

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATION/SUBDIVISION COMMITTEE MEETING
THURSDAY JULY 9, 2015 – 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, July 9, 2015 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.

Chair Ernst called the meeting to order at 2:32 p.m. and led in the Pledge of Allegiance.

The roll was called which constituted a quorum.

PRESENT:

Chair Greg Ernst
Comm. William Settoon
Comm. Stanley Brien

FURTHERMORE PRESENT

Comm. Thomas Fierke

STAFF:

Cornelia Ullmann – Chief Operating Officer
Sharon Martiny - Non-Flood

ALSO PRESENT:

Mike Moffett – Lake Vista Property Owners Association
John Davie – Lake Vista Resident
Jay Proskovec – PCCP Constructors
Rabe Popovich – PCCP Constructors
Anthony Bertucci – PCCP Constructors

ADOPT AGENDA

Comm. Settoon offered a motion to adopt the Agenda, seconded by Comm. Brien and unanimously adopted.

APPROVAL OF MINUTES

Comm. Brien offered a motion to approve the April 9, 2015 minutes of the Recreation/Subdivision Committee meeting, seconded by Comm. Settoon and unanimously adopted.

REPORT ON CURRENT RECREATION/SUBDIVISION ISSUES

The COO advised of additional visible patrols on Lakeshore Drive. Prices are coming in for the backflow preventer that must be installed at Shelter No. 3 and can be duplicated at the two additional shelters, which may be open in September. The Corps is proceeding with levee armoring. Many good applications for Facilities Maintenance Manager A have been received and Marina Director Chuck Dixon continues to work diligently handling the marinas and assisting when he is needed.

The COO noted that levee armoring by the Corps is starting in the Shelter 1 area and continuing down Lakeshore Dr. Sod must be laid out within 36 hours of being delivered. There are small road failures in the area of the Lake Terrace fountain area approach near cement drainage collars and on Lakeshore Dr. by Reaches 4 and 5. The concrete drain edge is beginning to settle due to the volume of traffic. One area continues to get deeper, and that area may be filled. The area should be dug and videoed to determine the cause of the failure as there is no apparent reason for the road failure. Although this may not be a drainage issue, C.T. Traina will assess the failure to ensure it is not a drainage issue and can perform the asphalt work as well.

PRESENTATIONS

Update by PCCP Constructors, Mr. Jay Proskovec

Jay Proskovec advised that erection of the pump station wall is underway. This will create the basic structure of the pump station and will encompass most of the night work. Large concrete pours take place at night as there is less traffic and concrete trucks are more readily available. Wall pours are smaller and take place throughout the week. New turf will be planted on the west side of the Orleans Canal.

The generator building is progressing with the foundation in place and the skeleton steel form visible. Interior mechanical and electrical work will begin when the building starts to taking shape. Aside from deliveries, those are the ongoing major operations. A secondary entrance and surcharge was placed on the west of the Orleans Canal at the bend of Crystal and Amethyst. By 2016 the entrance will have the correct asphalt and finish in place. Major hauling is complete, and is currently minimal. The number of trucks hauling concrete per day cannot be determined as concrete is not poured daily. Walls should be completed by early September and pile driving for the next structure will begin. Complaints are minimal and average three per month depending on the scope of work underway. PCCP remains on schedule with expected completion in the spring of 2017.

PCCP employees work Monday through Saturday, sometimes into Sunday, requiring barricades to be left in place as added safety for the traveling public and PCCP employees. Chair Ernst requested that PCCP be mindful of the barricade situation and suggested barricades be taken down on Sunday. Mr. Proskovec will consult with his team to determine the feasibility of taking down the barricades on Sundays.

The COO addressed the clogged drains near the Blue Crab Restaurant and advised that Gerry Gillen (O.L.D. flood) paid to clean all drains along Lakeshore Dr. PCCP should extend the street cleaning to include the strip from Lighthouse Condominiums forward. Mr. Proskovec advised that street cleaning is performed at all entrances and exits to haul sites and locations of a spill. The area by the Blue Crab will be included. The COO noted that reflective road striping has virtually disappeared from Lakeshore Dr. near the entrance to the site. Mr. Proskovec advised that PCCP is responsible for damages due to negligence and anything at the exact entry and exit to a site. When striping was laid, striping in that area was deferred until project completion. Chair Ernst noted a representation in the contract that PCCP would survey the impacts made in the roadway upon project completion, but there were no guarantees.

OLD BUSINESS

1) Update on Mardi Gras Fountain

The COO advised that the Fountain pool was cleaned and three water level sensors were replaced. Lights and inner ring work, the B ring is not functioning and no water is escaping from the Fountain. The C ring is not functioning properly. A grate can be placed over the pit where the water recycles to help eliminate duck feathers and droppings. The Fountain continues to be inconsistent, but the water is not getting low enough that the motor burns up.

Comm. Settoon questioned if a legal opinion was rendered by Charles Curtis, legal counsel, regarding riding golf carts in Lake Vista and the cut throughs. The COO advised that her emails do not reflect receipt of a written opinion was received to date but emails reflect that one was requested. A plan regarding cut throughs will be assigned to the new facility maintenance manager. A survey will be prepared to determine what property belongs to this Authority and Al Pappalardo, Real Estate Consultant, will verify rights the Authority has and how to enforce those rights.

NEW BUSINESS

2) Discussion regarding internal parks and areas of standing water, drainage, mower track

Mike Moffett (representing LVPOA Board) distributed pictures depicting ruts caused by mowers in the parks, which problem is very pervasive and damaging. The LVPOA

Board would like the Authority to cordoned off and repair existing ruts and to eliminate further ruts. Repairing the damaged areas may get attention of people making the mess. Chair Ernst noted that the recent heavy rains made proper grass cutting a dilemma. The COO advised that renewal of the grass cutting contract in June 2015 gave an opportunity to discuss grass cutting methods, which have been improving. At her request, Mosquito Control sprayed for larva in the internal parks to assist with standing water concerns. There is standing water by the Wren St. Condos which is the result of a S&WB main break. Drainage in this area is old, and if one area is repaired another area has experienced a failure due to increased pressure. Comm. Settoon noted that Foliage Park is next to the Wren St. construction, and that leak may be the result of pile driving.

Mr. Moffett noted that oak trees, which are an asset to Lake Vista, are an overriding issue. Trees need maintenance and trimming along with termite control maintenance. As the trees have been neglected for such a long period of time an arborist should be contracted to prepare an estimate for the cost of tree maintenance. Chair Ernst requested that hazardous trees be reported to the COO for proper maintenance. Comm. Settoon noted that former Lake Vista resident, Tom Campbell, prepared an inventory of all trees in Lake Vista and the public parks. I will contact Mr. Campbell regarding the inventory and what it would take to update the inventory. The COO advised that money earned from Lakeshore Dr. parking lot rental is used to pay for tree maintenance. A grant in the amount of \$490,000 with a 20% match plus engineering and design has been approved for lane improvements. The Authority must meet all DOTD specs and that can be challenging paperwork for staff. There is enough money in the grant to widen replacement sidewalks by an additional foot, which is an engineering matter and a tree issue. Chair Ernst requested this matter be placed on the September Recreation/Subdivision Agenda for further discussion.

Ann Duffy, President - Lake Oaks Neighborhood Association

Mrs. Duffy advised that the park area near Music St. and Lake Oaks had been recently cut, but the cuttings were left behind. There have been complaints from residents about those cuttings. The COO advised that the number of cuts were recently increased to avoid large amounts of mulch, and does not include trimming or disposing of mulch due to financial restraints of the Authority. The grass cutters cut as close to the walkways as possible as edging was an additional cost that the Authority could not financially afford.

John Davis – Resident, Lake Vista

Mr. Davis addressed the fence under construction at 6 Swan St. along with a letter written to the COO regarding same. A 6' fence is out of compliance and against the subdivision restrictions. The Authority has no right to approve this fence, and if it gives authorization he would contest the fence. The COO advised that a form was erected indicating the beginning of the framework for a fence and fence posts. Mr. Silbernagel, the Authority's architect for house plan review, advised that a five foot fence is measured 5' from the grade inside the fence. A concern was expressed that the fence tapers to the street would be 6'.

Comm. Settoon advised that regulations differ from street to lane side. Mr. Davis stated that the lane side is 18 inches from the ground to the top of the fence; on the street side it is five feet. The purpose was to keep an open green space along the lanes. The resident has forms erected that are 6½ feet; 1½ feet taller and clearly out of compliance. The COO suggested e-mailing authorized permits to the president of the home owners association who could in turn post any authorized permits on the website to keep residents apprised of new construction. The only way to halt construction is preemptively. The resident was contacted, but has not moved forward with fence construction to date. One concern is the requirement to have a fenced in pool. Chair Ernst noted that the Authority does not enforce building restrictions and/or covenants. Lake Vista Property Owners Association has filed suit in cases of non-compliance or violations with the building restrictions. If the neighborhood association feels there is a violation, it has been the operating policy to allow the neighborhood association to address the concern. The Authority does not issue cease and desist orders. Comm. Settoon clarified that judges often lean toward the property owner. The property owner

must be stopped up front because the courts are not going to tell someone to tear something down.

ANNOUNCEMENT OF NEXT MEETING

Chair Ernst announced that the next Recreation/Subdivision meeting is scheduled for Thursday, August 6, 2015 at 2:30 p.m.

ADJOURNMENT

Comm. Settoon offered a motion to adjourn, seconded by Comm. Brien and unanimously adopted. The meeting adjourned at 4:06 p.m.