

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATION/SUBDIVISION COMMITTEE MEETING
THURSDAY AUGUST 6, 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, August 6, 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 2:58 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. (The issue of constitution of a quorum is being submitted to the attorney general's office for clarification.)

PRESENT:

Chair Greg Ernst
Comm. William Settoon

ABSENT:

Comm. Stanley Brien

FURTHERMORE PRESENT

Comm. Thomas Fierke
Comm. Leila Eames

STAFF:

Cornelia Ullmann – Chief Operating Officer
Sharon Martiny - Non-Flood
Gerry Gillen – Orleans Levee District
Ryan Foster – Orleans Levee District

ALSO PRESENT:

Al Pappalardo - Real Estate Consultant
Chris Fenner – Stuart Consulting
Jim Martin - DEI
Lynn Long – Lake Vista Resident
Stephanie Hilferty – President, Lake Vista Property Owners Association
John Krehl – Resident
Ray Landeche – Lakeshore Resident
Tom Long – Lake Vista Resident

ADOPT AGENDA

Due to lack of quorum the Agenda was not adopted. The meeting was informational only.

APPROVAL OF MINUTES

Deferred due to lack of quorum.

PRESENTATIONS

Update: Progress of seawall rehabilitation and various O.L.D. Projects

Gerry Gillen, Executive Director, Orleans Levee District

Mr. Gillen informed the Committee that Reach One (near Landry's and the Mardi Gras Fountain plaza area) has been completed. Follow-up tasks for the contractors include two light poles that swung around (under warranty) and seven street lights that are not working.

The contractor is completing punch list items at Reaches 4 and 5 (Franklin Ave. past Shelter No. 4). Striping is in place, meters were installed, all lights are working along the seawall and Shelter No. 4 is lit. Issues with lights and a transformer currently prevent power to the street lights. Contracts were awarded for the next two reaches (Lighthouse to Reach 1-B (1-A), and behind UNO (London Ave. to old Pontchartrain

Beach). A pre-construction conference is scheduled for next week and mobilization begins within 30 days.

There are four phases: Phase 1 has been awarded construction, Phase 2 is under design by DEI, Phase 3 is in preliminary design and Phase 4 has yet to be authorized.

The Corps has begun to armor the levees at the beginning of Robt. E. Lee (first floodgate on Lakeshore Dr.) The levee will be armored on the flood side just past the crown and to the apparent toe plus 15 feet on the protected side as most erosion takes place on the protected side. Grass will be stripped, matting anchored on the flood side and the levee toe, with sod placed on top. Nothing will be added; the existing levee will be reinforced.

The area near UNO is a beach area; the seawall is buried and there is no erosion. That area will be brought up to the beach line that Lake Pontchartrain Basin Foundation currently has.

NEW BUSINESS

1) Update on bus shelter at Beauregard and Robert E. Lee

The COO advised that C.T. Traina corrected the drainage issue in the park near the bus shelter. The damaged park bench (due to auto accident) was replaced, and an oak tree and crepe myrtles were trimmed in that area. Missing roof tiles cannot be replaced as the 60+ year old tiles are brittle. The roof would need to be replaced and when this was addressed some years ago, there was objection and the project was tabled.

2) Update on meeting with Lake Vista Property Owner's Association (LVPOA) representatives

The COO advised that she met with LVPOA President Stephanie Hilferty who prepared a list of items the Association would like to see completed in the parks. Max Hearn (former Executive Director, O.L.D.) apparently devised a tree plan: what will be trimmed, not trimmed and what can be taken down. In the event that plan is not found, the COO will reach out to volunteer college students to study the lanes and parks to determine what can be done. The COO was advised by Roger Mattei (A Perfect Cut) that there are many Dutch Elm trees (useful life of 60 years) that will likely require removal in the next decade. That is an item that must be budgeted.

The Homeowner's Association volunteered to paint park signs and drainage cages. Residents have requested more trees, shrubs and flowers. The Association believes live oak termite treatment and minimal tree pruning are currently needed, but that has not been authorized due to budget issues. Main street entrances on Marconi and Beauregard need restoration on the park side. The agreement was to start with this list and locate Mr. Hearn's tree plan so the neighborhood has input as to what can be done.

Mrs. Hilferty noted that the Authority is responsible for parkways. The subdivision restrictions suggest an association be formed to assist residents maintain the lanes. If the association is not solvent, the Authority could apportion part of the cost to the homeowner. The property owners association stated that it currently does not have the funding and has no ability to maintain the lanes. The COO advised that the Authority is responsible for main parks and the property owners association is responsible for the lanes.

Chair Ernst requested the COO prepare a position paper for the LVPOA to reference when such issues arise. The COO advised of an original survey map, which depicts where each lot is located. The map does not define lanes, cut throughs or sidewalks. Individual house plans show only the side property line and location of the house or buildings; it does not extend further to show the lane or sidewalk.

3) Discussion regarding procedure for architectural review when changes are required to comply with subdivision building restrictions

Comm. Settoon addressed a Lake Terrace POA meeting wherein a homeowner submitted plans, the NFPAMA architect reviewed the plans and noted required changes on the plans. The Authority issued a Letter of No Objection subject to the required noted changes. The homeowner ignored the notes and is currently in a dispute with another homeowner.

Comm. Settoon suggested the Authority's architect provide the homeowner a written report advising of any violations and required changes. Any violations should be cited in the report. Staff can notify the homeowner of any violations and advise that the drawings must be resubmitted. If there are no violations, the architect returns the approved plans.

The COO noted the cost for house plan review is \$350 with approximately \$10 going toward administrative costs of issuing the letter of no objection, transporting documents to the architect, etc. The Letter of No Objection previously used noted that the Letter was based on plans submitted. The NFPAMA architect generally does not return the plans or comment if plans are not within subdivision restrictions because that is the responsibility of the homeowner's architect to submit plans in accordance with the subdivision restrictions and his client's wishes. Rather than simply reject plans, the NFPAMA architect attempts to work with the homeowner's architect to comply with the subdivision restrictions. That architect will then deliver the revised electronic and paper copies of the house plans, which the NFPAMA architect then stamps and approves if in compliance. The NFPAMA architect has recently updated form returned with his approval, which contains a list of what is reviewed, including side and front setbacks, etc. Comm. Settoon requested a copy of the modified Letter of No Objection.

Comm. Settoon addressed fence heights and noted the City raised the maximum limit on fence height. The COO advised that City code states five feet, but around pools it is six feet. The fence height in the Authority's Subdivision Restriction is five feet. If a resident desires a six foot fence around the pool area, the architect complies with City code as this is a safety issue. Subdivision restrictions for Lakefront neighborhoods are codified in the City code. If the City code states six feet around a pool, the Authority has not taken action to stop that six foot fence. The NFPAMA architect had previously contacted Mr. Ed Horan and Zachary Smith (Director of Code Enforcement) and requested clarification of conflicting ordinances there are differences that are creating confusion. Comm. Settoon noted that review is the Authority's responsibility; enforcement is the City's responsibility.

John Kreher – Resident, 444 Lakeshore Pkwy.

Mr. Kreher addressed the issue of loud music and individuals who gather in the parking lot across from Landry's and behind Shelter 1. O.L.D. Police Dept. was contacted, but Mr. Kreher was advised that there were only two police on duty. The levee armoring project has stopped people from crossing over the levee into his yard. Chair Ernst advised of noise ordinances. If volume rises to a certain level in excess of the ordinance, something can be done. Because a person is playing music does not mean it is a violation. The COO advised that the Authority is paying for additional O.L.D.P.D. details to patrol the lakefront area, in particular behind Shelter 1 and the other end of Lakeshore Drive by the Seabrook Bridge boat launch and Frank Davis Fishing Pier where larger groups of people tend to congregate. Chair Ernst requested O.L.D.P.D. reports regarding what the regular force in that particular area does. There are problems in other areas, but this is a chronic problem. The crowd is very large and specifics are needed as to what is going on in that area. Chair Ernst requested Capt. Boudreaux have police detail in that area in the evening on the weekend. A permanent patrol may be required certain hours of the evening, particularly on weekends. The area is open to the public and the Authority has responsibilities.

The COO advised that city ordinances were reviewed and a draft ordinance is being prepared based on what is done at City Park as the two properties are similar. All ordinances that apply to the City (noise, parking, motorized vehicles) will be

incorporated into a draft ordinance for the Authority. Chair Ernst noted that the City ordinance applied to vehicles in Lake Vista parks, which is the Authority's responsibility. Other ordinances could apply equally.

Comm. Settoon noted that the ordinances address the public's right to access public land versus the neighboring homeowners' rights. Chair Ernst advised that reasonable restrictions could be imposed in new ordinances. If law currently exists O.L.D.P.D. will enforce that law. The Authority is responsible, as a public body, to invoke new restrictions reasonable to accommodate homeowners as well as the public.

Comm. Fierke stated that motorists are breaking traction to show off cars and cyclists had no escape from the single lane. Some people are driving recklessly. Others are revving their engines in order to "burn out". Chair Ernst advised of previous discussion regarding restriping Lakeshore Dr. to include bicycle lanes. That effort lost, but could be revisited to include limiting traffic.

Chair Ernst informed of many complaints regarding use of motorized vehicles and golf carts in the parks. The COO advised that Capt. Boudreaux was to perform random enforcement and ticketing, but by the time a call is received the person on the golf cart is gone. One rainy afternoon, a group of children were on a golf cart riding on the sidewalk and turning around in the grass, also creating rutting and water retention in those areas. By the time O.L.D.P.D. was called and would be able to respond, the children were gone. No response was received regarding the request for an opinion of driving golf carts in the park area.

ANNOUNCEMENT OF NEXT MEETING

Chair Ernst announced that the next Recreation/Subdivision meeting is scheduled for Thursday, September 3, 2015 at 2:30 p.m.

ADJOURNMENT

Due to lack of quorum, no motion was needed and the meeting ended at 4:07 p.m.