

*New Orleans Municipal Yacht Harbor Management Corporation*

**MINUTES OF THE BOARD OF DIRECTORS MEETING**

**January 13, 2015**

**6:30 p.m.**

**First Baptist Church, 5290 Canal Boulevard, New Orleans, Louisiana**

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

**Board of Directors Present:**

Ashlyn Graves  
Alva See  
David Halpern  
Connie Uddo  
Warner Tureaud  
Howard Rodgers

**Board of Directors Absent:**

Reginald Smith  
Shannon Sims  
Thomas Forbes

**A quorum was present.**

There were no amendments to the agenda.

The agenda was approved and adopted on a motion by Howard Rodgers, seconded by Ashlyn Graves 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 9, 2014 were approved.

**Action Items:**

1. MYHMC has been fortunate to be able to use First Baptist Church as a temporary meeting location for the past four years, and the Church has been very gracious and accommodating to MYHMC. Currently, MYHMC is the only non-Church organization holding meetings at the facility and it is now time for us to find an alternate meeting location until the renovation of the MYHMC Administration Building is completed. On Tuesday, January 6<sup>th</sup> Mr. Casey appeared at the Joint Marina/Commercial Real Estate Committee Meeting of the Non-Flood Protection Asset Management Authority to make the request by MYHMC to use the meeting room at the Lake Vista Community Center which is located at the end of Spanish Fort Blvd. The Committee voted in favor of the request which will be forwarded to the Board of Directors of the Non-Flood Protection Asset Management Authority.

On a motion by David Halpern, seconded by Howard Rodgers, and unanimously carried, the resolution "Authorizing the negotiation and the execution of a 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. As per the MYHMC By-Laws, the Nominating Committee which entertains cabinet member positions is appointed annually at the January Meeting. Mr. Tureaud asked Vice-President Ashlyn Graves to chair the Committee along with Ric Smith, Shannon Sims, and Howard Rodgers. Ashlyn Graves will give a report at the February Meeting which the MYHMC By-Laws require. The election of officers will be held at the March meeting.

**Information and Discussion Items:**

1. Boathouse Leases and Supplemental Lease Agreements were discussed by Mr. Casey. The lease extensions for boathouses #56 and #66 are in process by the Law Department. Mr. Casey and Mr. Bloom had a conversation with Rebecca Dietz, Executive Counsel, about the extensions and she will follow-up on the status of the execution of the paperwork. There are still a few miscellaneous boathouse lessees that have yet to exercise their extension option.
2. The FEMA update was provided by Mr. Tureaud. A letter written to the "New Orleans Advocate" criticizing the status of the Municipal Yacht Harbor FEMA Claim process was included in the packet that was distributed to the Board Members. Mr. Tureaud stated that the City, on behalf of MYHMC, was initially offered an award of \$2.5 million by FEMA when the claims process started. What was first offered by FEMA was a fraction of the funds required in order to rebuild the harbor facility. If the City had accepted that award, only minor repairs could have been performed. It is important to understand and

appreciate that the City and MYHMC has had no other alternative than to continue to pursue the FEMA Claim so that the final award would cover the actual repair costs.

In October 2014, the Governor's Office of Homeland Security (GOHSEP) submitted the R.S. Means Report to FEMA, and the City's Capital Projects Administration (CPA) also submitted Sizeler's 98% completed construction documents to GOHSEP and to FEMA for their review. Capital Projects is continuing to wait for a final decision from FEMA.

The "Take Over Agreement" for the construction of boathouse #93 is being routed by Capital Projects and it is anticipated that it will be signed by the end of January. Unfortunately, the contractor who was awarded the contract and started the construction of boathouse #93 went bankrupt. Capital Projects has been working with the bonding company and the Law Department to resolve various issues. The bonding company has chosen a contractor and they are ready to go to work once the agreement is executed.

3. The Financial Report was presented by Mr. Casey. MYHMC has total assets at the end of December of \$3.37 million dollars of which \$3.35 million are current and the bulk of that is \$3.2 million in the form of cash at Capital One Bank. On the liability side, MYHMC has a total of \$807,000 of which \$505,000 are long-term which are NOAA Revenue Bonds that are in deferment. Current liabilities total \$303,000 with the major item being accrued interest of \$171,000 on the bonds. That leaves MYHMC with unrestricted net assets of \$1,515,000. For the month of December, total income was \$57,622 with ordinary expenses of \$58,509 yielding a net operating loss of (\$890) along with an additional \$3,200 in other interest expense. The total loss for December was approximately (\$4,100). For the year-to-date through the end of December, total revenues were \$705,000 and ordinary expenses were \$720,000 which amounts to a (\$15,000) loss. Net other income amounted to (\$37,500) such that the total net loss was (\$52,500) for the year-to-date.
4. Mr. Casey presented the Executive Director's Report. There were four topics: 1.) The Cooperative Endeavor Agreement (CEA) between MYHMC and the Louisiana Department of Wildlife and Fisheries for the grant to repair the Breakwater Drive boat launch is in the process of being executed by the State's Office of Facility Planning and Control; 2.) An email from John Manard concerning a promotional video for Community Sailing New Orleans was forwarded to the Board. In your packet you have a copy of a new brochure promoting the Community Sailing Center; 3.) PCCP Constructors monthly construction public meeting will be held Wednesday, January 14<sup>th</sup> at 6 p.m. at their office at Marconi and Snipe Street; and 4.) Rebecca Dietz has been appointed Executive Counsel and will be assisting MYHMC with various items.

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

There was question about the status of the timetable between GOHSEP and FEMA concerning the harbor FEMA Claim.

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Mr. Tureaud said that the City is the claimant with respect to the FEMA Claim not MYHMC. The FEMA Claim is currently being discussed at the higher levels of FEMA, GOHSEP, and the City. The final resolution of the Claim is currently in FEMA's hands, and of this date the City has not received anything in writing from FEMA. Mr. Casey mentioned that in 2014 GOHSEP hired R.S. Means which is a construction management advisory company that writes construction cost books and programs to perform an independent analysis. They have expert witnesses who the State has used on other claims that have had to go to arbitration. A number of those claims have been won by the State, but Capital Projects is hopeful that this claim will not have to be arbitrated.

**Adjournment:**

On a motion by Howard Rodgers and seconded by Alva See, the meeting was adjourned at approximately 7:05p.m.

**Date and Time of next meeting:**

The next meeting is scheduled for Tuesday, February 10, 2015 at 6:30 p.m. at the First Baptist Church.