

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting
Tuesday, December 12, 6:30PM
Municipal Yacht Harbor Administration Building
2nd Floor – New Orleans Yacht Club – East Meeting Room
403 North Roadway Street
New Orleans, LA 70124

PRELIMINARIES

1. Meeting called to order at: 6:34pm by Tim McConnell.

Attendance was taken by Tim McConnell. Board members present:

Tim McConnell

Akeisha Tircuit – Late (6:52pm)

Christopher Hammond

Keith Amacker

Roger Watkins – Late (7:19pm)

Mark Heck

Monya Criddle

2. Motion to adopt agenda as posted by C. Hammond. Seconded by M. Heck. Motion carried unanimously.
3. Approval of November 14, 2023 regular meeting and Quality of Life committee meeting minutes Motion by C. Hammond, seconded by M. Heck. Motion carried unanimously.

ACTION ITEMS

1. Resolution to approve MYHMC staff to route the ordinance and related documents to the New Orleans City Council for the lease of boathouses 31 and 127.

Motion by M. Heck, seconded by C. Hammond. Motion passes unanimously.

2. Motion by C. Hammond to consider the full trim of approximately 120 oak and other trees in the management area in 2024 in accordance with the Department of Parks and Parkways contract with Bayou Tree Service. Seconded by M. Heck.

T. McConnell: I asked Bryan to have our contractor come in and assess all of the trees; he did. They came back with a cost to trim them all. The last time the trees had any maintenance done was after Hurricane Ida. The trees haven't been seriously serviced since at least 2010. This would include any dead wood of 1 inch or larger and raising the canopy over the roads. The cost of that estimate was \$180,000. There was an additional \$18,000 to take out three palm trees and two oak trees that were dead and/or dying. When they cut them down, he had some nice pictures of the middle of the oak tree hollowed out and everything. The other ones were all assessed to be healthy, but he recommended a full trim of the entire canopy.

B. Whited: After IDA we did an emergency trim and it was just for safety, to inspect everything. At that time, they pulled out two oak trees which were severely damaged, and three palm trees which were dead. We have the funds so we should go ahead and do it. With the history of lack of maintenance, it certainly leaves open some liability that something was missed. With this full trim, they will be in every tree, every canopy. They'll be able to see things that they wouldn't see from a visual inspection from the ground. So certainly it's due.

K. Amacker: Are we going to attempt to negotiate a long-term contract with them for annual or bi-annual maintenance so that we are not incurring a large bill?

T. McConnell: According to the arborist, there are different ones you can do. One is what they call two inch deadwood, one of them is two inch or larger. This is one inch or larger of deadwood, more vigorous trimming. We would not have to do another trim of this magnitude for 5-7 years.

M. Heck: So we should be budgeting this money every 5-7 years?

B. Whited: Yes. The cost is based on the City's contract.

M. Heck: It seems that we should try to break the amount up into little bites every year; maybe \$30,000 a year and put it in reserves.

M. Criddle: A while back, there was a gentleman from an organization that applied for a grant focusing on shrubbery trees and landscape in the Lakeview area. I believe the work was supposed to start in March and was wondering if we would be able to use some funds from that grant.

Charles Marsala: The Mayor's Office had money available to plant trees and I don't know if all of that got allocated so there may be some reserves left over.

M. Criddle: The grant was inclusive of tree planting, trimming and beautification.

Stanton Murray: The guy's name is Lee Henderson. I was working with him and the grant was for planting trees and not maintenance. We were not awarded the grant.

B. Whited: The contractor offered to donate and plant trees for every one we have him pull at no additional cost.

Public Comment by Charles Marsala: With the drought, palm trees shouldn't be by the main oak trees because they suck out the water and they're fighting for the same nutrients.

T. McConnell: There was an article in the Times of Picayune a couple of months ago. There's a blight going in every palm tree in the south that's going to be dead in the next few years.

C. Marsala: Maybe we should think about removing them before they die.

T. McConnell: I'm not saying we need to pull all the palm trees out right now but it's definitely something we need to keep an eye on as they start to be affected by this blight.

S. Murray: Bayou Tree, who's the vendor, is the world-renowned expert on oak trees. They have been maintaining Audubon Park, City Park, LSU campus and the major oak trees throughout Louisiana for decades. We have a huge amount of trust that we have the right company working.

Public Comment by Rick Sinclair: What areas are included in the tree trimming?

T. McConnell: All the ones on our property.

R. Sinclair: There are a few limbs that are banging into our handrails on the front porch. The last time the trees were trimmed we were told that they were not servicing our side of the street, so I just wanted to get clarification. I also asked if I could turn the trees myself and was told no.

B. Whited: If the trees are damaging your property you can surely cut them.

R. Sinclair: Could the guys cut them down while they are already out there? I'd be OK with paying my share.

B. Whited: If the maintenance is already scheduled, they can do it. They will be cutting all limbs affecting any structures.

Motion passes unanimously.

DISCUSSION ITEMS

1. FINANCIAL REPORT by Tim McConnell

As of November 30th, MYHMC has total assets of \$17,527,300 with current assets of \$3,704,261 and the bulk of which is in the form of cash of \$3,494,400 in two accounts at JP Morgan Chase Bank. Net fixed assets total \$1,357,200. Other assets include Leases Receivable of \$12,295,200 and Deferred Outflow of Pension Resources of \$166,100. On the liability side, MYHMC had total liabilities of \$13,197,300 of which \$432,600 are current liabilities consisting mainly of accounts payable and accrued expenses of \$106,400, accrued annual leave and sick leave of \$141,200 and unearned revenue of \$168,000. Long term Liabilities consisted of net pension liability of \$496,100 and \$12,268,700 for deferred inflow of long term leases. That leaves MYHMC with total equity of \$4,330,000 of which \$3,830,000 is unrestricted net assets. For the month of November, MYHMC had revenues of \$183,900 and operating expenses of \$236,800 which resulted in a Net Loss of \$52,900. Year to date revenues are \$2,035,500 with total expenses of \$1,706,800, resulting in a year to date profit of \$328,700. The harbor's occupancy is 95%. There are only a few slip tenants who will not be renewing their lease for 2024.

Motion to accept the financial report by M. Heck, seconded by C. Hammond.

M. Criddle: Why was there a net loss if \$52K

B. Whited: we had a few unusual expenses they were emailed out to the board by Wayne. We had a five year inspection on the fire system on the docks that was over \$10,000. There's a major water leak repair of over \$10,000 on the docks. Signs and graphics for the building. Legal fees with respect to the lawsuit with Skurlock, which was substantial, about \$20,000. There was also legal fees for Stone Pigman. We just had a few more expenses that were not typical operating expenses.

Motion carried.

2. DIRECTOR'S REPORT by Bryan Whited

1. Update on Sailing Center Construction: They will be driving test piles on Friday December 15th at 8 am. Vibration monitoring will be in place. Complete pile driving is scheduled to commence in approximately 2 weeks.

Staff Hiring: currently 2 on staff. Looking for a third.

3. Fishing pier: No update

4. Sale of Boathouses: Board approval – then route through city council.
5. BH127 issues, we were recently made aware of some issues regarding the entrance area to BH 127. We are having a contractor examine the issue and will make necessary repairs to keep it safe and secure. The sewer plumbing under the boat house also appears to be deteriorating. We will address this as well.
6. The contractor for the Sailing center found two full sewer manholes in the parking area. S&WB were notified by the contractor directly and I reported the issue as well.
7. West End Park and Breakwater Park: Continuing with site upgrades. Of note, the city has completed a new process for trade work to be used by city departments. We are going to utilize these contracts as a basis for completing the needed site upgrades. This saves the office the time of going out for bid for these non-emergency type of repairs and upgrades although we still may do so if the pricing or availability is not acceptable to us.
8. Pond and parking pad permit issues: I have met with the tax assessors office and given them the info they need to change the map. This should help with permitting confusion that continues to happen and will allow us to move forward with site upgrades. Additionally – department of real estate and records is working on a gis map of all city owned properties. This will help clear up any future issues.
9. Parking lot rental: we are currently putting together and RFP for towing so we can enforce illegally parked vehicles in the lot.
10. Marina: WiFi no update. Lease renewals underway. Tulane docks are installed and being used.
11. QOL requests: request for additional one way sign has been made. Shawn cleaned the surface portions of the drains around the park. I have rented a scissor lift to adjust or get info needed to order shields for boat launch light, as well as replace a photocell.
12. Still working on a meeting for the point parking improvements and other striping.

13. West End Development Expenses

Company	Invoice Date	Expense
Stone Pigman	2/28/2023	\$4,740.00
Stone Pigman	3/28/2023	\$4,870.00
Stone Pigman	4/25/2023	\$420.00
Stone Pigman	5/31/2023	\$2,160.00
Stone Pigman	6/26/2023	\$3,030.00
Stone Pigman	7/31/2023	\$480.00
Stone Pigman	8/30/2023	\$1980.00
Stone Pigman	9/27/2023	\$90.00

Stone Pigman	10/25/2023	\$2,250.00
Stone Pigman:	11/28/2023	\$6,330
Experts for Stone Pigman:		\$36,646.85

Total West End Development Expenses	\$62,996.85
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M. Criddle: Do we have an update on the development from HR&A?

B. Whited: Not right now. There will be something forthcoming, soon. They've been keeping me in the loop of what they've been working on. We have weekly meetings. They are working on many different things.

M. Criddle: When they have something will they be reporting it to the board? Or will they report to you and you report it to the Board?

B. Whited: The public aspect of the report and the process is slowed down because of the elections in Jefferson Parish combined with the holiday season. So from the City Council's office, City Council and the Jefferson Parish side, essentially they're saying wait until we can get everything aligned, and everybody up to speed before we start doing public. The background is still being worked on.

M. Criddle: Since you're meeting with them weekly, maybe you can have a synopsis of those meetings to share with us to keep us in the loop. I can imagine in January with elections being over, thing should be picking up. I would recommend adding the progression to the Director's Report.

T. McConnell: Bryan, please ask them what information they could share with the Board. I know they are trying to brief the new council member. See if they could get a report. I don't know if they want to come or just give us a briefing at next month's meeting.

B. Whited: I can certainly give you general updates and say this is what's being worked on.

M. Heck: Do you remember the total of phase one?

B. Whited: I don't.

T. McConnell: On that test power driving, make sure they are putting it on the correct side of the sea wall – the boathouse side. Also, is it worthwhile to invest in a scissor lift? Do we use it regularly?

B. Whited: No. Renting one for \$300 is sufficient.

3. RULES AND STANDARDS: N/A

4. UNFINISHED BUSINESS by Tim McConnell

The bylaw committee has not met. We asked everybody to please provide an input if you had anything after reviewing them. We did receive some suggestions from Keith Amaker. When the committee meets, we will consider those. If anyone else has suggestions, please submit that to the administrative staff and myself since I'm chairing that committee. To remind everybody, it's the executive board on the committee.

5. ECONOMIC REDEVELOPMENT COMMITTEE: N/A.

Public Comment by C. Marsala: At the budget meeting in November, CM Giarrusso said something about not having any more meetings or putting them on hold. The feasibility study from 2017 that was done by Regional Planning Commission was mentioned. It assumed that the infrastructure was adequate for anything that's going to go on out there. Recently, we found out about potential asbestos in the concrete pipes. Maybe we need to talk to HR&A about getting an expertise in dealing with asbestos for the project.

M. Heck: Any development is going to require environmental studies and have environmental consultants.

C. Marsala: I wanted to suggest a bocce ball court for the area and bike rentals.

6. QUALITY OF LIFE by Monya Criddle

We did not meet. From the last meeting, I remember us discussing pressure washing.

T. McConnell: That is one of the things that Shawn (maintenance) will tackle when time permits.

Public Comment by Kerry Cuccia: People put these high-intensity lights and they want them in their boat house over their slip but they don't realize how far they extend out. On Saturday night at the boat parade there were two extremely bright high intensity lights by the fire boathouse that were extremely blinding. You should consider a policy that these high-intensity lights cannot be used unless they are confined within the scope of someone's own property.

T. McConnell: Good point. I think it's something we should put into the Boathouse rules and even our own.

7. SECURITY AND SAFETY COMMITTEE by Christopher Hammond

There were three issues that came up at the meeting. First was the FWE signage for advising citizens of the security cameras in the area. We wanted to make sure that the board was okay with additional signage to make people aware of what's going on with actual security cameras and that there's going to be safety filming here in the actual dock area. The second concern was speeding in the area; mainly the Point. Lastly, there was quite a bit of discussion on removing those floating docks in a timely fashion.

T. McConnell: We could request speed signs from the City's sign shop and just install them. As it relates to the Easy Docks, the contract that allowed Tulane to put those in also has language that requires them to remove them in a storm.

K. Amacker: The contract between MHYMC and Tulane says in the event of a tropical warning, which is 48 hours before a tropical force winds, two days, that they removed the easy docks and remove the vessels. I'm wondering if that is sufficient time.

B. Whited: They said they could do it.

K. Amacker: Did they explain how they would accomplish this?

B. Whited: They informed me that they had the entire Tulane maintenance staff that would be trained on doing the process.

T. McConnell: We just need to make sure we reiterate it to them for every storm.

B. Whited: I would make sure that they're prepared. If they don't, their leasing could be canceled. They have strong incentive to do it.

K. Amacker: There's some language in that document that implies they retain liability. Would you interpret that as if they did remove them and they damaged our infrastructure that they'd be responsible for legally?

B. Whited: Yes.

T. McConnell: If a storm comes in and a 50 -foot yacht is tied to a dock and they don't remove it, what happens? Wouldn't it float up and down with the docks?

B. Whited: Yes and they are required to follow a minimum tying style.

T. McConnell: So the floating docks would also float up and down, correct?

B. Whited: Yes.

K. Amacker: Because the positive buoyancy of the dock is fixed and the buoyancy level of any vessel tied to it is gonna be depended on a number of things. What's its reserve buoyancy? So if you have a vessel that's double board against a floating pier and you receive tropical forest winds, inevitably, both vessels are gonna react to a certain point when the lines will become the rubber band that causes something to give.

Motion to go into Executive Session to discuss ongoing litigation by M. Heck, seconded by R. Watkins. Motion passes unanimously.

T. McConnell: We have no action items coming out of the executive session.

Motion to adjourn by C. Hammond at 7:35pm

Date & Time of Next Meeting: Tuesday, January 9, 2023 | 6:30PM

NOYC 2nd Floor

