

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATION/SUBDIVISION COMMITTEE MEETING
THURSDAY MARCH 6, 2014 – 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, March 6, 2014 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.

In the absence of Chairman Trask, Vice Chair Saizan called the meeting to order at 2:36 p.m. and led in the Pledge of Allegiance.

The roll was called which constituted a quorum.

PRESENT:

Vice Chair Darrel Saizan
Commissioner Stanley Brien
Commissioner Greg Ernst

FURTHERMORE PRESENT:

Chairman Robert E. Smith Lupo
Commissioner Eugene Green

ABSENT:

Chairman John Trask

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood

ALSO PRESENT:

Gerard Metzger – Legal Counsel
Al Pappalardo – Real Estate Consultant
Dawn Hebert – Resident, Lake Willow
Octave Raney – Resident, Lake Willow
Laurie Young – Resident, Lakeshore Drive

ADOPT 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 January 9, 2014 Recreation/Subdivision meeting, seconded by Commissioner Brien and unanimously adopted.

NEW BUSINESS

- 1) Discussion regarding Lakeshore Drive eastbound traffic only on weekends and holidays between the Senator Ted Hickey Bridge and Franklin Avenue**

The request made today is for the Authority to open east and westbound lanes of traffic on weekends and holidays on Lakeshore Drive.

Dawn Hebert, New Orleans East, noted that Lakeshore Drive is closed at 4:00 p.m. on Fridays and each night at 8:00 p.m. and requested the restriction be lifted so residents living in the eastern part of New Orleans can enjoy the Lakefront like everyone else. Residents of New Orleans

East are taxpayers and our issues are just as important as everyone else's. The Board should consider changing this policy on a temporary basis in order to determine if the restriction could be reversed.

Commissioner Lupo noted that the restriction was put in place in the mid 1990's because Lakeshore Drive was in deplorable condition. Lakeshore Drive was packed with vehicular traffic and the Levee District police informed the Authority that there was a problem as evidenced by numerous police reports. The New Orleans Police Department and Orleans Levee District Police advised that in order to create a safe situation Lakeshore Drive should be limited to one way vehicular traffic. The northern lanes going east to west were opened to traffic for pedestrians, bicycles, roller skaters and women strolling babies.

Chairman Saizan noted that the official census shows upward of 80,000 people living below Downman Road. Residents that came back after Hurricane Katrina are mainly property owners. The policy could be reviewed and changed on a temporary basis to determine how the new procedure would work on weekdays during the daytime hours as there are no lights at this time on Lakeshore Drive.

Commissioner Lupo noted that the Lake Terrace Park area is in bad shape and is currently not being used to full capacity as will be seen upon completion of Reach 1. Traffic flows from west to east so vehicles do not cross in front of pedestrians to get off of Lakeshore Drive. Ms. Hebert stated that New Orleans East residents are taxpayers and should be able to enjoy riding along Lakeshore Drive like everybody else.

Chairman Saizan informed that this item would be placed on the Board Agenda. The item does not require a vote today as it is a discussion item only. A report should be obtained from the Flood Authority stating what will happen when Lakeshore Drive is opened on a trial basis. The Committee needs more information. Commissioner Green requested that the thoroughfare be opened without delay until the issue is revisited by a full Committee. At Committee an item is placed on the Agenda for a purpose.

Commissioner Brien suggested that Orleans Levee District Police be consulted to weigh in on the issue. Commissioner Ernst advised that it is the New Orleans Police Department that patrols the area. Chairman Saizan stated that concerns regarding the area include when construction will start and end, the status of the lighting, public safety and how fast the Flood Authority cleans up after a rain event.

Commissioner Ernst recommended that Lakeshore Drive eastbound traffic only be allowed on weekends and holidays between the Senator Ted Hickey Bridge and Franklin Avenue, seconded by Commissioner Lupo and unanimously adopted.

Commissioner Green suggested a time frame for the trial period. I am surprised because I actually never thought about not driving on the lake in that area because it has been so long. The bottom line is that it is a public thoroughfare and you are saying that it is passable except in instances where a storm has washed debris onto the street. I think that we open it and if the issue arises, otherwise a trial period should have a start and an end time. Commissioner Lupo clarified that Commissioner Green is suggesting that the concept of having a lane open for recreational use is

something you don't think is valid. Commissioner Green stated that he did not want to use that word because it is a fine thing. To be very honest with you; no. In other words, if you are saying that I think the public should have the right to drive their vehicles on a thoroughfare made for vehicles, I think that should be precedent over the purposes that might have been valid. That is not what you are suggesting. You are suggesting that this was established because there were concerns with crime. To bring in that now you can use the thoroughfare for roller blading and the like, and I go there enough and I don't see a lot of people doing that anyway, I think that is just something that was brought up. It does not address the intended purposes. If we have a problem with crime, then I think we should address the problem with crime. I think very honestly that we should open Lakeshore Drive up again because it is a public thoroughfare and it is not made for roller blading and the like. Commissioner Lupo noted that the whole area was made for recreation and they put a drive on it. A positive side affect of being closed down when it was a crime problem was finding out that it could be used for recreational purposes. Things have evolved over time and the good news is that the evolution is that the crime went away and the good news was that it is being used for recreational purposes. I would love to take you to coffee the next time the weather is good and we will take a ride down Lakeshore Drive and you can see how it is being used. Commissioner Green noted that he is not saying that lakeshore Drive is not being used for that purpose. What I am trying to say is that even it is being used for that purpose, I agree with having an open public drive because it is a Drive. Commissioner Lupo noted that it is also important to recognize that we have not completely death with the issue of crime. We just had a couple of suicides along the Lake which were not in that area, they were on the western side. You could close it down to the public and not have any crime at all. It becomes almost as if can a 20 year arbitrary decision, or the last few years it has been relatively arbitrary. There has been no crime. I know it may be used for recreational purposes, but to be very honest with you it was not made for that purpose. I believe that it should be opened and if we have a problem with it we should address the problem when it begins. My main concern is that I do not agree with going to the Board with no recommendation because it is something that is under the jurisdiction of the Committee. Commissioner Ernst noted that his recommendation is for, as Chairman Saizan suggested, a trial period. You are right, we did not put a term on that and we could do that. That is a good point. Chairman Saizan stated that the trial period would be for 60 or 90 days just to see how it goes.

Cliff Robinson, New Orleans East Resident

Mr. Robinson stated that he is a New Orleans East resident for 25 years. Lakeshore Drive should be opened immediately and if there is a problem, address the problem when it arises. It is a thoroughfare. We don't close streets down because someone puts signs up on the roadway. Commissioner Lupo noted that is not true. Streets all across this country have been closed down for pedestrian recreational uses on the weekends and they have been very well accepted all throughout the country so that really is not a true statement. This has been one of the great examples of taking a thoroughfare and doing exactly that. I would have to take issue with what you said. Mr. Robinson stated that in his opinion Lakeshore Drive should be opened up immediately. If it is an issue, address the issue. It is an arbitrary decision. Commissioner Lupo noted that the word arbitrary was being used. There were great discussions and I am sure the minutes will reflect that from back then. Mr. Robinson questioned if there

is documentation of instances of injuries and things along those lines that will justify shutting a thoroughfare down for 30 years? Mr. Capo advised that this was brought to the Board back when it was shut down. Commissioner Lupo stated that there is no doubt there are no police reports during the present time because of the actions that were taken 30 years ago prohibited those things from happening again. Mr. Robinson stated that he is trying to move forward from this point. Commissioner Lupo reiterated that it would be like telling you that I used to shoot everybody because I had a gun. You took the gun away from me and now for ten years I have not shot anybody so there is no problem giving me back the gun. The problems that were then were corrected and that is why there are no problems right now.

Mr. Robinson clarified that the problems were corrected by shutting down Lakeshore Drive from east to west is what you are saying. Commissioner Lupo stated that the reason that it was east to west and not west to east is because what I was trying to explain earlier. If you can imagine a graph with traffic going both ways, if you are going to open one of the lanes to pedestrians you would open the north lane so that you don't have to cross over pedestrians to get off of Lakeshore Drive. Can you follow that visually? If it was the other way around to get off of Lakeshore Drive, you would have to cross through the pedestrian lane. Mr. Robinson stated that he can appreciate that, but to me in my mind and to many of the residents, mostly current residents in the east, that does not justify shutting a thoroughfare down. There are many ways you can adjust and monitor traffic, monitor the one or two roller bladers that you are going to find at least on the section from New Orleans East section to Franklin Avenue. You mentioned something about police presence. I drive it pretty often and there is a lot of police presence. There is a lot of police presence. They may not be officially in charge, but they are there.

Commissioner Ernst questioned the pedestrian usage of the area? That is something that in my mind I assumed there is pedestrian use on the weekend. Am I hearing that there is no pedestrian use? Mr. Robinson stated that it is restricted because you have to travel so far to get back to it. Right now, if you enter Lakeshore Drive from New Orleans East you can go maybe a few hundred yards at the most before you have to loop back around. It is a very inconvenient situation right now. To go there you are limited to that one little area. I can see why that would restrict the use of vehicles in that area. You can access the area sometimes, but now there is a very limited section that is open on the weekend but you have to turn around and go back. You can't even access it, you have to go back the same way you came in. Commissioner Ernst clarified that there is no bicycle traffic. Mr. Robinson noted that there is very little bicycle traffic. If you monitor the recreational use of the whole Lakefront it would not justify shutting Lakeshore Drive down. It is nice to have, but it does not justify shutting down. Chairman Saizan noted that in the time that he has been in that area, and I don't live far away, I have not seen much traffic or use at all on the weekends and during the weekdays between Franklin Avenue and the Seabrook Bridge I have not seen much traffic and I live in the Lake Oaks Subdivision. Mr. Robinson noted that the biggest congestion is on the West End where everybody congregates around the Fountain. If you are going to shut anything down, that would be an area to shut down. The east end is very little traffic and there is no roadway.

Commissioner Lupo noted that everybody here is making very valid points. Why don't we make a suggestion that this be for an extended period of time on this trial like all the way through the summer. The weather has such an effect on everything we are discussing right now. When the weather is bad, there is nobody out there. It does not matter if it is opened or closed or whatever. Chairman Saizan stated that the trial would be for six months. Hopefully there will be no crime. We will bring this before the Board. We definitely do close Lakeshore Drive at night when it is not lit. It is closed at night and it ought to be. I have been over on West End for dinner at one of those places and you have to turn around and go out Robert E. Lee to Leon C. Simon. Mr. Capo advised that the soonest the area would be opened on the weekends would be the weekend of March 21, 2014. The Board meeting is on March 20, 2014, which if this Committee recommends this issue, it would be adopted by the full Board and then we could open it up. Commissioner Lupo questioned when school starts because they have moved it up. Commissioner Ernst noted that school starts the second week of August. Commissioner Lupo suggested making the trial period through the end of August. That is a really long time to see what happens when the weather is good, when the weather is bad, when kids are out of school, I think it is a great idea because things may be different in one section than the other also.

Octave Raney – Resident, New Orleans East

Mr. Raney wanted to know if this Board repaired the Seabrook Boat Launch. Thank you for the replacing the docks because they were material. Secondly, with everything that was said about having a trial period for six months or until the end of August about Lakeshore Drive, I would like to add the discussion that the next meeting about why the area behind the houses are closed on Lakeshore Drive. Commissioner Ernst advised that this was the next issue to be addressed on the Agenda.

Commissioner Ernst offered a motion to recommend to the full Board that a trial period of six months or to the end of August to open Lakeshore Drive westbound from Franklin Avenue, seconded by Commissioner Lupo and unanimously adopted.

2) Discussion regarding the re-opening of Lake Terrace Parkway to vehicular traffic

Mr. Capo advised that Lake Terrace Drive. It is the area from Lakeshore Drive to the London Avenue Canal. This area has also been closed since the mid 1980's. The request before us today is to reopen this area to vehicle traffic. Right now it is open to pedestrian traffic. You can park in these four bays and there are bollards blocking the vehicular entrance to the area. If you park in the bays you can walk and utilize the area, but it is not open to vehicular traffic. It has been closed since the mid 80's.

Commissioner Green questioned the reason for this area to be closed in the 1980's. Commissioner Lupo stated that there were two reasons the area was closed. I think this was after the 1980's. I think it was in 1996. The cul-de-sac used to not be a cul-de-sac, it used to be a straight through street. When the levee was extended and raised, as a result of that work there was no way to have that road anymore so that became a cul-de-sac. The police at that point in time came to the Board (Orleans Levee District Police) and said that this was an area they could not patrol enough. It was a safety problem and we are talking the same period of time when things were different than they are today. That became a real safety problem

because they felt that they could not patrol the area enough. Sure, they could go back there, but you would go back there and an hour from now how knows what is going on. As a result of those two situations, that area was closed off. To be honest with you, the people who face that area on the north side of Lakeshore Drive, they had all sorts of horrible stories of what was going on because of that being an isolated situation, criminals like isolated situations and they like to find a place where they know the police are not very visible and there were some very atrocious actions that are not good for public discussion, that were going on there. So the police came to this Authority and asked for that to be done.

Commissioner Green stated that the irony is that I feel I am part of a new history. I have walked back there very often and never paid attention to the fact that it is such a nice area that it has been closed off to the public for those reasons. I actually thought there was some hazard to be very honest with you, that prevented us from going back there. Commissioner Lupo stated that is the history. Right now, there is. As you know, if you walk it I'm sure you know about the bricks and all that are back there. It appears that at some point in time when the dredging and levee work was done where Fort St. John is that the debris from there was dumped right off of the shoreline because if you look at the bricks that are there, they do not look like anything except for the bricks that were made in the 1700's and they are being uprooted by the storm surges and thrown on there. So now, I you are right, it is a walking hazard if nothing else. Commissioner Ernst questioned if there was any information about pedestrian, bicycle or whatever use is going on back there, currently. I have no idea and it has been a while since I have been back there. It has always been very quiet and tranquil. Mr. Capo informed that prior to the Flood Side dredging the mouth of the Bayou St. John Canal, that area was heavily used as a water dog park and people would go back there and they would have their dog and people would be in the water with their dogs. Now, with that area being dredged and a lot deeper you don't have that activity back there. You still have people that walk back there. I don't know what the count is, but there are still people that use the area for recreational use and for exercise. Commissioner Ernst questioned if this was the only stretch, other than the small stretches along Lakeshore Drive, which are occasionally closed on the weekends? Is that the only stretch under our authority that is completely closed at all times? Mr. Capo stated this was the only stretch that was closed to vehicular traffic. Commissioner Lupo noted that there were discussions regarding the old Pontchartrain Beach site, which is completely closed off also. Commissioner Ernst noted that no one can ever go back to the Pontchartrain Beach site. Commissioner Lupo advised that people could go back there if you opened the gates. Commissioner Green noted that Lake Terrace Pkwy. is under this Authority's jurisdiction and Pontchartrain Beach is not. Mr. Capo advised that Pontchartrain Beach is questionable. Chairman Saizan questioned if the Pontchartrain Beach site is tied into the UNO site. Mr. Capo informed that the Pontchartrain Beach site is behind the UNO site.

Nancy Marciglia – Resident of Lakeshore Drive

Mrs. Marciglia stated that she is the longest resident on Lakeshore Drive right now. I have lived there for 35 years and exactly what Commissioner Lupo said is when we moved there, that back park was open. It was because of a lot of drug deals that were being done, and I will speak of what was going on because I raised my children on Lakeshore Drive. There was a prostitution ring that was absolutely unbelievable and you can

check the police records about this. It was being done in cars and that was the main reason for closing Lake Terrace Pkwy. to vehicular traffic. Chairman Saizan questioned what year this was in. Mrs. Marciglia advised that this took place in the late 1980's and the early 1990's. Up until then it was open and at that same time they rebuilt the new bridge across Lakeshore Drive over into Lake Vista, but there was always a lot of drug trafficking. It is not that the park is closed to the public, it is closed to vehicular traffic. Commissioner Green agreed and noted that he goes to the park. Mrs. Marciglia stated that with the vehicular traffic comes a lot of noise. It has been noted that this is the only part of Lakeshore Drive that is closed to vehicular traffic, it is the only part of Lakeshore Drive that is contiguous to residents as well. The noise from not only cars zooming back and forth, but the people that park and party on the weekends, I would think that none of you would particularly care for that with your homes, your children and now my grandchildren who like to walk back there. They sit on the seawall and they fish, but I don't think unless you have lived there you can imagine what it was like. I would urge you absolutely please do not open it up to vehicular traffic. It would be wonderful if someone wanted to fix it up and keep it up and use it for pedestrian recreation. I think everybody would want that. The people in Lake Terrace, not just Lakeshore Drive, we like other neighborhoods pay for security for that area and I think that is just another area that would require special security because a lot goes on back there when cars are allowed back there. Commissioner Ernst questioned how many people are back there, particularly on the weekends? Mrs. Marciglia stated that on an average Saturday at any point in time, because we are outside quite a bit, there are approximately 20 people picnicking and sitting on the lake. Most of them are families and people with their dogs and children. They find a place to sit because it is not taken care of at this time and it is an eyesore and you have to watch children and dogs. People that used to take their dogs there until it was dredged have just moved a little down the road and they still go on Lakeshore Drive, but under the bridge on the way to St. Bernard Avenue. That is where everybody parks and they take their dogs. Commissioner Ernst questioned where the people who are utilizing that space park their vehicles to access. Mrs. Marciglia noted that the people are parking on either end of Lakeshore Drive. A lot of them are parking on Lakeshore Drive. We have absolutely no restrictions in front of our homes and they just walk over the levee. The levee is considerably higher now than it was when I moved there, but people enjoy that. They just park and there has never been one complaint of a resident of people parking along Lakeshore Drive. I have no problem with people parking along there. I have trouble with people racing along there, but not trouble with people parking. We see no need to open up that back part to vehicular traffic because all you do if you really want to utilize that space - for something other than sitting in your car and doing whatever - you just park on Lakeshore Drive, walk over the levee and there is a path over the levee. There is just really no reason to open up that area to vehicular traffic. I really would ask that you not open up the area back up.

Chairman Saizan noted that the next speaker needs no introduction. He is a man of great renown in this town and a personal friend of mine and Mr. Green's.

Winston Burns, Jr.

Mr. Burns thanked the Committee for their time and noted that he is blessed with an 11 year old child. As you can imagine, Lakeshore Drive is a pretty wide street. There is a lot of vehicular traffic. Often I will walk across the street and go to the levee and it is pretty much a playground for my child. I am not trying to say at all that it is my playground, but I will give you an example. On Easter Sunday – spring comes on Sunday and when the springtime comes Lakeshore Drive becomes the drag strip and the hang out strip for young folks. I am retired from the music business; I am as young as you can get. I love young folks, but the loud music and the coasting back and forth becomes a problem. We respectfully ask you not to open up that back area of Lake Terrace Parkway because what that is going to create is another area, especially on a Sunday, where people will completely find a party zone. I am not saying at all that the residents on Lakeshore Drive control that, but we do have the right to have some peace and quiet at some point. I don't think anyone wants a party going on in your neighborhood until midnight. That is the sad part on a Sunday, we want at least some level of quiet and some downtime, but the risk associated is as Mrs. Marciglia communicated is when night time comes around if it is still open, then you are opening it up to a lot of questionable activity. That is not necessarily the kind of activity that I want to put my child at risk to, my neighbors or anyone in my neighborhood. This is America and everything is open to the public, but there has to be some level of constraint. Someone said earlier, "Let's see what happens until there is a problem." I don't necessarily want the problem to happen to me as you would not want it to happen to any of your family or grandchildren, cousins or aunts. We are respectfully asking the Committee to consider that because there is some level of risk especially with the neighbors on the north side. There have been break-ins and I can imagine that not being a good thing especially on a Sunday. I am a resident of Lake Terrace. I live at 1726 Lakeshore Drive. I am not on the north side of Lakeshore Drive, I am on the south side of lakeshore Drive.

Commissioner Ernst questioned Mr. Burns where he crossed when he went over the levee. Mr. Burns informed the Committee that he crossed directly across. There is a walkway to the left. There is a walkway at about 1701 over the levee. Commissioner Ernst noted that people who wanted to use the servitude to cross the levee between the homes can park on Lakeshore Drive. Mr. Burns advised that there is approximately six people who walk their dogs and I know every car and every person. One man pulls up at about 7:05 a.m. and another guy pulls up about 7:30 a.m. They park right by the servitude and cross the levee with their dogs. They are enjoying America, walking their dogs and they put their dogs in the back and they leave. We know who they are and I don't think anybody wants an unknown element in their backyard so to speak that they can't control. That is pretty much our concern.

Commissioner Lupo noted that there is a third area of the park, but it does no show on the photograph. There is a section where Lakeshore Drive curves and you can either go over the bridge or under the bridge. Under the bridge is another place people park in order to do the same things that Mr. Burns was speaking of. Commissioner Green stated that he understood Mr. Burns' concern. I am going to tell you that interestingly enough, I was more concerned about the drive from the east to the west along Lakeshore Drive. My only concern is that you are not preventing activities from going on at night because there is no driving there. I can walk there at night and sell any drug that I want. I walk there during the

day all of the time and the unfortunate thing and the reason why you don't have more traffic is because someone dropped the ball a long time ago by letting all of that debris pile up. I am surprised that you are not wanting to clear that debris because it certainly affects your property value in a negative way. What I am saying is that just by not having cars driving along that boulevard, you are not stopping drug activity. Mr. Burns stated that was not the main concern; that is just one of my concerns. The other concern is noise and the challenge of loud activity because you cannot control what people are doing on Lakeshore Drive on a Sunday. We have a lot of people if you go in the west area across from Landry's there is like a car show. They are not impeding traffic at all, but clearly if you go there at the wrong time you are going to have a 30 minute delay. That is a possible risk of the same type of assembly. Commissioner Green noted that was not necessarily the fact; don't let them assemble. You just drive, there is not stopping. The signs exist throughout the City; no stopping. Mr. Burns noted that commissioner Green was willing to put police enforcement back there. That is the only way that will be stopped. Commissioner Green questioned why people always assume that police won't be available if you ask them for certain things. Mr. Burns stated that he would have the detail come drive in Commissioner Green's backyard and have them stay back there for a good five or six hours. Commissioner Green stated that the area for one is not his backyard. I understand that it might be Mrs. Marciglia's backyard, but when you buy a home that has an open backyard on a public thoroughfare and a public area you have to recognize that the public may use that area. I would be more comfortable if you came to us and said, "If you open the thoroughfare we want you to put a police station right there." I am not giving an opinion one way or the other because I am not a member of this Committee, but what I am saying is that you want 24-hour police protection if the area is opened up. To say that you don't want the area opened up because it may cause noise, I live on St. Roch Avenue and I moved there knowing that there was going to be traffic on St. Roch Avenue.

Octave Raney – Resident, New Orleans East

Mr. Raney stated that it was nice to hear people talk about public land as their backyard. For 20 years that property has been closed. I am 67 years old and my walking ability is approximately two blocks. First of all, there is not public notification that there is a path across the levee between those nine homes. Secondly, there are nine homes that are using taxpayers money for their own personal backyard. The Levee Board is maintaining that entity. They can walk out of their backyard. Again, my taxes and everybody else's taxes in the City of New Orleans are being used for nine homes. My suggestion is that you block it off at dark, but it be opened to the public the same way Lakeshore Drive is and then you can put the pylons at dark to prohibit the noise level and the drug level and whatever other activities go on at night. During the daytime that Lakeshore area should be open to the public because that is public money, it is not private money.

Chairman Saizan stated that the Committee had the discussion regarding the re-opening of Lake Terrace Parkway to vehicular traffic.

Constantine Vennis – Resident, Lake Terrace

Mr. Vennis informed that he serves on the Lake Terrace Crime Prevention District as one of its Commissioners. I do not live on Lakeshore Drive, as a matter of fact, I live seven blocks past Lakeshore Drive by New York Street. This affects not only my neighborhood greatly, but it affects a lot of people from neighbors outside of Lake Terrace who enjoy that particular spot. That is a very unique spot. As Laurie was saying, there are approximately 5.2 miles of space. That is one of the only spots where residents and people from all over the state can go to enjoy without fearing their kid will get hit by a car. I taught my nine year old daughter Maria to ride her bike there. I go there often and when I go there I see people from Gentilly and many other areas. One gentleman is fishing and he has his son who he is teaching how to fish and they have their dog. He told me he comes here because this is the one spot that I don't have to worry about being hit. That is a jewel and that is no different than Audubon Park or City Park where there are places within all of these parks where within the park there are some sections that do not allow vehicles beyond a certain point. A lot of people enjoy not having vehicles there. That is one of the main aspects about this. The second aspect, I do serve as one of the Crime Commissioners. I have attended almost every meeting the Third District has had so when you are trying to tell me that there is going to be adequate policing back there, that is a joke. I am on the phone with Commander Thomas on a constant basis and I have him on my speed dial. We have had a huge uptake in activity in the entire Lakefront area. It is a big, big problem and when you talk to the NOPD they will tell you firsthand that they do not have the resources to do this. Commissioner Saizan stated that Mr. Vennis was absolutely right about the uptake in crime. We have a problem in Lake Oaks right now that we need to address and that is one of the other issues that I want to talk about. It is not on the Agenda, but I will make an official request. We do have that problem and in my mind the earlier discussion about opening it up from the west to the east, I get that. But there is nobody living in that area either from what I can remember other than the dormitory for Southern University, which is close by. Here, you have people like my subdivision backs up to the Lake just like Lake Terrace does so there are concerns.

Mr. Vennis stated that this Board needs to realize that this did not happen just because it happened. There is a reason why this occurred. There is a big reason why this occurred. Back then I believe it was Glapion and Marlon Gussman both said that it should stay closed. Dr. Pat Harris said that this was one of the gems on the Lakefront and they said they wanted to see it stay closed. There was a prostitution ring, there were drugs. It is a problem area. I cannot begin to tell you what a disaster on so many levels and now you are have another danger. In addition to what we are looking over here, there are three spots to enter that. You have parking to the right, you have parking by the fountain and you have parking in front of Lakeshore Drive with that servitude or opening where people can to and I see people parking on Pratt Drive. You can put 50 cars right there on Pratt Drive. The fact that people are saying it is closed; it is not closed. It is open to anybody. I see people picnicking. I go out there and I am there. This is an issue of public safety and it is an issue of you have limited resources. I as there and I spoke with the Governor and Garrett Graves

when you guys needed funding. I was there with Mr. Lupo when we got Joan Kennedy to come out here. I know the situation. You can't even cut my grass the way it is supposed to be cut. You have to space it in intervals and now you want to open it up and spread more resources to something there is no way you can handle. It is just a disaster on every level not to mention how much more dangerous it is going to be now because at least in the old days you used to be able to go around to St. Bernard. Now you are going to have a situation where they are going to have to make u-turns and with all of the kids coming over UNO, that bridge, speeding, and people turning on I think it is a no brainer. The other thing is I think Ms. Young eluded to it, your job is to be a steward of the entire Lakefront. Being a good steward involves public safety and recreation for everybody, but it also involves being a good neighbor and partner to the neighborhoods and the neighborhoods, this is unique because this is the only spot where there is actual residential homes north of Lakeshore Drive. It is one thing if somebody takes their car and they take off their shirt and they blast their music by the Mardi Gras Fountain or by West End or maybe some other spots. You have the entire Lakeshore Drive, you have a huge green space area, you have the levee and then the houses are mostly not even on top of the levee. Here you don't have that situation because they are literally right on top of people. They were throwing rocks in people's pools and the things that were going on. There is a history here. People did not just close this lightly. It is not about keeping anybody out and it is not about hurting anybody. It is about finding the right balance and the right balance is keep that open. I can't patrol Lake Terrace the way we want. It is hard enough. Now you are going to create one of the worst spots and worst areas. We don't have the resources, you don't have the resources so don't even begin to tell me the NOPD or the Levee District Police have the resources because I know better about that. Again, I respectfully ask you don't make this mistake. None of us can handle it. Anybody who wants to go there, the bottom line, has access to it.

Dawn Hebert – Lake Willow

Ms. Hebert stated that she has been listening to all of these people. I want you to know that you all are not the only ones that have to deal with people speeding up and down the street. I live on a street called Lake Willow. We have four wheelers and we have people that take it as a shortcut. We have the same issues and we also are a taxation district so we have had to hire the police to deal with our issues. Also, everybody knows that when you bought the houses I don't think that you had the crime that was going on, but hopefully it is not happening again. We have been talking about things that happened 30 years ago. In buying the houses you kind of knew what was going on I would think. Also, I am sitting here thinking what about handicapped people. They cannot get back there. You would have to drop them off in the front because you cannot wheel them over the levee so there is really not a good access for a handicapped or elderly person. I used to bring my 80 year old grandmother back that way. I definitely could not do that now. Have any provisions been made to deal with the handicapped. It is a wonderful area for the elderly. Commissioner Saizan noted that no accommodations have been made for the handicapped or elderly. Ms. Hebert stated that the issues that they are talking about, we all have those same issues in our neighborhoods. Chairman Saizan stated that we are having a discussion here. I am not prepared to vote on any motion for this at this point. I don't know if anybody else is, but I am not.

Commissioner Green stated that he has not in his opinion heard a real good argument that makes this community differ from any of these communities to the west of some of these areas. I can go over the levee and go right into the backyards of many residents. I can have a picnic on one side of the levee and have my son go on top of the levee and have him slide down the levee on a sled and go right to the resident on the other side of the levee. Eventually, if we have to have an issue where we bring our police before this Committee and question why can't you control things, then I think that we need to do that. There are many residents who are west of this location who are much more vulnerable, in my opinion, because at the end of the levee on the north side is the beginning of their yard and I know some of those people. I go to their houses and you can see the people on the top of the levee. I just refuse to accept that we cannot police the City of New Orleans, if we have to put more pressure on, if we have to have special taxing districts or the like. It is to me, irresponsible to suggest that this situation where there is a levee that separates a community from a public area is any different from the rest. The Mardi Gras Fountain for example, on the other side of the Mardi Gras Fountain there are houses. There is no difference. There can be an argument relative to the driving, but the fact of the matter is that in those communities they are all very vulnerable to people walking over levees going into houses.

Commissioner Ernst noted that in the areas Commissioner Green is speaking about, there is a street behind the levee then the front of the house. It is not in someone's backyard. Commissioner Green noted that it is the backyard in some of the places. Commissioner Lupo stated that Commissioner Green is correct. Commissioner Green advised that he could stand on the levee and look into many yards on the western side. Commissioner Lupo stated that Commissioner Green is correct. In fact, in Lake Vista right where I live there are situations that are similar to this. What is different here, in my viewpoint, is the uniqueness of that location two ways. One, it is isolated to the view of the general action in the community. What I mean by that is everywhere else you have traffic along Lakeshore Drive and it is easily seen what is going on in the recreational areas. This is not like that anymore. Number two, it creates a unique place and a place where as someone said you can bring your family and not worry about automobile traffic as you are enjoying the area. I think that those two unique situations make it different than the areas that you and I know do exist. Clancy Dubos, when he lived down the street on Rail Street, if you slid down the levee, you slid into his front lawn. That does exist in other places, but the isolation uniqueness to this and the fact that we have created an Authority a unique place where you don't have problems with traffic interfering with recreational use is a positive. It really goes back to my other argument about keeping the north lanes of Lakeshore Drive closed to vehicular traffic on the weekends. I think those things create something special and someone made a comment about Audubon Park. That is a very fine example of when we were younger and you could drive into Audubon Park from St. Charles Avenue. You cannot anymore because it is close off and now the recreational use of that area is so much more it is not even quantifiable. That is on the argument about closing the north lanes. I am looking forward to seeing what happens between Franklin and Seabrook. That is a great thing to research for two reasons, things have changed but I still do think there is a demand for using the paved areas for recreation. This situation is completely different from everything else that we have been talking about earlier today in my

opinion because of its unique location. Commissioner Green noted that he understood Commissioner Lupo's point. The reason it is isolated is because we have isolated it. You cannot drive on it. If you could drive on it. Commissioner Lupo noted that the best thing that could happen is to tear up the concrete. That is what I think is the best thing to do. Commissioner Green stated that would be fine, or to make it something beautiful. First off, I think that we have been negligent and I don't know where the negligence begins in that area looks terrible to be very honest. Why do we allow people to dump on public lands like that to the point where it looks like there was a war back there some time ago? I know that this is not the time to decide it, but I also do want to use this as an example because interestingly enough, I don't know this area but I am speaking so much on it. You cannot use Audubon Park as an example because the house is built into the back of Audubon Park. They are not complaining that people are walking along the circular track and can look into and to into their backyards. Commissioner Ernst informed that there is no road back there. People walk and they expect and understand that. There is no car passing on a street.

Chairman Saizan advised that the issue had to be wrapped up because there is not going to have a vote on the issue. Mr. Capo advised that it would be a potential hazard because we allow the Flood Authority to extend the barrier into the first lane. What is going to happen is there will be one lane of traffic going in and one lane of traffic going out. You are going to have traffic coming down Lakeshore Drive coming west and a car will try to exit the area and there will be a car stopping onto Lakeshore Drive and you could create a potential traffic hazard. Commissioner Lupo noted that the point was made when they asked for that permission. Chairman Saizan stated that this issue should not be beaten to death and requested to move onto Item No. 3. I am not calling a vote on this today. There will be no recommendation to the full Board. This issue was a matter for discussion, it did not call for a vote. We voted on Item No. 1 because we decided to vote on that issue on a trial basis because a compelling argument was made by the audience. Commissioner Lupo advised that the process is if that a member of the Board had to make a motion. If you decided you think this issue should be discussed further, you would approach a Board member and the Board member will sponsor a Resolution. There is nothing on the table at this time, it is just a discussion. A motion has not even been suggested.

3) Discussion of proposed 2015 budget

Chairman Saizan questioned if there were any questions on the proposed 2015 budget. Mr. Capo stated that the budget was put forth for Lakeshore Drive and the non-revenue producing properties which are \$1.1 million short for Lakeshore Drive and the non-revenue producing property. This is not going to make Lakeshore Drive look nice or maintain even what we are today. This Lakeshore Drive budget it being cut each year so the Authority can balance the budget. We reduced the frequency of grass cutting. A few years back there were 20 cuts per year on Lakeshore Drive and now there are only 15 cuts per year on Lakeshore Drive. In order to help balance the overall budget we are reducing services. Once the lights kick on, that will again increase the burden of utility costs, maintenance costs and once the Shelters come on line those are going to increase the maintenance costs and upkeep costs. Shelter No. 1, it does not matter when that is complete because Shelter No. 1 always goes under water

now. As soon as we have water coming over or a north wind blowing over Lakeshore Drive, Shelter No. 1 will receive water and basically each time we have to go in there and wash the shelter.

Chairman Saizan clarified that Shelter Nos. 1 and 2 were rebuilt. Mr. Capo stated that starting by the West End by Landry's there are Shelters 1, 2 and 4. Shelter No. 3 was on the north side by Bayou St. John, which was demolished by the Corps and is being rebuilt. Chairman Saizan clarified that Shelter No. 4 is near the Seabrook Bridge and is being rebuilt. How are these shelters going to be maintained? Mr. Capo stated maintenance was a good question. We are losing maintenance people and the cost is going to be astronomical on a monthly basis. Chairman Saizan questioned if there was a company that we could put out for bid. Mr. Capo stated that the Authority must put out a bid to figure out how to maintain the shelters.

Commissioner Ernst addressed Shelter No. 1 and questioned when the improvements are complete on Lakeshore Drive, the shelter will still be under water? Mr. Capo stated that was correct. There will not be a mud issue, but there will be a water issue. Commissioner Lupo stated that Shelter No.3 that is going up between Franklin and Seabrook. It is a \$2 million shelter. The plans are complete, but I do not know when it is going out for bid. Mr. Capo informed that this should be bid within the next 30 days. Commissioner Saizan questioned if there will be some elevation to the Shelter. Commissioner Lupo informed that there would be elevations. It is not stepped up like you would build a house today, but it is stepped up over the elevation of the current Shelter No. 4. There are all kinds of covered areas for picnicking and concrete tables and chairs underneath. At the next Recreation/Subdivision meeting there should be a presentation by the design firm. Mr. Capo advised that the next Recreation/Subdivision meeting is scheduled for April 3, 2014. The benches and lights will all be on the promenade area on the north side. I will request the design firm make a presentation with a timeline of when the project is expected to be complete. Commissioner Lupo advised that the plaza area is going to be built all along the Lakefront also.

Commissioner Ernst stated that the Authority had to maintain for another two years and live under our means until we make it to the millage. Mr. Capo advised after fiscal year 2015 the Authority will be out of money. Right now if nothing catastrophic happens the Authority can possibly get to June 30, 2015, which is when the Authority will really start cutting services. Right now to balance that budget next year at this time, we don't have any safeguard as far as the Bally's money or any other monies earmarked to subsidize the non-revenue properties. Commissioner Ernst noted that the Authority had to find a revenue source to tide us over for that one year. Mr. Capo added that gap funding was needed to carry the Authority over to the first quarter of 2016 when the millage funds kick in. Chairman Saizan stated that is a conversation that will take place with our legislators and should be the most important thing for this Authority. I have one comment and a request. It is under Old Business. I know Commissioner Green wants to bring something up. If there are any other public comments we can address those. My comment is that I would like that letter from our legal staff defining who is responsible for maintaining the service allies and the walkways in the Lake Oaks subdivision. I need this rather quickly because my subdivision is dealing with some issues now that are utility related. I would also like Mr. Capo to tell me, because in the days when the Levee Board had resources cleaned all o the service allies.

I know that it is the property owner's responsibility and we are beginning to make that case in our subdivision so that is why I need the legal opinion. Mr. Capo stated that was done semi-annually. The Orleans Levee District, prior to Katrina, did the same thing in all of the subdivisions and maintained the sidewalk, trees, lanes and parks. Chairman Saizan added that the Levee District did some special things for New Orleans East along Hayne Boulevard where the police substation was. That is when the Levee District had money. We had a gaming boat, which a lot of New Orleans East people patronized and worked at, but we don't have that anymore. The legal opinion, Mr. Metzger, would be appreciated. Mr. Metzger advised that he would provide the legal opinion.

Discussion regarding development of Zone 5

Commissioner Ernst stated that he discussed with Commissioner Green placing on the Recreation/Subdivision Agenda, item number one from the Commercial Real Estate Agenda regarding developing of Zone 5. I have to leave the meeting; do we still have a quorum if I leave? Mr. Capo advised that there would not be a quorum. There are four members on the Committee and Commissioner Trask is absent.

Commissioner Ernst suggested the item be moved to the full Board because there does not have to be a Committee recommendation. Mr. Metzger advised the Commissioner Green can request that the item be added to the full Board Agenda. Chairman Saizan requested the Commissioner Green give an explanation of his request to develop Zone 5. Commissioner Green advised that the Orleans Levee District has the authority to develop Zone 5, which extends from South Shore Harbor to Paris Road. I am proposing that we ask the state legislature, state representative Wesley Bishop to appropriate \$250,000 so this Authority may study the cost and environmental concerns relative to the development of Zone 5. Commissioner Ernst clarified that the appropriation for \$250,000; we need \$250,000 to take care of the Lakefront. The Authority just does not have the money. Commissioner Green stated that he did not know what the Authority's lobbying effort is and I don't want to comment on that, but there are many projects that get appropriations. I don't know if the Authority has been getting letters that say we just are not going to do it or if we have been asking a specific legislator on a Committee to push this issue. I will be blunt, I have been the Chairman of the New Orleans Regional Business Park and I have received appropriations for clean-up and also to supplement the development of that electrical substation. I am saying that sometimes I know that the priority is not where we want it to be, but I don't know what our effort has been over the years in trying to get monies for something like Capital Outlay monies.

Commissioner Ernst advised that there have been many efforts. Commissioner Lupo can speak about all of the efforts that have been requested. Commissioner Green clarified that the Authority has been getting rejected on requests for Capital Outlay money for anything along the Lakefront. Commissioner Lupo stated this was correct. Commissioner Green stated if the Authority gets rejected it is no harm, no foul. If they say no, they say no. Commissioner Ernst noted that Commissioner Green was requesting an appropriation. That is what I asked at the last meeting. You want an appropriation which is even more pie in the sky. Commissioner Green stated if it is pie in the sky it will not work, but all we can do is ask for it. Commissioner Ernst noted that he would rather request money to

take care of the needs that we need to take care of along the Lakefront if we are going to run out of money for next year. I am opposed to that motion at this time.

Commissioner Green informed the Committee that the State appropriates millions of dollars every year. Ask for more than we need as opposed to asking for exactly what we need. Commissioner Lupo requested that Mr. Capo prepare the Authority's Capital Outlay requests for the past four years. Commissioner Green stated that he would be glad to take a look at the requests and maybe help to be honest. I have been in positions where I have secured Capital Outlay. Commissioner Lupo suggested that he take Commissioner Green, Senator Murray, Senator Morrel and Wesley Bishop to lunch so that you can be educated on what has happened in the past three years. Commissioner Ernst advised that he is not prepared a motion. If someone else wants to make a motion, by all means go ahead and do that. I think you should submit your proposal to the full Board. Let's go ahead and do it that way. Mr. Metzger advised that he would draft a resolution and it will be an Agenda item on the Board meeting. Commissioner Lupo recommended that the conversation with Mr. Green regarding past studies, those studies be made available because there were many studies prepared. Commissioner Green noted that the studies may solve the problem. Until this meeting I was unaware that a study had been prepared of that nature.

Chairman Saizan questioned if Mr. Pappalardo had any recollection about Zone 5 because I remember studies being done. Mr. Pappalardo stated Mr. Lupo mentioned that there was a study done. I don't recall and it was Burke-Kleinpeter, but I have no reason to think it was not. I do recall the wetlands component of it, that effectively it would improve drainage as well as flood protection. There was a component that a certain amount of the wetlands filtered the storm water runoff. That is what I remember. What it was in that entire Zone 5 area, but I did not recall it until you mentioned it. It was an extensive study. Chairman Saizan added that the study was in the late 80s or early 90s from what I can remember.

Mr. Pappalardo informed that there was also a display in the Airport. Commissioner Lupo stated that may have been what he saw in Mr. Harvey's office, drawings and everything. Mr. Capo added that the drawings were at the Flood Authority's warehouse.

ANNOUNCEMENT OF NEXT MEETING

Chairman Saizan announced that the next Recreation/Subdivision meeting is scheduled for Thursday, April 3, 2014 at 2:30 p.m.

ADJOURNMENT

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

The meeting adjourned at 3:50 p.m.