

# Audubon Commission Minutes

April 28, 2016

A meeting of the Audubon Commission was called to order on Thursday, April 28, 2016 at 4:00 p.m. in the Audubon Tea Room, New Orleans, Louisiana, by President Duncan.

Present were: Linda Baum, Kelly Duncan, Bart Farris, Frances Fayard, Ashley Francis, Bruce Hoefler, Beth Lambert, Olivia Manning, Catherine Morrell, Peter Moss, Field Ogden, Pamela Ryan, Tom Watson, Brent Wood

Absent were: Gayle Benson, Boysie Bollinger, Angus Cooper, Storey Charbonnet, Danny Conwill, Rashida Ferdinand, Deborah Harkins, Helena Moreno, Charles Teamer, Carol Wise

Also attending: Michael DeShazo and Henry Kinney, legal counsel.

The minutes of the January 28, 2016 meeting were unanimously accepted as distributed.

## Attendance Report

Ms. Conkerton, EVP and CAO reviewed the March 2016 Operating Budget (in thousands):

<b>Audubon Nature Institute Operating Facilities</b>							
<b>PRELIMINARY REVENUE FOR SELECTED CATEGORIES</b>							
<b>MARCH 2016 YEAR TO DATE</b>							
<b>(amounts in thousands)</b>	ACTUAL 2016	BUDGET 2016	BUDGET VARIANCE	%	ACTUAL 2015	PRIOR YEAR VARIANCE	%
Attendance	443	410	33	8%	394	49	12%
Admissions Revenue	\$4,217	\$3,782	\$435	12%	\$3,615	\$602	17%
Per Cap	\$9.51	\$9.22	\$0.29	3%	\$9.17	\$0.34	4%
Membership Revenue	\$1,556	\$1,529	\$27	2%	\$1,425	\$131	9%
Private Events Revenue	\$1,048	\$951	\$97	10%	\$958	\$90	9%
F&B Revenue	\$1,113	\$938	\$175	19%	\$951	\$162	17%
Gift Shop Revenue	\$1,161	\$1,123	\$38	3%	\$1,052	\$109	10%

Ms. Conkerton reported that attendance is up because spring break was in March this year, as opposed to April last year. New exhibits and great weekend weather have also contributed to increased attendance. Preliminary numbers through April 24th show that attendance of 605K is 4% ahead of last year, admissions revenue of \$5.7 M is 10.5% ahead of last year and per cap of \$9.39 is 5.8% greater than last year. Private events have increased revenue due to Tyler Perry's The Passion (unbudgeted). She then reported that Laporte is wrapping up the Commission's 2015 audit.

President Duncan thanked the members of the public for attending the meeting, and reviewed the rules for public speaking (2 minutes per speaker). He asked if anyone had any comment on the CEA Agreement with the City of New Orleans. The Commission then received public comment on the CEA.

Mr. Duncan asked Ms. Conkerton to go over the CEA and read the resolution. Ms. Conkerton read the main components of the CEA:

WHEREAS, the City is a local government subdivision of the State of Louisiana;

WHEREAS, Audubon is an independent agency of the City;

WHEREAS, pursuant to the authority contained in Article 7, Section 14(C) of the Louisiana Constitution of 1974, and statutory authority supplemental thereto, the State of Louisiana and its political subdivisions, including the City, may enter into cooperative endeavors with each other, or with any public or private corporation or individual; and further, pursuant to Section 9-314 of the Home Rule Charter of the City of New Orleans, the City may enter into cooperative endeavors with any public or private association, corporation, or individual for activities in support of economic growth and other public purposes;

WHEREAS, the City and Audubon desire to enter into this Agreement for the construction of improvements to the Riverview, which improvements may include, but are not limited to, resurfacing the roadway, replacing lighting, installing emergency communications system, repaving riverside walk, replacing benches, renovating restroom facilities, and adding bicycle lanes on Riverside, East, and West Drives ("the Project");

WHEREAS, the Council for the City of New Orleans has appropriated funds in the amount of FIVE HUNDRED TWENTY-THREE THOUSAND FOUR HUNDRED SEVENTY-TWO AND 89/100 DOLLARS (\$523,472.89) from the sale of 2001 and 2014 Bond Funds for the Riverview;

WHEREAS, the City and Audubon desire to enter into this Agreement for the construction of improvements to the Nature Center, which improvements may include, but are not limited to, formal entry at Lake Forest Blvd., with signage, landscaping, lighting and decorative gates; reconstruction and re-landscaping of Waterford Street from the Lake Forest Driveway to the original entry; and signage and decorative gates at the original entry/new pedestrian gate from Joe W. Brown Park. ("the Project");

WHEREAS, the Council for the City of New Orleans has appropriated funds in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for the Project through Ordinance from the sale of 2005 Limited Tax Bonds for the Audubon Nature Center;

WHEREAS, Audubon will manage the construction of the Project;

WHEREAS, Audubon has the requisite skills and resources to provide the services described in the Agreement;

WHEREAS, Audubon is committed to expending the Project Funds from the City for the Project;

WHEREAS, this Agreement will satisfy a legitimate and valid public purpose which is to provide tangible and intangible benefits to the public at large, enabling Audubon to continue its mission of providing educational and cultural experiences for the residents of New Orleans and the public at large;

WHEREAS, the City and Audubon, as set forth below, and in furtherance of their respective goals, seek to set forth their agreements regarding the Project and the funding for same.

Commission President Duncan asked for a motion, and a resolution approving the CEA was adopted unanimously. (Farris/Ogden/Unanimous)

The Commission then took up the Public Participation Resolution (exhibit A), which sought to increase public notice and participation in future Audubon projects that eliminated greater than one acre of open, green space. Public comment was received from a number of attendees, including from Councilwoman Susan Guidry. After receiving public comment, Commission member Bart Farris moved that the public participation resolution be postponed for amendments. President Duncan asked for a motion to postpone, which was adopted unanimously. (Francis/Ogden/Unanimous)

It was further reported to those present that a Community Meeting will be held on Tuesday, May 10 at 6:30 pm in the Audubon Tea Room to discuss Audubon Park projects, including jogging path resurfacing, regrading & restriping, bench & bike rack replacement, Magazine Street repaving, Riverview CEA scope definition, St. Charles avenue playground replacement and landscaping, Walnut St. Roof replacement, restroom upgrades, & landscaping, Magazine Street shelter 13 renovation, restroom renovation, and Hurst bridge renovation.

Ms. Laurie Conkerton stated that a resolution was needed authorizing the President of the Commission or the President and CEO of Audubon Nature Institute to sign an amendment to a previously executed agreement titled "Development of an ISO accredited seafood certification model for Gulf Coast Fisheries" between the Audubon Commission and Global Trust Certification, Ltd. The amendment extends the terms of the agreement through December 31, 2016. The Commission voted unanimously to adopt the resolution. (Moss/Farris/Unanimous)

#### **Staff Reports:**

Mr. Toth, VP and Managing Director of Downtown Facilities reported that downtown staff is working hard to clean up Woldenberg Park which took a beating from the French Quarter Festival. He further stated that work will begin soon on the new fire suppression system and renovations on the 2<sup>nd</sup> floor.

Mr. Niebuhr, VP and Acting Managing Director of Uptown Facilities reported that the Zoo had a great spring with the new orangutan and elephant exhibits opened. He further reported that two new mandrills are now on exhibit and barasingha deer will be new to the Zoo sometime next week. He then reported that the Nature Center is still under construction but working together with Citgo, Audubon has hosted over 9,000 volunteers with community development programs.

Commission member Bruce Hoefer stated that public opinion was important and that it was also important to thank Mr. Forman and the Commission members for being stewards of the park.

There being no further business, the meeting adjourned at 5:40 p.m.

Linda G. Baum  
Secretary

**RESOLUTION OF THE AUDUBON COMMISSION**

At a regularly scheduled meeting of the Board of the Audubon Commission held on \_\_\_\_\_, 2016, at which a quorum of the Board was present, the following Resolution was adopted:

**WHEREAS**, the Audubon Commission is an independent agency of the City of New Orleans created by Act 191 of 1914, as amended, and is charged with the supervision of Audubon Park and preserving and improving it for public recreation and use as a place of public resort and pleasure; and

**WHEREAS**, the Commission finds that public comment and input is important for the Commission to carry out its mission as described above; and

**WHEREAS**, the Commission wishes to adopt certain policies to provide opportunities for public comment and input in connection with significant Audubon development projects that eliminate open, green space:

**BE IT RESOLVED THAT:**

1. Prior to any vote of the Audubon Commission to approve any new development which will result in the elimination of greater than one (1) acre of open, green space in Audubon Park, Woldenberg Park, or Audubon Wilderness Park, the Commission shall hold a special meeting no less than thirty (30) days prior to the meeting at which the development will be considered and voted upon, for the sole purpose of hearing public comment and input on the proposed development. This resolution shall not be construed to apply to the renovation, restoration, or refurbishment of any existing improvements, structures, or facilities that do not eliminate more than one (1) acre of open, green space, or to any new development that does not eliminate more than one (1) acre of open, green space.
2. At least fifteen (15) days prior to any such special meeting, the Commission shall contact the Neighborhood Engagement Office of the City of New Orleans to seek input and guidance as to how to maximize public participation in the special meeting, including participation of neighborhood and community organizations.
3. Audubon shall issue a press release announcing the date, time, and subject matter of the special meeting no less than fifteen (15) days prior to the special meeting.
4. Audubon shall also, in writing, notify each member of the New Orleans City Council of the special meeting no less than fifteen (15) days prior to the meeting.
5. Audubon shall post any available drawings, renderings, and plans for the proposed development on its website no less than fifteen (15) days prior to the special meeting, and shall have same physically present at the special meeting whenever possible. During the special meeting, the Commission shall present an overview of the proposed development, and solicit public

input and comment thereon. Following the special meeting, and at least fifteen (15) days before any meeting during which a vote on the proposed development will be taken, the Commission shall publish on its website a summary of any concerns expressed by the public regarding the development. Any resolution approving the proposed development shall specifically state that any concerns raised by the public have been fully considered by the Commission, and identify measures, if any, that were adopted by the Commission to address any such concerns.

6. Said special meeting shall be conducted in full accordance with the Louisiana Open Meetings Law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS:  
NAYS:  
ABSTAINED:  
ABSENT:

**CERTIFICATE**

I, the Secretary of the Audubon Commission hereby certify that the above is a true, full, complete and correct copy of the resolution adopted on motion duly made and seconded at a meeting of the Audubon Commission held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at which at least a quorum of the Members of the Audubon Commission were present and acted throughout and that the Resolutions are duly entered upon the minute book of the Audubon Commission, are now in full force and effect, and have not been amended, changed, modified, rescinded or repealed in any way.

WITNESS MY SIGNATURE, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**PRESIDENT**