

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATION/SUBDIVISION COMMITTEE MEETING
THURSDAY JANUARY 9, 2014 – 2:30 P.M.**

The regular monthly meeting of the Recreation/Subdivision Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, January 9, 2014 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 Trask called the meeting to order at 2:42 p.m. and led in the Pledge of Allegiance.

The roll was called which constituted a quorum.

PRESENT:

Chairman John Trask
Commissioner Stanley Brien
Commissioner Greg Ernst

FURTHERMORE PRESENT:

Chairman Robert E. Smith Lupo
Commissioner Wilma Heaton
Commissioner Rodger Wheaton

ABSENT:

Vice Chair Darrel Saizan

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood
Captain Boudreaux – Police
Robert Garner – SLFPA-E Superintendent of Police

ALSO PRESENT:

Gerard Metzger – Legal Counsel
Al Pappalardo – Real Estate Consultant
John Holtgreve – Design Engineering
Walter Baudier – Design Engineering
Mike McCrossen – Former Levee Board President
Rickey Boyett – U.S. Army Corps of Engineers
Bradley Drouant - U.S. Army Corps of Engineers
Kevin Marty – PCCP Constructors
Jay Proskavec – PCCP Constructors
Tom Long – Lake Vista Crime Prevention
Lynn Long – Lake Vista Property Owners Association

ADOPT AGENDA

Commissioner Ernst offered a motion to adopt the Agenda, seconded by Commissioner Brien and unanimously adopted.

APPROVAL OF MINUTES

Commissioner Ernst offered a motion to approve the minutes of the July 11, August 1, and September 5, 2013 Recreation/Subdivision meetings, seconded by Commissioner Brien and unanimously adopted.

NEW BUSINESS

1) Request from PCCP Constructors, A Joint Venture, to modify the haul route on Lakeshore Drive leading to the London Avenue Canal Permanent Canal Closure and Pump Station

Jay Proskavec, Public Affairs Manager of PCCP Constructors, advised that he wanted to address an issue with the haul route concerning access to the London Avenue station. Trucks coming north and southbound on Elysian Fields should access the non-protected side of the station from Lakeshore Drive, but there is a median preventing a left-hand turn into the station. A Five Cubits GPS Tracking System was set-up to notify PCCP when trucks speed or travel outside the limit. Due to the median, trucks go to Pratt and make a u-turn or advance to the roundabout at Paris to safely make the turn into the station. PCCP has temporarily extended the GPS so PCCP will not be notified when trucks go outside the route to make the roundabout. There are several options to modify the haul route, one option would grant PCCP a permit to remove a section of median (curb cut) to allow a direct left-hand turn into the job site. This would also remove traffic from the neighborhood and shorten the haul route. The curb cut would shorten the haul route and keep large trucks out of the neighborhood. PCCP would replace the median upon completion of the project. The curb cut would keep trucks from making the turnaround and entering the neighborhoods and shortens the haul route.

Mr. Proskavec advised of issues with GPS tracking regarding trucks on Pratt Dr. and advised that the original tracking system had the fence set too close to Pratt Dr. preventing the GPS from properly notifying PCCP when trucks went off route. This has been changed on the new plan to include Pratt Dr. and PCCP is now accurately notified when trucks are on Pratt Dr. An e-mail notification of the violation is sent to PCCP managers and includes the equipment number, employee number, time of alert and whether the truck is off route or speeding.

When PCCP receives a GPS notification, the driver is pulled aside and informed of the violation. A second notification results in the driver being sent home for the day. The GPS tracking unit is activated at the beginning of the shift and notes the driver's sign in time. Drivers are not tracked coming from their home to the site. Drivers often show up at the maintenance facility on Marconi and will take whatever road there is to get to the construction site. This has led to reports of trucks on Marconi as the driver will cut down Marconi to get to the site. PCCP does rely on the public to notify when drivers are seen on Marconi. Those instances are reported to the subcontractors who then notify the drivers. The subcontractors have agreed to abide by PCCP's agreement with the City and with this Authority.

Chairman Trask advised that trucks be kept out of neighborhoods 100% if possible. Mr. Proskavec advised that there are no truck routes in any of the four Lakefront neighborhoods. There is a possibility of an occasional truck having to be sent that way, but it would not be a major day-to-day haul route. Use of Marconi would be for the occasional truck, although Marconi has been added to the approved haul routes. Marconi is used as a secondary haul route when access is closed to Lakeshore Dr. due to a storm or on weekends when trucks are not allowed to travel westbound on Lakeshore Dr. In Lakeshore, Haig and Crystal is a very temporary haul route that may not be used at all. The footprint of the levee is being changed and there will be hauling to bring the new portion of the levee up to grade. An access road will be built within the site that offers access to the back side.

Commissioner Ernst questioned when Marconi was added to the haul route and if the issue came before Recreation Committee and the full Board. Mr. Proskavec stated that Marconi was added as a haul route late in the fall. The issue was submitted to the City Planning Commission. Mr. Capo noted that the matter should have been brought before the Non-Flood Authority. The City

gave PCCP authority for Marconi because this Authority has no jurisdiction over Marconi. Mr. Proskavec advised that Marconi would only be used when PCCP was not able to access Lakeshore Dr. due to either a storm or the weekends when the westbound lanes are closed. Chairman Lupo clarified that Marconi is a City street so PCCP submitted the request to the City. Commissioner Ernst advised that in the original meeting the primary route was discussed and it was made very clear that PCCP would not be using Marconi. Mr. Proskavec agreed and advised that was before PCCP was aware that there would be no access to Lakeshore Dr. If there is no access via Marconi or Lakeshore Dr., PCCP is unable to access the work.

Chairman Trask noted that everyone is in favor of getting proper flood protection, but keeping trucks out of the neighborhoods is very important. Chairman Trask addressed the Lakeshore route (General Haig to Crystal) and requested an estimated time this route would be used. Mr. Proskavec advised the work will begin within the next month and is a two month operation. Once the levee is complete trucks would be unable to access over the top of the levee, and would access from the primary Lakeshore Dr. entrance.

Chairman Lupo advised that the general public does not know the difference between a short haul truck and a debris removal truck. Mr. Proskavec agreed and noted that other contractors are working in the area and PCCP will get reports of trucks on Lakeshore Dr., but if PCCP is not hauling on that particular day those trucks are not PCCP's. There are also instances where equipment or materials arrive from Mississippi or Indiana and those trucks will not have the GPS unit. Chairman Lupo clarified that residents are not concerned about one truck being off route, but when there is major hauling going on with fill and concrete, that has residents concerned. Everybody is concerned that the high volume of big trucks is not being controlled. Mr. Proskavec stated that since it is early in the project there are some issues with the GPS. PCCP is pushing the envelope of technology and striving to ensure that this is 100% effective.

Commissioner Wheaton addressed the area of Lakeshore Dr. between Orleans to London Avenue and questioned if the area was being GPS tracked. Mr. Proskavec indicated this area was being tracked and advised that trucks within those zones are not reported unless the driver is speeding. Commissioner Wheaton noted that the area between Orleans is a sensitive area and the roadway is least able to handle cement mixers and heavy trucks. If enough concrete trucks, heavy equipment trucks and 18-wheelers are run through that area there will definitely be damage. The City, the State or the Federal Government will not pay for repairs on those streets to the pre-job condition, which is a huge issue for this Authority.

Mr. Proskavec advised that there may be occasions when a cement truck signed out at Orleans has to go to the London site before the time expires on the concrete, but for the most part, PCCP is making every effort to keep traffic out of that area. There is concern regarding Paris Ave. being used by PCCP trucks. Paris Ave. has access to I-10 and drivers that work for one contractor one day and PCCP the next tend to use Paris Ave., which has been an ongoing struggle to break drivers of using Paris Ave. to travel to the PCCP site.

Commissioner Wheaton noted if PCCP were granted permission to remove the median, the residents would be fine with allowing PCCP to go along Lakeshore Drive. Mr. Proskavec questioned the permitting process with the Committee to allow PCCP to do the curb cut. Commissioner Ernst advised that the Committee could make a recommendation today to give authorization to the full Board at the meeting in two weeks.

Chairman Lupo addressed site distances and requested PCCP get a traffic expert as this is a dangerous situation. All of Lakeshore Dr. is double-lined and no one will be expecting what PCCP is proposing. There should be real signage

and a flag man on site 100% of the time. Mr. Proskavec stated that PCCP could take the issue to the Mobilization of Traffic Department or the engineers to prepare an engineering study to determine what safety precautions are recommended. Chairman Lupo advised that residents have been concerned with trucks delivering sheet pilings coming and going 24 hours a day with no real traffic control in that area. Mr. Proskavec advised that PCCP has notification at Pratt Drive of the construction entrance and trucks entering and exiting. It may be necessary to use a digital messaging system on a message board to alert people in lieu of a flag man in the middle of the road. PCCP will get a recommendation to find the safest procedure regarding the traffic situation.

Commissioner Lupo noted that when a project this size is in progress there are human beings that communicate on both ends of the project, which ensures the project progresses smoothly and safely. The Board is getting incredible pushback when a flag man or policeman is mentioned. A flagman or policeman is a solution that is being offered that could be argued for PCCP in a full Board meeting. The residents are going to feel the same way. A human is more trustworthy to advise of a big truck arriving and ensure that cars stop. As the police know, nobody goes 35 m.p.h. in that area. When vehicles speed through that area and there is an 18-wheeler delivering material or a concrete truck, it could be a dangerous situation. Mr. Proskavec advised that he would make that recommendation if it provides a solution to this matter. The digital messaging system is very effective in larger projects, but a manned flag person on each end may be the proper way to go. Chairman Trask suggested both the digital system and manned flag men on both ends of the construction site.

Mr. Capo addressed the access road from Leon C. Simon into the site and noted trucks cannot enter from Leon C. Simon. Mr. Proskavec informed that this road is used only when access is needed to the non-protected side of the levee from Lakeshore Dr. There is an access road past the interim closure structure to Leon C. Simon that will be paved and will serve as primary access to the station off of Leon C. Simon.

Commissioner Ernst questioned if PCCP intended to work on Saturdays and Sundays. Mr. Proskavec noted that PCCP works quite a few Saturdays and there are rare occasions of work on Sundays. Commissioner Wheaton noted concern with the green area being the exception not the rule. If contractors that get paid by the load use the green area, the exception will get larger and larger as there will always be a reason to use that area. When the project gets cranked up there will be a lot of volume with a significant amount of traffic going in that direction. PCCP would state that the Authority was notified of that situation. It seems that area should be off limits unless there is an emergency situation. Mr. Proskavec advised that these operations are planned weeks in advance. Haul routes are considered when concrete or sand is hauled so the haul route is determined. Commissioner Wheaton added that there is a myriad of independent contractors who own or lease a truck and this Authority has no interface or control over those contractors, which is a real problem. There will be more than an occasional heavy equipment truck in that area and it is a struggle to determine how this Authority will give PCCP what is needed, but not end up with many damaged streets. Chairman Trask agreed and noted that there is no one to repair these streets that are already in bad shape. When big trucks start rambling through these streets it will not help the situation, it will only make it worse. Mr. Proskavec advised that is why PCCP uses the Five Cubit GPS system. It is very effective on other projects and PCCP intends to send those drivers home and prohibit the ability to earn wages. PCCP will not stand in the way of a police citing a truck for speeding, which is another way to enforce the speed limit.

Mr. Proskavec questioned if PCCP should stay in contact regarding obtaining the permit. Mr. Capo advised that a motion was needed for the issue to be brought before the full Board. In referring to Commissioner Lupo's statements,

PCCP should prepare and return to this Authority with a safety plan. Commissioner Lupo acknowledged Chief Gardner and Capt. Boudreaux from the Orleans Levee District Police Force and noted that the police will have input that should be considered when this issue comes before the full Board. Also, if the Committee makes a recommendation for the curb cut, a safety study by approved engineers regarding site lines should be prepared as this is a safety issue. If the Board agrees to the curb cut, the Board would require flagmen at both Orleans Canal and London Canal. Regarding Marconi, this Committee should recommend to the full Board that letters be sent to the current District A council person and the next District D council person, our council people at large and the Mayor's Office advising that the Marconi haul route was granted. It is understood that Marconi is needed on the weekend. If Lakeshore drive is reversed to one way on the weekends, there has to be communication with the neighborhoods. There are many caveats and provisos, but that is what is recommended if the Committee so sees the value of those recommendations.

PUBLIC COMMENTS

Mike McCrossen – Resident

Mr. McCrossen advised that first and foremost is safety. As it was my idea to do the gates I am all for flood protection, but these huge trucks will ruin the streets. Marconi has a sign that says "No Truck Route". The homes on Marconi and 2½ blocks back have been told by an engineer that the homes were being damaged. Contractors have come out and filmed the homes so the residents know that is the truth. The elderly and the youngsters who walk along Marconi don't expect trucks on Saturday and Sunday. These trucks are disturbing the entire neighborhood and the streets will be ruined. Commissioner Lupo clarified that the full Board has tried since the beginning of this project to get many things put in place, but Marconi is not this Authority's jurisdiction. This Board is on the residents' side and has not given permission for anything being discussed right now. Permission was given by the City. Mr. McCrossen advised that he called the City and was informed that there is never a situation where the City would put anyone in a neighborhood in harm's way, but this is putting people in harm's way. The comment was made that nobody wants to alter Lakeshore Drive on the weekend, but that is wrong; I do.

Mr. McCrossen noted that this is a safety issue. Lakeshore Drive is being closed this weekend on both sides due to enormous equipment being hauled by contractors. Lakeshore Drive should be changed and one lane opened on the weekend. If not the invited guests, the skaters and the bikers will be in jeopardy with trucks running up and down streets they are not usually seen on. I would like to see people directing traffic. There is no sensible reason during this construction to close Lakeshore Drive. That is why trucks come down Marconi, because Lakeshore Drive is closed on Saturday and Sunday, but that is not necessary during construction. This Board may have some culpability because that is not being changed. The gentleman from PCCP advised if there is a storm or emergency an alternate route will be used. When it fits PCCP's agenda they will use an alternate route because there is no definition of an emergency. If there is a problem with contractors working on Saturday and Sunday, Lakeshore Drive should be opened one lane, one way and properly staffed and monitored for safety. Everyone is worried about the streets, homes and foundations, but what we have all have been missing is the safety issue. Trucks will come down Marconi and take a right or a left on Saturday and Sunday when many people are using that area and there will be no policeman or flagman there to ensure safety. Safety first.

Lynn Long – President, Lake Vista Property Owners Association

Mrs. Long addressed Lakeshore Drive and noted it is not just the weekend. Lakeshore Dr. is closed to vehicular traffic after a storm due to water and debris, but those trucks can get through the debris. Other contractors with the seawall construction use Lakeshore Drive during closures after storms. Temporary closures can last up to six days and those trucks will be on Marconi. This Authority has to consider changing Lakeshore Drive for the duration of construction. Nobody thinks about how many days over the last year that Lakeshore Drive was closed due to storms and north winds, but there must be a track record somewhere.

Tom Long – President, Lake Vista Crime Prevention District

Mr. Long stated the issue of Marconi is different from the issue of Lakeshore Drive. Marconi is a two lane street that is used on weekends for jogging, roller skating, bicycling, pushing baby strollers and residents walking their dogs. Marconi is also used as a primary route for road races such as the Rock and Roll Marathon and there will be major construction trucks going through the area at the same time. There is a simple solution: Open the westbound lane of Lakeshore Drive from Orleans Canal to West End for construction trucks only. The eastbound lanes are open. Construction trucks from PCCP should be allowed from the Orleans Canal construction site to go westbound during the next two years after which it would be closed again for recreational use. Currently, westbound lanes are useless for recreational purposes due to plaza construction. Lakeshore Drive could be available for recreational use on the weekends between Orleans Canal eastbound to the London Canal. If the Board approves opening westbound lanes on weekends for construction trucks with a strong admonition to the contractors that Marconi is never to be used, that would make everyone happy. If not it becomes a safety issue and a property issue. Marconi was repaved and repaired after Katrina and will never be repaved and repaired again because everyone will claim it is not their responsibility. When someone is hurt or property is damaged the lawsuit will name everyone: the City, the Non-Flood Protection Asset Management Authority and the contractor and the Corps is indemnified. I am suggesting this Committee recommend to the full Board and the Board approve contractors to use the westbound lane of Lakeshore Drive on weekends for the duration of the construction project.

Chairman Trask clarified the three considerations for motions: the curb cut, the westbound Lakeshore Drive be open and having a flag man on site at all times. Commissioner Wheaton requested the contractor state if the opening of the westbound lane would be helpful as that may be the solution. Mr. Proskavec suggested that both westbound lanes be open because one lane with pedestrian traffic right next to a lane with heavy truck traffic presents the same safety issue as on Marconi. PCCP has a maintenance facility on Marconi and Robert E. Lee and an office between Lakeshore Drive and Robert E. Lee that is used for construction offices. At the end of the project trucks would be brought in to service that area to remove equipment and access would be needed at that point.

Chairman Trask noted if both westbound lanes were opened it would greatly diminish the need to use Marconi to the Lakefront. Commissioner Lupo advised to get an opinion from the Levee Board Police regarding this issue. By the time this is recommended to the full Board, the police should make their comments. Commissioner Heaton recommended getting the Levee Board Police comments prior to the full Board meeting for additional strategy and to assure there are no surprises.

Robert Garner - SLFPA-E Superintendant of Police

Mr. Garner advised that allowing trucks to use this path will encourage normal vehicular traffic to do the same. The solution is to positively have a flagman on both ends of Lakeshore Drive. It is not possible for an officer or flagman to advise people to wait for trucks, but bicycles and other vehicles have to use a different route. The selective use of Marconi Drive should be further described in the operational sense of whether a truck would be unloaded, lightened, empty truck. Mr. Proskavec advised when trucks come away from the site on Marconi the trucks will be unloaded. Commissioner Wheaton noted that residents are concerned with the volume of traffic and the trucks. It does not matter if the trucks are loaded or lightened when a truck hits you. Mr. Garner stated that until this Board is unswerving and under the color of law, the Levee District Police will do what has to be done to work hand-in-hand with the Non-Flood Authority. The guidance from the Board will be used as the Levee Police mantra.

Commissioner Heaton suggested Chief Garner and Capt. Boudreaux meet with the contractor to prepare concrete recommendations for the January 23, 2014 Board meeting. Mr. Garner and Mr. Proskavec know their operations and what lay before them. The Board can then be given all of the facts and be more prepared to give a recommendation regarding this issue. Mr. Garner advised of dialogue with Mr. Proskavec regarding the Lakeshore Drive blocking. Officers have been assigned and are sufficient to handle the blocking. At this juncture it has been seamless and I look forward to that continuous period of cooperation. I agree with the issue of flagmen on both ends.

Chairman Trask noted that the Committee offer a motion to get traffic off of Marconi and onto Lakeshore Dr. in conjunction with flag people for safety. There should be a second motion regarding cutting the concrete for the preferred haul route. Mr. Metzger advised to recommend the curb cut subject to certain conditions, which include having a flag man. A second issue addressed Marconi Drive and the issuance of letters to councilmen. Commissioner Lupo advised that he is just making a recommendation because the City Council and the Mayor's Office need to know that permission was granted on Marconi without any input from the community or this Board.

Commissioner Ernst offered a motion to recommend the curb cut, replace the curb when the project is completed, with the condition that there will be two flag men at Orleans and the London Avenue Canals and to have an engineering study done, seconded by Commissioner Brien and unanimously adopted.

Chairman Trask noted that a motion was needed for westbound Lakeshore Drive. Commissioner Ernst offered a motion that westbound Lakeshore Dr. be opened from Orleans to West End conditioned on the consultation between the police and the contractor as to feasibility and safety, seconded by Commissioner Brien and unanimously adopted. Commissioner Lupo advised that the Resolution could be amended and modified based on the outcome at the full Board meeting.

Chairman Trask addressed sending letters to the Mayor's Office, Council A, Council D and both At Large Offices expressing concern that the Non-Flood Authority was not notified about Marconi being approved as a haul route and request notification and input in the future.

Commissioner Ernst offered a motion to submit letters to the Mayor's Office, Council A, Council D and both At Large Offices regarding Marconi being approved as a haul route, seconded by Commissioner Brien and unanimously adopted. Mr. Metzger advised that a letter would be prepared and no Resolution is needed. Mr. Capo advised that the letter would be circulated prior to being sent. This will be after the Board meeting on January 23, 2014.

ANNOUNCEMENT OF NEXT MEETING

Chairman Trask announced that the next Recreation/Subdivision meeting is scheduled for Thursday, February 6, 2014 at 2:30 p.m.

ADJOURNMENT

Commissioner Ernst a motion to adjourn, seconded by Commissioner Brien and unanimously adopted.

The meeting adjourned at 3:50 p.m.