

NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE
RECREATIONAL / SUBDIVISION OBLIGATION COMMITTEE MEETING
FEBRUARY 3, 2011 – 2:30 P.M.

The regular monthly meeting of the Recreation Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, February 3, 2011 at 2:30 P.M., in the Lake Vista Community Center, 2nd 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 Hassinger called the meeting to order at 2:32 p.m. and led in the Pledge of Allegiance.

The roll was called and a quorum was present.

PRESENT:

Chairman Joe Hassinger
Commissioner Stanley Brien
Commissioner John Trask
Commissioner Greg Ernst

FURTHERMORE PRESENT:

Chairman Robert E. Smith Lupo

STAFF:

Louis Capo, Executive Director
Sharon Martiny, Non-Flood

ALSO PRESENT:

Charles Curtis
Albert Pappalardo
Wesley Mills
Steve Nelson
Ray Landeche
Walter Baudier

APPROVAL OF AGENDA

Commissioner Trask offered a motion to adopt the agenda, seconded by Commissioner Brien and unanimously adopted.

APPROVAL OF MINUTES

Chairman Brien offered a motion to approve the minutes from the Recreational/Subdivision Obligation Committee meeting of January 13, 2011, seconded by Commissioner Trask and unanimously adopted. Chairman Hassinger noted a correction on page 6 of 6 which correction was noted and the minutes were revised. Chairman Ernst abstained from the motion as he had not had a chance to review the minutes.

OLD BUSINESS

1. Development of Multi Family Property on Wren Street

Chairman Hassinger noted three items under Old Business on the Agenda with the first being the Update and Discussion on the Development of Multi-Family Property on Wren Street. Chairman Hassinger informed that this issue came up for discussion last month and the proposed developer of the property requested the opportunity to submit specific questions to the Authority regarding design of the proposed development. To date, Chairman Hassinger and Mr. Capo have not received questions from the developer.

Chairman Hassinger noted for the record that he received an e-mail from Mr. Landeche dated January 17, 2011 which did not pose any questions but made several statements. Chairman Hassinger requested the e-mail be attached to the minutes of the February 3, 2011 meeting. Having received no additional information or plans and specifications from the developer, there will be no action from the Committee or Authority.

2. Mardi Gras Fountain

Mr. Capo advised of an issue with FEMA relating reimbursement for DEI, the designer of the Fountain. FEMA is going to approve Curve A for the fees. We can now move forward with the design and restoration of the Mardi Gras Fountain with the acknowledgment that FEMA will approve Curve A for reimbursement of design fees.

Mr. Walter Baudier of Design Engineering informed that FEMA was gracious in agreeing that the project is more difficult than Curve B. If we get a Notice to Proceed it will be approximately 150 days before we can bid the job.

Mr. Capo advised that he is waiting for written approval from FEMA regarding Curve A.

Mr. Steve Nelson from ECM Consultants informed that he is waiting on an obligated project worksheet that includes an entire estimating construction budget and scope that will match the contract in place. We can move forward with design at that time as we are at a place where FEMA is now moving forward. We need to have confirmation of the funding for the scope to be in place and then a Notice to Proceed is issued.

Chairman Hassinger questioned the completion date. Mr. Nelson informed that at this time next year everything at the Mardi Gras and Four Winds Fountains would be complete.

3. Utility Crossings

Mr. Baudier advised that the Corps of Engineers informed that the plans submitted to the Hydraulics Department conform to the Hydraulics of the levees. The Corps advised that a stability analysis of the levee crossings has to be

performed. The stability analysis is a rather complicated geo tech analysis. The Corps will issue an RFQ to New Orleans Small Business Engineering who has an IDIQ with the Corps. Eustis will do the stability analysis of the levee sections to determine that these crossings do not violate the stability of the levees. Once the RFP is submitted, we resubmit and renegotiate a man hour estimate with the Corps. The Corps will then issue a Notice to Proceed. Eustis will work closely with us and deal with just the crossings. It will be approximately 60 days before we complete the stability analysis and at least 90 days before we determine if the levee crossings meet those criteria.

Chairman Hassinger questioned if it was possible to have the lights back on Lakeshore Drive by the end of the year. Mr. Baudier advised that it depends on how long the analysis takes. The plans are finished and could bid soon with approval from the Corps. With the stability analysis, there is always discussion as to whether or not it meets the criteria. It won't take less than 90 days. We have to do this now because the levees on Lakeshore Drive were designed by a U5 (Upper Five Districts - primarily St. Paul District). Some materials and calculations used to design the levees have to be transferred back down to the New Orleans District. In addition, they were designed in 2007 before the current criteria were available. Now the levee sections have to be re-examined using the current criteria.

Chairman Hassinger then re-addressed the Development of the Multi-Family Property on Wren Street. Chairman Hassinger noted for the record that regarding the e-mail of January 17, 2011, we have not responded to the substance of the e-mail. I do not want the developer or anyone else to be under the impression that our not responding to that e-mail somehow signifies our agreement to the comments and statements made in the e-mail. The fact is that the developer asked to submit questions to the Committee. No questions were submitted. There is no action that the Committee can take in response to the observations and statements made in this e-mail. I do not want the record or anyone to be under the impression that we agree, disagree, acknowledge it or don't acknowledge it. The position of the Executive Director has been and remains that until we are presented with detailed plans and specs, there will be no action taken.

Mr. Landleche added that as the developer he is asking the Board identify specific sections and criteria of the Lake Vista Neighborhood Restrictions that apply to the development. We want to make sure that we understand what we are going to be judged on with our development. We will spend lots of money to do detailed plans and specs. We have a city code, we have a state code and we know exactly what we need to do in those. The way most people read these restrictions they did not contemplate a development of the type we are planning. The statements only limit this to a couple of things: we have to provide detailed plans and specs, it has to be of a multi-dwelling apartment use type development and it has to honor the neighborhood setbacks. There are no such things as unit restrictions, height restrictions or any other restriction. I am trying, as the developer, to get this Board to agree that we are bound by the limitations listed in the e-mail. We compromised the height down from 75 to 55 feet. We have offered to move the buildings to the parking lot area, further away from the residential area. We don't have to do that as the restrictions simply state we have to honor the setbacks. I am trying to get the Board to review their own restrictions and look at the other neighborhoods where there are similar developments. Some things that people are trying to imply don't seem appropriate. I want to get an opinion of the Board on what criteria will my detailed plans and specs be judged on when I develop them.

Chairman Hassinger stated that the property restrictions provide that a proposed builder submits to the Board detailed plans and specs that the Board then review.

Mr. Capo agreed and stated that this has been the policy and procedure of the District.

Chairman Hassinger noted that before this Board came into being, the developer had communications with Mr. Capo's office about this proposed development and Mr. Capo provided all information available in response to the questions and issues that came up. Mr. Capo advised that there was a meeting at Councilmember Guidry's office and as a result of that meeting; Mr. Capo was asked to assemble criteria that Mr. Landeche could evaluate. Mr. Capo researched each section of the Building Restrictions, discussed them with Mr. Pappalardo and then sent sections pertaining to the development to Mr. Landeche.

Chairman Hassinger advised that there is no further action for staff to take until such time as the plans are submitted. Mr. Capo and Mr. Curtis agreed. Chairman Hassinger added that we are in a position to evaluate detailed plans and specs. We want to do everything we can to help bring that development to fruition; please submit detailed plans and specs so we can do everything possible to help you get that development built.

ANNOUNCEMENT OF NEXT MEETING

Mr. Capo announced the next Recreation/Subdivision Obligations meeting scheduled for March 3, 2011 at 2:30 p.m.

ADJOURNMENT

Commissioner Trask offered a motion to adjourn, seconded by Commissioner Brien and unanimously adopted.

The meeting adjourned at 2:53 p.m.