

Audubon Commission Minutes

September 30, 2021
Video Conference

Attending: Kelly Duncan, Danny Conwill, Gayle Benson, Ashley Francis, Field Ogden, Sally Shushan, Brent Wood, Lex Kelso, Bruce Hofer, Storey Charbonnet, Xavier Angel, Dierdre Kelly, Victor Jones, Frances Fayard, Minh Thanh Nguyen, Jermaine Smith, Emily Vuxton

Excused: Coleman Ridley, Charles Teamer, Leila Eames, Dolfinette Martin, Catherine Morrell

President Kelly Duncan called the meeting order at 12:00 PM. He reminded everyone that the Commission is meeting by video conference consistent with Proclamation Order JBE 2020-30, extended by Proclamation Order 7 JBE 2021. He asked if there were any members of the public present. There being none, there was no public comment.

The minutes of the August meeting were unanimously accepted as distributed (Ogden/Benson).

As President of the Commission, Mr. Duncan changed the agenda order by moving the official business and motions ahead of updates and reports. The first order of business for discussion was the management agreement revisions. The long-standing management agreement between the Audubon Nature Institute and the Audubon Commission has been a successful model. Mr. Tut Kinney, counsel for the Commission, Mr. Duncan, and Ms. Rebecca Dietz, counsel for the Audubon Nature Institute, have worked on revisions to the agreement based on the reports by the OIG. While they did not ultimately agree with the reports' findings, they found several points that would improve the agreement's clarity. Those improvements are largely financial in nature and related to the allocation of funds. Mr. Duncan then introduced Mr. Tut Kinney to give more details about the recommended revisions and answer any questions Commissioners may have.

Mr. Kinney explained that the agreement model was based on that of the San Diego Zoo, which is a successful public-private partnership. As previously mentioned, the recommended changes to the current agreement are primarily related to finances and the way funds are allocated between the two parties. Mr. Forman, President and CEO, then gave some more background on the history of the agreement expanding on what Mr. Kinney said. There are no major changes being made. The relationship will still be the same. The main change is that there will now be separate bank accounts for the Commission and Institute to allocate public funds and operating funds accordingly. Although funds have always been deposited in one bank account, they have been coded carefully to track and keep public and private funds separate for accounting purposes. There will also be three budgets going forward, including one for capital projects. Ms. Rebecca Dietz, EVP of Public Affairs and General Counsel, added that the changes being recommended are in the best interest of both parties.

Mr. Duncan then asked for a motion to approve the changes substantially in the form distributed and presented to the group as there may be some more minor changes. Motion carried unanimously (Ogden/Wood).

Ms. Laurie Conkerton, EVP and CAO, was introduced to present the annual millage collection resolution. She asked for a motion to pass the resolution below. Motion carried unanimously (Angel/Shushan).

WHEREAS, beginning in 2021, the City began to levy a separate ad valorem tax of 6.31 mills (the "2021 Tax") pursuant to the following proposition approved by a majority of the electorate voting at a special

election held in the City on May 4, 2019:

In lieu of 3.00 mills currently levied for Parkway and Parks Commission and New Orleans Recreation Department and 0.32 mills and 2.99 mills levied for Audubon Commission ("Prior Taxes"), shall the City be authorized to levy a special tax of 6.31 mills ("Tax") for twenty years, January 1, 2021 - December 31, 2040 (estimated at \$22,150,000 in the first year) with proceeds dedicated first to payment of debt service obligations secured by the Prior Taxes then to improving park safety and accessibility, capturing stormwater to reduce flooding, repairing and upgrading playgrounds and recreation centers, conserving natural areas, and constructing, improving, maintaining, and operating parks, recreational, and wildlife conservation facilities in the City, except that a portion of collections shall be remitted to certain state and statewide retirement systems as required by law, allocated pro-rata as follows: 1.95 mills to New Orleans Recreation Development Commission; 1.80 mills to New Orleans Department of Parks and Parkways; 0.61 mills to City Park Improvement Association; and 1.95 mills to Audubon Commission, supplemental to and not in lieu of City general fund appropriations budgeted for 2020, subject to requirements provided by Ordinance Calendar Number 32,501 and with expenditures subject to public disclosure through annual audit; and

WHEREAS, the Audubon Commission intends for the millage to be levied at its authorized rate;

BE IT RESOLVED, that the following millage is hereby levied on the 2022 tax roll on all property subject to taxation by the Audubon Commission:

Audubon Commission

1.95 mills

BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of Orleans, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2022, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

Mr. Duncan then introduced Dr. Kyle Burks, EVP and COO, to present a motion on CMAR funding. Dr. Burks explained that in order keep the downtown construction project on schedule and because the bond sale has been pushed back a month, approximately \$3.4M in bond funds from last year's sale is needed. Funds from this year's proposed bond sale would then be allocated to the projects that would have been funded with the 2020 bond sale proceeds. Funds are needed to start demolition and purchase materials.

After some discussion, Dr. Burks asked for a motion to authorize the President of the Audubon Commission or the CEO of the Audubon Nature Institute to execute an agreement with the Construction Manager at Risk for the aquarium/insectarium renovation authorizing initial demolition and materials procurement for the overall project. Funding for this authorization will come from existing cash on hand from previous bond sales with the intent of changing the funding source for planned projects once the planned bond sale in November is complete. These funds are estimated to total \$3,447,878. Releasing these funds now prevents project delays and keeps the project on the schedule developed prior to Hurricane Ida, which delayed the State Bond Commission's vote on our bond sale by one month. Motion passed unanimously (Ogden/Benson).

Next, Mr. Forman started his report by saying that safety is still a priority for our facilities. With COVID numbers coming down people are anxious to get out. This was reflected in our attendance and revenue in spring and summer. Then came hurricane Ida causing some interruption in business. But we are hopeful

that we can come out of this better than ever. Construction and planning have continued so that we can stay on track, especially for our downtown CMAR project with a spring 2023 opening target.

He then turned it over Ms. Conkerton to give a financial report. The August year-to-date financial dashboard below was shared with the group prior to the meeting. Earned revenue through August was at \$22.5M and 48% ahead of budget. Overall net was \$8.4M. Attendance was 591K and 34% higher than budget. Admissions revenue was at \$11.6M which exceeds the budget for the entire year. This is largely because we have not been offering discounts as much as we have in the past. There is currently a 50% hurricane Ida discount for Louisiana residents until October 3. Ms. Conkerton went on to give an update on third quarter opportunities, including: State Stimulus Fund through LA Tourism Revival Fund, EDA grants, proposed bond sale, AZA Endangered Species Care Grant, continued recovery planning as we prepare of 2022 budget, catering and private events for fall 2021/2022, and more stable weather.

AUGUST YTD 2021 FINANCIAL DASHBOARD (AMOUNTS IN THOUSANDS)							
NET OPERATING RESULTS BY FACILITY:							
FACILITY	YTD ACTUAL 2021	YTD BUDGET 2021	BUDGET VARIANCE	YTD ACTUAL 2020	PRIOR YEAR VARIANCE	TOTAL FORECAST 2021	TOTAL BUDGET 2021
Aquarium	\$7,233	\$1,586	5,647	\$1,603	5,630	5,990	342
Zoo & Park	\$1,453	(\$1,163)	2,616	(\$5,859)	7,312	(927)	(3,543)
Butterfly Garden & Insectarium	(\$17)	\$0	(17)	(\$546)	529	(16)	-
FMASSC	(\$299)	(\$334)	35	(\$274)	(25)	(564)	(599)
Louisiana Nature Center	\$31	\$49	(18)	(\$178)	209	(17)	-
NET OPERATING RESULTS	\$8,401	\$138	\$8,263	(\$5,254)	\$13,655	\$4,466	(\$3,800)
Excludes capital revenues and expenses.							

Dr. Kyle Burks then gave a post-hurricane update on Audubon facilities. He began by thanking the team, especially the storm riders and other essential personnel who prepared the facilities and stayed on grounds during and after the storm. We also had great support from staff out of town. While we did have some building damage, the majority of damage from the storm was seen in our trees. Our debris removal contractor has already removed over 2,400 dangerous hanging limbs. Sadly, a total of 322 trees have also been removed so far with possibly more to come. The Aquarium saw the birth a cownose ray during the storm. They named her Ida. One of the barasingha at the Zoo got out during the storm when their gate blew open. She was safely returned to the exhibit after the storm. The only animal loss was a parakeet at the Aquarium. After the storm, some of our cownose rays and a zebra shark were moved to Mississippi due to water temperature concerns. Following the storm, our Coastal Wildlife Network team helped to rescue a dolphin stranded in a retention pond. We are also thankful to our AZA colleagues who offered assistance, including two mechanics from the Dallas Zoo who drove in to help keep our generators fueled and running until power could be restored. Finally, after Hurricane Harvey in Texas, an employee relief fund was created, and Audubon was able to donate \$30K. That fund may now be able to assist our employees who were impacted by Ida.

There being no further business, the meeting was adjourned at 1:00 PM.