

NON-FLOOD ASSET PROTECTION MANAGEMENT AUTHORITY
MINUTES OF THE RECREATIONAL COMMITTEE MEETING
DECEMBER 2, 2010 – 2:30 P.M.

The regular monthly meeting of the Recreation Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, December 2, 2010 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.

Chairman Hassinger called the meeting to order at 2:44 p.m. and led in the Pledge of Allegiance.

The roll was called and two out of four members were present thus not constituting a quorum. The meeting proceeded as an informational meeting and no votes were taken.

PRESENT:

Chairman Joe Hassinger
Commissioner Stanley Brien
Commissioner Greg Ernst (Arrived 3:33pm)

FURTHERMORE PRESENT:

Chairman Robert E. Smith Lupo

ABSENT:

Commissioner John Trask

STAFF:

Louis Capo, Executive Director
Sharon Martiny, Non-Flood

ALSO PRESENT:

Gerard Metzger
Charles Curtis
Albert Pappalardo
Donald Booth
Wesley Mills
Capt. Brock Schmidt
Steve Nelson
John Davis
Frank Stuart

OPENING COMMENTS

None

APPROVAL OF AGENDA

Quorum not present

APPROVAL OF MINUTES

Quorum not present

Chairman Hassinger opened the meeting with Old Business. Items 7 and 8 will then be addressed with New Business.

OLD BUSINESS

1. Shelter #3 Relocation

Mr. Capo referred to a map depicting the former site of Shelter 3 prior to Katrina. The Corps raised the levee and Shelter 3 was in the footprint of this levee. The Corps is willing to build us a new shelter. Staff's recommendation is not to rebuild in the same area. It is difficult to patrol and to secure. Staff recommends moving Shelter #3 about 1½ miles toward the east, between Franklin Avenue and Shelter #4. This area is approximately 350 feet from the toe of the levee to the roadway and there is ample space for the shelter in this location. Capt. Brock Schmidt will address any issues with Shelter 3. The Corps is willing to pay to have Shelter 3 relocated and built but there is an issue with reimbursement. The way it is structured, we pay the contractor first and then get reimbursed from the Corps, which could be as long as 60 days. That presents several problems for us because of our financial position. We cannot use FEMA money for this project; it is not a FEMA project. If we can work out an arrangement with the Corps for expedited reimbursement, we can proceed rather quickly on this project. It has not been assigned to an engineering firm. Mr. Mills with DEI has been looking at this in conjunction with utility crossings on Lakeshore Drive. The key question is: is this the right location for it and if it is; how can we do this and pay the contractor in a timely fashion not putting us in financial jeopardy.

Mr. Metzger stated he reviewed the contract along with Mr. Pappalardo and it is a 100% cost reimbursement contract. The District will put the money out for the project, submit the proper documentation and then be reimbursed. The Corps is permitted to withhold 10% of the payment pending a review and audit of the reimbursement. The standard rule for reimbursement is within 60 days with the Corps using its best efforts to achieve that 60 day period. This is a big issue regarding how far out the District will be at times with advancing funds and waiting for reimbursement. This will come out of the operating funds of the Orleans Levee District.

Chairman Hassinger questioned the Corps' position on where the structure can be relocated. Mr. Capo informed that Richard Butler and Venetta Mays were leaving the location up to us. Originally it was one mile but 1½ miles is acceptable.

Chairman Hassinger agreed that Franklin and Lakeshore Drive is a good location for the shelter with the main issue being how we are going to pay for it.

Capt. Schmidt addressed the issue of payment and stated he didn't think there would be any problem with location. Any location is compensable. As far as the 60 day period, I have another year here. If it is done in the next 8 months, Capt. Schmidt stated he will make sure payment is faster than 60 days. Everything is pretty standard and we are basically waiting for the CRA to come back. There are two separate CRA agreements, one for lakeshore Dr lights and the second for Shelter #3.

Capt. Brock Schmidt is the point person with the Corps for the lights and the shelter and his blackberry number is (504) 615-0395.

Chairman Hassinger questioned what is needed to get lights and utilities back on the Lakefront. Capt. Schmidt stated he needs the two cost reimbursement agreements signed and sent back to the Corps.

Wesley Mills with Design Engineering, Inc. stated the final plans will be complete at the first of the year for the review of the Corps and OLD. The plans are for water, sewer and electrical utilities to shelters 1, 2 and 4; water to the Mardi Gras Fountain; and the 8 electrical crossings that will bring power to the light system on Lakeshore Drive.

Capt. Schmidt stated next, the plans get reviewed. Once reviewed, Capt. Schmidt will get them out and turned around so construction can begin.

Commissioner Brien questioned if power to the lights can be expedited. Mr. Mills informed there are several separate crossings, 8 individual crossings for the electrical lines that bring power to each as a feed to the street light system along Lakeshore Drive. As far as expediting the lights; that is something we can write into the project and have the contractor start construction on first, that is definitely an option. This is not a separate project so the drawings will be completed in one package at the end of the year.

Mr. Metzger noted that the only contract reviewed to date is the cost reimbursement for the relocation of the shelter. The agreement on the utilities has been delivered to Louis and would need to come back before the Committee for recommendation to the Board.

Chairman Hassinger questioned if the Corps can negotiate with the Board to change the 60 day reimbursement to 30 days and delete the provision of the 10% holdback pending an audit on the request for reimbursement. Capt. Schmidt advised he would see what changes can be made to the agreement to reduce the time frame. If it is approved, Capt. Schmidt will get that language changed and forward it to Mr. Capo for his review.

Capt. Schmidt informed he would e-mail Mr. Capo and inform him of the Corps decision. Capt. Schmidt informed that the Corps is being very aggressive to get projects completed in the Lakefront area, particularly by Lake Marina and Lakeshore Drive. We are aggressively managing these contracts to get the Lakefront open quickly.

Chairman Hassinger questioned the outlook for the stretch east of Franklin Avenue. Capt. Schmidt stated this would be about two months. One gate requires work right when you get off of the Ted Hickey Bridge which should take about 3 weeks. Once completed, we will be able to open that entire end in that area. You won't be able to cross London Avenue because they are putting a new gate in at the top of that section. All construction is due to be finished in late March so you will have the entire Lakefront again. You will not have Seabrook Boat Launch yet, that is going to be in later April, hopefully for the spring fishing season.

Mr. Capo referred to the signage in the area of Marconi and Rail Street stating the signage does not inform motorists that the road is closed and you cannot proceed. Mr. Capo requested getting additional signage in that area. Capt. Schmidt advised he would speak with the Corps resident engineer to see what can be done.

Chairman Hassinger referred to the Agenda items and stated he would like to see what the Board can do with respect to recreational assets along the Lakefront during the ongoing construction projects. Prior to this Board, when operating under the Governor's commission, the Lake Pontchartrain Basin Foundation was interested in working to start projects along the Lakefront, they were eager to improve the situation and make the Lakefront the best it can be for people who want to use it and have a good time. Chairman Hassinger suggested this Committee assemble a list of problems dealt with over the last several years that can be better addressed because this Authority is now in

place. Also, things we can do with limited funds, in conjunction with the Lake Pontchartrain Basin Foundation, to improve assets out there for recreation, landscaping, etc. One example; there are no trees, people have no shade. Hundreds of trees were knocked down as a result of Katrina. There may be funding sources for landscaping to help beautify the Lakefront. Chairman Hassinger suggested preparing a list of action items this committee can recommend to the Board over the next 60 days and stated he would contact the Lake Pontchartrain Basin Foundation and request they give a presentation to the Board of ideas that they can help us accomplish over the next several months.

Mr. Capo stated Al Petrie with Lakeview Civil Improvement Association had trees planted on the New Basin Canal at a very low cost, they were donated trees. People donated their services to place water bags and plant trees and they kept them watered over time. Mr. Capo stated he would contact Mr. Petrie to see what route was taken then and see if we can pursue similar avenues to acquire trees for the Lakefront. Since 2005 we have taken out hundreds of stumps from Lakeshore Drive because they were a hazard.

Mr. Capo stated the swing and play areas were repaired and functional. There is a major problem around Shelter 1 with ponding resulting from rainwater and stopped up drains. When the water dries it is a sandbar, it is full of mud making the area behind Shelter 1 unusable. Several areas along Canal Blvd., through erosion from storms coming through, push mud, rock and grass onto Lakeshore Drive which drains and washes into the catch basins. The catch basins have been slowed over the years and now are completely stopped up. These drains need to be cleaned and vacuumed. Mr. Capo further stated that we have not expended monies to clear the drains; it is an ongoing process, not a one-time deal. Drains were cleaned several times under a contractor. It was done once by FEMA since the storm in that same vicinity around Canal Blvd. On an ongoing basis, that is part of the maintenance of Lakeshore Drive. We have not had the funding to continue those services. The Flood Authority does not have the necessary equipment to do that.

Chairman Hassinger questioned the procedure in place for basins, drains and grass behind Shelter 1. Mr. Capo stated The Flood Division has taken on the responsibility for filling the holes behind the seawall from the washout and erosion. They have been cleaning the streets and taking the mud and placing it back behind the seawall however we still maintain cutting and trash pick. The Lake Pontchartrain Basin Foundation was going to have a beach sweep this coming year using Shelter 1. Gerry was going to have that area cleaned up but they elected to use Shelter 2 so there was not a need to do that. There is an issue regarding lights along Lakeshore Drive and the cost of keeping those lights on which, prior to the storm, was in the neighborhood \$130,000-\$140,000.

Mr. Capo informed that the way the lights are billed is interesting; the number of light bulbs times the cost for that type of light bulb. It is not a metered rate; the cost is by type of light bulb. If bulbs are burnt out we get charged because it is a numbers count. It is not a metered rate of actual usage of the light.

Chairman Hassinger questioned the process in place for reviewing building plans for residential property in neighborhoods along the Lakefront. Mr. Capo advised that Mr. Al Wethern on the Flood side has been the engineer with the Levee District for a number of years. When building plans come into my office, they are sent to Mr. Wethern for review. If they are denied he will send the plans back to us and contact the homeowner. We have no mechanism for a variance; Mr. Wethern has held the line as best he could with the building restrictions.

Chairman Hassinger commented he would like to get an action plan of things to do on the recreation side that would create positive impact on Lakeshore Drive while work is ongoing. Based on Capt. Schmidt's comments there will be utilities

and the new shelter in a matter of months so other recreational assets would be a good compliment.

Mr. Capo stated that once utilities are back the port-o-lets will be removed from Lakeshore Drive. They were a means of having restrooms while the shelter houses were unavailable. They are only in areas that are open to the public.

Mr. Capo added that this winter we reduced the times and frequency that the grass is cut. We cut once in October, November and December, stop in January and February and start back mid to early March depending on the height of the clover patches. With limited funding we juggle the frequency of cuts. If an area is unsightly or if citizens complain that the grass needs to be cut, they contact my office. We have not received any complaints.

Chairman Hassinger referred to the fountain at Paris Avenue and Lakeshore Drive being in much need of maintenance and repair. Residents in the area volunteered to do the work and some people offered to chip in and pay a percentage of the cost. This will be an issue Chairman Hassinger will address at a later date.

Mr. Capo stated residents of Lake Terrace have painted either the pump house or the electrical box to match the greenery in the area.

Chairman Hassinger stated the fountains have wrought iron around the outside and it is a big undertaking to strip and repaint it. People also advised they would contribute to the project - work, money or otherwise. The residents suggested the property owners' association pay for this if there are enough funds in the bank. Chairman Hassinger stated it is a function of this Authority because it is on Levee Board property and has always been maintained and operated by the Levee Board. It is not appropriate for the neighborhood association to pick up the costs of what has always been a government function. It is a question of; do we have the money to pay for it and get it done. Residents have also volunteered to trim trees, which is an expense we have not had the funds for on a regular basis. Many trees can be trimmed; people will get groups together to do it. Chairman Hassinger questioned if that occurs is there someone available to pick up the cuttings.

Mr. Capo suggested using in-house staff. We also have a trash truck which is a large stake body truck. If clippings are small enough to throw in this truck, they could be placed into disposal units at the Franklin facility. We could also contact EDS for a proposal on the cost to remove the debris. Because of the closure of the Seabrook Bridge we are looking to move those employees into our maintenance group who could then perform those types of functions. We have two males and two females.

Mr. Capo expressed some concern with volunteers on the property and the issue of liability. If someone is injured we are granting them permission to access our property and if someone gets injured, are we exposed to the liability.

Chairman Lupo advised that there are agencies all around the city that have been doing this for years. There are documents that you can sign. That can be handled, that is not an issue. Chairman Lupo suggested this Committee request from staff an action plan for those two projects.

Chairman Lupo addressed the project between Bayou St. John and Rail Street and questioned if the pedestrian crossovers would be replaced. Capt. Schmidt informed that the crossovers would not be replaced because the new criteria does not allow for anything inside the bases of the levee, they are not included in the current contracts. Capt. Schmidt will look and see if they are in past drawings and perform the Corps' due diligence.

Chairman Lupo addressed the acceptable area for the relocation project as being one mile; the new location is 1½ miles. It is Capt. Schmidt's opinion that there would be no problem with that. Chairman Lupo questioned if Capt. Schmidt could get this in writing. Capt. Schmidt stated he would get this confirmed in writing.

Chairman Lupo stated that although DEI's drawings will be ready in January they have to go out to bid and public bid laws require so many days for certain things. When the drawings are finished that does not mean the project starts. Chairman Lupo wanted to inform everybody and put on record that more time will be involved. Chairman Lupo then requested that the CRAs be reviewed by Mr. Metzger before the upcoming Board meeting and Mr. Metzger agreed.

Capt. Schmidt informed that the Corps does everything the Senate allocates. Within the Corps building, I can help you get things pushed through quicker. The Corps is going to do everything they can to make sure this happens as quickly as possible.

Chairman Lupo addressed the Rail Street project and gave kudos to the contractor who is working there. They are doing a great job and if you could pass that on to them I would appreciate it.

Chairman Lupo commented on various kinds of tree grants and stated he would be glad to talk to the people he knows at Beacon of Hope and Lakeview Civic who have done tree planting projects to see if some of these corporations will help with that. Chairman Lupo also addressed the Flood side taking on erosion control behind the sea wall and stated if it is their mud and their problem that is causing the Non-Flood side drains to be closed up Chairman Lupo would like to have a meeting with Gerry Gillen and explain to him that what he fills every time behind the flood wall is what winds up in the drains. Part of this erosion control absolutely is his responsibility as well. Behind Shelter #1 and these drains that are not draining directly into the Lake is the very debris he has to refill. We have to move these responsibilities where they really belong.

ADJOURNMENT

Commissioner Bridges offered a motion to adjourn, seconded by Chairman Hassinger and unanimously adopted.

The meeting adjourned at 3:37.