

New Orleans Municipal Yacht Harbor Management Corporation

MINUTES OF THE BOARD OF DIRECTORS MEETING

May 14, 2019

6:30 p.m.

Lake Vista Community Center, 6500 Spanish Fort Blvd, New Orleans, Louisiana

The meeting was called to order at 6:35pm and requested a roll call by David Halpern.

Board of Directors Present:

Ashlyn Graves
David Halpern
Thomas Forbes
Reginald Smith
Connie Uddo
Howard Rodgers
Alva See
Warner Tureaud

Board of Directors Absent:

None

A quorum was present.

Mr. Halpern offered a motion to amend the agenda to remove the Executive Session from the. The motion was seconded by Ric Smith, and it was unanimously carried.

The agenda was approved and adopted on a motion by Ric Smith, seconded by David Halpern and the motion was unanimously carried.

On a motion by David Halpern, seconded by Ashlyn Graves, and unanimously carried, the minutes from the regular meeting of April 9, 2019 were approved.

Action Items:

1. Mr. Casey said, "In your packet, you will see a Resolution "Authorizing Proposed Amendments to the Harbor Rules & Regulations" with an attachment of the Proposed Amendments (5/14/19) which are in bold type. This was basically what was discussed at the April Board Meeting when we talked about slip rates, and we also talked about the Committee Report from the Marina/Harbor Committee that was published on the website in advance, and everyone including the slip tenants was notified along with the boathouse owners. I extracted the items from the Committee's Report to develop an Amendment to the Harbor Rules & Regulations ("Rules"). The Board had amended the Rules in January of 2019, and Exhibit "A" of this Proposed Resolution includes additional proposed amendments to the Rules. The new sections that have been added are on the last three pages of the amendment which includes HRR-24, HRR-25, HRR-26, HRR-27, and HRR-28." Mr. Tureaud said, "Before we open it up for discussion, I know I sent the Executive Committee of the Board an email about some possible additional rules that I had some time to think some things over. Ashlyn, Ric, and David do you have anything to add to the Rules at this time to the do's and don'ts of activities in the Harbor? If they are already not included in the Rules, the Board should probably consider some additional items in the future such as no skate boarding, hover boards, and bicycle riding on the Docks as well as no chaining anything to the electrical pedestals and the fire extinguisher boxes." Mr. Casey responded by saying that amending the Rules will continue to be an ongoing work in progress especially as some unanticipated issues arise. Mr. Tureaud said that the Board has a provision to make additional changes to the Rules in the future by posting any proposed changes at the MYHMC Office and on the website 14 days in advance of a Board Meeting. Mr. Smith said, "So that's maybe something that should be discussed at a future Board Meeting". Mr. Tureaud said that he was in agreement, and he asked the Board Members to think of any additional items that should be added to the Rules. He said that they should send their comments to him and to copy Mr. Casey.

Mr. Smith said, "Maybe for the benefit of our audience who is here is just to summarize the process. At the April Meeting, the Board passed a Resolution adopting slip rates and said that additional Rules would be adopted at the May Meeting. The proposed Rules have been posted in advance of this Meeting, and one of these Rules (HRR-24) specifically allows live-a-board tenants with a specific set of rules and with a specific additional charge. It sets a scenario (HRR-25) where beside overnight transient tenants, we can have seasonal tenants who

may be there for one, two, three, or six months and it sets a period for that. It is limited by the number of transient slips we might have. HRR-26 sets a policy for changes of slips for tenants with slip leases and HRR-27 sets a policy for the transfer of slip leases. The big issue there is to eliminate the secondary market in slip leases. The idea is to have slips turnover in the Harbor as people no longer own a boat such that a slip lease would not be able to be transferred to a third party along with the sale of the boat. A slip tenant would be able to transfer a slip lease along with the boat to an immediate family member. It is the intent of HRR-27 that if you sell your boat to a third party after September of 2019, the new owner will have to find another location outside of the Harbor until their name comes up on the waiting list. HRR-28 sets a parameter for boat brokers to have some slips allocated to them and restricts where they can be once the Harbor is full. Those are the things that are there, so if anybody has a particular focus on any of those things first from the Board, and then from the audience because we need to hear from you because when we approve these amendments, all of that goes along with it.”

Mr. Tureaud asked if there were any comments. Mr. See said, “I would like to apologize for being a couple of minutes late, and I would like the record to reflect my attendance.” Mr. Rodgers said, “With the live-a-boards I know last month we had a very extensive discussion about the live-a-boards and some of the concerns about living standards. Is this language also in regard to transients?” Mr. Tureaud said, “No, there is specific language for live-a-boards like for example, you are not going to have a 20’ boat with a guy or girl living on it. The minimum is 35 feet. It is not going to be cheap living. In the Orleans Marina, tenants do not pay an additional fee to live on their boat. Here a tenant will pay an additional fee, so someone is not going to be able to get rid of their apartment and live on a 20 foot skiff in the Harbor. So those are the two things that will be different from the Orleans Marina. The conditions are the standards that the Executive Committee and the MYHMC staff are working on now. We are going to meet on that probably Thursday to discuss the standards. The standards are going to be rigid and the final say so of the standards will be staff, We don’t want any “Jed Clampett” type boats in the marina. The standards will be pretty significant such as minimum boat hull length, what a tenant pays, the condition of the boat, the appearance of the boat, and if it is seaworthy. I think Ric touched on it, but we will have a very finite maximum number of live-a-boards set at two per pier”. Mr. Casey said that currently it is anticipated that there will be approximately 325 individual slips as a result of the initial Harbor construction. Mr. Tureaud said, “When you do the math on each pier which is extensively long, you are going to have a maximum of two live-a-boards per pier, and that includes both sides of the Dock. We weighed this very heavily, and there are pros and cons to everything. When I was keeping my boat in the Orleans Marina, there was an old guy who lived on his boat, and if your bilge pump kicked on a little too much he would get on the phone and call you. The guards would not call you, but he would. There was some comfort in that. If your line came loose and a storm was coming, he would call you and would tighten the line up. There is some comfort when someone has ownership. If it’s not controlled, we all know what can happen.”

Kerry Cuccia asked if tenants would be allowed to install their own dock boxes. Mr. Tureaud said that standard uniform dock boxes are being supplied with the construction of the Harbor. Mr. Cuccia said, "Everything looked great, even the wood pilings between the slips." Mr. Tureaud said, "Well, you know Ashlyn, Ric, and I toiled over the issue of the installation of the wood piles. In my opinion, if you all have been out there once all the sailboats moved to the East side, the piles just became another pole in the water and blended in with the masts of the boats." Mr. Cuccia then asked, "Are there restrictions about noise and light in the Harbor?" Mr. Tureaud said, "Yes, that restriction including generators will apply to everyone (not just live-a-boards)." With respect to live-a-boards, Mr. Forbes said that having four Docks on each side of the Harbor would provide a maximum of two per Dock which would yield a total of sixteen in the Harbor. Mr. Forbes said that he did not think that sixteen was too many especially with a minimum required hull length of thirty-five feet. Mr. Tureaud said, "This rule is not written in stone and it can always be rescinded. The Board can always come back and say, 'Look, these live-a-boards are a disaster, and we can't have them any longer'. I don't think that's going to happen with the regulations, but time will tell." Mr. See said, "I think it's very compromising. It's a toe in the water. We can't say that we haven't given it an opportunity." Mr. Tureaud said, "You know maybe one day something will be averted because that person is there and we may come back and think that we did a good thing, or we may come back and say, 'This was a disaster.' I don't know." Mr. See said, "Well, it could be. Somebody has a boat fire. The guy on a live-a-board picks up his cell phone and calls the police, or they are there to help during a storm. So there are advantages."

Mr. Tureaud said, "There are pros and cons to everything, so what we tried to do was minimize the negatives. I'm not telling the Board that there is nothing negative that can come from this. We all have some experience in this, but at the same time the Board is attempting to be fair to everybody, so this is our compromise. Yes sir." There was a comment from audience member Ken Raymond. He said, "Ken Raymond, a former Orleans Marina tenant. Chuck Dickson (the former director) said live-a-boards are the eyes and ears of this community. It's a very tight knit group as you all know like the late Sid Brome and Mike Liebert and all of these people would be out there during the major storms, checking the lines and everything else, and keeping people from having damage or having damage done to the marina itself." Mr. Tureaud said, "I knew Sid and I know Mike, and you are absolutely right. When we were culling over this, I thought about the Bromes and the Lieberts and how valuable they were, and neither one of these guys were a nuisance to people. Liebert's boat is probably as clean as anybody's boat that you are going to see. His lines are all coiled up, and he is the guy who is going around teaching people how to tie their boats up during a storm. Hopefully we will get a bunch of Lieberts and Bromes in the Harbor. That will all be on Mr. Casey and his staff. This Board won't be running around saying, 'This guy shouldn't be here. Taylor has the last final say on who gets to be a live-a-board and what vessel qualifies for that. Is there anymore discussion?"

Ric Smith said, "I would like to move that the Board adopt HRR- 24." David Halpern seconded the motion. Mr. Tureaud asked, "Any opposed?" The motion passed with all in favor

Mr. Tureaud said, "Before we move on, we have a discussion point on HRR-27."

The audience member had comment about HRR- 27. She said, "It occurs to me that the definition of 'Immediate Family' does not apply to me since I do not have a spouse or children. The way that I see it in print seems to be a little bit limiting." Mr. Tureaud asked, "What is your concern? Is it about passing something on to an heir?" The audience member replied, "A non immediate family heir would have to leave the Harbor with my vessel". Mr. Smith said, "If something would happen to you, your vessel would pass to your estate. So it's not like it's going to float your boat out of the slip. But when the estate would sell the boat the person who bought it would need to get on the waiting list, and in the meantime they would need to move the boat into another harbor." Mr. Tureaud asked, "Can you tell us what you would like to see?" The audience member said, "The definition of 'Immediate Family' seems to be rather narrow in today's world due to a variety of issues such as blended families and partners". Mr. Tureaud said, "Sure, we want to hear from you because our primary focus was to eliminate the secondary market where people were transferring and selling slip leases. If we omitted someone an opportunity, we want to look at it. We definitely want to hear what you are saying. Can you help us out with this at all?"

Mr. Cuccia had an additional comment saying, "If the boat was left to someone, would a legatee be able to keep the status even if the person were a non family member? I understand if the estate sells the boat to somebody that would be one thing, but if you leave the boat to someone would the legatee be able to keep the slip lease?" Mr. Tureaud said, "To be honest with you, we are not lawyers, and we have not thought deep into it. I don't know if it would be allowed the way that it is written with the current verbiage in it." Somebody else asked, "Is it in the draft lease?" Mr. Tureaud said, "No, we are discussing revisions to our rules and regulations." The audience member also asked what if a living slip tenant wanted to transfer a vessel to a family member who is not defined as an immediate family member. In my opinion, I consider all family members as family. Mr. Smith said, "We really had not thought of that. A lot of the partnerships are actual legal entities that would have the right under this, would you allow us to go forward with this and try to study the problem and see what we might change with your help." The audience member said, "Sure."

Mr. Tureaud said, "Yes, you just opened up a whole new spectrum that we did not even touch on, and we appreciate your comments". The audience member mentioned the general concept of family members. Someone might not have family members as defined in the proposed rule, but they actually may have family members who are not immediate family. Mr. Smith said, "Maybe it's as simple as saying legatees under a will." Mr. Tureaud said, "I appreciate your comments because we were very focused in our approach. I can tell you now just from listening to you, we did not even encompass in our thought process the modern family. It is not like we are oblivious of it. We kind of just had a tunnel vision, but now after listening to you and I am sure Ric has too. I just

thought of three or four different areas that we did not even think about including and we should, because who are we to define family that closely. If you would let us proceed, and I promise we will come back and this will have a little bit of an adaptation. I can think of a couple right now. Kerry before we move on if you have any ideas on this issue, shoot me as well as the Board an email with your thoughts. We are not trying to do this in a vacuum here, and clearly we did not think about the modern family. If someone has an idea, you know, if you have a brother, sister, niece, nephew or whatever that our limited committee may not have considered it, shoot us an email."

There was another comment from Stanton Murray with respect to the "black market" for slips. It is his opinion that as long as slips are priced at a market rate, the problem will go away on its own since it comes down to a matter of economics. Mr. Tureaud said, "Thank you for that."

Mr. Cuccia said, "It depends on how far you want to go. First I think legatees would be a reasonable thing, because it's not like an open market right there. You can look at it as a blood relative or just a friend." Mr. Tureaud said, "Legatee may encompass enough". Mr. Cuccia said, "Well, that could be one thing. You could now say 'by relationship' and the law recognizes various degrees of relationships. If you are concerned about as you said the modern family where there really is not a blood relationship or a type of bond that might normally exist in a committed relationship, you could possibly develop some language to cover that situation. I think the idea of limiting the ability to transfer slip leases provided that you have other safeguards in place is a good one. It is something that promotes the turnover of slips. Maybe immediate family is too restrictive." Mr. Tureaud said, "My apologies. It was not our intent to intentionally omit anyone in particular a family member or legatee. It was just something that I guess we did not have an open mind enough about when we were doing it, so thank you for the comments and we will come back with some edits. Kerry if you can shoot me whatever ideas you have, I would appreciate it, and I would ask the Board to take a look at HRR-27 and see if we are leaving anybody out that should be included." David Halpern said that it should not be difficult to develop some language to accomplish a revision. Mr. Tureaud asked Mr. Halpern to send him his thoughts on the process. Mr. Halpern said, "From Stanton's point though if they want to get around it, they will get around it. It's lovely to discuss it, and to think outside the box about with respect to the 'modern family', but the truth is if someone wants to beat the system, they will beat the system." Mr. Tureaud said, "There is always a will, and they will find a way."

Stanton Murray said, "My main point is that you are assuming that there is a value to the slip transfer. In places where there is not a value to the slip transfer, we don't have this issue, and there are no rules. When you sell your boat, the slip goes back, and guess what? If the market's right, there is always a 5% slip transfer and a 5% vacancies, and you just rent the slip next door and have the same one because the market is flipping all the time when our boats are undervalued the slips are also undervalued. Also when slip values are under market there is rent control, and that's what we are looking at. The only reason this paragraph has to be there at all is if your slips are undervalued. It's not today's issue, but long-term that is the problem if there is a problem. Places that are at market don't have this issue and don't have this problem. From an economic point, if you want to be under

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of May 14, 2019

market there is a reason why you want to be under market and that is your forecast for your goal, but recognize that it is going to create these 'black market' slip problems".

Ken Raymond who is a current slip tenant mentioned that he has discussed the proposed limitations on the transfer of slip leases with Mr. Casey. Although other tenants in the Harbor that he has spoken with may not receive the change with enthusiasm, they understand the rationale with respect to the ability to transfer slip leases. Mr. Tureaud thanked Mr. Raymond for his comments, and he asked the Board if they had any additional comments. Mr. See said, "He also believed that there were several items that needed to be addressed further such as the definition of family and the issue of the modern family. We have to think outside of the box with respect to the items that have been discussed". Mr. Tureaud said, "I agree with you 100%". Mr. Smith asked, "Do we want to defer HRR-27?" Mr. Tureaud said, "Yes. Can we have a motion to approve all of the other HRR's (HRR-25, HRR-26, and HRR-28 with the exception of HRR-27?" Mr. Smith said, "I will move that we approve HRR-25, 26, and 28". Mr. See seconded the motion and asked for some clarification with respect to HRR-28 dealing with slips for Boat Brokers. Mr. Tureaud said, "Paragraph 'c' states that there would be a maximum of twelve (12) spaces which would be limited to four (4) per broker. Mr. Smith said, "Whoever is a licensed broker would have an opportunity to get on the waiting list for these slips". Mr. Tureaud said, "Alva, theoretically we could have as many as twelve (12) brokers who would have one (1) slip each so in effect we are limiting the number of spaces that would be available to brokers. We currently anticipate that there will be sufficient demand from the market such that there will need to be a limitation on the number of slips available for brokers to lease. Keep in mind that the Board has the ability to change this rule in the future".

Mr. Cuccia said, "I think that the energy of the marina is enhanced when there are new people who are coming out looking at boats, and want to buy boats and there are boats there for them to look at either by private sale or by a broker. I can understand what you are trying to do now such that the boat brokers would not dominate and control the process. I believe that it can be structured so that the brokers could have some slips on an annual lease and other slips that could be on a month to month basis". Mr. Tureaud said, "I think that's worth looking at and having a further discussion on this issue". Stanton Murray said that a policy could be developed (as in other marinas) as opposed to having it included in the rules since this is a fluid situation due to the fact that boat brokers sell boats, and next month a different boat might be in that slip. Mr. Tureaud said, "Yes, let's have a conversation about the mechanics of the process". Mr. Smith said, "We felt that there was a need to address the issue of live-a-boards, and slips for boat brokers since we are dealing with a number of new issues, and we will have fewer slips available in the new Harbor. It is not the intention of the Board to keep people from having slips. In this first year, we are trying to deal with a number of operational issues. If we effectively fill up the Harbor in the first year a lot of this will become moot, but there will still be some slips for brokers and some slips for transients plus the utilization of existing tenant's slips if they are out of the Harbor for more than three days. We are trying to be cautious and not over commit to anything until we see what that demand is. For all practical purposes, this will not become meaningful until the Harbor is completed. We just want to allow time for these items to be out there so that people can voice their opinions, and to be able to address some issues that we haven't addressed in the past". Mr. See said, "At least

there is something in the Resolution that we are voting on now and we can always expand upon it going forward as may be needed, otherwise we may have a larger challenge at a later date as the Harbor continues to be occupied and as people start wanting more and more slips". Mr. Tureaud asked Mr. Smith, to restate his motion. Mr. Smith said, "My motion was to adopt HRR-25, HRR-26, and HRR-28, and to hold off on voting on HRR-27 due to several issues that need to be resolved. Also, the boat broker rule would be as stated here with the understanding that we are going to look at the mechanics in more detail over the next three (3) months. That is the motion that is on the table". Mr. See seconded the motion. Mr. Tureaud asked, "Any opposed? Motion passes. It has been a very healthy, productive discussion and I appreciate everybody's comments." Mr. Smith said, "We will come back with issues on both HRR-27 and HRR-28."

On a motion by Ric Smith, seconded by Alva See, and unanimously carried, the Resolution "Authorizing Proposed Amendments to the Harbor Rules and Regulations" was approved.

Information and Discussion Items:

1. Boathouse Lease Extensions and Transfers were discussed by Mr. Casey. There were no boathouse transfers in the month of April. We do have some that are being discussed, but none to report at this point in time.
2. The FEMA Update was presented by Mr. Casey. There were three items: 1.) The East side comfort station is progressing on schedule and the 2nd floor block work is under construction; 2.) The demolition of the west side of the Harbor is progressing and TKTMJ anticipates that it will be completed in early June in terms of the final demolition on the West side; and 3.) The City has recently executed a contract with TKTMJ for the Breakwater Dr/Park Shoreline Restoration job. The Department of Public Works is scheduled to make a presentation at the June 11th Board Meeting here. They have not issued a notice to proceed and probably will not for some time period until they have that meeting. That is it on the FEMA update.
3. The April Financial Report was presented by Mr. Smith. At the end of April, MYHMC has total assets \$3,784,000 with current assets of \$3,722,000 and the bulk of which is in the form of cash of \$3,613,000 in two accounts at JPMorgan Chase Bank. On the liability side, MYHMC has total liabilities of \$1,187,500 of which \$682,000 is current liabilities, and the bulk of that is accrued interest on the NOAA bonds. The long term liability of \$505,000 is the balance on the NOAA Bonds. That leaves MYHMC with total equity of \$2,597,000 of which \$1,971,000 is unrestricted net assets. For the month of April, total operating revenue was \$64,000 and operating expenses were \$54,000 such that net ordinary income was \$10,000. Net other expense was (\$3,760) which yielded net income of \$6,340. There was \$10,000 included in the April revenue due to two (2) boathouse lease extension fees. Year-to-date gross revenues were \$262,000, and total for the year-to-date we had revenues of \$262,000, and total operating expenses were

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of May 14, 2019

\$212,000, such that operating income was \$50,000 with (\$15,000) of net other income on the interest accrual on the NOAA Bonds. MYHMC's net income was \$35,000 for the year-to-date. Mr. Tureaud asked, "Does that conclude your report, Ric?" Mr. Smith answered, "Yes, it does."

4. The Economic Redevelopment Committee Report was presented by Mr. Rodgers. Mr. Rodgers said, "Representative Stephanie Hilferty had introduced a bill in the State Legislature that will allow the State to lease the State water bottoms at the restaurant site between Jefferson Parish and the City of New Orleans. It has cleared Committee and the House today as of 91 to 0, and it's going to be introduced to the Senate. So once that hurdle gets complete, then we will move on to the next step with the City and Jefferson Parish will come together to try to figure out a way that we can work together." Mr. Tureaud said, "Okay, good."

There was a question from Mr. Smith, "When you said 'water bottoms' you are talking about what is legally water bottom but is actually land to the West of the Orleans/Jefferson Parish line." Mr. Rodgers said, "The land that is over it." Mr. Smith said, "Right. So you're not talking about where the canal is that is the outflow from that?" Mr. Rodgers said, "No. Not that part. Just the part where... I guess it's a piece of land that is on Jefferson's side that extends over the water but it's physical land over the water that they still considered 'water bottoms that falls under the State's control.'" Mr. Cuccia had a comment saying, "So authorizing the State Land Office to issue a lease for that property." Mr. Rodgers said, that the legislation allows the State to lease the property to the two Parishes. Mr. Tureaud said, "Okay, good. Does that conclude your report Howard?" Mr. Rodgers said, "Yes, sir." Mr. Tureaud said, "Okay, thank you."

5. Mr. Forbes stated that there was no report from the Environmental Quality Committee.
6. The Status of New Boat Slip Lease was discussed by Mr. Forbes. Mr. Forbes said, "We were able to hire the Steeg Law Firm to look at several of the existing leases including the Orleans Levee District lease, and the present MYH lease. They have a draft of the proposed lease and it is still being discussed to be revised. David Halpern and I met with Margaret Glass and Rob Steeg yesterday to discuss it, and there is a considerable amount of tenant type language in there. It is based on the old leases. I expect to have a second draft of it based on the discussion that we had yesterday and within the next few days, and then will try to amongst the Board circulate and then sit down and meet with the staff. David and I and Ric and anybody else who would like to be involved and is available, and then we will see if we can come up with a proposed lease to be looked at, printed, and distributed and voted on it at the June meeting. Mr. Tureaud said, "Very good. I would like to compliment both you and David on the expediency that surely things don't move this fast, so we are looking forward to seeing the finished product, and thank you gentlemen for moving this forward in the matter which you have. Does this conclude your report Thomas?" Mr. Forbes said, "Yes."

7. The Quality of Life Committee was discussed by Ms. Uddo. Ms. Uddo said, "On this coming Thursday Kerry, myself, Miguel, and Taylor are going to start meeting on recycling, garbage cans, signage, and things like that; so hopefully next meeting I'll have something to report on." Mr. Tureaud said, "Okay, very good. Connie does that conclude yours? Before we move to the Executive Director's Report, Alva I don't want to end the meeting without discussing your concern. I am not sure where to put it, so where do we put it?" Alva See said, "We'll put at the end of the table with Quality of Life." Mr. Tureaud said, "Okay good." Mr. See said, "Quality of Life issues, garbage cans...the drawing shows that the nearest dumpster assemblage hanging off the south side of the pier. Apparently the notice to proceed for the Breakwater renovations has been let." Mr. Casey said, "The notice has not." Mr. Tureaud said, "Alva, can you help me out? There is a dumpster hanging off the side of what?" Mr. Casey said, "He means at the end of Breakwater Drive at the point." Mr. Cuccia said, "Wanting to move the dumpster off of the 'Point' and so what the drawings had was a big concrete pad being created on the south side of Breakwater Drive in the marina, like about right past the last boathouse to put the dumpster there. The thought is to eliminate the dumpster from that location. I wouldn't want the dumpster there if my boathouse was located nearby. The dumpster is a problem in that location". Mr. See said, "It's probably going to take 50 to 60 yards of concrete just to pour the foundation of the concrete pad". Mr. Tureaud said, "Alva as you know, I am not a big fan of dumpsters so to build a structure over the water is news to me".

Mr. Casey said, "It's actually on the Harbor side of the shoreline. This is one of the things that will be discussed at the meeting Thursday that Connie referred to about the garbage cans and a dumpster location. We will have garbage cans that will need to be picked up, and we will have to have a dumpster location some place for them to be emptied. When we ultimately have cans that a staff picks up, there will be a need for the staff to empty the cans. That is one of the things that Miguel has discussed about the possibility of creating a dumpster enclosure in another location such that the general public would not have access to the dumpster and it would only be for the staff to be able to utilize. Mr. See said, "I am glad and appreciative to this being looked at. Currently the drawings have it located right across the entrance to the Harbor from Southern in between the neck between Southern and the 'Point'. It was an effort to move it from the center off to the side. There are two concerns that I have. One is the esthetic and the smell. The other is the cost to pour that much concrete over the rip rap, and whether or not they are going to need to put pilings down to take the load of that much concrete, because we saw what they did with the new sailing center. I think we need to keep an eye on the drawings. We need to make sure they are edited and modified with a revision to them, and the location of the dumpster really needs to be a hot item." Mr. Tureaud said, "I am sure it was just a rendition. We haven't even discussed the location of a dumpster." Mr. See said, "With all due respect Mr. President, it's in the contract documents" Mr. Tureaud said, "Yeah, but it still has to be discussed and approved." Mr. Casey said, "That's what I wanted to mention. That is one of the things that has been in discussion with Miguel relative to this entire look at the Quality of Life Committee. We were supposed to have a

meeting a couple of weeks ago, and something interrupted that.” Mr. See said, “You will be in a better position to advise the relocation”. Mr. Casey said, “Yes, that is correct in the future after this discussion is held.” Mr. Tureaud said, “Although garbage cans will have to be collected and trash will have to be emptied, our goal is not to have a dumpster located at the Point”

7. The Executive Director’s Report was presented by Mr. Casey. There were two topics: 1.) The final punch list items for the Boat Launch Construction have been delayed due to the high lake level. It is currently anticipated that it will be open to the public in June; 2.) A draft of the Financial Audit has been submitted to MYHMC and it is currently being reviewed. The audit firm will make a presentation at the June Board Meeting.

Other Comments and Issues from the Board and the Public:

Mr. Rodgers asked, “How have the piers worked with a high Lake level? Has the floating system worked the way we envisioned with no complaints?” Mr. Casey said, “Yes, they have performed as designed but keep in mind that although the Lake has been higher than normal, we haven’t had any excessively high tides due to storm conditions”. Mr. Rodgers said, “Thank you.”

There was a comment from an audience member in reference to the abandoned trailers along Breakwater Dr. and in the parking lot next to the boat launch. Mr. Casey said, “Kerry Cuccia had actually sent out an email to boathouse owners several months ago in the area along Breakwater Drive, because we believe a number of those trailers are owned by boathouse owners in the area. The trailers are going to have to be permanently relocated as a result of the construction that will be taking place in conjunction with the shoreline restoration and the installation of sub-surface drainage that will be installed along Breakwater Dr.” Mr. Tureaud said, “Although we may have inherited the issue of the abandoned trailers, it is our goal to eliminate them permanently from the area. Look, we can use your help. Ninety-nine percent of those trailers out there probably belong to boathouse owners. If you know it belongs to your neighbor, maybe you can put some pressure on them and say, ‘Hey Steve, Bob, Mary...get your trailer out of there. Yes, Kerry.’”

Mr. Cuccia said, “I do have a boat in front of my boathouse, and it shouldn’t be there, and it has to be moved. All of us as boathouse owners and the slip tenants have to our part to try and make this area look the way this Board and everybody wants it to be. So perhaps it is convenient for me to put that boat in front of my boathouse, but it’s not consistent with the look that we are trying to accomplish. It may be convenient for somebody to put their trailer in that parking lot, but it’s not consistent. We still have people putting construction dumpsters in areas that are blocking the road, and we can’t do that. People park in the lanes of traffic, and we have to all agree to stop doing that kind of stuff. That is something that we all

have to work on for the mutual benefit of everyone, because it is really the broken window syndrome. If I make my place look shabby somebody else is going to say well that's okay, and it then it just gets progressive. Right now the area looks worse than it did two or three years ago, and that is after doing a lot of construction. As you said, we are about to turn that corner and now is the time for us starting doing this." Mr. Tureaud said, "I couldn't agree with you more. We can't legislate all of this, and we can't rule people to be good neighbors, to keep your neighborhood looking nice. If I see a piece of paper in front of my neighbor's house and it is close enough, I am going to pick it up. It's going to take all of you all to make this into the neighborhood you dream and know it can be. We can't legislate it because the laws won't let us just go in and remove all those trailers. We just can't. The law won't let us allow it. So guess what? It's your neighbor's trailers. Help us get them out of there."

Mr. Cuccia said, "There are also a number of violations with respect to the fact that boathouse owners are parking in their driveways such that their vehicles stick out in the lane of traffic. They could pull farther in underneath their deck, but they don't. They leave three feet of their cars sticking out into the street." Mr. Tureaud said, "Well, that's enforcement." Mr. Cuccia said, "Right, it is my opinion that all of these things are violations of the lease and that they have to be put on notice. My first step would be, 'Hey, look you're doing something that you're not supposed to be doing. Please correct it. If you don't correct it, we are going to call the police.'" Mr. Tureaud said, "That's an easy fix. Taylor, can we have security when they are making their rounds make notes of all of the people that they see impeding traffic, and bring that into us and we can send them an email or letter saying that you are doing this consistently." Mr. See asked, "Would it be helpful to get a stack of orange paper like the City uses and run a violation notice on it like Kerry said, and give a stack of them to the guard so that as he is making his rounds, he can lift up a wiper blade and place it on the vehicle so that the owner will see that he is not supposed to be parking in that location." Mr. Tureaud said, "I like that idea." Mr. Tureaud said, "Alva, Taylor is going to look into those warning stickers. I actually like that and we'll keep a note of it and then maybe step two, call the police/enforcement guys. Step three would be to notify the boathouse owner that they are in violation of the lease. I think that's all doable, but I still would like for all the boathouse owners and slip tenants to join in and help us police your neighbors. You know, we don't want to be that heavy. We don't want to go knocking on people's doors, you know. If you know your neighbor is violation and you are friendly with them, say, 'Hey, look can you move that trailer? I know it's your trailer'. Somebody knows who every trailer out there belongs to and that's just a fact. One more comment and then we have to wrap up, or maybe two. Go ahead, Don" He asked if there was a date when water would be available on the East side of the Harbor. Mr. Tureaud responded that the contractor has not provided a specific date.

Mr. Potts said, "There is one observation that I had when I driving in the area of the boat launch the other day is that there is a dip in the concrete aprons between the parking lot and the new wooden piers. Since the Lake has been unusually high

New Orleans Municipal Yacht Harbor Management Corporation
Regular Board Meeting of May 14, 2019

with the opening of the spillway, I was wondering if there was a plan to add some asphalt to the aprons when the parking lot is repaved.” Mr. Smith said, “We have noticed it because at a plus 1.5’ Lake level there is now about a foot of water that you have to walk through to get to the wooden piers. It’s not a construction issue with the docks, and we couldn’t modify it under the Wallop-Breaux Grant. We are going to have to look into doing something when the parking lot gets repaved in the Breakwater Dr. construction project. That is a potential item on our list of things to actually take care of.”

Mr. Cuccia said, “I was under the impression that the mound of dirt in Breakwater Park was going to be moved pretty quickly.” Mr. Tureaud said, “Although the City has awarded a contract to TKTMJ, a notice-to-proceed (NTP) has not been issued yet”. Mr. Casey said that he anticipated that they City will issue a NTP within the next thirty (30) days. Mr. Cuccia expressed his concern about the growth of the grass and weeds on the mound and asked if the landscape contractor could spray some weed killer on the mound in order to keep it under control. Mr. Tureaud said, “We will contact TKTMJ as well as the landscape contractor. I will entertain a motion to adjourn”.

Adjournment:

On a motion by David Halpern and seconded by Ric Smith, the meeting was adjourned at approximately 7:55pm.

Date and Time of next meeting:

The next meeting is scheduled for Tuesday, June 11, 2019 at 6:30 p.m. at the Lake Vista Community Center.