

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATIONAL / SUBDIVISION
OBLIGATION COMMITTEE MEETING
THURSDAY OCTOBER 4, 2012 – 2:30 P.M.**

The regular monthly meeting of the Recreation/Subdivision Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, October 4, 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 2:33 p.m. and led in the Pledge of Allegiance.

The roll was called which constituted a quorum.

PRESENT:

Chairman Joe Hassinger
Commissioner Greg Ernst
Commissioner Stanley Brien

ABSENT:

Commissioner John Trask

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood

ALSO PRESENT:

Albert Pappalardo – Real Estate Consultant
Gerard Metzger – Legal Counsel
Ray Lanceche - Lakeshore
Matthew Ahearn – Ancient Order of Hibernians

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Commissioner Ernst offered a motion to approve the minutes of the Recreation/Subdivision meeting of June 7, 2012 meeting, seconded by Commissioner Brien and unanimously adopted.

REPORT ON CURRENT RECREATION/SUBDIVISION ISSUES

Mr. Capo addressed the issue with standing water behind Shelter #1 and advised that discussions are underway with DEI who has done extensive work on Lakeshore Drive. Mr. Capo suggested the Authority remove the asphalt behind Shelter #1, raise the area and install new drains that will flow into the proposed drains on the promenade seawall. Discussions will continue with DEI to secure a proposal from Boh Brothers who are currently working on the utility crossings. The contract will be signed and a Notice to Proceed will be issued in the near future.

Mr. Capo reported that the completion date for the utility crossings is 150 days after the Notice to Proceed is issued, which would be April barring any weather problems. The utility crossings will be done one section at a time with the entire length of Lakeshore Drive being completed by April, 2013. The project will be phased in so there may be some functioning lights at the end of 2012. It is estimated that one section will be completed every 20 days with work to begin west and move east down Lakeshore Drive.

Commissioner Hassinger informed that as there was no one present from St. Pius for Agenda Item No. 1, a Motion to Rearrange the Agenda would be taken to take Agenda Item #2 first. A Motion to Rearrange the Agenda was offered by Commissioner Ernst and seconded by Commissioner Brien.

NEW BUSINESS

1) Motion for recommendation to approve a lease with The Ancient Order of Hibernians for the proposed memorial expansion of the Irish Monument on West End Boulevard

Matthew Ahearn, Ancient Order of Hibernians, addressed the proposed expansion of the existing Irish Monument. Mr. Metzger informed that a lease similar to what the Authority has with the Lighthouse will be used with the Ancient Order of Hibernians with a rental rate of \$100 per year. The lease will be a 60 year triple net lease with the tenant responsible for maintaining and insuring the property as well as trash pick-up and maintenance of the entire premises. The tenant is also responsible for maintenance of the adjacent land owned by the City, saving the Authority approximately \$9,000 on grass cutting. Mr. Capo advised that the area is approximately 4.3 acres for three parcels and the tenant is also responsible for damaged trees or debris on the footprint. The boundaries are curb to curb on West End and Pontchartrain Blvd. It is a total of 550 feet from the northern edge and does not extend all the way to Filmore.

Mr. Ahearn advised that there were several available strings of revenue for this project. The Hibernians have been working with Lakeview Civic Association to piggy-back on a state grant to expand lighting for the walkways as part of their public beautification improvement. There is also significant interest in private fundraising and professional fundraisers specifically for this project. The area has been designed with flat surfaces and flat spaces and zero scape landscaping that does not require much irrigation. The project was designed to progress in phases. The final phase would be to place some type of statue such as the marble statute in Waldenberg Park. There are no water features at this time.

Mr. Pappalardo stated that allowing a private organization to lease public land would not change the nature of the memorial park in any way. It will still be an open public and passive park. No commercial activity will be allowed in the park and no one will be excluded from the park. It will be restricted in the lease that it can only be used as a park. It is important that the private or charitable enterprise constructing the new monument would not create something that would leave the Authority with a burden to maintain in the future. If at any time the park is abandoned the Non-Flood Authority will determine whether the monument will stay in place. The consideration will be transitioning the maintenance of the 4.2 acre site saving the Authority \$9,500 on grass cutting alone. In addition to the \$100 per year lease payment and the fact that the nature and use of the facility will not be changed, staff is presenting to the Board consideration sufficient for allowing this group to celebrate their heritage.

Commissioner Ernst offered a motion to recommend approval of the Irish Monument, seconded by Commissioner Brien and unanimously adopted.

2) Discussion regarding Rev. Patrick J. Williams of St. Pius request to acquire use of land directly behind school building for use and a play area

Mr. Pappalardo informed that Reverend Williams, the Pastor of St. Pius Church, advised that St. Pius is in the early childhood program, something that may be mandated as both parents are often working parents. There are regulations that schools have to observe regarding the outdoor play areas which have to be located near a classroom to provide safety and security to the children. The area St. Pius is requesting is approximately 4,000 square feet and goes from the northern fence of St. Pius to the side yard on Central Park. St. Pius would like to

fence the area off for use as the play area. Mr. Metzger stated that the Authority may have precedence for creating an easement or lease on passive parks such as the New Basin Canal Park. This may be subject to Lake Vista Building Restrictions which have to be reviewed and cleared. The Lakefront was created as a passive park with 12 acres deeded by lease to the Naval Reserve which this Authority received back before Katrina making a precedence that public park areas have been isolated for institutional governmental use. Staff is bringing this to the Committee to see if the Authority could accommodate St. Pius, our neighbor for many years.

For consideration St. Pius would maintain the area and cut the grass along with any needed sewer or utility repairs. If the fence were taken down, St. Pius will be at risk to restore it. In addition, this Authority in a long term cooperative endeavor situation, is responsible for cutting the area behind Lake Vista Play Center. It is our understanding that St. Pius assumed the responsibility of cutting 18,000 square feet in addition to the 4,000 square feet which will save the Authority grass cutting expenses.

Mr. Pappalardo stated that the proximity from the residences and the park was approximately 200 feet. The children are currently using this area for recess, but St. Pius does not have the necessary security of fencing which would be approximately six feet high.

Chairman Hassinger commented that this is a great use of the space and it makes perfect sense along with St. Pius taking over the grass cutting. There are at least two issues: 1) Is it legal for the Authority to grant somebody exclusive access to a public park and 2) What the neighborhood association's position is on the issue.

Commissioner Ernst pointed out that St. Pius was different than what was approved for the Irish Monument as the area is open to the general public. Mr. Pappalardo added that the Levee District allowed construction of the monument because it took an expansion. Commissioner Ernst suggested to research legally if the Authority has the right to lease the area and to find out how the neighborhood associations feel about the issue.

Chairman Hassinger requested Commissioner Brien speak with the neighborhood association for their thoughts on this issue and report back to the Committee and Legal Counsel research the issue on whether the Authority can legally do this. St. Pius should be advised that the Authority is reviewing this Agenda item and researching the issues.

3) Discussion regarding RFQs for Architect/Engineer for House Plan Review

Mr. Capo advised that the RFQ for the Architect/Engineer to review the house plans has been issued. It is important this move forward as Mr. Al Wethern, Flood Authority, has retired. The RFQs have been written and reviewed with the assistance of Alton Davis and Vincent Caire. The firm that is the highest ranking firm is CIS, a small firm from Metairie. Staff is requesting the approval to move forward and contract with CIS to review house plans to prevent a backlog. Mr. Metzger informed that the Executive Director could do this without Board approval as the homeowner will pay the fee for plan reviews.

Mr. Capo noted the following five firms starting with the highest ranking firm first: CIS, Cockfield & Jackson, SCNZ, Perez and DEI. CIS credentials have been checked through the RFP process and the firm meets all criteria. There are no complaints lodged against CIS and no actions have been taken against their license.

Mr. Capo requested the Committee approve to move forward with a contract with CIS for house plan review. Chairman Hassinger requested staff prepare a one page detailing the process of submitting house plans to forward to the neighborhood associations. Mr. Capo advised that the process will not change drastically as the resident will bring plans directly to the Authority not the architect. The plans will be logged in and checked to ensure the required documentation is attached before submitting plans to the architect. The plans will be delivered to the architect who will supply the Authority with any deficiencies. Any deficiencies are related to the homeowner to correct. Upon approval, a Letter of No Objection will be issued to the homeowner for presentation to the City to obtain a building permit.

Mr. Ray Landeche, Lakeshore homeowner, requested a schedule of the rates charged for plan review.

ANNOUNCEMENT OF NEXT MEETING

Chairman Hassinger announced the next Recreation/Subdivision meeting is scheduled for Thursday, November 8, 2012 at 2:30 p.m.

ADJOURNMENT

Commissioner Hassinger offered a motion to adjourn, seconded by Commissioner Ernst and unanimously adopted.

The meeting adjourned at 3:16 p.m.