minutes from the regular meeting of August 8, 2017 were approved.

**Action Items:** None.

**Information and Discussion Items:**

1. Boathouse Leases and Supplemental Lease Agreements were discussed by Mr. Casey. The extended 2030 leases for boathouses #21 and #130 are being processed through the City's ECMS. Once these have been completed, the extended lease through 2068 will be able to be processed. Ms. Graves will report on boathouse sales activity during the month of August. There was one boathouse sale (BH #95) and MYHMC recognized a transfer fee in the amount of \$9,150.00
2. The FEMA Update was presented by Mr. Casey. Approximately twelve (12) general contractors attended the pre-bid meeting on August 23<sup>rd</sup>. Due to additional questions that have been asked by contractors, the Bureau of Purchasing has extended the bid opening date to Tuesday, October 3<sup>rd</sup> at 2:00PM.
3. The August Financial Report was presented by Mr. Casey. MYHMC has total assets at the end of August of \$3,505,000 of which \$3,496,000 is current and the bulk of that is \$3,353,000 in the form of cash in two accounts at JPMorgan Chase Bank. On the liability side, MYHMC has a total of \$983,000 of which \$505,000 are long-term which are NOAA Revenue Bonds that are in deferment. Current liabilities total \$478,000 with the major item being accrued interest of \$284,800 on the bonds. That leaves MYHMC with a fund balance of \$2,521,000 of which \$1,444,000 is unrestricted net assets. For the month of August, total income was \$64,300 with ordinary expenses of \$59,700 yielding net operating income of \$4,615. Net other expense was (\$3,400) which is the monthly interest accrual on the bonds which resulted in net income of \$1,207 for the month. For the year-to-date through the end of August, total revenues were \$491,700 and ordinary expenses were \$483,200 which amounts to net income of \$8,500. Net other income amounted to (\$27,300) such that the total net loss was (\$18,800) for the year-to-date.
4. The Economic Redevelopment Committee Report was presented by Mr. Casey. The final West End Development Report will be distributed to the Board in the very near future.
5. Executive Director's Report was presented by Mr. Casey. There were three topics: 1.) The status conference that was scheduled with the judge for Thursday, June 22<sup>nd</sup> was postponed due to Tropical Storm Cindy, and it is in the process of being rescheduled; 2.) The balance of MYHMC's funds have been transferred from Capital One Bank to JPMorgan Chase; and 3.) The 2018 budget process is underway, and MYHMC's 2018 budget will be presented to the Board at the October 10<sup>th</sup> meeting.

**Other Comments and Issues from the Public:**

David Halpern asked what is going on with the houseboat that is tethered to Boathouse #3. Mr. Casey said there are several different things that MYHMC is pursuing. One item deals with the owner of boathouse #s 1 and 2 who has been sick and was in the hospital. We have had some emails back and forth explaining to him why the police told us that he has to file trespassing charges and he has been asked to do so. We have not received a confirmation back from him that he has filed charges. Technically the boat is trespassing on the leaseholder's property. Mr. Casey said Mary Cunningham has assisted MYHMC with a contact in the City Attorney's office with respect to what options might be available. He anticipates that this will get into the issue of the lease with BH #s 3 and 4 with respect to the letter that was previously sent to Mr. Olano stating that he was in violation of certain items in his lease. Mr. Tureaud said that MYHMC has done everything that we could considering that we don't have the capacity to move the vessel. We have to find out from the lawyers what we can do legally.

Kerry Cuccia commented that he can understand why the owner of BH #1 and #2 might not want to get involved since he may feel that it's not really his fight. His fight is that this Board has been extremely indulgent with the leaseholders in spaces one and two with this gentleman as well as his predecessor. He is in fact in violation of the lease because he is not doing anything to rebuild the boathouses. Now you are actually paying the price of the good will that you extended to that person. Had he done what everyone else as a leaseholder has done and fulfilled their obligation to put back the structure that was there, you wouldn't have this vessel in that location. If this new owner now were fulfilling the obligation that he took on which is the obligation that every other boathouse owner has done, which is to rebuild his structure on his premises he would then have an interest in getting rid of this vessel. When someone doesn't want to be very responsive with something, you should probably look at how you should handle that situation. Mr. Tureaud said we should look at what the law says in terms of how long the site can be vacant. Clearly anyone can see if we had a mechanism for removing the houseboat, it would be gone by now. Mr. Cuccia suggested that possibly the owner of Boathouse #1 and #2 could give his authority to MYHMC to file trespass charges.

Mr. Tureaud said that MYHMC has attempted to get assistance from the Coast Guard, Wildlife and Fisheries, as well as NOPD. David Halpern said NOPD is the best source since the Police Department is the first interpreter of the law. If the Police Department interprets it to say that it is not MYHMC's call to make, but the lessee's, a document could be created where the owner of BHs 1 and 2 would give MYHMC the authority to act on his behalf to file trespass charges.

**Adjournment:**

New Orleans Municipal Yacht Harbor Management Corporation  
Regular Board Meeting of September 12, 2017

On a motion by David Halpern and seconded by Ashlyn Graves, the meeting was adjourned at approximately 6:50pm.

**Date and Time of next meeting:**

The next meeting is scheduled for Tuesday, October 10, 2017 at 6:30 p.m. at the Lake Vista Community Center.