

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATIONAL / SUBDIVISION
OBLIGATION COMMITTEE MEETING
THURSDAY, JANUARY 12, 2012 – 2:30 P.M.**

The regular monthly meeting of the Recreation Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, January 12, 2012 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 2:35 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

STAFF:

Louis Capo, Executive Director
Sharon Martiny, Non-Flood

ALSO PRESENT:

Gerard Metzger
Albert Pappalardo
John Davis
Ray Landeche

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Commissioner Trask offered a motion to approve the minutes from the Recreational/Subdivision Obligation Committee meeting of November 3, 2011, seconded by Commissioner Brien and unanimously adopted.

REPORT ON CURRENT RECREATIONAL/SUBDIVISION ISSUES

Mr. Capo reported that Ms. Connie Uddo with Hike for Katrina has secured funding from Exxon Mobile to plant trees on the east side of Lakeshore Dr. by Shelter #4. The area by the former Naval Reserve facility has been cleared and the fence is down. EDS is in the process of removing the remaining stumps on Lakeshore Dr. between Franklin and Shelter #4. Lake Terrace area grass is being cut with the same frequency as other sections north of Lakeshore Dr., holes are being filled and dead trees are being removed and stockpiled to use as mulch. The tree UNO wanted to remove is still standing. UNO now wants a roadway to enable a left turn onto Lakeshore Dr. as this entrance presently goes to the east only. UNO is required to receive permission from this Authority before any road is approved. The gate by UNO is now open on a permanent basis as the issue with the flood gates has been resolved. DEI is proceeding with a cost estimate and preliminary design to rebuild Shelter #3 in the Franklin Avenue area so we can start the reimbursement process and move that project forward. Preparations for the War of 1812 event are underway which will be a huge event that will showcase the Lakefront. Shelter #4 will be repainted in the near future and Ms. Uddo will provide painting crews to scrape and repaint the shelter if we buy the materials along with carpenters to replace the picnic tables if the

Authority furnishes the wood. This may be in place by the time of the air show in April.

Mr. Capo informed the Committee that the Ironman Race is the same weekend as the Air Show with race contestants running the Sunday morning of the Air Show. This is the same area the Air Show is scheduled to take place posing a logistical concern as there will be approximately 60-80 thousand people on Lakeshore Dr. for the air show along the section between the Tech Park and the former Naval Reserve facility.

Doug Thurston with The Competitor Group (Rock and Roll Mardi Gras Marathon) advised that this event will take place on Lakeshore Drive in March. This race is another significant premier race in the City of New Orleans. Flyers will be distributed along Lakeshore Drive and Marconi notifying residents of the upcoming event.

Mr. Capo will contact DEI regarding the status of the utility crossings as there was an issue with the Corps which prevented this issue to move forward. DEI submitted a cost estimate to repair the lighting on the Lake Terrace Fountain. The cost to replace 10 lights around the center of the main fountain is approximately \$39,000. DEI will also provide a cost estimate for basic work consisting of removing the lights and electrical, replastering the pool and cleaning the nozzles to get the water flowing and the fountain functioning.

NEW BUSINESS

1. Discussion on increasing fees for review of house plans

Mr. Capo advised that the Flood side will no longer review the house plans leaving this Authority without qualified personnel to review plans. The City has advised they cannot enforce and review this Authority's plans. Mr. Capo suggested hiring an architectural firm to review plans for a set fee that will be passed on to the property owner. Mr. Capo will submit an RFQ or RFP to architectural firms that may be willing to review plans for the Authority. Mr. Metzger suggested adopting a resolution setting the current standard rate charged by architects to be the fee for review of plans which would be passed on to the homeowner at no cost to the Authority. This will be the current standard rate year after year for the size of the structure that is being reviewed. The cost will vary for each project. City code requires this Board approve plans before submission to the City. Mr. Capo advised that there are 40-50 reviews done each year by the Authority. The Flood side feels this is no longer their responsibility because it deals with property owners and real estate. The current fee for review of plans is 1/10 of 1% of the costs of a project.

Chairman Trask suggested putting out a bid to architectural firms willing to review plans at the current fee schedule with the goal being to find a firm to review plans on a consistent basis. Mr. Metzger commented that an RFP could be issued asking architectural firms to bid on a fixed fee. One firm would be a great idea because they would become familiar with the building restrictions of all four subdivisions making the approval process easy. If something needed to be corrected it would be the homeowner's responsibility to go back to the architect for approval. Mr. Capo stated that once the Authority issues the Letter of No Objection the plans go to the City for approval. The Authority does not inspect to see if they are conforming to the plans.

Chairman Hassinger requested Mr. Capo issue an RFP to line up an architectural firm that the Authority can refer homeowners to for review of their house plans. Mr. Pappalardo advised that this would be a compliance review to make sure that the structure being built complies with the building restrictions. This is not an architectural review for structure. When issuing the RFP the architectural firm

should understand they are not required to do any structural, architectural or engineering reviews of the structures. The architectural firm may require a hold harmless with respect to that they did not look at it on an architectural or engineering basis, they looked at it merely as a compliance review for the building restrictions and they are entitled to that hold harmless.

2) Procedures for amending subdivision building restrictions

Mr. Metzger informed that there is no mechanism on how to amend building restrictions in the subdivision building restrictions. The residual law, accordingly, applies in that instance, the Civil Code. These four subdivisions have been in effect for over 15 years. Under Article 780, the restrictions may amend by agreement of the owners representing more than ½ of the land area affected by the restrictions, excluding street and streets rights-of-way. Chairman Hassinger will meet with Lakeshore, Lake Vista, Lake Terrace and Lake Oaks for suggestions regarding the best way to deal with this issue. Lake Vista is working on plans that incorporate their restrictions into the City's Master Plan. It is unknown what percentage the Non-Flood Protection Asset Management Authority owns. There is a layout on all of the subdivisions in square footage so that would have to be calculated.

ANNOUNCEMENT OF NEXT MEETING

Chairman Hassinger announced the next Recreation/Subdivision Obligations meeting scheduled for February 9, 2012 at 2:30 p.m.

ADJOURNMENT

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

The meeting adjourned at 3:25 p.m.