

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATIONAL / SUBDIVISION
OBLIGATION COMMITTEE MEETING
THURSDAY, MARCH 8, 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, March 8, 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 which did not constitute a quorum and the meeting became informational only.

PRESENT:

Chairman Joe Hassinger
Commissioner Greg Ernst

ABSENT:

Commissioner John Trask
Commissioner Stanley Brien

STAFF:

Louis Capo, Executive Director
Sharon Martiny, Non-Flood
Dawn Wagener, Non-Flood

ALSO PRESENT:

Gerard Metzger
Albert Pappalardo
Wesley Mills
John Holtgreve
Ray Landeche
Carl Anderson
Alton Davis

APPROVAL OF AGENDA

Due to a lack of quorum, the Agenda was not approved. The meeting was informational only.

APPROVAL OF MINUTES

Due to lack of a quorum, the minutes from the Recreational/Subdivision Obligation Committee meetings of January 12, 2012, February 8, 2012 and March 8, 2012 will be approved at the April 5, 2012 meeting.

Chairman Lupo requested Mr. Capo begin forwarding a list of each Committee or Board member who is absent from a meeting and the appointing authority for that particular member. Chairman Lupo advised he will notify each member's appointing authority of what the absentee rate is on that appointee.

PRESENTATIONS

Carl Anderson – Army Corps of Engineers

Mr. Anderson is the Senior Project Manager for the permit for the utility crossings at the levees. A geotechnical firm has performed the analysis at the 12 crossings. The crossings were provided to DEI in mid January and have met that stipulation in the permit. The next step is DEI's submittal of draft plans and specifications which will be reviewed by the Corps to ensure that the geotechnical section matches what is in the plans.

Wesley Mills of Design Engineering informed that stability berms have been added because of the height and are being reviewed for any modifications. Final plans for the Corps and Authority's review will be forwarded at the end of the month. All costs associated with the project are being reimbursed by the Corps.

Mr. Mills informed that a contractor will be selected for work to begin mid June. The schedule has 14 days for a review period, plans are finalized, the project is advertised, a contractor is selected, the bid reviewed and a Notice to Proceed is issued. Construction will take approximately 150 days.

Mr. Mills informed that there are a total of 12 crossings across the levee. The crossings were separated at the Mardi Gras Fountain and added to the repair project for Mardi Gras Fountain which is being reimbursed by FEMA. The repair project will have joint reimbursement between the Corps and FEMA. The crossing for Mardi Gras Fountain, both water and electric, will be constructed during the repair of the Mardi Gras Fountain.

Chairman Lupo questioned if the two sets of concrete stairs going over the levee to the recreational area will be replaced. Mr. Mills advised that the Corps' stance is they will permit the stairs to be replaced but will not reimburse for the cost to construct the stairs. Mr. Anderson added that if the stairs were there by permit, whoever owned the stairs is responsible to put them back unless the lawyers determine it is compensable. Chairman Lupo commented that it is inexcusable on a multi-billion dollar project to isolate one of the most beautiful areas where people love to come. The lake is in great shape and there is a large parking lot that holds many cars and the Corps does not want to spend \$20,000 on a multi-billion project so the people of New Orleans can enjoy that area. The Corps removed the stairs 2-3 years ago and has cut off the ability to get to the recreational area. The stairs would provide a constructed safe way to cross the levee and prevent people from walking on the levee. Mr. Anderson advised that he would talk to the next person in hierarchy at the Corps regarding this issue.

Mr. Capo advised that the signs by Camp Leroy Johnson have been taken down and thrown into the weeds. The Corps does not have a record of their contractor taking the signs down nor does the Levee District. The signs may have been blown down in the storm. This may have been missed when Federal Highways provided funding for repairs to Lakeshore Drive. Mr. Nelson stated he would pursue the issue with Federal Highways.

OLD BUSINESS

1) Discussion on shelter house #3 design

Chairman Hassinger stated that the Corps has agreed to pay for reconstruction of Shelter #3 in a different location along Lakeshore Drive. The shelter will be located east of Franklin Avenue and DEI has worked with an architectural firm on a preliminary design entitled Concept 3B.

Mr. Mills informed that the focus is on one schematic and design to present to the Authority for the final design. The Corps will pay for actual construction costs. We are proceeding to finalize Concept 3B and we are addressing comments discussed at earlier meetings. John Holtgreve of DEI advised that the cost is approximately \$1.6 million.

Mr. Hassinger informed that 3B was selected because the men's and ladies restrooms are separate which is better from a safety perspective. This design also gives the most coverage of the table areas and provides separate seating areas as opposed to the other plans.

Chairman Lupo noted that the architects are using the current architecture of Shelter #4 because the common modernism look is a good general way to go.

The design is being driven by architects who understand the safety aspects and sun angles. If this shelter were to be located near a residential section the residents would have been asked to give their input regarding the design of Shelter #3. Architects can look at architecture in the surrounding area and make decisions regarding the design, which is consistent with that area but different from Shelter #1 and #2. Chairman Hassinger added that the architecture goes with the arena and the shelter design is based on safety, the ability to clean the shelter, efficiency and lack of lending itself to vandalism.

Chairman Hassinger requested a brief description of what the area will look like between the roadway and the seawall when that project is complete. Mr. Mills advised that this project will be funded by the Flood Authority and will be separated into two phases consisting of 3,500 linear feet of walls and paving between the seawall and Lakeshore Drive. There will be decorative areas in front of the shelters with stamped colored concrete and an LED light system placed every 100 feet along the seawall to light the paved area. The electrical system will be separated between the Non-Flood and Flood Authority with the Flood Authority paying for costs generated by their lighting system. There will be park benches, trash receptacles and planters along with isolation pads where planters can be placed in pre-cut sections that can be removed to provide for landscaping.

2) Discussion and update on RFQ for selection of A&E for subdivision plan review

Mr. Capo and Mr. Davis prepared a draft RFQ for selection of an A&E to review house plans. The Authority is proposing to pay reasonable charges for an A&E firm to review house plans, fence plans, pools, renovations and new construction. Mr. Davis advised that the Authority currently charges a fee of 1/10 of 1% based on the construction cost. However, the reviewer reviews it in the same time frame whether it is a \$1 million dollar building or a \$100,000 dollar building so the way you are charging now does not really relate to the way you are paying for it to be reviewed. Mr. Davis suggested setting the review fees in the RFQ so a set fee schedule is in place and there is no question about the fees when negotiating the contract. The fee for review should include any administrative charges incurred by the Authority. The firm should also carry professional liability insurance which will be a cost to the architect or engineer so there should be equality given in that regard. The fees have to be reasonable or there will be no responses. This would be the perfect job for a small firm or sole practitioner who has insurance and works at home.

Mr. Metzger reviewed the insurance requirements on this issue and noted that the selected architect, engineer or firm would have to secure comprehensive general liability and professional malpractice insurance. Automobile liability and Worker's Comp are not pertinent as an independent contractor will be doing this off premises. The Authority should be named as the additional insured on the CGL policy in the event something goes wrong with the design or if there is an injury. Mr. Davis agreed that professional malpractice insurance is needed in case a homeowner files a lawsuit as a result of a denial.

Commissioner Ernst questioned the time line for getting the RFQ out. Mr. Capo informed that he is hoping to have the RFQ out by March 29, 2012. Mr. Davis advised that the documents regarding the RFQ are in Word and can be tailored immediately. Language regarding the Authority being an additional insured is needed along with a fee structure. Mr. Capo advised that the fee schedule and selected firm will come back to the Recreation/Subdivision Committee for recommendation to the full Board for approval.

3) Discussion on Fiscal Year 2013 Budget

Mr. Capo informed that the 2013 budget was revised to reflect reduced electrical costs for the shelters and maintenance. Due to additional information from Mr. Mills regarding the utility crossings, 6 months of additional utility costs, shelter maintenance and lift station maintenance will need to be added to reflect an accurate budget estimate for Lakeshore Drive when completed.

Chairman Lupu requested a maintenance person specifically for Lakeshore Drive due to electrical, shelter houses, fountains and additional benches that are coming on line. Also included are street sweeping, grass cutting, trash removal and tree maintenance which total approximately \$850,000. Maintenance costs have also been set aside along with \$7,500 for Stuart Consulting for engineering services, RFPs or issues involving Lakeshore Drive. Once Lakeshore Drive is completed, annual costs to maintain Lakeshore Drive will be approximately \$1.5 million.

PUBLIC COMMENTS

Ray Landeche addressed the RFQ to select an A&E firm for review of house plans and questioned if this was going to be a permanent procedure. Chairman Hassinger advised of meetings with the presidents of the four neighborhoods advising that the Authority is requesting that the City be the enforcement mechanism when there is an issue regarding house plans. To do this, certain provisions must be incorporated into the City's Master Plan. Lake Vista has been working with the City and is in the process of submitting issues that the neighborhood is concerned about enforcement-wise along with language to be incorporated with the City. The remaining three neighborhoods will follow the same direction and come up with items that the City can incorporate.

Mr. Landeche informed that a review of the new draft CZO of the City reflects that Lakeshore and Lake Vista are being treated as one neighborhood and wanted to be assured that the City will agree to split the two neighborhoods back. The Lake Area Zoning district broke out the two neighborhoods between Lakeshore and Lake Vista that did not cover Lake Terrace and Lake Oaks. The new draft CZO lumped Lakeshore and Lake Vista together. Mr. Landeche suggested contacting the City (Leslie Ally) and get the two neighborhoods re-separated as it is in the Lake Area Zoning because the issues are clearly different. Lakeshore has 7-foot fences and Lake Vista does not. Also Lakeshore's deed restrictions were updated in the 1980's, but there are no available copies of the original restrictions. Lakeshore is in good shape with the only issue being assurances that Lakeshore does not get lumped in with Lake Vista. Mr. Metzger advised that he had a copy of the original restrictions and would provide them to Mr. Landeche. Chairman Hassinger advised that no feedback has been received from Lakeshore or Lake Vista on this issue.

ANNOUNCEMENT OF NEXT MEETING

Chairman Hassinger announced the next Recreation/Subdivision Obligations meeting scheduled for Thursday, April 5, 2012 at 2:30 p.m.

ADJOURNMENT

Due to lack of quorum, there was no Motion to Adjourn.

The meeting adjourned at 3:05 p.m.