

**MINUTES OF
LAKEFRONT MANAGEMENT AUTHORITY
RECREATION/SUBDIVISION SPECIAL COMMITTEE MEETING
HELD ON TUESDAY, DECEMBER 8, 2020**

- PRESENT:** Chair Bob Romero (in person)
Vice Chair Eugene Green (virtually via Zoom)
Commissioner Stanley Brien (virtually via Zoom)
Commissioner Esmond Carr (*entered at 5:21 PM, in person)
Commissioner Stanley Cohn (virtually via Zoom)
- STAFF:** Louis Capo – Executive Director (in person)
Madison Bonaventure – Assistant to the Executive Director (in person)
Daniel Hill – Director of Engineering & Operations (in person)
- PUBLIC:** Ray Landeche – Lakeshore Property Owner’s Association (in person)
Wilma Heaton– LMA Chair (in person)
Brian Hope – Lakeshore Property Owner’s Association (in person)
Tom Long– Lake Vista Resident (in person)
Jim Moriarty– Ancient Order of the Hibernians of LA (virtually via Zoom)

The Recreation/Subdivision Committee of the Lakefront Management Authority met on Tuesday, December 8, 2020, in the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana.

Chair Romero called the meeting to order at 5:15 PM and led in the pledge of allegiance. Executive Director Capo called the roll, and a quorum was present.

Opening Comments:

Chair Romero complimented the Ancient Order of the Hibernians of Louisiana, Inc. on their maintenance at the Hibernian Memorial Park site.

Chair Romero said that debris pick up from Hurricane Zeta was underway. He commented that the storm season was very active and thanked community members for their diligence.

Motion to Adopt Agenda:

A motion was offered by Commissioner Green, seconded by Commissioner Brien, and was unanimously adopted, to adopt the agenda.

Motion to Approve Minutes:

A motion was offered by Commissioner Green, seconded by Commissioner Brien, and was unanimously adopted, to approve the minutes from the August 18, 2020 meeting.

Public Comments:

Brian Hope introduced himself as President of the Lakeshore Property Owner’s Association. He said that the Lakeshore Property Owners’ Association was opposed to the Pearl Condominium development project.

Commissioner Carr entered the meeting.

Ray Landeche introduced himself to the Committee. He asked the Committee to protect the neighborhood from oversized developments such as the Pearl Condominium project. He did not think that the height variance was acceptable. Mr. Landeche inquired about the status of the lease.

Chair Romero said they currently have the lease, and any project they complete must meet community standards.

Rick Mickler submitted his comment in writing:

“The Board of Directors for the Lakeshore Property Owners’ Association (LPOA) would like to voice our concerns regarding the Pearl Condominium proposed by the Oceana group at 110 S Roadway St. The LPOA is comprised of over 650 homes in the neighborhoods of East and West Lakeshore. The LPOA welcomes any project built in the area that is built within the defined standards of the Comprehensive Zoning Ordinance **without variance or waivers**. The residents of the Lakeshore and Lakeview areas rely on the LMA, the City of New Orleans and the Board of Zoning to be our ‘gatekeepers’.

The LPOA is adamantly opposed to the height waiver request which also exceeds the maximum number of stories permitted. The zoning verification report (case number 20-0297; 4/22/20) completed by zoning administrator Nicholas Kindel pointed out that the maximum building height permitted in S-LM is 65 feet with no more than 5 stories permitted. The Pearl Condominium is proposing over 165 feet with 15 stories. We rely on the LMA and the Comprehensive Zoning Ordinance to protect our neighborhoods’ property values and quality of life. Approving a 100 foot/10 story waiver would set a precedent that would be detrimental to all stakeholders in this area. Section 6 of the LMA lease with Oceana states ‘Variances will be presented for approval to the Commercial Real Estate Committee or other appropriate committee of the Management Authority prior to being filed with the appropriate governmental regulatory agency’. The LMA has the ability to follow their mission statement which is : ‘To prudently manage its assets for the benefit of all stakeholders’. In addition to the Pearl Condo’s excessive height we agree with the West End Boat House Subdivision that this project will put undue stress on the traffic, parking, infostructure and navigation of the New Basin Canal. Several buildings on Lakeshore Dr and houses on Lakeshore Parkway will be shaded by the 165-foot structure in the late afternoon. The sunsets will be blocked. These are a few of the reasons that the LPOA adamantly oppose any project that will set a precedent on Zoning. Our property owners of East and West Lakeshore count on the LMA and Board of Zoning to do what is right for the public interest and we implore the LMA to not approve a variance of height over the permitted 65 feet and 5-story maximum for the Pearl/Oceana Project. Please don’t take the ‘view’ out of Lakeview.”

Chair Romero said he was under the impression that the permit was pulled by the developer.

Old Business:

1) Monthly update on the Hibernian Memorial Park by the Ancient Order of the Hibernians of Louisiana, Inc.

Jim Moriarty, of the Ancient Order of the Hibernians of Louisiana, Inc., reported that they are coordinating with the artists to remove the remaining pieces of artwork at the park site pursuant to the Board's request. He said that the placement of the artwork was part of a grant given by the Irish government.

He explained that even though the early removal was not compliant with their grant, the Irish government issued them another grant to fund educational signage about the significance of the site. He said that the Irish government is interested in educating communities about the Irish diaspora.

He said they continue to pursue funding with Capital Outlay through the State of Louisiana, but they were unsure of what was to come with COVID-19 circumstances.

He said that the McGlinchey-Stafford family originally erected the Celtic Cross at the site about 30 years ago. He said they would be assembling proposals to appeal to their foundation for additional funding.

He said the organization remained optimistic and kept the site clean and cut for visitors.

Chair Romero said that the organization still had until February 2022 to complete the park, and the removal of the artwork would need to be removed by January 2021. Mr. Moriarty assured that the artwork would be removed by the end of 2020.

New Business:

1) Discussion on Hurricane Zeta damages and year-end update on Recreation/Subdivision projects.

Daniel Hill, Director of Engineering and Operations, said that staff had begun pricing out the repair of the lakefront benches. He said it would cost approximately \$25,000 alone in material costs to repair 103 benches. He said the fixtures that hold the backs of the benches failed.

Director Capo said the items would not be FEMA reimbursable.

Commissioner Carr asked how he planned to replace the bench backs.

Mr. Hill said they would replace them with lumber as they had been constructed before, but the design of the benches will mean that installation will be more laborious and thus more costly than anticipated. He said the main driver of the cost is the custom brackets that will be required to replace the backs of the benches.

Chair Heaton pondered if the LMA's granite might be used for the sides of the benches to enhance them. Mr. Hill said that the sides of the benches were intact, but it may be a possibility.

Commissioner Carr suggested that the LMA conduct an “Adopt A Bench” program to fund extra improvements to the benches.

Mr. Hill said maintenance crews along with a few temporary workers are clearing debris in parks. He noted that the maintenance crews started at Lake Oaks and moved westward, so Lakeshore subdivision still needed attention.

He said hiring a debris contractor could be detrimental to the parks as they use large trucks that could cause significant damage. He said it is in the best interest of the parks to keep the crews on foot as not to damage them.

He said staff was evaluating the cost for the repair of Shelter No. 1’s failed façade as a result of Hurricane Zeta. He noted that the LMA’s consultants are preparing a damage assessment report, so costs can be submitted to FEMA for reimbursement for eligible items. He said that the LMA incurred over \$2 million in damages.

Chair Romero asked if insurance would be covering any damages. Director Capo said eligible items will be covered by the insurance that the Flood Protection Authority (FPA) provides as the owner. He said he was in discussions with the FPA’s insurance agent and adjuster and wanted to schedule a meeting with all parties.

Chair Romero thought that if they own the asset and provide insurance, then they should pay the deductible. Director Capo added that the deductible totals over \$1 million.

Mr. Hill said that the Lake Vista bus shelters were in need of repair including replacement of tile and roof repairs. He noted that the shelters were not budget items.

Commissioner Carr asked if there was wood rot as a result of water intrusion due to the roof issues. Mr. Hill said that was not a concern.

Chair Romero asked if they were able to get pricing on terra cotta tile. Mr. Hill said they could not.

Mr. Hill said that the sidewalk projects in the lakefront subdivisions will be pursued through other grants because other grants’ cost sharing structure, such as LADOTD Transportation Alternatives Program (TAP), has proven to be cost-prohibitive for the LMA.

Director explained that the LMA received a proposal totaling \$137,000 to study the issue to become eligible for a TAP grant, but after further cost-benefit analysis it was not in the LMA’s best interest to proceed with further study and expenses to become eligible.

Chair Romero and Mr. Hill further discussed the cost-prohibitive measures that would be required to proceed with studying the sidewalks.

Chair Romero said that the Lake Vista Property Owners Association was interested in assisting with a sidewalk repair or replacement project.

Mr. Hill said that the significant sidewalk damage was due to tree roots. Chair Romero said that the sidewalks need to be ADA compliant if they are redone and expressed concern about accommodating the tree roots.

Chair Romero said that he would be interested in a pilot project to repair a small section of sidewalk in a manner that accommodates the roots.

Mr. Hill discussed the various condition of the cut throughs in Lake Vista and encroachment issues and showed photographs.

Mr. Hill said he had written a draft notice to inform residents about the clearing of cut throughs/servitudes in Lake Vista so they could remove their items before they are cleared, and he appealed to the Committee for guidance for how long of a period should be afforded to the residents for removal of their items.

Commissioner Carr asked who was paying for the cost of cleaning the Lake Vista servitudes. Director Capo said the LMA would be encumbering the costs.

Commissioner Carr asked what the servitudes were for. Mr. Hill responded that it was his understanding that the servitudes had underground utilities that serviced the light poles.

Commissioner Carr asked for a clarification for how the servitudes in Lake Vista and how the alleyways in Lake Oaks were different from one another.

Mr. Hill said it was his understanding that the subdivision restrictions name NOPSI as a party who could use the alleyways, but he said that the Lake Vista restrictions do not name a party for use of the servitudes, so he questioned what the original intent of the Lake Vista servitudes was for.

Chair Romero said that the servitudes in Lake Vista led to access points to the various parks whereas he thought the gated servitudes in Lake Oaks did not provide the same public access. Commissioner Carr said some of the alleyways lead to parks in Lake Oaks.

Mr. Hill said that each neighborhood's subdivision restrictions and regulations were worded differently, and he understood there was a legal opinion about the maintenance of Lake Oaks.

Commissioner Carr requested further clarification about the distinction between the Lake Vista servitudes and the Lake Oaks servitudes since the Lake Vista servitude clearing cost would be encumbered by the LMA. Chair Heaton was under the impression that the LMA would be charging adjacent homeowners for the services.

Mr. Hill thought it was the LMA's cost. Director Capo said they would coordinate with legal counsel to determine the proper procedure and language for the clearing of public property in between homes in Lake Vista.

Chair Heaton said that there was a 2014 Louisiana Attorney General's opinion stating that the LMA could not maintain the Lake Oaks alleyways.

Mr. Hill advised that staff coordinate with legal counsel for an opinion on the differences.

Commissioner Carr said it was his intention to plainly understand the distinction so he could explain the issue to his neighbors at a community meeting on the following Thursday.

Tom Long introduced himself to the Committee as a resident of Lake Vista. He said that he has read the Orleans Levee District (OLD) minute books from decades back and said there was no mention of servitudes. He suggested hiring a surveyor to confirm the legal description to determine who the property belongs to.

Chair Heaton said that NOPSI would likely not have laid utilities in the Lake Oaks subdivision without a servitude granted in their favor.

Commissioner Carr felt the Lake Vista cut throughs and Lake Oaks alleyways were the same, so he thought the treatment should be the same.

Chair Romero explained that the LMA was the enforcer of the cut throughs and servitudes in Lake Vista.

Chair Heaton felt like the legal premise for each neighborhood should be the same, but she wanted to address it with the LMA's legal counsel. She said that the OLD owns the servitudes and alleyways and prior to Hurricane Katrina, OLD maintenance staff would clear the Lake Oaks alleyways. She said as resources became less available, the OLD obtained a legal opinion on what maintenance functions were required of them.

Commissioner Carr wanted to be able to explain to his neighborhood about how the maintenance of the Lake Oaks alleyways by the LMA was not permissible.

Chair Heaton committed to providing clarification before his community meeting.

Mr. Hill gave a brief update on the Lake Vista Community Center (LVCC) and stated that staff was investigating various waterline and water meter issues on OLD property in the subdivisions.

The Committee thanked Mr. Hill.

Mr. Hope addressed the Committee. He stated concerns about tree growth around the original concrete Art Deco bus shelters in the Lakeshore subdivision. He suggested that the maintenance department review the issue. Mr. Hill said it was on the task list for the maintenance crew to complete.

Announcement of next Regular Recreation/Subdivision Committee Meeting:

- 1) Tuesday, January 19, 2020– 4:30 P.M.

Adjourn:

A motion was offered by Commissioner Carr, seconded by Commissioner Green, and unanimously adopted, to adjourn. The meeting was adjourned at 7:35 P.M.