

MUNICIPAL YACHT HARBOR MANAGEMENT CORPORATION
SLIP ALLOCATION WORKING GROUP
MINUTES OF MEETING
October 15, 2008

The meeting was held at Metairie Bank and Trust Company, 3344 Metairie Road, Metairie, LA.

Attendees: Chris Clement (representing MYHSTA), Philip James (representing MYH Boathouse Owners Association), John Manard (representing MYHMC Board), Ric Smith (representing MYHSTA)

The meeting was called to order at 7:10 pm.

Mr. Smith noted that Mr. Keogler (representing the MYHMC Board) was not able to attend due to a conflict, but that he had agreed that the initial meeting should go forward due to the short time frame allowed in the resolution establishing the Slip Allocation Working Group (SAWG) and Mr. Smith had agreed to brief him prior to any recommendations being made.

Mr. Manard nominated Mr. Smith to be Chairman which was seconded by Mr. Clement and unanimously carried by those present.

The SAWG then reviewed the Resolution providing their charter and discussed the issue of a “tie breaker” for assigning priorities to similarly-situated members of one of the priority groups mentioned in the Resolution. After discussion, the SAWG determined that this would be accomplished by drawing lots at the public meeting on December 13, 2008, at which slip assignments are selected for recommendation to the MYHMC Board.

The SAWG also discussed the implication of a boat that has occupied a slip in the Harbor since Katrina, but might have been temporarily absent for repairs or cruising as of October 13, 2008, date cited in the Resolution. After discussion, it was determined that a boat that would otherwise qualify to apply for a slip lease under this process would not be disqualified solely because of a temporary absence as of that date

The SAWG reviewed the Resolution and recommend discussed the form of the “Temporary Slip Lease Application” to be used in the process of allocating temporary slips should a portion of the Harbor be able to be occupied during construction. It was recommended that information extracted from the Resolution be incorporated in the Application and presented in a simple outline form to reduce confusion about the process. A copy of the “Temporary Slip Lease Application” is attached and made a part of these minutes.

The SAWG then discussed the outline of the process to be used in the slip lease allocation process, taking note of the time line and requirements contained in the Resolution. The SAWG recommends the following process conforming to those requirements:

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- Prior to October 27th the process, procedures and Application contained herein will be forwarded to the President of the MYHMC Board, allowing sufficient time for any revisions necessary after his review.
- On or before October 28th, these minutes and the Application will be posted on the MYHMC web site (www.nomyh.com). In addition, the MYHSTA will post them on its web site (www.noharbortenant.org) and forward to the MYH Boathouse Owners Association for posting on their web site. Notices will be placed on both the New Orleans Yacht Club web site bulletin board as well as the Southern Yacht Club web site bulletin board referring interested parties to the MYHMC web site. The MYHMC and MYHSTA list servers will also be utilized to email registered parties to refer them to the MYHMC web site. Signs will be posted in conspicuous places in the Harbor notifying boat owners of the process and the web site. Finally, notice will be placed in the appropriate section of the Times Picayune notifying interested parties of the process and the web site.
- By November 1st, the Past Due Accounts Receivable List and the Rent Roll as of Hurricane Katrina will be posted on the web sites so that those applying for a temporary slip lease will have sufficient time to resolve any issues with the Treasurer of the MYHMC Board as this is a factor in priority assignment. In addition, the names contained on the MYH Waiting List as of May 1, 2005, will be posted on the web sites being on the list is a factor in priority assignment.
- Beginning November 1st, applications will begin being received by the MYHSTA on behalf of the MYHMC.
 - Applications will be received by mail at: MYHSTA; P.O. Box 850572; New Orleans, LA 70185.
 - Applications may also be presented in person at: MYHSTA; c/o Chris Clement; Southern Walls and Windows; 2310 Tulane Avenue; New Orleans, LA 70119.
 - All applications will be date stamped when received and a tracking number assigned.
 - Applications will be processed at Metairie Bank and Trust Company; 3344 Metairie Road; Metairie, LA 70001. Applications will be reviewed for completeness as well as the required boat registration/documentation copies. Deposit checks will be checked for correctness, logged, and delivered to the MYHMC treasurer care of Tiffanie Roppolo; LaPorte, Sehrt, Romig and Hand; 110 Veterans Memorial Blvd., Suite 200; Metairie, LA 70005.
 - Site visits to the applicant boat will be conducted during the application period to make an initial determination of its compliance with the condition and active use provisions of the Resolution and the Temporary Slip Lease Application.
 - The SAWG will then make a preliminary determination of the priority into which the applicant falls based on the provisions of the Resolution, taking into account whether the applicant held a lease as of the time of Katrina, whether the applicant had an outstanding account receivable balance in

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excess of \$50 as of Katrina, or whether the applicant was on the waiting list for a slip at the time of Katrina.

- The preliminary priority determination will become part of the log of applications received and periodically posted on the MYHMC web site so that any disputed findings can be discussed prior to the public meeting on December 13th.
- All Temporary Slip Lease Applications must be **received** by MYHSTA by close of business on December 5, 2008. Mail or other delivery delays will not be taken into account for purpose of timely receipt.
- On or before December 8th, a final copy of applicant information together with a preliminary determination of priority will be posted on the MYHMC web site.
- By the start of the public meeting on December 13th, all corrections to posted application information must be received by the SAWG. Disputes and corrections received after that time must be made directly to the MYHMC prior to its regularly-scheduled meeting January 12, 2009, at which time the recommendations of the SAWG will be presented to the MYHMC Board.
- A public meeting will be held on Saturday, December 13th, in the meeting room of the New Orleans Yacht Club for the purpose of allocating temporary slip leases to the applicants. The time will be set and a notice of meeting will be posted in accordance with the public meeting notice requirements under which the MYHMC Board operates.
 - The Chair will call for any final corrections or disputes to the log of slip applicants and priorities assigned.
 - The SAWG will then hear such public comments, suggestions and requests as may be made
 - The SAWG will then begin to allocate slip leases based on slips deemed as available by the MYHMC Board and the list of applicants and priorities
 - Slip allocations will begin with the largest length first. Within that allocation, consideration should be given to slip width versus the boat beam. The process will be as follows:
 - Priority 1 Applicants for the largest slip size will be considered first. If all Priority 1 Applicants can be accommodated with slips, the slips will be assigned by placing the largest-beamed boats in the largest-width slips and so on until those applicants have each been assigned a slip. The process will then be repeated with Priority 2 Applicants and so on until there are not sufficient slips within a given size remaining to accommodate all of the members of a given priority. At that point, the members of that priority level will be placed in a lottery to be drawn at the meeting until the available slips are filled. The remaining applicants from that priority level will be placed in order by continuing to draw applicant names until all are assigned an order within the priority. The same process of

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lottery will be followed for the remaining priority levels until all applicants have been assigned an order number within their priority.

- The same procedure will be followed with the next smaller size slips available except that, once all slips have been assigned and if there are vacant slips in the larger slip size, applicants who have indicated that they are willing to accept a larger size slip at additional cost will be assigned to the larger vacant slips in the order determined by the lottery for their requested slip size.
 - The process will continue for subsequently smaller slip sizes until all slips have been assigned and all Priority 1-4 Applicants who have not been assigned a slip will have received an order number within their group.
 - Should a slip applicant who is successful in being assigned a slip not be able to comply with the terms of the MYH slip lease or who otherwise does not complete the slip leasing process, the applicant's assignment of a slip will be cancelled and the slip will be assigned to the next active applicant in order for that size slip.
 - Upon the completion of the slip assignment process at the public meeting, unsuccessful applicants may apply to have their deposit checks returned at which time their application will be considered "withdrawn". Unsuccessful applicants electing to leave their deposit checks until the completion of the slip leasing process, expected to be mid-February, 2009, will be taken in order for the assignment of slips assigned under this process where the applicant cannot or does not proceed to lease signing.
 - Upon completion of the slip leasing process, all remaining slip application deposits will be returned to the unsuccessful applicants.
- By December 16, a list containing the slip allocated to each successful applicant as well as the order within each slip size and priority will be posted on the MYHMC web site as well as be forwarded to the MYHMC Board for consideration at its regularly-scheduled January meeting on January 12, 2009.
 - The SAWG will be present at that January meeting to answer any questions or concerns that the MYHMC Board or the public may have.

The SAWG then discussed potential procedures for the actual signing of slip leases allocated as a result of the above process and the MYHSTA offered to continue its involvement in that process.

There being no further business, the meeting was adjourned at 8:20 pm.