

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATION/SUBDIVISION COMMITTEE MEETING
THURSDAY MAY 5, 2016 – 4:30 P.M.**

The regular monthly meeting of the Recreation/Subdivision Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, May 5, 2016 at 4:30 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 Wheaton called the meeting to order at 4:30 p.m. and led in the Pledge of Allegiance.

The roll was called which constituted a quorum.

Present:

Chair Rodger Wheaton
Comm. William Settoon
Comm. Stanley Brien

Staff:

Ken Schwingshaki – Executive Director
Marlene Wilkerson – Non-Flood

Also Present:

Al Pappalardo – Real Estate Consultant
Stephen Villavaso – LVPOA
Rhonda Hall – Resident
Terry Hall – Resident
Robert Lupo – Lake Vista
Ann Duffy – Lake Oaks
Dennis McSeveney – Lake Terrace
Dawn Hebert – New Orleans
Octave Raney
Pearl Cantrelle
Monte Shalett
Ray Landeche – Lakeshore resident

Opening Comments

Chair Wheaton noted many items on the Agenda and advised that the meeting will proceed fairly quickly.

Adopt Agenda

Comm. Settoon moved to adopt the Agenda, second by Comm. Brien. Motion passed.

Approve Minutes

Comm. Settoon moved to approve the March 3, 2016 Recreation minutes, second by Comm. Brien. Motion passed.

Report on Current Recreation/Subdivision Issues

Deferred due to the extensive Agenda

Old Business

- 1) Discussion regarding request by Terry and Rhonda Hall regarding beautification near the area of (or relocating) the backflow preventer installed across the street from 500 Lakeshore Parkway**

Chair Wheaton noted that the Authority was required to install a backflow preventer to obtain a Certificate of Occupancy. There is no likelihood that the preventer can be moved as the Authority does not have funds to move the preventer. The Authority could barely pay the enforced obligation to install the preventer. At this point, the Committee will provide guidelines of what may be permissible as far as screening or hedges planted around the preventer leaving enough room for maintenance. Technicians must

have an access point to the preventer. Chair Settoon advised of many meetings where backflow preventers were discussed, but the location of the preventer was never discussed. The E.D. noted that the standoff is two feet from the backflow preventer for bushes or lattice work.

2) Update regarding the use of motorized “golf carts” in the parks and lanes in Lake Vista

Chair Wheaton noted that the City Ordinance is not applicable, and at this point there is no regulation or avenue for the Authority to enforce the issue. If residents choose to have the issue enforced, discussions regarding enforcement could commence. Robert Lupo, Lake Vista, clarified that the building restrictions that state vehicles are not allowed on neutral grounds or sidewalks does not apply to Lake Vista. Chair Wheaton stated that the Authority will review and determine what could be done to post and enforce ordinances prohibiting use of golf carts in parks and parkways. Mr. Metzger noted that the City Municipal Code did not have a particular provision on the use of golf carts to resolve the question of whether motorized vehicles could be used within the subdivision parks.

3) Update regarding Wren Street Condominiums

The E.D. advised that the temporary fence was removed from around the condominiums. Utilities are presently being installed in the sidewalks and there is activity at the job site. It is not known when construction will commence on the north side of the street. Chair Wheaton requested that Greg and Laurie Stewart be invited to give a status on the Condominiums at the June Recreation/Subdivision Committee meeting.

4) Discussion regarding restroom facilities along Lakeshore Dr.

The E.D. advised that Shelter Nos. 1 & 2 are unusable at this point. The two Shelters often get broken into, although there is no major vandalism to the premises. Shelter No. 3 continues to have several vital punch list items before it is accepted by the Authority, and Shelter No. 4 is in working order. An attendant and/or custodian is needed on site when the Shelters open to prevent vandalism, open, close and clean the Shelters. The Shelters will be open from 9:00 a.m. to 7:00 p.m. (March – October), and 9:00 a.m. to 5:00 p.m. (November to February). The cost for an attendant/custodian is approximately \$132 per day per Shelter. The cost to rent a Shelter in 2004 was \$135.00 per day; the present rate should be \$200.00 per day. There are numerous weekly requests to rent the Shelters, but the Authority will only make \$68/per day. This does not include the cost of restroom supplies. This is a recreational opportunity for the community, but unfortunately there is not adequate staff/budget to operate the Shelters efficiently at this time. The Shelter restrooms are not currently open to the public, although the picnic facilities are used frequently.

The Authority currently pays approximately \$1,200 per month for the port-o-lets placed along Lakeshore Drive, which are serviced weekly. River Parish Disposal quoted \$1,600 per weekend (Friday through Sunday) for a 2 women/2 men powered restroom facility on a trailer. Chair Wheaton noted that the Lakefront would not be successful without adequate restroom facilities.

Ann Duffy, Lake Oaks resident, stated that the Lake Pontchartrain Basin Foundation is currently placing sand at the new Pontchartrain Beach. Those using the new Beach will have to cross Lakeshore Dr. (busy 2-way traffic) to get to the Shelter. Pearl Cantrelle, Lake Oaks resident, clarified that the Lake Pontchartrain Basin Foundation is putting the sand out for the Beach, and should be responsible for providing restroom facilities. Chair Wheaton suggested an RFP be prepared to provide facilities and an attendant.

5) Discussion regarding opening Shelters 1 and 2

The E.D. suggested an RFP be advertised for a possible developer or private contractor. The developer would provide a summary of what would be vended out of the two Shelters (bike rentals, refreshments, sno-balls). The developer/contractor would also be responsible for operating and maintaining the restrooms at Shelter Nos. 1 & 2. Shelter Nos. 3 & 4 are not designed for commercial activity. Mr. Metzger advised

that there are no restrictions on leasing a Shelter as the Board has the Authority to lease the reclaimed property that the Shelter is on.

Chair Wheaton noted that the Shelter's have not been operable since Katrina, and it is now the summer of 2016. It is time for the property to be brought back on line and open to the public. Mr. Pappalardo advised that the District advertised an RFP in 2003, and received responses. A lease was put into effect for Shelter Nos. 1, 2 & 4 from 2003 to right before Katrina. Rent consideration could be given for repairs made by the tenant.

6) Discussion regarding grass cutting

Chair Wheaton noted that the Authority is under contract with RCI (Rotolo). One concern with the grass cutting is some public areas are not getting the needed attention as they are along Lakeshore Dr. and areas in the neighborhood front yards. The schedule indicates the Marina and Airport had more scheduled cuttings than those highly visible public areas. The E.D. advised that the Marina Director has two ways to get the grass cut: individuals and RCI, who charges more than temporary workers. The RCI contract consists of 20 cuts per year. The cut starts in the east and moves to the west. All property is cut the same, and at the end of each cycle it is started again. Weather permitting, grass can grow up to one foot tall in that time. There are some areas that require more attention, particularly on the Lakefront.

7) Discussion regarding current Subdivision Building Restrictions and procedures for house/pool/fence plan approval by architect

The E.D. advised that the resident brings plans to the office, signs a log and the plans are sent to the architect to review. The plans must be in compliance with the subdivision building restrictions. Once approved, the plans are stamped by the architect, delivered back to the office, and the resident picks up the plans and brings them to the City to receive the building permit. Chair Wheaton advised that many residents do not follow or incorporate the architect's comments on the plans, which leads to non-conforming work on a residence. Plans are brought to the City and approved that do not conform with the architect's comments. Subdivisions had many instances of non-conforming permitted work in the last 3-4 years. The E.D. advised that residents are now required to resubmit plans to the Authority architect with the architect's comments incorporated into the plans to ensure that all plans conform to the building restrictions of each subdivision. When complaints are received regarding houses being built in non-compliance of the building restrictions, the complaint is addressed and investigated accordingly.

Public Comment

Steve Villavaso, President, LVPOA, advised that the Property Owner's Association has tried to form a three-way cooperative agreement between the Management Authority, the Property Owner's Association and the City. Ed Haran (Zoning Administrator, City of N.O.) is the key contact. Unless approval is granted by the Management Authority, the City is not to issue a building permit. A meeting will be scheduled to re-enforce the three way partnership between the Management Authority, Property Owners' Association and the City.

Dennis McSeveney, President – LTPOA, advised that this was a complicated issue with residents having to tear down attached garages, etc., and informed that he would work with the Management Authority, the City and LVPOA to make the cooperative agreement work. Comm. Settoon advised that the Authority has an architect that officially reviews all house plans and is familiar with all building restrictions in the various Lakefront neighborhoods. Robert Lupo, Lake Vista resident, stated that Lake Vista has a situation where there is no local on-the-ground association that is following-up on all building violations. The building restrictions state that it is the responsibility of the Orleans Levee District to pursue the violations if the Property Association does not. There is no consistency on how non-conformance to building restrictions is being handled by the Association. If the Association does not give an appropriate response within the law, I will come to the Levee District to pursue violations. Comm. Settoon noted that the majority of building restriction infractions are due to fences, swimming pools and sheds, which are harder to enforce.

Chair Wheaton requested an analysis on the role of the Orleans Levee District Management Authority. The former COO was not involved in enforcement, and it was up to the individual neighborhoods. If the building restrictions that have run with the land in this area are not enforced, the Management Authority potentially waives them.

8) Discussion regarding sole response received via RFP for selection of Architect/Engineer for subdivision plan review

The E.D. advised that the sole response provided was CIS Architects, the same firm that currently reviews the house plans. Comm. Settoon noted that CIS Architects were doing a good job and moved to extend the contract for one year, second by Comm. Brien. The vote was unanimous and was recommended to the Board.

9) Discussion regarding Lake Terrace Fountain

The E.D. advised that the Lake Terrace Fountain was a priority project submitted by the Recreation/Subdivision Committee in 2014. Other projects were Repairs to Shelter Houses 1, 2 & 4 along with a Designated Fund for Small Maintenance Projects.

10) Update on New Basin Canal lighting

The E.D. advised that the Authority received the 85% review back from DOTD, who is currently reviewing and will re-submit in the near future. The following were issues with the review: 1) The E.D. must be classified as a responsible in charge before work commences. The next course is scheduled for the fall. Construction is expected to begin by the end of 2016.

New Business

11) Discussion regarding procedures to place Mardi Gras Krewe plaques by the Mardi Gras Fountain

Lisa Luna, Krewe of Nix Director of Research, requested protocol regarding placing a plaque on the Mardi Gras Fountain. The E.D. advised that available monuments are available at the Flood Division. The tiles were previously designed by Blaine Kern, but there is no Resolution stating the plaques **must** be designed by Blaine Kern. There is no known protocol for placing a krewe plaque around the Mardi Gras Fountain. There is space for additional plaques and there are currently 12 available plaques. Issues include: What to do with defunct krewes, keep the monuments or take them down, keep the plaques as historical value monuments, when space is filled make the decisions. Research is underway and there are no answers at this time. Chair Wheaton advised that the Authority must be involved in the process to ensure no damage to the Mardi Gras Fountain or the plaques. It is important to implement a protocol as far as a deposit, who picks up, prepares and installs plaques at the Mardi Gras Fountain. The E.D. added that there must be a standard to ensure the look of the plaques is similar between all of the plaques, and requested Ms. Luna submit a written proposal advising who would pick up, design, deliver and install the plaque. Mr. Lupo suggested contacting the organizations that have plaques around the Fountain and looking into the prior minutes for ideas regarding procedures to place plaques at the Fountain.

12) Discussion regarding PCCP Constructors request to access Pratt Dr. and a work extension for London Ave. Canal

Mr. McSeveney advised that the Lake Terrace neighborhood is very upset about this issue. Big trucks are being run along Pratt Dr., and there is little this Board can do. The councilmembers and mayor's office have been requested to monitor and mitigate any damage to Pratt Dr. Chair Wheaton advised that the Flood Authority is the gatekeeper for all property with respect to flood control, and will on occasion give access to property without contacting this Authority. This is another situation that resulted from the division of the Orleans Levee District.

13) Discussion regarding Lakefront traffic/traffic control on the weekends

Chair Wheaton noted that the discussion regarding two-way vs. one-way traffic will not be rehashed. The purpose is to address the current situation relating to the rest room facilities. Issues regarding bike lanes and jogging will be revisited, but not restricting

traffic to a one-way direction. A future traffic study may determine the appropriate balance between recreational use (bike riding, roller blading and jogging) and traffic along Lakeshore Dr.

Public Comments

Octave Rainey, N.O. East resident, advised that Lakeshore Dr. is a state road not intended for roller bladders or bike riders. A bike lane currently exists on Lakeshore Dr. and there have been no reported fatalities on Lakeshore Dr. since it has been open as a bike lane. Traffic flows well on Lakeshore Dr. from Pontchartrain Blvd. to N.O. East. Chair Wheaton noted that bicyclists have a right to bike on any street. A stamp on the road does nothing; a dedicated bike lane is needed.

Dawn Hebert, N.O. East resident, questioned the reason for a traffic study. The decision was made two years ago to implement a shared bike lane. Chair Wheaton noted issues regarding traffic control and disputed the fact that there are no issues with traffic from 1:00 – 3:00 p.m. near West End, where it is very congested and not operating like a two lane highway. There is little enforcement and crowds have gotten larger on the weekends. Mrs. Hebert advised that an O.L.D. police advised her that traffic was heavy between 5:30-7:30 p.m. on a Sunday, but there have been no incidents and/or complaints. This issue is being brought up to change it to the way it was. What happened for 30 years was illegal as this is a state highway and it is illegal for the state highway to be closed. The community must know if this issue will be revisited so we will be prepared to come back to the Board. If there is money to fund a traffic study, I suggest funds be spent fixing the street at Franklin Ave.

Mr. McSeveney advised that the Lakefront must be opened to all the people of this City to enjoy. I encourage the Board to maximize the recreational aspects of the Lakefront finding a better way to make it fit all the people that want to use it in all the ways they want to use it. Pearl Cantrelle, Lake Oaks, noted this was a hot topic when she sat on the Board. A Blue Ribbon Committee was formed with Bike Easy, people opposed and people for a bike lane. The issue was discussed previously, and I was surprised to see an issue on the Agenda that was discussed at length. The majority of young people are there showing off their cars as the Lakefront is - and always was - the weekend spot for teenagers. Early in the morning, professional bikers (not recreational bikers) used the Lakefront. By the afternoon bikers were gone and teenagers with automobiles arrived. There is no need to block off a lane of traffic for bikes as there are more cars than bikes. The board is opening a can of worms that had previously been discussed at length. If Lakeshore Dr. is currently bumper-to-bumper then reduced from four to two lanes, traffic will be at a standstill and vehicles will park on the grass. Chair Wheaton noted that the immediate issues on the weekend are predominately by West End. It is a question of traffic control, restaurants having ingress and egress for customers, and making use of parking lots that are full. It is not about a bike lane.

Announcement of Next Meeting

Chair Ernst announced that the next Recreation/Subdivision meeting is scheduled for Thursday, April 7, 2016 at 3:30 p.m.

Adjournment

Comm. Settoon moved to adjourn, second by Comm. Brien. Motion passed.
The meeting ended at 6:15 p.m.