

NON-FLOOD ASSET PROTECTION MANAGEMENT AUTHORITY  
MINUTES OF THE RECREATIONAL COMMITTEE MEETING  
NOVEMBER 4, 2010 – 3:00 P.M.

The regular monthly meeting of the Recreation Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, November 4, 2010 at 3:00 P.M., in the Lake Vista Community Center, 2<sup>nd</sup> 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.

Commissioner Ernst (chairing in for Joe Hassinger) called the meeting to order at 3:00 p.m. and led in the Pledge of Allegiance.

The roll was called and a quorum was present.

**PRESENT:**

Chairman Greg Ernst (chairing for Joe Hassinger)  
Commissioner John Trask  
Commissioner Stanley Brien

**FURTHERMORE PRESENT:**

Wilma Heaton  
Robert E. Smith Lupo

**ABSENT:**

Chairman Joe Hassinger

**STAFF:**

Vincent Caire, Non-Flood  
Sharon Martiny, Non-Flood  
Dawn Wagener, Non-Flood

**ALSO PRESENT:**

Gerard Metzger  
Charles Curtis  
Albert Pappalardo  
Donald Booth  
Veneta Mays  
Sylvia Smith  
Richard Butler  
Wesley Mills

**OPENING COMMENTS**

Commissioner Ernst chaired the Recreation Committee meeting for Joe Hassinger who was out of town on other business. Commissioner Ernst commented that this committee is one of the more important committees dealing with the recreational spaces and green spaces which the public see on a regular basis and which the public care deeply about. The New Orleans Lakefront was formerly a jewel and it is not in that condition today. Commissioner Ernst stated he wants to do everything possible to improve the condition of the Lakefront.

**APPROVAL OF AGENDA**

Commissioner Ernst offered a motion to adopt the agenda, seconded by Commissioner Trask and unanimously adopted.

## **PRESENTATION ON CURRENT MARINA ISSUES**

Mr. Capo presented packets with the Building Restrictions for the four subdivisions and maps showing each one of the subdivisions to be used as a guideline when dealing with future Subdivision Restrictions issues.

## **NEW BUSINESS**

Items 1 and 3 were combined as the Corps was in attendance to address them one behind each other.

### **1. Relocation of Shelter #3**

The Corps raised the levee along Shelter #3 located in Lake Vista on the north side of the levees close to the lake near Bayou St. John. The Corps demolished that building and will build a new shelter. Mr. Richard Butler with the Corps addressed the issue of relocation of Shelter #3.

Mr. Butler explained that he and his team are responsible in coordinating the relocation of the shelter which is to be paid for by the Corps because it was impacted by the proposed levee enlargement. The facility has to be relocated to a distance within reason (within 1½ miles from the original location). All fair and reasonable costs for the building will be paid for by the Corps with betterments being the responsibility of the local sponsor. The majority of utilities such as water and sewerage will be paid for by the Corps with the exception of two locations where electrical conduits run up and over the levee. The conduits located underneath the levee prior to the building of the levee itself will be paid for by the Corps. Everything for Shelter 3 will be paid by the Corps. The location of the shelter has not been determined. Mr. Capo stated it is our recommendation not to build the shelter in the former location because the levees are higher and it is outside of flood protection. It is recommended to build Shelter #3 between Franklin Avenue and Shelter #4 balancing out the Lakefront but that location is not final. Mr. Capo added the Corps is looking for a decision rather quickly but there is an issue on who signs off on this project, the Flood Authority or this body. The relocation agreement has Gerry Gillen as the Executive Director of the Orleans Levee District as signing off on this particular project but that is a legal question we have to engage Mr. Metzger in.

Mr. Metzger explained that this location is Non-Flood Asset. Mr. Capo added that the Flood side operated by themselves on decisions with the Corps and never consulted Non-Flood or Division of Administration in giving the Corps right-of-ways on Lakeshore Drive or into the Orleans Marina. They unilaterally with the Corps decided to give the Corps the right-of-way.

Commissioner Ernst agreed and inquired as to how soon because the next meeting scheduled for this committee is in December. Mr. Capo stated once Mr. Metzger finds out if we have the legal authority, we need to proceed with deciding on where we want to relocate the shelter and set that for discussion and approval at the December Board meeting.

### **2. Utility Crossings at Lakeshore Drive**

Mr. Butler stated that the Corps has found relocating these utilities fully compensable. Commissioner Ernst inquired as to a timetable on when this would be compensable. Ms. Veneta Mays, also with the Corps, advised everything was compensable except the electrical to the Mardi Gras Fountain and Shelter #2 because OLD relocated those facilities after the original levee was built. The Cost Reimbursement Agreement is only for those utilities that were affected, not Shelter #3. As soon as the Agreement is signed for Shelter

#1, Shelter #4, Shelter #3 and all of the lighting along Lakeshore Drive they will move forward. Mr. Capo stated the delay is this current proposal has Gerry Gillen as Executive Director of Orleans Levee District as the person that is going to sign on this and it is a glitch we need to resolve to move forward because we are anxious to get these projects started.

Mr. Capo inquired as to the total costs for the utilities compensable. Ms. Mays stated a cost estimate was sent on that for approximately \$1.3 million and of that cost only \$27,000 was not compensable which was for the electrical at the Mardi Fountain and Shelter #2. Once that is approved OLD will get their own contractor and the Corps will reimburse actual costs. Once an invoice is sent to the Corps it will be reimbursed. On Shelter #3 a detailed cost estimate and the plans are needed before proceeding forward in the Agreement for that shelter.

Wesley Mills of Design Engineering estimated the total cost for construction of the utility relocation project, including eight utility crossings and bringing in water and sewerage, to be \$1.8 million. This includes an underground conduit going over the existing levee with an embankment over the top to match and blend the levee so you won't notice the utility lines under the levee. The embankment will be, depending on the size of the utility line, approximately 6 inches to 1 foot on top of the utility line. Utility lines are between 3-6 inches in depth. Mr. Mills explained this will not be disruptive in walking on top of the levee because it will be sloped at an ADA with the minimum slope allowed for, making it a very gradual slope that is not really noticeable. Mr. Mills added that the plans are being finalized and will be forwarded for review and if acceptable they will be sent to the Corps.

### **3. Contract Discussion and Approval to Repair the Mardi Gras Fountain and Four Winds Fountain**

Steve Nelson with Stuart Consulting Group addressed the issue of the Four Winds and Mardi Gras Fountains adding that these were two separate contracts for each fountain. The Orleans Levee District has the resources in place to move forward with these projects now that Lakeshore Drive is ready. DEI started work with the study phase, updating cost estimates and FEMA's original obligation of \$18,500. Presently, FEMA has agreed to cover over \$600,000 in construction costs. These contracts will be primarily FEMA reimbursable based on a percent construction cost as agreed to by FEMA. The only caveat being the study phase which will be presented to FEMA attempting to retain reimbursement for that. There is a potential cost burden to the Levee District of about \$55,000 which will be spread across both projects. The construction for the Mardi Gras Fountain is about \$600,000 with a fee, based on FEMA's approved percentages, of about \$111,000. The cost estimate for the Four Winds Fountain is \$264,000 which generates a fee of about \$66,000. The fees will be split between design, basic construction and administration. The contracts have come out fairly recently but Mr. Nelson would like to move forward with these contracts and have a recommendation to the Full Board next week to discuss those contracts.

Mr. Lupo commented to the Committee that the electrical service for the Mardi Gras Fountain is in this contract. Mr. Lupo stated that was something important to know as that is a major cost.

Mr. Ernst questioned the amount of money anticipated to come out of pocket from the Non-Flood Asset Management Authority and Mr. Nelson stated the worse case scenario would be in the neighborhood of \$57,000 total but they will discuss with FEMA that a portion of that be reimbursable although that is not obligated on the project worksheet as of yet. This would spread across both fountains.

Commissioner Ernst concurred with Mr. Lupo's comment and recommended this be put before the Full Board next week and taken under consideration during that time, seconded by Commissioner Trask and unanimously adopted.

**ANNOUNCEMENT FOR NEXT RECREATION COMMITTEE MEETING**

Commissioner Ernst announced the next Recreation Committee meeting is to be held on December 2, 2010 at 3:00.

**ADJOURNMENT**

Commissioner Ernst called for a motion to adjourn, seconded by Commissioner Brien and unanimously adopted at which time the meeting was adjourned.