

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF A REGULAR BOARD OF DIRECTORS MEETING

March 9, 2021

6:30 PM

Virtual Meeting Via Teleconference/Video Conference

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

Board of Directors Present:

Warner Tureaud
Ashlyn Graves
David Halpern
Thomas Forbes
Howard Rodgers
Eli Feinstein
Connie Uddo

Board of Directors Absent:

Jennifer Heebe

A quorum was present

Mr. Tureaud read the following statement that was posted on the Board Meeting Agenda:

In accordance with R.S. 42:17.1, the New Orleans Municipal Yacht Harbor Management Corporation (MYHMC) will convene a Regular Board Meeting on Tuesday, March 9, 2021 at 6:30 PM virtually via a telephone/video conference call.

The telephone/video conference call is accessible for observation by the public by following the participant instructions as listed above.

Public comments on an agenda item may be submitted in real time during the meeting via email to whbloom@nola.gov from thirty (30) minutes prior to commencement of the meeting and until action on an agenda item upon which a vote is to be taken, in accordance with La. R.S. 42:14(D). Public comment submittals should include the commenter's name and who they represent. All public comments on agenda items will be properly identified and acknowledged during the meeting and are limited to what can be read in two minutes.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of March 9, 2021

There was one (1) amendment to the agenda:

On a motion by Mr. Forbes, seconded by Mr. Halpern, and unanimously carried, the Resolution: “Requesting that the LA Department of Natural Resources Conduct a Public Hearing with Respect to the Pearl Project CUP P20181274” was added to the agenda as an Action Item.

On a motion by Mr. Halpern, seconded by Mr. Rodgers, and unanimously carried, the agenda was approved and adopted.

The agenda was presented by Mr. Tureaud.

ACTION ITEMS

1. On a motion by Mr. Forbes, seconded by Ms. Uddo, a Resolution was adopted “Authorizing the Execution of a Cooperative Endeavor Agreement for Hurricane Katrina and Hurricane Isaac Reimbursements”. The following Board Members voted for the Motion: Mr. Tureaud, Ms. Graves, Mr. Halpern, Mr. Forbes, Mr. Feinstein, and Ms. Uddo. Mr. Rodgers abstained from voting.
2. On a motion by Mr. Forbes, seconded by Ms. Uddo, and unanimously carried, a Resolution was adopted “Requesting that the LA Department of Natural Resources Conduct a Public Hearing with Respect to the Pearl Project CUP P20181274”.

INFORMATION ITEMS

1) Ms. Graves reported that two (2) Boathouses (#16, and #124) transferred in February for a total value of \$580,000 which yielded \$17,400 in transfer fees to MYHMC.

2) The February 2021 Financial Report was presented by Mr. Bloom. At the end of February, MYHMC had total assets of \$4,312,140 with fixed assets of \$1,202,000 and current assets of \$3,105,900 and the bulk of which was in the form of cash of \$3,058,300 in two accounts at JPMorgan Chase Bank. On the liability side, MYHMC had total liabilities of \$808,470 of which \$808,470 was current liabilities and the bulk was due to the City of New Orleans of \$500,000 along with unearned revenue of \$124,230. That leaves MYHMC with a total fund balance of \$3,503,670 of which \$3,133,770 is unrestricted net assets. For the month of February, total operating revenue was \$118,760 and operating expenses were \$62,960 such that net income was \$55,830. Year-to-date gross revenues were \$248,330, and total expenses were \$136,200 which yielded \$112,160 in net income.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of March 9, 2021

3) Mr. Rodgers gave the report from the Economic Redevelopment Committee. He said that he and Mr. Feinstein met with a representative of the New Orleans Business Alliance who suggested that MYHMC perform a Feasibility Study to see what might be a viable use for the restaurant parking lot.

3) Mr. Forbes said that there was nothing to report from the Environmental Quality Committee.

4) Ms. Uddo gave the report from the Quality of Life Committee and said that Kerry Cuccia met with Mr. Rodgers and Mr. Halpern to discuss what additional City Council Ordinances may be required that would assist MYHMC with the management of the West End Area.

5) Mr. Rodgers asked Mr. Whited to report on the status of the hiring of staff with respect to the Security and Safety Committee. Mr. Whited said that Civil Service requests have been created to be able to hire two (2) Grounds Patrol Officers. He has received information on sixty-four (64) applicants and he is in the process of reaching out to the candidates. He is waiting on Civil Service with respect to the hiring of two (2) maintenance workers.

6) Ms. Graves said that there was no report from the Nominating Committee.

7) The Executive Director's Report was presented by Mr. Casey:

A) The New Orleans Yacht Club (NOYC) is finalizing its bid documents for the chair lift construction project.

B) The West Side Electrical Platform is nearing completion and Capital Projects has a target date of May 15th for the completion of the installation the new meter by Entergy to provide power to the West side of the Harbor.

C) The Breakwater Dr./Park construction project is progressing and TKTMJ is in the process of asphaltting the parking lots.

D) Mr. Casey said that a reminder will be sent to the 2020 Board Members with respect to filing the 2020 Personal Financial Disclosure Statement with the Louisiana Board of Ethics on or before May 15, 2021.

Other Comments and Issues from the Board and the Public

During the Board Meeting, Wayne Bloom received the following email from Mr. Frank Scurlock (owner of the leasehold improvements of Boathouse #30) which he read:

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of March 9, 2021

"I would like the Board to address the issue of noncompliance of boathouse 29, 7814 Breakwater building a structure other than permitted and not providing the required Insurance required.

Mr Casey notified the owner on August 21st, 2020, 200 days ago and nothing has been addressed other than avoidance.

Regrettably both neighboring boathouses have had to file suit against the owner and not involved MYC up to the current time.

I do not understand why their lease of #29 has not been terminated being over 200 days old however when I did not pay my dues I was noticed of potential termination after being only 30 days late.

It is likely the suits would have to be amended as the damages will likely exceed the \$300,000 the owner incorrectly has.

We request the Board cancel the lease of #29 and not renew till the fellow tenants are made whole due to the liabilities of the owner. I also request the Harbormaster put in a oversight claim with their Insurance carrier to see what coverage would apply.

Please address the concerns of the members trying hard to be good neighbors.

I have provided a copy of Taylor's email to #29 below and also a Copy of my insurance at the proper million dollar level.

If this is not correct and the new limit is \$300,000 please advise.

Thank you

Frank Scurlock"

The Board discussed Mr. Scurlock's email and decided that a certified letter be sent to Mr. Heitmeier (owner of the leasehold improvements of Boathouse #29) cancelling his lease unless he provides a current insurance certificate showing the required coverages. The City's Law Department will also be contacted to discuss MYHMC's remedies when a Boathouse tenant constructs improvements that violate plans that have been approved by the Department of Safety and Permits with respect to the issuance of a building permit.

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of March 9, 2021

Adjournment

On a motion by Howard Rodgers and seconded by Thomas Forbes, the meeting was adjourned at approximately 7:55 PM.

Date and Time of Next Meeting

The next Regular Board of Directors Meeting of MYHMC is scheduled to be held virtually on Tuesday, April 13, 2021 at 6:30 p.m.