

**New Orleans Municipal Yacht Harbor Management Corporation**  
**Regular Board Meeting**  
**Tuesday, November 14, 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: 6:31pm by Tim McConnell.

Attendance was taken by Tim McConnell. Board members present:

Tim McConnell

Akeisha Tircuit

Christopher Hammond

Jessica Addison

Keith Amacker

Roger Watkins

2. Motion to adopt agenda as posted by C. Hammond. Seconded by R. Watkins. Motion carried unanimously.
3. Approval of October 10, 2023 regular meeting and finance committee meeting minutes Motion by C. Hammond, seconded by R. Watkins. Motion carried unanimously.

**ACTION ITEMS**

1. Change Committee Assignments by T. McConnell

Bylaws require that committee assignments are set by the executive board and we need to make some adjustments to the committee assignments.

Motion to remove Roger Watkins from the Rules and Standards committee by C. Hammond, seconded by T. McConnell. Roger Watkins is hereby removed from the Rules and Standards Committee. He's already serving on the finance committee, but he will now serve as the chair. Jessica will remain on the finance committee, but Roger will now serve as the chair of that committee as he's the treasurer.

T. McConnell: I would like to establish a bylaws committee to recommend, if appropriate, any changes to the bylaws. They definitely need to be adjusted. For example: If we have a special meeting, it requires us to send a letter through the United States Postal Service. I think it needs to be well thought out and vetted.

Motion to establish a Bylaws committee by R. Watkins, seconded by A. Tircuit.

K. Amacker: Do we have the ability to revise the bylaws ourselves or is it something incorporated into our entity by the City?

T. McConnell: The bylaws were established by this Board to govern itself. It also says the Board can amend the bylaws at any time as long as we are in line with all laws and regulations. The

committee will be short-lived. Board members should bring motions out of committee to the Board to have open discussions regarding recommended changes. I'd like to get this done within the next three months.

Motion to establish bylaws committee passes unanimously.

T. McConnell: Bylaws review committee will be the executive board. I've spoken to them. It is myself, Chris Hammond, Roger Watkins, and Dr. Crittle. Although she's absent, I have spoken with her. Everybody's on board. I am appointing myself the chair of that committee. I'm asking that everybody sometime in the next month to please review the bylaws. My recommendation would be that if we call a special meeting you will be contacted by e-mail and a phone call instead of USPS.

## 2. Resolution of signature authority to Bryan Whited, Executive Director.

### Corporate Resolution of Signing Authority

WHEREAS, the New Orleans Municipal Yacht Harbor Management Corporation (MYHMC) is determined to grant signing and authority to certain person(s) described hereunder.

RESOLVED, that the Board of Directors is hereby authorized and approved to authorize and empower the following individual to make, execute, endorse, and deliver in the name of and on behalf of the corporation, but shall not be limited to, any and all written instruments, agreements, documents, execution of deeds, powers of attorney, transfers, assignments, contracts, obligations, certificates and other instruments of whatever nature entered into by this Corporation.

The undersigned certifies that he is the properly appointed and qualified President of the MYHMC, a corporation duly conformed pursuant to the laws of the state of Louisiana, and that said meeting was held in accordance with state law and with the Bylaws of the above-named corporation. This resolution has been approved by the Board of Directors of MYHMC on the 14<sup>th</sup> of November 2023.

B. Whited: I had one when I was Deputy Director, but we realized that we didn't do one when I became the Executive Director. The previous one probably still applies. The reason that this popped up is a previous board member was on the Louisiana Department of Treasury website and found that we have some money floating around for the board.

Motion by R. Watkins, seconded by C. Hammond.

K. Amacker: Does this mean the Dep. Dir. has to go through this process as well?

T. McConnell: If Bryan was unavailable because of a medical procedure etc., we would then give authority to Ariane.

K. Amacker: Does this document give unlimited signatory authority?

B. Whited: Yes, the document specifically calls for the President's signature. For example, the President's signature is required for lease agreements.

J. Addison: Is there something on the horizon that we should expect your signature on in three months that's major and not being mentioned?

B. Whited: The application to get our money from the Treasury Department. Which is over \$100.

## FINANCIAL REPORT by Roger Watkins

As of October 31<sup>st</sup>, MYHMC has total assets of \$17,732,400 with current assets of \$3,904,600 and the bulk of which is in the form of cash of \$3,668,700 in two accounts at JP Morgan Chase Bank. Net fixed assets total \$1,361,900. 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 \$13,349,500 of which \$584,700 are current liabilities consisting mainly of accounts payable and accrued expenses of \$85,800 and accrued annual leave and sick leave of \$139,600. 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 \$4,382,900 of which \$3,882,900 is unrestricted net assets. For the month of October, MYHMC had revenues of \$191,200 and operating expenses of \$159,100 which resulted in Net Income of \$32,100. Year to date revenues are \$1,852,000 with total expenses of \$1,470,000, resulting in a year to date profit of \$382,000. The harbor's occupancy is at 95%.

Motion to accept the financial report by C. Hammond, seconded by J. Addison. Motion passes unanimously.

## DIRECTOR'S REPORT by Bryan Whited

1. Staff Hiring: Hired 2<sup>nd</sup> GPO and going through hiring process for 3<sup>rd</sup>.
2. Fishing pier: Additional Soil Borings completed and continued discussions with FEMA.
3. Sale of Boathouses: Lease and draft ordinance complete. Working on next steps.
4. West End Park and Breakwater Park: ZETA repairs completed. Continuing with site upgrades.
5. Marina: WiFi poles design completed and poles have been ordered. 18 week lead time for poles.
6. 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
Total West End Development Expenses		\$20,020.00

We had our capital budget hearing today. Mr. Marsala made a comment online and Council Member Giarrusso made a few comments about the development, but otherwise there was no real discussion about our budget hearing and it was approved.

R. Watkins: What's the timeline for the fishing pier? Is it just a FEMA project to replace what was?

B. Whited: It's a FEMA project. There's not a lot the public can say about it. The biggest issue is FEMA getting them to agree to different whatever their problems are.

Public Comment by C. Marsala: I noticed we have a YouTube channel now, and I wondered if we can film? I'm happy to see it is made available to the public.

J. Addison: I don't remember being notified that we were being recorded.

T. McConnell: It was a couple of meetings back when we talked about filming the meetings and we filmed the last meeting and made it available online for people to see.

RULES AND STANDARDS: N/A

UNFINISHED BUSINESS: N/A

ECONOMIC REDEVELOPMENT by T. McConnell:

We postponed the public economic development meeting. We had partners who wished to attend and were unavailable. Now we're in the midst of the holidays and I will promise they go on forward. There will be greater than a two-week notice as we go forward out of respect for everybody. We anticipate something in hopefully January on economic development.

QUALITY OF LIFE by T. McConnell:

Dr. Criddle sends her apologies, she could not make it today. However, Ms. Tircuit and I held the QOL committee meeting prior to this one. The entrance sign at West End has been updated. And we are still looking to address the one -way signage that needs to be more visible and in the right place for everyone. There was an issue with lights that were out; those have been fixed. Drainage over by JB's fuel dock has been reported. He's on the levy board side. Friends of West End is doing the comprehensive beautification project, including signage. Hopefully that opening will be on March 19th. They're seeking input and a wish list, working with the community and with the Restaurant Association.

Mr. Marsala reported that there had been a road race. The folks who were organizing that were really to impetus behind getting the potholes fixed and notifying the council member's office. I would encourage everyone, just like with the lights, to report through 311 any repairs that need, whether it be lights or potholes. And our staff will do the same.

There was an issue with abandoned cars and weeds that were mentioned; all on the levy board side. Some of it's been cleared and we received information in the committee that other items are being worked on by them on their property, abandoned houses that they've now gotten control of. There was concern with commercial enterprise using the boat launch area. I know you're aware of it, but I'll send you something on that. I think we need to inquire if they do damage to the area, that they assume the cost of the repairs.

It was brought up that there is a sewer smell, strong sewer smell that's coming from the lakeside. This is what it was reported. And once again, I'll send you something to follow up on this. I think

we just need to do an investigation and see if we can pinpoint where it may be coming from-maybe the pump out dock.

B. Whited: I've already inspected our pump out based on a previous complaint and have contacted the Boathouse owner of the appearance of some poorly maintained pipes. I'll follow up.

T. McConnell: West End Restaurant Association were hoping to have some signage created that would inform patrons that they are cameras in the area and could be recorded.

Public Comment by S. Murray: The idea is to come up and have some friendly signage in West End to show that we have cameras collectively, not just Levy Board, one thing, you've got something else, a business or something else, but collective signage. It's going to be proposed in the future. We just want you guys to think about it in case you're in any concerns or opposition.

T. McConnell: I would like to refer this to the Safety & Security committee – please work with FEW on the sign. Mr. Hammond is the chair of that committee, please contact him when the time comes.

B. Whited: The City was clear that our cameras needed to be marked with our logo, so they were not mistaken for the city's crime cameras.

T. McConnell: There was also comments made about the corner at Regent and Lake Marina being dangerous relating to traffic flow. It's out of our area but I wanted to be on everybody's radar. They're working to get some kind of no parking. It's a blind spot when you come out of Regents and so they're handling that. It's not no action on our part but I thought it was appropriate since our folks drive that area.

The Power Mile event was very successful. We need to be put in the loop with Safety & Permits that anything out here doesn't get approved without us signing off on it.

B. Whited: We were notified of the event and their insurance was on file. I can put together an event calendar on our website for viewing.

Public Comment by K. Cuccia: if you send out notice the same way for the board meetings I will get it and make sure all of the tenants are informed.

T. McConnell: It was brought up that the lights at the boat launch are illuminating into people's homes to the point of disruption. The lights were once adjusted but they may need some shields on it. Kerry, please send that person's contact information to the staff.

#### SAFETY AND SECURITY by Christopher Hammond

The committee did not meet. Our next meeting is in December.

T. McConnell: The board will entertain a motion to go into executive session to discuss employee performance and salary review. Motion to go into executive session by C. Hammond, seconded by R. Watkins. Motion passes unanimously.

Back to regular session.

T. McConnell: We have a motion before the board to grant a 15% pay raise to our two unclassified employees, retroactive back to their anniversary date of their hire, which for Brian is May of 2023 and for Ariane is August of 2023. I am directing this board to conduct a more comprehensive study of the pay of additional department heads, boards and commissions, and their deputies.

Motion passes unanimously.

Motion to adjourn at 8:20pm by J. Addison, seconded by R. Watkins.

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Date & Time of Next Meeting: Tuesday, December 12, 2023 | 6:30PM

NOYC 2<sup>nd</sup> Floor



**October 10, 2023**

K. Amacker: Group hospitalization has gone down considerably. Why is that?

B. Whited: Those items are tied to salaries. In 2023, we projected having more staff members, which is why we anticipated those benefits being higher.

K. Amacker: Why is there no budget for tree cutting services?

B. Whited: The last standard tree trimming was in 2022. Based on the recommendations of the arborist, we wouldn't have to do trimming for three to five years. We would only be doing safety trimming after a storm and that will come out of our hurricane budget.

Motion to approve 2024 budget is approved unanimously.

**1. FINANCIAL REPORT by Bryan Whited**

As of September 30th, MYHMC has total assets of \$17,372,600 with current assets of \$3,548,900 and the bulk of which is in the form of cash of \$3,317,300 in two accounts at JP Morgan Chase Bank. Net fixed assets total \$1,357,800. 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 \$13,021,900 of which \$257,100 are current liabilities consisting mainly of accounts payable and accrued expenses of \$93,200 and accrued annual leave and sick leave of \$138,900. 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 \$4,350,700 of which \$3,850,700 is unrestricted net assets. For the month of September, MYHMC had revenues of \$178,100 and operating expenses of \$133,400 which resulted in Net Income of \$44,700. Year to date revenues are \$1,660,400 with total expenses of \$1,310,900 resulting in a year to date profit of \$349,900. The harbor's occupancy is at 94%.

**2. DIRECTOR'S REPORT by Bryan Whited**

Cameras at the point are installed and functioning

Staff Hiring: Continuing to interview.

Fishing pier: No Change

Sale of Boathouses: Outside council is working on new lease and drafting ordinance to present to City Council.

West End Park and Breakwater Park: Volunteer cleanup crew did great job. MYHMC, Shawn was working that day to provide assistance and MYH provided a roll off dumpster which the volunteer crew filled. Thanks to Lee Henderson for organizing. Current projects underway – pond, water fountain was replaced – overall plumbing will be repaired next. ZETA FEMA claim complete, except for interior lighting tops replacement, after these are installed, electrical repair to these circuits and large shelter will commence.

K. Amacker: For clarification, you are speaking of the drinking fountains?

B. Whited: Yes.

K. Amacker: What about the big fountain?

B. Whited: I have received no directives from the Board to proceed with those repairs. The full repair was upwards of \$2M.



T. McConnell: There was discussion of maybe a donation from the family who originally invested in it. We have received no updates.

Marina: Wifi pole contract completed – met with engineer, reviewed, and asked for design changes. We have been looking into grants – most recently a marina debris removal but it ended up not being feasible due grant minimums. Thank you to Mr. Marsala for the other grant recommendations, we will look into them.

#### West End Development Expenses

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Stone Pigman	2/28/2023	\$4,740.00
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Stone Pigman	7/31/2023	\$480.00
Stone Pigman	8/30/2023	\$1980.00
Stone Pigman	9/27/2023	\$90.00
Total West End Development Expenses		\$17,770.00

Public comment by Charles Marsala: Lee is applying for a grant to plant trees around the lagoon. He planted a few cypress trees 2-3 years ago and they are doing well.

3. RULES & STANDARDS COMMITTEE: Did not meet.

4. UNFINISHED BUSINESS: None.

5. ECONOMIC REDEVELOPMENT COMMITTEE by Tim McConnell

We will have a community meeting on October 26, 2023. We will have feedback from HR&A for the development of the RFQ. We will post relative information to the event on our website within the next two days.

J. Addison: What time and where will the meeting be held?

T. McConnell: The time has not yet been confirmed. The location will be determined based on the number of people we expect to attend. We will be doing media outreach and publishing the information in the newspaper. We are expecting to have over 100 people in attendance.

J. Addison: I'm not sure how we expect to have several hundred people in attendance with only a two-week notice.

T. McConnell: HR&A is using a professional company to do the outreach. I have high hopes that they will be successful. If not, we will have our core group of people there and they will receive the information. The location will definitely be in the Lakeview area.

K. Amacker: Did HR&A suggest the October 26 date?

T. McConnell: Yes.

K. Amacker: So they believe the two week notice will be sufficient to have the outcome we desire?

T. McConnell: Yes. This is something that has been brought up at every meeting for months. I said we will have a committee meeting once we have something to present. That is what is happening. This Board has promised that we will give the community an opportunity to provide feedback on the RFQ. We need to have this meeting so that we can continue to make progress.

K. Amacker: Is it correct that HR&A will attend virtually?

T. McConnell: Yes. We will also have our attorneys present.

K. Amacker: Could they be persuaded to attend in person?

T. McConnell: For them, this particular meeting will be virtual. This is only to develop the qualifications. They will be here in person for the RFP meeting.

J. Addison: I am not in opposition to the meeting but to the lack of time the public is being given to attend the meeting.

M. Heck: The City regularly has meetings like this where there are no more than two weeks notice. People have been asking for this meeting for months. If this meeting is important to them, two weeks is enough time to make arrangements.

J. Addison: I am thinking of the people that are passionate about this project and would like to attend the meeting but have already planned to be out of town. Will the public be given the opportunity to attend the meeting virtually as well?

T. McConnell: The public will not be able to attend virtually but will have an opportunity to submit questions in writing prior to the meeting.

J. Addison: I don't think it's fair to give the public two weeks notice and we are the ones that have to attend the meeting in person. HR&A can pick any day they want because all they have to do is log on the computer. If we are not going to give the public the option to be virtual, HR&A needs to provide some flexibility.

K. Amacker: I think the two-week notice is adequate given the mass communication we have available now.

T. McConnell: There usually aren't public meetings for RFQ's so we have had to push very hard because we've promised this group that they would have input.

Public Comment by Charles Marsala: I think that Joe Giarrusso and Jennifer Van Ranken should speak on the CEA with clarification regarding the development and the restriction or non-restriction of housing. No one is speaking on this issue.

T. McConnell: Not exactly true. The CEA is nonexistent. It is expired. The only entity that signed it, (that I'm aware of) is the City Council. The State nor Jefferson Parish signed it. That's not to say that our governmental partners do not have a say in the matter. They absolutely do. All parties will have to sign off on the RFP. Our goal is to get off of zero and develop a draft RFP to send to the State and Jefferson Parish for feedback. I would ask you to direct your question regarding housing directly to Giarrusso.

C. Marsala: I have the signed 2019 CEA on my website.

T. McConnell: It is expired. Therefore, it is no longer valid.

C. Marsala: There was a penalty clause in the agreement for non-renewal of the contract. Shouldn't they have said something to the public about why they let the contract expire?

T. McConnell: I think those questions should be directed to the government officials you are referring to.

C. Marsala: Since the issue of housing has not been resolved, I think that is something HR&A have to consider when developing the RFQ.

J. Addison: Who said the contract was expired?

T. McConnell: The date on the CEA.

M. Heck: Jeff Schwartz has stated that they are working to finalize the terms of the agreement, but it is not currently a priority.

C. Marsala: The CEA was for one year. It was on the agenda to be renewed and then it disappeared from the agenda with no explanation to the public.

Public Comment by Mike Gertler: Could you be more specific regarding the qualifications for the RFQ?

T. McConnell: I think that question would best be directed to HR&A.

M. Heck: HR&A would need to outline how they're going to request qualifications. Typically, it's a very general subject where you are asked to provide relevant experience. For this project we would want to look at successful water-based developments. The next part of the project would be proposals. We would get input from the community and the selected qualified entities would build a proposal based on feedback.

J. Addison: The meeting on the 26<sup>th</sup> will be for community input for HR&A to put together the RFQ. If you would like the developer to have experience in "xyz", this would be the time to vocalize that input. For specifics concerning what is going to be built, that part is going to come at the RFP.

6. QUALITY OF LIFE n/a

7. SECURITY & SAFETY by Christopher Hammond

Next meeting will be held in December.

Motion to adjourn at 7:07pm by J. Addison, seconded by M. Heck. Motion carried.

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**Date & Time of Next Meeting :** Tuesday, November 14, 2023| 6:30 PM

NOYC 2<sup>nd</sup> Floor