

NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE
RECREATIONAL / SUBDIVISION OBLIGATION COMMITTEE MEETING
FRIDAY, APRIL 15, 2011 – 3:00 P.M.

The regular monthly meeting of the Recreation Committee of the Non-Flood Asset Protection Management Authority was held on Friday, April 15, 2011 at 3:00 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 3:10 p.m. and led in the Pledge of Allegiance.

The roll was called and a quorum was present.

PRESENT:

Chairman Joe Hassinger
Commissioner Stanley Brien
Commissioner John Trask
Commissioner Greg Ernst

FURTHERMORE PRESENT:

Chairman Robert E. Smith Lupo
Commissioner Wilma Heaton

STAFF:

Louis Capo, Executive Director
Sharon Martiny, Non-Flood

ALSO PRESENT:

Gerard Metzger
Albert Pappalardo
Harold Baur
Todd Klock
John Davis
Scott Sanderford
Larry Marino
Gerry Gillen
Stephen Spencer
Rian Pasnensk

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Commissioner Ernst offered a motion to approve the minutes from the Recreational/Subdivision Obligation Committee meeting of February 3, 2011, seconded by Commissioner Brien and unanimously adopted.

NEW BUSINESS

1. Proposed Sign for Lakeshore Drive Entrance to UNO

Mr. Capo advised that there are two ramps that lead to UNO which are placed on Lakeshore Drive and Mr. Harold Baur from UNO is here to request signage on Lakeshore Drive.

Mr. Baur of UNO is proposing to put a sign between the entrance and exit roadway but there is an Oak tree in the way. The sign UNO is proposing is the

same signs currently on Leon C. Simon and could be placed further west. These signs indicate UNO and have a UNO logo on them. The signs dimensions are 12' long, 18" wide and 5'4" tall. Mr. Baur wants to place a sign so people can identify the entrance to UNO coming from the west about 10 feet off of Lakeshore Drive. From the west is the entrance and coming from the east is the exit. Chairman Hassinger requested Mr. Baur provide Mr. Capo with a photograph and a proposed location for the sign to be placed.

2. Discussion on USACE Right of Way Request

Mr. Larry Marino with Louisiana Property Acquisition Company stated that the matter before the Committee is a request from the Corps of Engineers for property needed to build, operate and maintain the permanent canal closures and pumps project. Louisiana Property Acquisition is a contractor to the state working for the Orleans Levee District to grant these property rights. One year ago, the Corps requested right of entry to certain properties along the three outfall canals including London and Orleans. Along those two canals some area requested are Non-Flood Assets' parks along the canals. Some rights needed are permanent north of Robert E. Lee. South of Robert E. Lee some rights are temporary and needed through December 31, 2016 for construction of the project. Maps were previously provided to Mr. Capo. The parcels at issue include one along London Canal close to the end. There are five parcels along Orleans, most of these are at the end with one behind the temporary interim closure structure. On behalf of the Flood Protection Authority and the Orleans Levee District, I contacted Mr. Capo to request right of entry through this Authority to those Non-Flood Assets and Mr. Capo advised that we would need to make a discussion and presentation to the committee and then to the entire Authority. I have e-mailed Mr. Lupu who had various questions regarding the project itself and Col. Sinkler is here to discuss the specifics of the project. It has been confirmed by the Attorney General's Office that the property at issue is still owned by the Orleans Levee District and to use the property for flood protection projects there is no compensation due or to be paid.

Col. Bob Sinkler has been involved in the work here since 2006 and in charge of the Hurricane Protection Office since May 2009. Col. Sinkler informed that this project is being constructed under a congressional authority which authorizes the Corps to design and construct permanent pumps for the three outfall canals at or near the Lakefront. The solution was to construct the three outfall canal pump stations. An environmental process was followed including providing an individual environmental report and several public meetings were held. Upon completion of the process, the design build contract was ordered on April 13, 2011. Col. Sinkler referred to the individual environment report timeline and stated this project has been in progress since June of 2007. Col. Sinkler informed that the Corps would need authorization for right of entry by April 21, 2011 to stay on schedule. By October 2015 the pump stations should be substantially complete enough to operate. The new pump station to be constructed along the Orleans Ave. Canal will be closer to the Lakefront. All property and real estate needed to support this construction effort is in line, with the exception of what needs approval from this Authority. Along the London Avenue Canal the new pump stations to be constructed will only need 1/3 of the space from the entire footprint, the rest of the space will support the construction activity. The design build contract was just awarded on April 13, 2011 and the Corps cannot go into details of the contract until the protest period has expired. There is a tentative date of May 11, 2011 at which time more details can be released. The life expectancy of this project is 50 years if the pumps are properly maintained. Chairman Lupu advised the Committee that some of the yellow areas shown in the slides provided by the Corps will be permanently taken over.

Ms. Susan Weston, counsel, stated the Corps could not answer any questions regarding the proposals until after the contracting officer debriefs the losing bidders and gives them a chance to protest. Commissioner Trask noted there were too many unknowns. This Authority would like to have as much information as possible in order to vote on this matter. Commissioner Trask suggested a meeting closer to the May 11, 2011 date so the Committee would have more information.

Mr. Marino informed that the request at this time is for a Perpetual Easement to two of the parcels. The Corps has been granted the right to use the property for the project. It is still Orleans Levee District property and if it is not used for a Flood project, it will remain a Non-Flood asset so it does not change permanently by virtue of granting the right of entry to the Corps.

Chairman Hassinger commented that the issue is whether the condition of the property would change. Although it may be temporary; is it going to concrete or asphalt and will equipment be stored there. If the right of way is permanent and the road is not used in connection with the project, is it usable by people who live around there. Mr. Marino stated that if it is not used the property will stay as is – owned by OLD and under Non-Flood control. If it is used for the project, whether for a road or whatever else it is, it would become Flood property and would continue to be used for the project. The request is for the entirety of the parcel with the Non-Flood Assets getting back what property is not used. Col. Sinkler informed that there is an obligation from the Corps to return any property to its pre-existing condition. The actual construction would be at Orleans Canal south of the bridge. Chairman Hassinger referred to the map and questioned if the blue shaded area extended beyond the toe of the levee on the west side of the canal. Mr. Marino informed that it does and on the survey it is separated flood versus non-flood according to where the toe was. The statute is not clear about what is flood and non-flood so the toe of the levee seems to be a good division although it can be 6 feet beyond. On the top is the city right of way and on the bottom it is the toe. The lower half of the section on slide 13 is temporary in connection with the removal of the temporary pump station and the half before the right would be permanent. Mr. Marino added that the entire yellow area bound in red is a temporary easement through December 31, 2016. This boundary extends 4 feet back from the curb. Greenspace not in red up to the toe of the levee could potentially be used. Commissioner Trask questioned if a structure would be built in the neighborhood area just south of the levee. Col. Sinkler stated a structure could be built there. Col. Sinkler advised that construction would be off of Lakeshore Drive and from Robert E. Lee to Leon C. Simon. The construction of these three pump stations and the continued construction at Seabrook will not impact vehicle access at all. There may be temporary closures to move equipment but it will not be anything long term. There is no intention to close anything for a long period of time, it will be for periods of 1-2 hours if closures are needed. A traffic plan has been submitted for access routes for trucks, equipment and vehicles and more detail will be given when it becomes publicly available. In the RP access is anticipated on the west side.

Chairman Hassinger questioned what opportunity the Authority will we have to address issues in the proposal from the contractor since we will not see the proposal until May 11, 2011. Mr. Dan Bradley, Real Estate Specialist for the Corps, informed that between now and then probably none. For the past three years the Corps had the RFP publicly available. There were public meetings in which questions were taken and answered in that process. There was a two year period leading up to the advertisement procurement activity when comments were taken from the state, the Sewerage and Water Board, OLD, SELFPA-East and during that time the RFP was formed. Hopefully all concerns have been captured from the public and the local non-federal sponsors prior to putting this out on the street.

Chairman Lupo stated that does not know what the answers are to the comments that were taken from the Corps. There are many questions this Authority has for the Corps. Chairman Hassinger added over the last several years he has attended meetings and submitted proposals in writing to get as much input on things that would impact the quality of life along the Lakefront when this construction starts. When construction begins it will be over the course of several years on people's doorsteps. There will be issues arising on a daily basis with large trucks coming down the street dropping dirt, breaking foundations, trash and noise. This Authority has nothing to look at to be able to anticipate problems that may occur during construction. Col. Sinkler informed there will be public meetings with the design builder addressing these issues and this Authority will not be shut out of the process. These meetings will be tailored to each neighborhood, community concerns, community leaders and organizations such as this Authority to work through the issues. The Corps does not know all of the details as only the contractor can give those. Each one of the pump station outfall canals will be different so there will be frequent meetings to work through various issues that are raised. There is some flexibility with construction requests of residents in the neighborhood.

Chairman Hassinger questioned if the Right of Way would mandate the Corps or its contractors to conduct monthly meetings during construction to address issues that arise. Col. Sinkler stated the Corps would commit to that now and suggested starting off with a monthly meeting until construction gets under way and then having more frequent meetings. Commissioner Trask stated that the Corps of Engineers has been working on this since 2007 and it is 3 weeks away from when they can give us the answers. There is no reason why we can't defer this until we have more information because there are some reservations regarding all of the mystery. There is a Lakeshore Property owners meeting coming up and these residents are going to want me to give them answers in which I will be forced to say "I don't know." Mr. Marino stated that this is Orleans Levee District property. In the past Orleans Levee District through the Flood Protection Authority granted the Right of Way for entry. This is a new Authority and the Corps experience with you all is new. These are time sensitive projects, there has been a lot of hurry with every agency on every project. Commissioner Trask commented that this was a 4 year project in which he would like to know all information. Col. Sinkler stated that is has been no secret that the Corps needed this footprint. The Corps never had an issue with any Orleans Levee District property needed for construction so we didn't think there would be an issue. Col. Sinkler expressed surprise and shock that at this stage of the game, three weeks prior to the Corps needing Authority to enter the property, there is an agency associated with Orleans Levee District that has some concerns and act like this is a surprise to them. It is unknown what the footprint would be for the pump stations. The Corps will not have that information until the protest period is expired. There will be opportunities to work with this contractor through the process on everything associated with the color schemes and aesthetics associated with the pump station. Commissioner Trask questioned if the Corps needed a formal approval before the Corps can award the contract. Col. Sinkler informed that the contract has been awarded. Ms. Susan Weston informed that April 21, 2011 is the date the Corps needs Right of Entry in order to adhere to the schedule going forward. The contract includes safety provisions and safety requirements. Many of those issues can be addressed on an ongoing basis in meetings with the Corps. You are not going to have all of those questions answered in three weeks. Commissioner Trask commented with this being a 4 year process I don't see 3 weeks being drastically different. It would be more comforting if the Authority knew exactly what we were talking about here.

Ms. Weston referred to the slides and advised that the permanent structure would be within #3 and some impact on #2; #1 and #4 are temporary. Commissioner Trask stated that gravel parking lots for dump trucks to park and

50 foot tower being built are very different things. If it is a pathway and parking lot for a truck which tears up General Haig, is there a provision for road repair or will it be addressed at that time. It could be anywhere on the map and that is where the concerns are. Col. Sinkler advised this would not be answered on May 11 as this is a design build effort. In the design build process, the design continues for several weeks. Some aspects may be complete and some may not even be designed yet.

Chairman Hassinger pointed out that all the Authority has are generalities because it is a design build project. On May 11th and a year from now the Authority will have the same situation. If six months down the road the Authority advises the Corps of an issue, the contractor could say that they cannot help the Authority because the contract is with the Corps. The Authority will not have any input. Col. Sinkler advised that these issues could not be worked through until further down the road. There are meetings with the Dept. of Transportation in which the state and local police attend which address the movement of vehicles to project sites. You cannot build a 120 mile wall around a city and not have systems in place to work through those issues.

Chairman Hassinger commented stated that he did not want the Corps or contractor relaying messages from the Flood side to the Non-Flood side or having the Flood side tell us how it is going to be because our concerns are different. Col. Sinkler stated that the government organization that the Corps is teaming with is the State of Louisiana. The Office of Coastal Protection and Restoration is a non-federal sponsor which trumps the other agencies. Mr. Marino added that it is required by the Statute that provided for the funding for this project that the state is responsible for acquiring the property rights. There is nothing unusual or sneaky about them coming to us because that is what they are supposed to do. It is our job to get the property rights. I didn't want you to think that there is anything untoward about how this came about.

Chairman Lupo stated that this Board has a vested interest in this project because we have invested financially and emotionally in residences and businesses here. This is something that we want to see go forward quickly and efficiently. This particular Authority has the stewardship for recreational and residential property under our authority. There have been many vague questions asked of this Authority today that the Corps cannot answer, yet the Corps is asking for permission to build a \$20 million project which will affect 3-4 generations of New Orleanians and their quality of life. This Authority cannot sign off on something without having those questions answered. The citizens of Orleans Parish have paid over generations to maintain and have these parkways and Lakeshore Drive that you are about to take away. Mr. Marino stated they taking part of the park to use for the project to protect the city. Chairman Lupo questioned what compensation there would be for the citizens who have made monetary investments and paid taxes to this project. Mr. Marino stated the citizens would receive protection from hurricanes as this property is owned by the Orleans Levee District which is responsible for protecting the city from flood. Chairman Lupo asked why Non-Flood permission was needed if this was considered Flood property. Mr. Marino advised that the Flood Protection Authority asked Mr. Marino get consent from Mr. Capo who in turn stated that authority would be needed from the full Board.

Chairman Lupo advised that this Authority has a charge to ask questions in which there are absolutely no answers. We requested the Corps send the people who could answer questions here tonight but we are being told the questions cannot be answered. **Chairman Lupo requested his questions to the Corps be inserted into the record.**

Commissioner Ernst questioned if there would be monetary compensation for property being taken away. Mr. Marino stated that the Non-Flood Protection

Asset Management Authority does not own the property; it manages and controls the property. Orleans Levee District is the body that provides the rights to the Corps and then Non-Flood Protection Asset Management Authority would operate and maintain the property afterward.

Commissioner Heaton questioned in the event of an accident; who would be sued, Flood or Non-Flood side. Mr. Marino informed that this is clearly an Orleans Levee District Flood project so it seems to me it is clearly a Flood responsibility. It is Chairman Lupo's understanding that this project will be excavating into the drainage canal to a proposed depth of -40 feet. Chairman Lupo questioned the process for removal of any excavation materials or hazardous waste from the canal bottoms. Lori Wilkerson of the Corps informed that the HTRW (Hazardous, Toxic, Radioactive Waste) is part of the environmental analysis. The Corps performed Phase 1 and Phase 2 sediment analysis tests and the results indicated that the risk of encountering an HTRW is low. The material dredged out of this canal would be either disposed of properly or reused on same. A transportation analysis was performed and documented in the Individual Environmental Report No. 5. Excavation debris would be hauled through existing approved roadways. The trucks would not be overloaded in accordance with the Highway Dept. Col. Sinkler stated that the Corps works closely with the state and local police and the Louisiana Dept. of Weights and Measures. Compliance with laws is part of every contract that the Corps awards. Chairman Lupo suggested having a liaison between this Authority and the contractor and the Corps to make sure that those recognitions are available. Col. Sinkler advised the liaison is Mr. Dan Bradley, budget manager. Mr. Bradley informed that in the RFP the contractor is required to have an outreach program to assist the Corps and our PAO in facilitating meetings. The Corps PAO will have a construction hotline to retrieve information. Ms. Nancy Allen, the public affairs officer assigned to Dan Bradley's team, advised of public affairs provisions in the RFP that requires the contractor have a public affairs person working closely with the Corps public affairs person. There is a construction hotline that is answered locally to which reports are fed and you get a call back or a resolution to the situation. A website was in the contract but there is no streaming video. The hotline number is (877) 427-0304. Ms. Allen advised that magnets with the hotline number are handed out at public meetings along with door hangars and mailers posted for public view to communicate with the public. The Corps has a very robust public affairs staff who make recommendations to the contractor and the project manager. Col. Sinkler added that the 800 number is sent out monthly to every parish council member, every parish president and all of the key leaders.

Col. Sinkler stated that he did not understand the shock and surprise of this Authority regarding something that the Corps has been planning for several years. Chairman Lupo advised this Authority was legislated in August, 2010 and has never been approached by anyone about these pump stations or for permission to do anything. This is our charge and responsibility. Chairman Lupo questioned if there was a written response from the Corps regarding the evaluation of the impact on local community residences and parks. Ms. Lorilee Wilkinson stated that the impacts were evaluated and documented in the Individual Environmental Report #5. Col. Lee signed the decision record on June 30, 2009 which enabled the Corps to move forward with advertising and awarding the design build contract which is available electronically at www.nolaenvironmental.com. Ms. Wilkinson informed that recreational impacts and aesthetics were assessed and documented to review a whole scheme of alternatives. Although this Authority was formed in August of 2010, the Corps has held monthly construction meetings and are here today and are willing to work with this Authority. Commissioner Ernst stated the Authority needs information as we were not in existence prior to August 2010 and some members of this committee did not attend these meetings. Ms. Wilkinson advised she would send copies of public comments and concerns associated with this project

to the Board members. These comments are also available on the website www.nolaenvironmental.gov under IER5 projects.

Chairman Lupo stated this Commission is interested in what was gleaned from those meetings, what action the Corps has taken and what actions were taken to minimize the effects to the aesthetics. Col. Sinkler stated that the Corps is surprised by the situation encountered at this meeting because the Corps has been working on this very publicly for several years. It appears that there are members on the Board that are not aware of the details and the work that has gone on. Issues that this Authority are interested in have previously been addressed by the Corps. It is beneficial to have a working group meeting with a subcommittee of this organization to through each document and question this Authority has. Chairman Hassinger stated that the Corps' comments regarding the Board members' knowledge of the project were offensive. We have been here since 2005 dealing with these issues. The Corps cannot show this Authority the contract on what is going to be done. The Authority knows what the solicitation and RFP were but we don't know what the contractor said will be done. Col. Sinkler stated that much of the work that the Corps has done took place prior to the formal formation of this organization so there is some catching up that needs to be done. Chairman Lupo this Authority has legitimate questions to which the Corps does not have for. Ms. Weston stated that the Corps cannot state the specifics of the design or what the proposal as opposed to the other proposals might say. The Corps will hold the contractor to the requirements of the solicitation. There are several federal laws regarding disposal of hazardous materials which the Corps will enforce.

Chairman Lupo questioned how the pouring of the 125,000 cubic yards of concrete would be staged. Col. Sinkler stated that the Corps could not answer questions regarding the staging process regarding pouring the concrete. City noise ordinances would be followed while the 4,000 plus piles are driven during these projects.

Chairman Lupo stated that the residents of Orleans Parish agree that there will be a permanent degradation to the ambiance and atmosphere of the New Orleans Lakeshore Parkways as a result of these structures being built and questioned how the permanent degradation of the quality of life would be addressed with the contractor. Col. Sinkler stated this was why the Corps went through the individual environmental report process which is available on the website. Each pump station varies and would be discussed individually however, the Corps is not prepared to go into detail at this time. The Corps came tonight to inform the Authority of the additional property needed to begin construction. Commissioner Trask commented that if another Board signed off on this project and the Corps does not need this Authority, we are out of the loop. Non-Flood Protection Asset Management Authority is not in the equation and cannot be sued. Commissioner Trask informed that in meetings with the Corps when questions were asked, the answer from the podium would be the standard quote of "it is in the environmental impact report." The Corps neglected to give a straight answer. The answer has been, "when things were too far down the road we can't change." These things were addressed before it was too far down the road and no response was given. Commissioner Trask suggested a official liaison or a person that can pick up the phone and provide real and meaningful action. Col. Sinkler stated that the Corps wants to work with this organization but he is not prepared to go into the level of detail that this Authority wants to go into at this meeting. The intent today was to inform of the areas in which the Corps needs rights of entry or access to begin construction. A contract has already been awarded and a project partnership agreement has been signed with the state. Col. Sinkler stated there will be hundreds of issues in this design build project that have to be addressed over the course of the construction so a team and partnership will have to be developed. Commissioner Trask expressed very strong feelings about this project because this could and should have been done

a lot better. There are very strong concerns about the impact this will have on the neighborhood, especially if it is going to be built on the neighborhood side of the levee; I shudder to think what this pump station is going to look like out there.

Commissioner Trask stated this Authority wanted a better understanding of where the pump station was going to be located and what it would look like and questioned whether it would be able to be designed to look like a lighthouse or something that belongs on the lakefront. The frustration is that we cannot even discuss it because we are not at May 11th and it sounds like May 11th may or not be that date. Commissioner Trask would like to have a strengthened partnership so as these things go on this Authority has a chance to sit down and discuss issues before it is too late. Col. Sinkler stated that the key person in this partnership is the contractor who the Corps cannot bring on board until the protest period is expired and all bidders have been debriefed. After a contract is awarded the Corps holds a partnership meeting which is tentatively scheduled for May 11, 2011. This will get the ball rolling on building a strong team.

Commissioner Trask questioned if there was something in the contract to motivate the contractor to do something positive on the aesthetics because the contractor has to be motivated by the contract; they are not going to do it out of the goodness of their heart. Mr. Bradley advised that there is an opportunity to make changes to the structure to accommodate aesthetics. We will discuss with an outreach group the different neighborhoods and different concepts. Each contractor works within the evaluation criteria for blending into the environment. They were evaluated based on the RFP criteria. Commissioner Trask commented that the neighborhoods have a concern because the Orleans Canal will be the most impactful on the Lakefront that all of Orleans, Jefferson and people from other parishes come to enjoy. Mr. Bradley stated that there were concerns and requirements from the Sewerage and Water Board that went into the RFP and the Corps cannot change those.

Chairman Hassinger questioned when construction is scheduled to start. Mr. Bradley informed construction should begin in September with mobilization to the sites a little earlier.

Chairman Lupo commented that tonight is the result of watching for five years this particular pumping station process move along in meetings where the perception from the public is that the Corps listens and writes all the appropriate notes down but the Authority is still waiting for those answers to the questions of the community. Chairman Lupo requests that the sheet of questions (attached for the record) be answered at a point in time before this Authority relinquishes whatever leverage it has to make these things happen in a way that is beneficial to the community as a whole. Chairman Lupo then questioned what sort of pre/post construction surveys will the Corps require the contractor to do on infrastructure because this area was built between 1939 and 1950. There are things underground which are that age and we want to make sure money is in place to make the necessary repairs if damages occur as a result of the size of this project.

Col. Sinkler stated that this is not something that can be resolved within the frequency of the Board meetings as there would be many things taking place within a 4 week period of time and there needs to be some structure to work through with the people that are engaged in this project to ensure we are all heading in the same direction. Design build projects go very fast and the pace of this is going to be something that people are not familiar with in working with the Corps of Engineers.

Chairman Hassinger commented that the Authority has respect for the Corps' most recent work on Lakeshore Drive as the supervision by the Corps was outstanding. With that work there were numerous positive comments regarding

the truck traffic, the way it was done and how neat it was. The quality of work is appreciated. We need to make sure that your contractor maintains that same attitude. Col. Sinkler stated that the Corps wants a high quality project delivered within the funds that congress has given and to be on schedule being as least disruptive as possible. The Corps worked with the city to get construction equipment off the road for the Ironman competition on April 17th. If the Corps can do something for the community to make something like that happen, we want to do it. There will opportunities during construction of the three pump stations in the vicinity of where they are being constructed which the Corps will jump on when presented to be a good partner with the community. Contractors want to be good partners and support the community.

Chairman Hassinger commented that the structures are literally right outside people's front door and this will drastically change the atmosphere of the Lakefront many, many times more than the temporary pump stations have and they have drastically changed the landscape and the whole feel of the atmosphere there. Col. Sinkler advised he met with residents and there have been more 300 public meetings. Every Saturday since September with the exception of holiday weekends Col. Sinkler met with public groups to look at what the Corps is doing. The Corps wants to be good partners in this project and reach out to other resources such as the West Point Cadets who planted trees on Lakeshore Drive. Chairman Lupo informed that the trees planted by the Cadets along Lakeshore Drive were donated by Lakeview Civic Association.

Commissioner Heaton advised that Steve Spencer and Gerry Gillen have worked tirelessly and care about flood protection. Commissioner Heaton requested Mr. Spencer and Mr. Gillen be copied any time there is a briefing as this Board would appreciate their input because we have worked over the years together and that side can be of help to this Board. They know this system and they have worked timelessly with the Corps. Col. Sinkler stated the Corps has a close relationship with the Sewerage & Water Board, Orleans Levee District and SELFPA-East and others that represent government entities and their organizations. The Corps has been working closely with CPRA as well.

Commissioner Brien made a motion to forward USACE Right of Way Request to the Board with no recommendation, seconded by Commissioner and unanimously adopted.

PUBLIC COMMENTS:

MR. JOHN DAVIS – Resident, Lake Vista

Mr. Davis stated he has spent a lot of time since January of 2008 trying to influence the decision regarding the permanent pump on the Orleans Canal. In January, 2008 the Corps hosted a 2 day public meeting for the purpose of deciding where the permanent pump would be placed in each of the three canals. Multiple sites were offered for each canal and the Corps told us unequivocally that any of the sites would be satisfactory for the pump. Residents interested in the Orleans Canal got together and selected site D located south of Robert E. Lee. This site was selected because the engineers told us it would work and would negatively affect far fewer people than the other sites. In June of 2008, I called a meeting of the Lake Vista Property Owners Association to discuss the pump situation and the Corps was invited to speak. I was absolutely flabbergasted when the Corps said that a pump location near the lake was preferred over the other locations. I contacted Jeff Beedy to complain and a letter was hand-delivered refuting what the Corps said and emphasizing all proposed locations met the Corps requirements. At a Corps meeting a few months later Dan Bradley told the audience that the location near the lake was preferred. I wrote and asked why this site was selected. I received a response stating, "In response to your e-mail there is not a single most compelling reason why Site B was selected". This is an arbitrary decision that will lead to significant

damage to the Lakefront. We have never been told is why the Lakefront site was selected. The Corps overruled Black & Veech, the consulting engineers, by declaring that a Lakefront site was preferred. It is really a stretch to believe that the Corps has better technical judgment than the Black & Veech. Mr. Davis proposed to reject their request and have a site selection review to understand why this site was selected. Given the terribly negative effect of this project on our neighborhoods and green space and the appalling fact that there is going to be a parking lot on Lakeshore Dr., we can't move forward until we get some answers to the questions of this Board. We need to understand why this is being done to us.

3) Request from Neighborhood Association to Paint Bus Stops

Mr. Capo stated the Mr. Stanley Cohn, President of Lakeshore Property Association, requested permission for approval for the Association to pay for painting the bus stops and landscaping the median. I spoke with Mr. Pappalardo and Mr. Metzger and there are no issues with this request. The necessary insurance will be provided as well as the paint colors selected for the bus stops. These are the two-toned bus shelters located at Robert E. Lee and Canal Blvd. which over the last couple of years has been subjected graffiti. Commissioner Ernst offered a motion to approve the request to paint the shelters, seconded by Commissioner Trask and unanimously adopted.

ANNOUNCEMENT OF NEXT MEETING

Mr. Capo announced the next Recreation/Subdivision Obligations meeting scheduled for May 5, 2011 at 2:30 p.m.

ADJOURNMENT

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

The meeting adjourned at 6:00 p.m.