

*New Orleans Municipal Yacht Harbor Management Corporation*

**MINUTES OF THE BOARD OF DIRECTORS MEETING**

**January 10, 2017**

**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:**

Reginald Smith  
Alva See  
David Halpern  
Warner Tureaud  
Thomas Forbes  
Ashlyn Graves  
Douglass Lightfoot  
Connie Uddo

**Board of Directors Absent:**

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 Warner Tureaud and the motion was unanimously carried.

On a motion by David Halpern, seconded by Connie Uddo, and unanimously carried, the minutes from the regular meeting of December 13, 2016 were approved.

**Action Items:**

1. Mr. Tureaud discussed the appointment of the Nominating Committee. MYHMC has a standard nominating process where the Vice-President and the Treasurer of the Board are appointed to the Committee. Mr. Tureaud asked for two (2) additional Board Members to serve on the Committee, and Mr. Rodgers and Mr. Halpern both volunteered. The Nominating Committee consists of Ashlyn Graves (Chair), Ric Smith, David Halpern, and Howard Rodgers.

2. Mr. Casey distributed a Resolution Authorizing the Write-Off of a Bad Debt for the 2016 Fiscal Year to the Board. As per Exhibit 5A, MYHMC had a boat slip tenant by the name of Ms. Charlotte Ergun who donated her boat to Ms. Julie Jochum in September of 2014 who she told that her slip rent was paid up. The amount owed to MYHMC is approximately \$1,000 and staff has sent numerous certified letters and emails in an effort to collect the balance. In July 2014, staff asked the City's Attorney Office for assistance, and they sent a certified letter which was returned unclaimed and unable to be forwarded. In February of 2016, the account was turned over to Alpat Company which is the City's collection firm. In September of 2016, Alpat informed MYHMC that they had sent three letters and left several voice mails. Ms. Ergun answered the phone once and hung up on them when they identified themselves, and they have also notified the credit bureaus of the bad debt. This debt has been reserved as a bad debt, and it is the only bad debt for 2016 that management is recommending that the Board consider writing off. Mr. Tureaud acknowledged Mr. Bloom for remaining diligent and making efforts to recover public's money.

On a motion by Ric Smith, seconded by Ashlyn Graves, and unanimously carried, the resolution 5Authorizing the Write-Off of a Bad Debt for the 2016 Fiscal Year6 was approved.

3. Miguel Viteri (CPA) and Mr. Casey had a walk through meeting with Chief Schmitt of the NOFD this afternoon at Boathouse #93. Construction is progressing, the walls and the sheet rock have been painted, and he is anxious to get the fire boat into the slip. Another meeting has been scheduled with Al Delaparte (City's Risk Manager) and Hank Wolf (Insurance broker) on Friday, January 13<sup>th</sup> to go over the transition between builder's risk and permanent insurance on the building, which the chief recognizes that it is the City's responsibility to provide insurance coverage. The Law Department may need to prepare a CEA that will outline the City's responsibilities with respect to the use of Boathouse #93 under the Master Lease between the City and MYHMC which is the purpose of this proposed Resolution. The boathouse is scheduled to be completed by the middle of February such that the contractor will be able to obtain a CO (Certificate of Occupancy). Other than docking the boat in the slip, the Fire Department probably will not start using the property immediately. Mr. Tureaud asked if Mr. Casey and Mr. Bloom would be able to arrange for the Board to take a tour when the boathouse is complete. Mr. Casey responded that arrangements can be made with staff to walk through the facility since it has been a long awaited project. In response to a question from a Board Member, Mr. Casey stated that the City will be responsible for insurance, maintenance, and utility

expenses. The City owns the building since it was their FEMA Claim and MYHMC only manages the ground leases in the area.

On a motion by Ric Smith, seconded by David Halpern, and unanimously carried, the resolution "Authorizing the Execution of a Cooperative Endeavor Agreement allowing the New Orleans Fire Department to use Boathouse Number 93" was approved.

**Information and Discussion Items:**

1. Boathouse Leases and Supplemental Lease Agreements were discussed by Mr. Casey. The City Council passed an Ordinance at the December 14<sup>th</sup> meeting allowing the remaining twelve (12) boathouse lessees to execute the extended lease. The Ordinance has been signed by the Mayor and MYHMC can now start the process. The work has been completed at boathouse #18 to adjust the rear wall to the proper location such that it is no longer in violation of the Boathouse Ordinance. At this time Ms. Graves will give an update on a boathouse that transferred in December. In the month of December, Boathouse #78 sold for \$240,000 which amounted to a transfer fee of \$7,200 for MYHMC.
2. The FEMA update was presented by Mr. Tureaud. On December 21<sup>st</sup>, meetings were held with representatives of NOYC and SYC along with Ric Smith and Tom Forbes to discuss their respective comments and proposed changes to the schematic layout of the Harbor Master Plan. Both groups like the Concept 3 Site Plan, which is still being refined and will be posted on the MYHMC website. Miguel Viteri is in the process of completing the responses to the public comments that were sent to Moffatt & Nichol so that they can be posted on MYHMC's website. Moffatt & Nichol is also in the process of working on a detailed parking plan for the West End area especially the angled parking in front of the boathouses on North Roadway Drive. Ms. Graves is working on a comments/questions section that can be posted on the website.
3. The December Financial Report was presented by Mr. Smith. As of the end of 2016, MYHMC has total assets of \$3,473,000 with current assets of \$3,452,000 and the bulk of that was in checking accounts totaling \$3,365,000. On the liability side, MYHMC has total liabilities of \$929,000 of which \$424,000 is current liabilities which is primarily the accrued interest on NOAA Bonds. The long-term liability of \$505,000 is the balance on the NOAA Bonds that are currently in deferment. That leaves MYHMC with a total fund balance of \$2,543,000 of which \$1,422,000 is unrestricted net assets. For the month of December, gross income was \$61,000 and operating expenses were \$63,000 with net other income of (\$3,000) which is the monthly interest accrual on the NOAA Bonds such that net income was a loss of (\$5,000) for the month. For the year-to-date through the end of December, total gross revenue was \$756,000 with operating expenses of

\$691,000 which amounts to net ordinary income of \$65,000. Net other income was an expense of (\$39,000) such that the total year-to-date net income was \$26,000.

4. The Economic Redevelopment Committee Report was presented by Mr. Casey. On December 19<sup>th</sup> a meeting was held at the Regional Planning Commission's Office (RPC) with Dana Brown (Land Planner), Council Members Susan Guidry and Jennifer Van Vrancken along with RPC staff and the Corps of Engineers to receive a progress update on the Master Plan for the restaurant parking lot. A conceptual plan was presented by Dana Brown that would allow an elevated structure containing four (4) - 7000 square feet areas to be built such that adequate parking according to the City Planning Commission's requirements would be met. A follow up meeting will probably be scheduled in February. At some point in the future, there will be a presentation at a MYHMC Board Meeting. Mr. Tureaud asked if the RPC is coordinating with the Army Corps of Engineers the return of the parking lot to the City/MYHMC. The Orleans Levee District (OLD) has extended their right of entry agreement with the City of New Orleans and Jefferson Parish for the temporary usage of the parking lot for the construction of the new pump station until late 2019. Mr. Smith said that he does not view 2019 as a detriment because it might take two years to find a developer for the site, and the RPC is working on a realistic timeline. Mr. Tureaud said that MYHMC wants a blue print on how to develop this area and that we are fortunate to have experts involved in the process that are moving it along.
5. Executive Director's Report was presented by Mr. Casey. There were five topics: 1.) The Boat Launch front end specifications required by the State Office of Facilities Planning and Control are in the review process; 2.) Boathouse # 93 is scheduled to be completed in mid February; 3.) MYHMC staff is waiting on the Bureau of Purchasing to schedule a selection Committee Meeting for the Banking RFP; 4.) On Thursday (1/12/17) the Real Estate Committee of the Non-Flood Asset Management Authority will meet to discuss extending MYHMC's agreement to meet at LVCC for another year; and 5.) Street lights around West End Park are in the process of being replaced by the Department of Public Works.

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

There was a question from Mr. Forbes concerning when the State might complete the review of the Boat Launch plans and specifications. Mr. Casey said that he anticipates getting an answer from the engineer this week who prepared the plans and specifications. Since it is a Federal Grant, the State considers the funding as if it is include in the State's Capital Outlay Budget.

Mr. Tureaud acknowledged Ms. Wilma Heaton, Chairman of the Non-Flood Protection Asset Management Authority (NFPAMA), and thanked her for allowing MYHMC to use the Lake Vista Community Center for the monthly Board Meetings. MYHMC appreciates the partnership and friendship. There was a dangerous issue in terms of flooding at the

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On West Roadway. Until the Orleans Levee District and the NFPAMA found out that they actually owned West Roadway, there was very little progress being made. The situation went from hardly anything being done to the completion of the temporary repairs, and then plans for long-term repairs. The flooding of the road affected MYHMC's tenants exponentially more than it affected NFPAMA's, and we thank you and your Board for all that you have done working in partnership with MYHMC.

Boathouse owner Russell Pearson (BH # 102) on North Roadway was concerned about the location of the proposed West Harbor Entry on North Roadway. Mr. Tureaud said that Ms. Graves has reviewed comments and is working with Capital Projects on the responses which will be posted on MYHMC's website. Mr. Pearson asked if there will be a revised plan for the entry. Mr. Tureaud said that although the issue is open for discussion, he asked that everyone read the comments and the responses once they are posted on the website since there will be a detailed discussion concerning parking and a buffer between the West Entry and the boathouses. In addition, the existing entry located on the West side of the Administration Building will remain as an access for slip tenants and NOYC Members.

There was a question about how many of those trailers on North Roadway are owned by boathouse owners. Someone mentioned that some of them have been there a while and may not belong to any of the boathouse owners. Mr. Tureaud said that the City along with the Department of Public Works, has promised to enforce the "No Trailer Parking" restriction. If the MYHMC Board had the authority to move the trailers, it would but it does not have any control over the City's public street.

There was a comment about the development of the Municipal Yacht Harbor. Mr. Tureaud said that he is sorry it has taken this long, but it has been an arduous process with the FEMA Claim starting with the initial award of only \$2 million dollars by FEMA to the City. It has taken some time to build a case, collect the evidence, and for the Claim to be resolved. We hope to have a state of the art floating marina that will be a significant improvement for the area.

**Adjournment:**

On a motion by Thomas Forbes and seconded by Alva See, the meeting was adjourned at approximately 7:10pm.

**Date and Time of next meeting:**

The next meeting is scheduled for Tuesday, February 7, 2017 at 6:30 p.m. at the Lake Vista Community Center.