

THE NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY  
MINUTES OF THE FULL BOARD MEETING  
THURSDAY MAY 22, 2014 – 5:30 P.M.

The monthly meeting of the Board of the Non-Flood Protection Asset Management Authority of the Orleans Levee District was held on Thursday May 22, 2014 at 5:30 p.m., in the Lake Vista Community Center, 2<sup>nd</sup> Floor, 6500 Spanish Fort Blvd., New Orleans, Louisiana after due legal notice of the meeting was sent to each Board member, the news media, and a copy of the call was posted.

Chairman Scott called the meeting to order at 5:40 p.m. and led in the Pledge of Allegiance. The roll was called which constituted a quorum.

**PRESENT:**

Chairman Nyka Scott  
Vice Chairman Ernst  
Secretary Romona Baudy  
Commissioner Wilma Heaton  
Commissioner Carlton Dufrechou  
Commissioner Pearl Cantrelle  
Commissioner Michael Stack  
Commissioner Darrel Saizan  
Commissioner Eugene Green  
Commissioner Rodger Wheaton

**ABSENT:**

Commissioner Robert E. Smith Lupo  
Commissioner John Trask  
Commissioner William Hoffman  
Commissioner Patrick DeRouen  
Commissioner Stan Brien

**STAFF:**

Louis Capo - Executive Director  
Sharon Martiny – Non-Flood  
Dawn Wagener – Non-Flood  
Dave Smith – Lakefront Airport

**ALSO PRESENT:**

Gerard Metzger - Legal Counsel  
Al Pappalardo – Real Estate Consultant  
John Holtgreve – DEI  
Jim Martin – DEI  
Brett Liuzza – DEI  
Brent French - DEI  
Tim Avegno – Eagan Insurance  
Chris Morvant - DOTD  
Brayton Matthews – Flightline First  
Bonny Schumaker – Flightline First  
Dawn Hebert  
Octave Rainey  
Lloyd Kelly  
Anna Hugel  
Dieter Hugel  
Andre Baugh  
Brent Russeau

**ADOPT AGENDA**

Commissioner Ernst offered a motion to adopt the Agenda, seconded by Commissioner Cantrelle and unanimously adopted.

**APPROVE MINUTES**

Commissioner Baudy offered a motion to approve the minutes of the March 20, 2014 Board meeting and April 29, 2014 Blue Ribbon Committee meeting, seconded by Commissioner Cantrelle and unanimously adopted.

## **PRESENTATION**

### **Jim Martin – President, DEI**

Mr. Martin advised that the Blue Ribbon Committee has been meeting to develop recommendations on restriping Reach 1 of the erosion control project, which is near Landry's and Orleans Canal. The recommendations were received, but will not be official until the Recreation/Subdivision Committee and full Board adopt the recommendations. There is a time constraint construction is near completion and the contractor has requested striping and signage diagrams to avoid further delays in the project.

DEI's suggestion is to give the contractor something now to preserve the options of this Authority. The Flood Authority is paying for the striping and has advised of future projects along Lakeshore Drive. The Flood Authority has agreed to add whatever striping recommendation this Board elects to include as part of that job. The best way to preserve all options would be to do nothing, leave the striping as it is and correct the striping when the decision is made. There is no updated crosswalk striping, which is needed to avoid a dangerous situation. The contractor should do something appropriate for the traffic, and the crosswalks would preserve this Authority's options. Crosswalks should be striped and signed for safety. The center line and lane lines could be kept as well. The debate is striping north of the lane line. DEI's recommendation is to leave the parallel spots and remove the adverse angle parking stripes. When the Board decides on the final recommendation, nothing new would be painted in the area, and the recommended striping could then be added.

There are no conflicts with any striping north of the Lake as DEI and the Blue Ribbon Panel recommendations are the same; to put in angle parking. Plans have been drawn for that, but cannot be issued as the recommendation is not yet official. Drawings must be issued now or the Flood Authority's contract will be jeopardized.

Major issues must be resolved before the contract can be closed. DEI wishes to achieve substantial completion in the next week, and the contractor has requested a final walk-through. Chairman Scott suggested the contractor begin the area agreed upon prior to beginning the area that requires a decision. Commissioner Heaton suggested a joint meeting with Flood Authority engineers and the contractor to discuss pertinent issues. Commissioner Stack recommended a Resolution that included wording such as "the Board could authorize striping subject to review by the Recreation/Subdivision Committee".

There was substantial debate regarding technical issues with the parking lane, which is a hotly contested issue. Commissioner Stack, an engineer on this Board, specifically recommended against what was adopted. It is not a good idea for this Authority to put a stamp of approval on plans our engineer disagrees with. DEI recommends parallel parking only, with the downside being that 252 parking spots will be lost within Reaches 1 and 2 on Lakeshore Drive. There is no standard that does not allow angle parking, but speeds on Lakeshore Drive are extremely high.

Commissioner Ernst clarified that members of the Blue Ribbon Committee suggested a dedicated bike lane, which by process should be brought before the Recreation/Subdivision Committee. If this Board were deciding this issue tonight, there is nobody appearing to discuss the issue. Many people feel very strongly about this issue and they are not present tonight to voice an opinion. This is the same situation that arose in March regarding the opening of Lakeshore Drive, and this Board should not go that route.

The Blue Ribbon Committee was clear when it approved Commissioner Stack's motion. Two hundred parking spots would not be eliminated to allow parallel parking, it was just the opposite. The Blue Ribbon Committee meeting was advertised well and posted in the Times Picayune. Members of the biking community participated and a decision was made to have shared lanes and front end angle parking based on a voting process.

Because of the situation with the contractor, this Authority has to do something now. There is no funding to do anything additional than what the Flood Authority pays for. There is nothing wrong from an engineering standpoint of a shared use lane with angle

parking on the north side, which is the short-term recommendation to be completed within the next 60-90 days. There are other recommendations to look at for eliminating one lane for an exclusive bike/multi-use lane. There is a project development process and this Authority does not have the data to get the funding. A decision must be made on how to stripe. Whether this is decided tonight will not be critical to the contractor. The Authority can work through the process, but some sort of decision must be made. All issues were discussed at previous Blue Ribbon Committee meetings. Commissioner Stack noted for the record that he did not want his experience and reputation on proposing something that is not safe and does not meet engineering standards, which is happening twice tonight.

DEI is proposing not to change anything. The temporary solution is to change nothing north of the lane line, with the exception of taking off the line. Over 200 spots will be lost with the lane lines pointing in the correct direction, but the lines are currently pointing the wrong way. To park in those lines requires a 220 degree u-turn. There are concerns with liability issues for the Authority, which is why those lines should be removed. Chairman Scott noted that the current angle lines are a liability issue for the Authority so those are going to be removed. To amend the Agenda requires a unanimous roll call vote, which is not likely. This Board must make a decision to go forward with correctly painting from a certain point down.

Commissioner Heaton noted for the record that the Board wants to do what is best and safe for the community. Commissioner Stack recommended Commissioner Heaton speak with the Flood Authority as she represents the Flood Authority. From driving past the worksite, the contractor is not ready to close this contract. Commissioner Heaton agreed to meet with the Flood Authority and prepare a status. Chairman Scott advised Mr. Capo to assemble a special Recreation/Subdivision meeting as early as possible with a Special Board meeting immediately following.

### **COMMITTEE REPORTS**

**Airport Committee** – Commissioner Heaton acknowledged that Senator Landrieu's staff put this Authority in with NFIP, FAA, FEMA and some other federal agencies who are willing to help find ways to solve various problems of this Authority such as insurance on the new Bastian-Mitchell Hangar. There were meetings with Senator Vitter and Congressman Richmond who want this Airport and this Authority to succeed. The issue was made loud and clear that there needs to be flood protection as much investment was made in temporary and long term flood protection at the Airport. There were discussions regarding the Customs build-out and the Delgado training program. The FAA continues to be weary of replacing the PAPI lights without flood protection and the cost of a removable system is approximately \$2 million. Senator Morrell is working out a lease to move his Senate office into a space in the Terminal Building. As the two items on the Agenda from the Airport Committee require more information, Items 3 and 4 will be removed and placed on the June Board Agenda. Those items are the rescission of the Bonomolo lease resolution and extension of the lease with Hawthorne New Orleans, LLC for the McDermott/Tidewater Hangar Facility.

**Marina Committee** – Chairman Dufrechou advised of issues at Orleans Marina regarding mooring vessels, proper mooring and artwork on one boat in particular. Mr. Metzger will prepare verbage for Mr. Dixon to address those issues with Marina tenants.

**Commercial Real Estate Committee** – Commissioner Ernst advised the issues will be taken up under Resolutions

**Recreation/Subdivision Committee meeting** – The Recreation/Subdivision Committee meeting was cancelled

**Legal Committee** – The Legal Committee meeting was cancelled.

**Finance Committee** – The Finance Committee meeting was cancelled.

**Insurance Committee** – Commissioner Wheaton advised of a meeting regarding Agenda Item number 5.

**Blue Ribbon Committee** – Commissioner Stack advised of two meetings with public participation. A volunteer citizens group took bicycle counts and interviewed bicyclists. There are five different recommendations and an e-mail will be prepared explaining those recommendations and future funding.

### **NEW BUSINESS**

#### **Motion 01-052214 Motion to approve a lease with La Maison de Beaute', LLC for Suite 6510 in the Lake Vista Community Center**

This motion is to approve a lease with La Maison de Beaute', LLC for Suite 6510 in the Lake Vista Community Center for a term of one year commencing on June 1, 2014. Rental payments will commence August 1, 2014 at a rate of \$15.00 per square foot. There will be an additional monthly assessment of \$28.00 for water charges with two 1-year options to renew. The lease commences June 1, 2014, but rent begins August 1, 2014 as the tenant is putting in improvements and will not be up and running until August 1, 2014.

Commissioner Ernst offered a motion to approve a lease with La Maison de Beaute', LLC for Suite 6510 in the Lake Vista Community Center, seconded by Commissioner Heaton and unanimously adopted to wit:

**MOTION:** 01-052214  
**RESOLUTION:** 01-052214  
**BY:** COMMISSIONER ERNST  
**SECONDED BY:** COMMISSIONER HEATON

May 22, 2014

#### **RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, the Lake Vista Community Center is located in the City of New Orleans and is one of the non-flood assets of the Orleans Levee District managed and controlled by the Management Authority;

**WHEREAS**, La Maison de Beaute', LLC has offered to lease Store No. C, containing 1,120 square feet of space on the first floor of the Lake Vista Community Center, bearing Municipal Number 6510 Spanish Fort Boulevard, New Orleans, LA 70124 ("leased premises"), for a term of one (1) year at a rental rate of \$15.00 per square foot, a monthly assessment for water charges of \$28, with two (2) one (1) year options to renew, with a rental rate set at the fair market value for locations in the Lake Vista Community Center, and under the standard terms and conditions for leases in the Lake Vista Community Center;

**WHEREAS**, the proposed lease with LaMaison de Beaute', LLC for the lease of Store C in the Lake Vista Community Center will commence on June 1, 2014 and rental payments will commence on August 1, 2014 in consideration of improvements to be made on the leased premises by La Maison de Beaute', LLC;

**WHEREAS**, the proposed lease with La Maison de Beaute', LLC for the lease of Suite 6510 in the Lake Vista Community Center was considered by the Commercial Real Estate Committee of the Management Authority at its meeting held on May 8, 2014, and the Committee unanimously voted to recommend approval of a lease with La Maison de Beaute', LLC under the terms and conditions set forth above, and in accordance with the standard terms and conditions for leases at the Lake Vista Community Center; and,

**WHEREAS**, the Management Authority after considering the proposed lease proposal resolved that it is in the best interest of the Orleans Levee District to approve the proposed lease with La Maison de Beaute', LLC.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves a lease with La Maison de Beaute', LLC for Store C, bearing Municipal Address 6510 Spanish Fort Boulevard, New Orleans, LA 70124 in the Lake Vista Community Center, for a term of one (1) year, commencing on June 1, 2014, with rental payments to commence on August 1, 2014, at a rental rate of \$15.00 per square foot, a monthly assessment of water charges of \$28, with two (2) one (1) year options to renew, with a rental rate set at the fair market value for locations in the Lake Vista Community Center, and under the standard terms and conditions for leases in the Lake Vista Community Center.

**BE IT HEREBY FURTHER RESOLVED**, that the Authority Chairman or Executive Director be and is hereby authorized to sign any documents necessary to carry out the above.

**AYES:** SCOTT, ERNST, BAUDY, HEATON, DUFRECOU, CANTRELLE, STACK, SAIZAN, GREEN, WHEATON

**NAYS:** NONE

**ABSTAIN:** NONE

**ABSENT:** LUPO, TRASK, HOFFMAN, DeROUEN, BRIEN

**RESOLUTION ADOPTED:** YES

#### **Motion 02-052214 Motion to approve the transfer of Orleans Marina Boathouse N-25 to Eliette Nelkin**

This motion is to approve a transfer of Orleans Marina boathouse N-25 to Eliette Nelkin by Yvonne Leavines Fourroux, Dianna Fourroux Sullivan and Alaynna Fourroux King conditioned upon payment of an administrative fee of \$250, expenses and attorney's fees incurred by the Management Authority. There is no transfer fee and will be no transfer fee until 2022 when the last three 5-year options occur.

Commissioner Ernst offered a motion to approve the transfer of Orleans Marina Boathouse N-25 to Eliette Nelkin, seconded by Commissioner Dufrechou and unanimously adopted to wit:

**MOTION:** 02-052214  
**RESOLUTION:** 02-052214  
**BY:** COMMISSIONER ERNST  
**SECONDED:** COMMISSOINER DUFRECHOU

May 22, 2014

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, the Orleans Marina located at West End in the City of New Orleans is one of the non-flood protection assets of the Orleans Levee District under the management and control of the Management Authority;

**WHEREAS**, as owner of the Orleans Marina, the Orleans Levee District is authorized to lease its water bottoms and land as moorings for boats and construction of boathouses for fair and equitable rental rates, as provided under La.Rev.Stat. 38:336(A) and (B)(4);

**WHEREAS**, South Roadway Boathouse No. N-25 is currently leased to Yvonne Leavines Fourroux, Dianna Fourroux Sullivan and Alayna Fourroux King, pursuant to the terms of a written lease signed on July 1, 1972, and amended thereafter, which amendments, in part, granted the lessee options to extend the term of the lease to the year 2022 with three (3) additional five year lease extension options (the "Lease");

**WHEREAS**, Yvonne Leavines Fourroux, Dianna Fourroux Sullivan and Alayna Fourroux King have requested approval to assign their interest in the Lease and sell the improvements thereon to Eliette Nelkin;

**WHEREAS**, under the terms of the proposed Assignment of the Lease, the sales price for the sale of the improvements and assignment of the Lease will be \$275,000.00 and Eliette Nelkin will assume all obligations of the Lessees under the Lease;

**WHEREAS**, under the Lease the Lessor's consent is required for an assignment of the Lease;

**WHEREAS**, the District's staff and legal counsel reviewed this request and recommended to the Commercial Real Estate Committee at its meeting held on May 8, 2014 approval of the assignment of the Lease, conditioned upon payment of an administrative fee of \$250.00 and the payment of the expenses and attorneys' fees incurred by the Management Authority in connection with the assignment of the Lease, and assumption of all obligations under the Lease by Eliette Nelkin;

**WHEREAS**, the Commercial Real Estate Committee of the Management Authority after considering this request at its meeting held on May 8, 2014 recommended approval of the assignment of the Lease under the terms set forth above; and,

**WHEREAS**, the Management Authority after considering this matter resolved that it would be in the best interest of the Orleans Levee District to approve the assignment of the Lease under the terms set forth above.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority approves the assignment and transfer of the Lease of South Roadway Boathouse No. N-25 by Yvonne Leavines Fourroux, Dianna Fourroux Sullivan and Alayna Fourroux King to Eliette Nelkin, conditioned upon payment of an administrative fee of \$250.00 and payment of the expenses and attorneys' fees incurred by the Management Authority in connection with the assignment of the Lease, and assumption of all obligations under the Lease by Eliette Nelkin.

**BE IT FURTHER RESOLVED**, that the Authority Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

**AYES:** SCOTT, ERNST, BAUDY, HEATON, DUFRECOU, CANTRELLE, STACK, SAIZAN, GREEN, WHEATON

**NAYS:** NONE

**ABSTAIN:** NONE

**ABSENT:** LUPO, TRASK, HOFFMAN, DeROUEN, BRIEN

**RESOLUTION ADOPTED:** YES

**Motion 03-052214 Motion to rescind Resolution No. 04-120513 for the lease of Suite 121-A in the Lakefront Airport Terminal Building with Bonomolo Limousines, Inc.**

Motion No. 03-052214 was deferred.

**Motion 04-052214 Motion to approve an extension of the lease with Hawthorne New Orleans, LLC for the McDermott/Tidewater Hangar Facility**

Motion No. 04-052214 was deferred.

**Motion 05-052214 Motion to establish the insurable value of the Williams Hangar and discussion of appraisals and valuations of the McDermott/Tidewater and National Guard Hangars at New Orleans Lakefront Airport**

This motion will establish the insurable value of the Williams Hangar and discussion of appraisals and valuations of the McDermott/Tidewater and National Guard Hangars at New Orleans Lakefront Airport. The Authority will establish an insurable value of the Williams Hangar at \$3,176,050 effective July 1, 2014.

Under the current insurance plan, the Flightline facility is insured for \$9 million due to appraisals made at the time the Bastian-Mitchell Hangar was being constructed. Steve Nelson, Stuart Consulting, gave an estimate and a replacement value. Under the new regulations the Authority received new values and insurance premiums went up dramatically. Flightline indicated the \$9 million figure was high and presented the

Authority with an appraisal for \$2.5 million. The Authority hired Winn Perkins who gave an appraisal of \$3,176,050. There is a recommendation to reduce the insurable value from \$9 million to \$3,176,050. Commissioner Heaton advised that the Airport Committee wanted this issue well vetted to protect the Board.

Brayton Matthews, Flightline First, urged the Authority to have all properties appraised. The Moffett Hangar, which is an identical building to the Williams Hangar, is not carried under the Authority's insurance and I would like to see what the building is appraised for. Commissioner Wheaton advised that Mr. Perkins will provide two additional appraisals, the National Guard and McDermott Hangars. To get an appraisal of all buildings is ideal, but it was a fight to get \$3,000 to appraise this building. Mr. Matthews volunteered to pay the \$3,000 and advised that the Williams Hangar is the Airport's asset and it is being ignored as well as the Walter Beach Hangar.

Commissioner Wheaton offered a motion to establish the insurable value of the Williams Hangar at New Orleans Lakefront Airport, seconded by Commissioner Ernst and unanimously adopted to wit:

**MOTION:** 05-052214  
**RESOLUTION:** 05-052214  
**BY:** COMMISSIONER WHEATON  
**SECONDED:** COMMISSIONER ERNST

May 22, 2014

**RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, which is a non-flood protection asset owned by the Orleans Levee District, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, (the "Airport");

**WHEREAS**, Flightline Ground, Inc. ("Flightline" or "Lessee") is a fixed based operator at the Airport pursuant to a lease between the District and Flightline, which includes the Williams Hangar, made and entered into on the 31<sup>st</sup> day of July, 2007 (the "Lease");

**WHEREAS**, the Lease provides in Article VII (E) that the Lessor shall maintain fire and extended insurance coverage in standard "all risk" form on the Williams Hangar, in the amount of Actual Cash Value/Replacement Cost Value ("insurable value"), and that the Lessee shall pay each month, in addition to the rent otherwise stipulated in the Lease, one-twelfth (1/12) of the Lessee's pro-rata share of Lessor's fire and extended coverage insurance premiums attributable to the insurance covering the Williams Hangar;

**WHEREAS**, Flightline secured an appraisal of the insurable value of the Williams Hangar from American Business Solutions, which appraised the insurable value of the Williams Hangar at \$2,505,601.00;

**WHEREAS**, the Management Authority also secured an appraisal of the insurable value of the Williams Hangar from Airport and Aviation Appraisals, Inc., which appraised the insurable value of the Williams Hangar at \$3,176,050.00;

**WHEREAS**, the issue of the insurable value of the Williams Hangar was presented to the Airport Committee at its meeting held on May 6, 2014, at which time the Committee unanimously voted to refer this matter to the Board without recommendation; and,

**WHEREAS**, the Management Authority after considering the appraisals of the insurable value of the Williams Hangar resolved that it is in the best interest of the Management Authority, the Orleans Levee District and the Airport to establish the insurable value of the Williams Hangar at \$3,176,050.00 effective July 1, 2014;

**THEREFORE, BE IT HEREBY RESOLVED**, that the Management Authority establishes the insurable value of the Williams Hangar at \$3,176,050.00 effective July 1, 2014.

**BE IT FURTHER HEREBY RESOLVED**, that the Authority Chairman or Executive Director be and is hereby authorized to execute any and all documents necessary to carry out the above.

**AYES:** SCOTT, ERNST, BAUDY, HEATON, DUFRECOU, CANTRELLE, STACK, SAIZAN, GREEN, WHEATON

**NAYS:** NONE

**ABSTAIN:** NONE

**ABSENT:** LUPO, TRASK, HOFFMAN, DeROUEN, BRIEN

**RESOLUTION ADOPTED:** YES

**Motion 06-052214 Motion to approve that parking lots and bays on the east side of Lakeshore Drive between Lake Marina Avenue and Shelter House No. 1 shall only be open to the condominium residents and their guests and tenants of the commercial establishments on Lakeshore Drive and their guests and patrons.**

Commissioner Ernst advised that a preliminary review of this issue revealed several legal issues that have to be vetted and urged the Board to defer this motion until further review by the Legal Committee. This issue arose due to a complaint.

Commissioner Saizan noted that the weekend crowds on Lakeshore Drive and in the parking lots are hurting business for the Authority's commercial tenants, however doing something like this may not be legal. The owners of the commercial establishments advise that it is strangling them. The people who participate in the Sunday rolling car show are not Orleans Parish residents. People from Orleans Parish pay a millage for what is provided on the Lakefront. The millage is not paid by any other Parish. Commissioner Heaton added that the issue needs to be addressed thoughtfully and methodically as the Authority owes that to those tenants. The issue has to be addressed in a legal manner and the Authority must have all of the facts together.

Commissioner Green noted for the record that he was absent for this meeting, but did call Ms. Martiny to advise that he would arrive within 45 minutes. There were two items on the Agenda, but the Agenda was amended by a unanimous vote to include an additional issue. This was without the spirit of public discourse. There are numerous concerns relative to citizens feeling they are excluded from the decision making process for the Board to include this issue, which would eliminate hundreds of parking spots. This item cannot be vetted with an Agenda change in the beginning of a Committee meeting. Why would the Non-Flood Authority, a public authority, give the right to park all week to just the businesses and the residents of condominiums and their guests? Please also note for the record that I go to the Lakefront regularly to address issues that are brought up. Many people parked in the parking lots walk across the street to the restaurants; it is not only people showing off their cars. If the Board agreed with the recommendation of the Blue Ribbon Committee with parallel parking only and this recommendation, over 300 parking spots would have been eliminated. This Authority has to do everything to make the Lakefront and the park available to the public. Businesses who sign leases know the number of reserved parking spots under the ground lease. If more spaces are needed, the tenant should request an adjustment to the lease or buy additional spots.

I find it cynical to say that because the Authority opened Lakeshore Drive east to west, that parking would be discontinued in public parking areas because there are so many people. To close the parking bays to the public would be a grave disservice and I would be willing to challenge it legally. This is another attempt to change the Agenda on the day of the meeting to deny the public the right to participate in a process which involves public assets such as Lakeshore Drive and the parking lots. The French Quarter charges for parking. Public parking is not eliminated because it may get a bit crowded.

## **PUBLIC COMMENTS**

### **Lloyd Kelly – New Orleans Resident**

Mr. Kelly stated that the fact that the item was on the Agenda today was disingenuous. Why did this Authority set up a Blue Ribbon Panel if they were not going to allow them to come up with recommendations? Commissioner Wheaton advised this item was a parking issue for the commercial restaurant tenants and the Blue Ribbon Committee did not have anything to do with these parking issues. When the issue was brought up many Board members agreed that the item needed to be further discussed.

Commissioner Ernst offered the motion regarding the use of the parking lots and bays on the east side of Lakeshore Drive be and is hereby referred to the Recreation/Subdivision and Legal Committees for consideration and to make recommendations on this Motion, seconded by Commissioner Stack and unanimously adopted to wit:

**MOTION:** 06-052214  
**RESOLUTION:** 06-052214  
**BY:** COMMISSIONER ERNST  
**SECONDED BY:** COMMISSIONER DUFRECHOU

**May 22, 2014**

### **RESOLUTION**

**WHEREAS**, the Non-Flood Protection Asset Management Authority ("Management Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

**WHEREAS**, Lakeshore Drive and adjacent parkways and green spaces are part of the non-flood protection assets owned by the District under the management and control of the Management Authority;

**WHEREAS**, the former Board of Commissioners of the Orleans Levee District and the Management Authority entered into long term ground leases with the condominium and the commercial establishments on

the west side of Lakeshore Drive on the New Basin Canal;

**WHEREAS**, during the last renovation of Lakeshore Drive several parking lots and bays were constructed on the east side of Lakeshore Drive between Lake Marina Avenue and Shelter House No. 1;

**WHEREAS**, these parking lots and bays were primarily intended to provide public parking for the condominium residents and tenants of the commercial establishments on Lakeshore Drive and their guests and patrons;

**WHEREAS**, the recent opening of Lakeshore Drive in both directions between the Ted Hickey Bridge and Lake Marina Avenue has increased traffic and the demand for use of these parking lots by the general public;

**WHEREAS**, the Commercial Real Estate Committee at its regularly scheduled monthly meeting held on May 8, 2014, after motion duly made, seconded and unanimously approved on a roll call vote, and after notice for public comment, added a motion to its agenda to consider recommending to the Management Authority that these parking lots and bays on the east side of Lakeshore Drive between Lake Marina Avenue and Shelter House No. 1 be open only to the condominium residents and tenants of the commercial establishments on Lakeshore Drive and their guests and patrons; and,

**WHEREAS**, on motion duly made and seconded, the Management Authority voted to refer this Motion to the Recreation/Subdivision and Legal Committees for consideration and to make recommendations on this Motion.

**THEREFORE, BE IT HEREBY RESOLVED**, that this Motion regarding the use of the parking lots and bays on the east side of Lakeshore Drive be and is hereby referred to the Recreation/Subdivision and Legal Committees for consideration and to make recommendations on this Motion.

**BE IT HEREBY FURTHER RESOLVED**, that the Authority Chairman or Executive Director be and is hereby authorized to take any action and sign any and all documents necessary to carry out the above.

**AYES: SCOTT, ERNST, BAUDY, HEATON, DUFRECOU, CANTRELLE, STACK, SAIZAN, GREEN, WHEATON**

**NAYS: NONE**

**ABSTAIN: NONE**

**ABSENT: LUPO, TRASK, HOFFMAN, DeROUEN, BRIEN**

**RESOLUTION ADOPTED: YES**

### **NEXT BOARD MEETING**

The next full Board meeting of the Non-Flood Protection Asset Management Authority is scheduled for Thursday, June 19, 2014 at 5:30 p.m.

### **ADJOURNMENT**

Commissioner Stack offered a motion to adjourn, seconded by Commissioner Cantrelle and unanimously adopted. The meeting adjourned at 6:55 p.m.