

**NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE RECREATION/SUBDIVISION COMMITTEE MEETING
THURSDAY APRIL 3, 2014 – 5:30 P.M.**

The regular monthly meeting of the Recreation/Subdivision Committee of the Non-Flood Asset Protection Management Authority was held on Thursday, April 3, 2014 at 5:30 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 5:41 p.m. and led in the Pledge of Allegiance.

The roll was called which constituted a quorum.

PRESENT:

Chairman John Trask
Vice Chair Darrel Saizan
Commissioner Stanley Brien
Commissioner Greg Ernst

FURTHERMORE PRESENT:

Chairman Robert E. Smith Lupo
Commissioner Eugene Green
Commissioner Wilma Heaton
Commissioner Romona Baudy
Commissioner Rodger Wheaton
Commissioner Michael Stack
Commissioner Pearl Cantrelle

STAFF:

Louis Capo - Executive Director
Sharon Martiny - Non-Flood

ALSO PRESENT:

Gerard Metzger – Legal Counsel
Al Pappalardo – Real Estate Consultant
Walter Baudier – Design Engineering, Inc.
John Holtgreve – Design Engineering, Inc.
Dawn Hebert – Resident, Lake Willow
Octave Raney – Resident, Lake Willow
Laurie Young – Resident, Lakeshore Drive
Peter Bennett – Bike Easy
Dr. Gail F. Armant – Resident
Wayne Lemelle – Resident
Colleen Vergona – Resident
Anita Frey – Resident, Lake Terrace
Lloyd Kelly – Resident
Nancy Marsiglia – Resident
Sid Degan – Resident
Dennis McSeveney – Resident
Octave Rainey – Resident
Ann Duffy – Resident, Lake Oaks
Darren Martin, Sr. – Resident
Wilfred Norris – Resident
Maria Tio – Resident
Alicia Plummer – N.O. East Civic Association
Karen Parsons – Oak Park Civic Association
Andre Baugh – Resident
Jane Wilson – Resident
Brett DuMontier – Resident

Gretchen Wheaton - Resident
Celia Deininger - Resident
Julie C. Andrews - Resident
Jim Scioneaux - Resident
Patrice Evers - Resident
Louis Vergona - Resident
Dave Guevara - Resident
Charles Ruello - Resident
James Bullington - Resident
Paul Flotte - Resident
Robert Drouant - Resident
Michelle Cohen - Resident
Laurence Cohen - Resident
Maria Mercedes Tio - Resident
Cindy Jackson - Resident
Kelly Jackson - Resident
Lawrence Mann - Resident
Ollie Faure' - Resident
Newton Jackson - Resident
Linda Jackson - Resident
Laura Roucan - Resident
David Brousse – Resident
Dr. Vibhakan Dave - Resident
Armand Pinkney - Resident
Ina Davis - Resident
Philip Reed, Sr. - Resident

Arthur Bussy – Resident
Henry Dean – Resident
James Brousse – Resident
Tom Fischmann – Resident
Andy Washington – Resident
Betty Bourgeois – Resident
Anthony Manaio – Resident
Mike Boudreaux – Resident
Ryan DeFelice – Resident
Lisa Ippolito – Resident
Margaret Schuler – Resident
Brenda Vafeau – Resident
Jeff Roesel – Resident
Fay Kaufman – Resident

Wayne Brown – Resident
Jean Brousse – Resident
Tom Fischmann – Resident
Dennis Caruso – Resident
Charles L. Surbeck - Resident
F. Costantini – Resident
Kathy Boudreaux – Resident
David Oppolito – Resident
Jeff Young – Resident
Kathy Varila - Resident
Barbara Treugne – Resident
Debbie DeGray – Resident
Gloria DeCuir-Robert – Resident
Ellen Perry - Resident

ADOPT AGENDA

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

APPROVAL OF MINUTES

The minutes of the March 6, 2014 Recreation/Subdivision meeting were deferred until the May 8, 2014 Recreation/Subdivision Committee Meeting.

OPENING COMMENTS

Chairman Trask advised that this meeting is a chance to gather information, hear from the public, take all considerations into account and move forward. I hope that sounds good to everybody. That is how we are going to proceed.

PRESENTATIONS

Project Updates by DEI:

° *SLFPA-E seawall erosion construction project*

Walter Baudier, Design Engineering, Inc., informed the Board that pile driving for Reach 1-B is complete, 51% of the bollards have been installed and 90% of the planters have been installed. The purpose of the project along this Reach is to increase the ability of Lakeshore Drive to drain from the roadway through the seawall. The plaza is pile supported and there are five major outfalls. The drain line size will be increased to 30" drain lines. The 529 bollards will separate traffic from pedestrians. There will be 38 park benches and 37 lights installed along the seawall. The vinyl sheet piling runs 15 feet long and are located behind the seawall to prevent erosion. The concrete slabs are 65% in place at Reach 2 and the project will be complete at the end of May, 2014.

Reach 4 is located between Franklin Avenue and the Industrial Canal. The bid was awarded and project construction starts on April 11, 2014 and has a construction time of 320 days. The low bidder is TKTMJ, Inc. at approximately \$6.7 million.

° *Reconstruction of Shelter House No. 3*

Plans and specs for Shelter 3 are complete and will be forwarded to the Corps for approval. Shelter No. 3 is a replacement project and the Corps is funding this project for the Authority. Construction time is approximately 380 days and the cost is \$2.4 million. Shelter No. 3 is located approximately 500 feet east of Franklin Avenue.

The Mardi Gras Fountain is complete and cost approximately \$1.4 to repair. The utility crossings were bid to get utilities back along Lakeshore Drive. FEMA funded approximately \$890,000 and the balance was paid by the Corps.

° *Utility Crossing project*

John Holtgreve, Design Engineering, Inc., noted that following Katrina all utilities penetrating the levee were removed by the Corps and the Corps agreed to replace those utility crossings. There were 14 utilities put in place and the project has been under construction for one year. The project is scheduled to complete at various

intervals. Completion for all utility crossing work is May 9, 2014, with Shelter No. 1 scheduled to be complete April 14, 2014. The electrical system for Reaches 1 and 2 will be in place and the street lights will be on in mid-May, 2014. The projects to put lights along Lakeshore Drive at Reach 1 costing approximately \$150,000 and Reach 2 costing approximately \$60,000 are being provided in conjunction with the SLFPA-E. An agreement for Reaches 3,4 and 5 has not yet been received, although SLFPA-E advised that they are interested in paying for that as well.

Mr. Baudier informed that Lakeshore Drive will be restriped using the same pattern as the last 25 years. There will be angle and parallel parking. Restriping should be completed in the course of vehicle Reaches 1-B, 4 and 5.

NEW BUSINESS

1) Discussion regarding the utility service connections and ongoing maintenance issues at Shelter Houses 1, 2 and 4

Mr. Capo addressed the three Shelter Houses on Lakeshore Drive and noted that decisions had to be made with the opening, closing and ongoing maintenance of the Shelters. Shelter 1, located on the west end of Lakeshore Drive, was recently vandalized and is poor condition. The electrical vault is inside Shelter 1 and was pried open. The contractor from the seawall project welded the door closed to avoid further vandalism. Shelter 1 frequently has minor flooding, mud leading into the restroom, graffiti and the exterior paint is peeling. Shelter 2 is east of Marconi and the electrical vault is in a fenced area. The utility connections for each Shelter House are slightly different. Shelter 2 is in fairly good shape, but is in need of power washing and cleaning. Shelter 3 is on the west side of Bayou St. John and the vault is on the north side of the old Shelter 3 site. The vault was vandalized last August the perpetrators took the electrical wires leaving approximately \$2,000 in damages. Shelter 4 was repaired after Katrina and was also vandalized. The vandals broke into the vault and stole the copper piping leaving approximately \$20,000 in damages. A concrete table was also stolen. The electrical connections are all powered on top of the building.

It will cost approximately \$1,400 per Shelter for the necessary electrical repairs and to locate the vaults inside the Shelters. Staff recommendation is to continue with connectivity and repairs for all Shelters. To prevent the Shelters from further vandalism, the doors should be welded closed and the Shelters locked down until the Authority has funding and adequate staff to maintain the Shelters. The authority will continue to provide clean port-o-let's at each Shelter.

Commissioner Heaton suggested the Commercial Real Estate Committee review the possibility of a long term agreement with a local business to lease part of the shelter for concessions. That type of agreement would serve a public purpose and would help with the security issue. Commissioner Cantrelle noted that the City rents facilities and charges a fee for police protection at the event. The Authority could rent the Shelters to the public to hold events and charge a fee for police security. The police officers can open and close the restrooms and lock the shelters. Mr. Capo stated that the Shelter issues would be discussed at the Real Estate Committee meeting along with the City's crime camera program.

Chairman Trask commented that normal committee meetings are one hour. This meeting will be running against time as the quorum will be lost at 7:15 p.m. There is roughly 30 minutes each to invest on Items 2 and 3. There is a chance the Committee may come to a solid recommendation, but final action is taken up by the full Board.

Commissioner Ernst noted that Item 2 was fully vetted at the March Recreation Committee meeting, went before the full Board and referred to the Recreation Committee. The Amendment Commissioner Stack presented at the full Board meeting two weeks ago was not on the Recreation Committee Agenda. The Amendment was to open Lakeshore Drive in both directions on the weekend and did not carry due to issues of germaneness so the issue is back to this Committee. As the positions on both sides have been vetted by the Recreation Committee, this meeting should be opened for public comment to get the maximum time allowed for comments.

2) Discussion and approval to allow east and west bound vehicular traffic between Marconi and Rail Street and Elysian Fields Avenue and Pratt Drive.

The Recreation/Subdivision Committee meeting was turned over for public comment. Residents who were in favor of opening Lakeshore Drive from the Seabrook Bridge to West End included Wilfred Norris, Dawn Hebert, Maria Tio, Alicia Plummer, Octave Rainey, Darren Martin, Sr., Wayne Lemelle, Debbie Ballard and Dr. Gail Armant. Ms. Plummer noted that this issue is about the law as these are public streets and the law written by the State Senator Murray dictates that the streets be open.

Mr. Metzger advised that the provision Ms. Plummer is referring to is in Title 38, Section 336(b)(2), which was added in 1997 as follows:

“Lakeshore Drive shall be open to public access at all times except in case of a hurricane or similar emergency.”

This was enacted and came into effect in 1997. Both prior to and after the enactment the former Orleans Levee District Board of Commissioners, the Division of Administration when in charge of Non-Flood assets, and this Board regulated the use of Lakeshore Drive. Commissioner Trask clarified that the provision does not specifically state that vehicles have access, it states that the public have access.

Karen Parsons, Oak Park Civic Association, produced a map of the Mississippi River Trail and noted that Lakeshore Drive is a designated trail designated by the Region and approved by DOTD and the Federal Highway Administration. Bikers and pedestrians should be allowed good, safe access along Lakeshore Drive. Ms. Parsons also produced a copy of the section from the original Planning Commission’s Pedestrian Master Plan which specifically notes Lakeshore Drive as being a route of regional significance for bicycling and walking and suggested that Lakeshore Drive be left open, but improve the striping and the access. Lakeshore Drive is a designated national corridor and qualifies for transportation alternative funding, trail funding and other funding that the federal government would make available.

Peter Bennett, Bike Easy, agreed with Ms. Parsons and stated that the Authority could restripe the lines and work with the Regional Planning Commission, DOTD and Bike Easy who would like to look at the design. Bike Easy would support a dedicated bike path in the right lane. With the narrow lanes, u-turns would become less frequent due to the smaller size of the roadway cars would be proceeding through. The separated bike space gives a low stress bikeway that many bikers are currently riding without. Marconi could have colored striping signifying the bike lane.

Commissioner Green noted the public wants to have access to Lakeshore Drive both ways without interruption. This discussion deals with the irregular path of traveling Lakeshore Drive. This would be an easier discussion if the Committee moved to open Lakeshore Drive as the law requires and then discuss bike paths. Public access does not mean this Authority would get away with closing Lakeshore Drive and having pedestrian traffic only.

Residents who were opposed to opening Lakeshore Drive from the Seabrook Bridge to West End and favored recreational use for bikers, joggers and roller bladders included Mark Schroeder, Laurie Young, Lawrence Feldman and M. Vargona.

Commissioner Cantrelle advised that Lakeshore Drive was previously open to traffic both ways. Anybody could walk, jog, run in the grass, picnic and enjoy other activities along the Lakefront. Those who were not able to walk could drive. Lakeshore Drive has to be open for everybody, not just those who can push carriages and jog.

Commissioner Saizan clarified that the Board would not encourage traffic in either direction at night until Lakeshore Drive is fully lit. Mr. Capo advised that Lakeshore Drive is closed at night starting at Shelter #1 going eastward and all access is blocked. Commissioner Green noted people fish on Lakeshore Drive in the darkness. The light issue has been discussed and should be taken off of the table since the public accesses Lakeshore Drive when there are no lights.

Chairman Trask stated that there are many strong opinions. The Committee will obviously make a recommendation to the full Board. The full Board can take action to move the motion back to the Committee. This is a hard issue to solve this suddenly. I am looking for advisement. Mr. Metzger advised that the Committee could either make a recommendation in favor or against opening Lakeshore Drive. Under the by-laws, the issue can be placed on the Board Agenda by any Board member. The item does not die in this Committee. At this point the issue is ready for a roll call vote.

Commissioner Cantrelle noted that there are compromises to opening Lakeshore Drive: leave it closed, leave it open or make it so there are open lanes both ways for pedestrians and vehicles. Commissioner Ernst stated that the motion is clear on the Agenda. There is no motion by a member of the Committee.

Mr. Capo took a roll call vote as follows:

Against: Trask, Brien, Ernst

For: Saizan

Mr. Capo advised that there are three votes that are opposed to opening Lakeshore Drive to vehicular traffic both ways and there is one vote against, the motion fails.

3) Discussion regarding the re-opening of Lake Terrace Parkway to vehicular traffic

Public comments were taken on the issue of re-opening Lake Terrace Parkway to vehicular traffic.

Those opposed to re-opening Lake Terrace Parkway included Anita Frey, who sold her home at 1701 Lakeshore Drive in the 1980's due to people being on the levee, dogs being poisoned, gates being stolen, and people jumping the fence to swing in her backyard. Nancy Marsiglia was also opposed to re-opening the Parkway and noted that the area was closed off due to a crime issue. Additional residents opposed to re-opening Lake Terrace Parkway included Sid Deegan, Constandinos Vennis, Dennis McSeveney and Ann Duffy.

Those in favor of re-opening Lake Terrace Parkway included Lloyd Kelly who stated that there are nine homes being discussed in this area. There are 485,000 citizens of the City of New Orleans. What is being asked is that this public parkway be turned into private Lakefront property. This is not fair and it does not bring equality. Leaving this area closed is probably illegal and could possibly bring a lawsuit to the City of New Orleans. Other residents in favor of re-opening Lake Terrace Parkway included Dawn Hebert, Octave Rainey, Alicia Plummer and Dr. Andre Ball.

Mr. McSeveney stated that it is a people park people and use the area for fishing and walking their dogs. If the parkway were opened there would be increased traffic and the tightness of the turn would be a danger to the gate that shuts the floodwall. Commissioner Cantrelle noted that there is a compromise in that the barrier could be moved.

Commissioner Stack advised that Lake Terrace Parkway is in no condition to be opened to vehicular traffic from a traffic engineer standpoint and suggested that the issue go before the full Board. The Board could pass a Resolution to research what it would take to open Lake Terrace Parkway and the issue could be readdressed at that point. If it is funding prohibitive, the Authority would be discussing something that cannot possibly be accomplished.

Chairman Trask thanked the citizens for attending the meeting and advised that these were not easy decisions. These issues require recommendations to the Board and the full Board has responsibility to adopt or not adopt the motions. There are many arguments and beliefs on both sides and it is a case that nobody is wrong. I respect everybody's opinions. I voted against the Lakeshore Drive issue because I do believe in recreation, but I have not heard much comment regarding recreation. The Committee should not rush into something without making sure everything is addressed properly. My recommendation is that the Committee think things through.

Commissioner Cantrelle clarified that she is not opposed to recreation, joggers or skateboarders, but there is a compromise. People who cannot walk or ride a bike can still enjoy the pleasure of riding down the lake and back up if that is what they chose. There can be a compromise. The bicycle clubs also agree that there is room on Lakeshore Drive for everybody to do what they chose. This also applies to Lake Terrace Parkway as it is open to pedestrians, but not to people who like to drive in that area. As Commissioner Stack stated, Lake Terrace Parkway is in deplorable condition and the Authority cannot open it for that reason. This Authority should seek funding for Lake Terrace Parkway as it seeks funding for everything else to ensure everybody has an equal opportunity to appreciate the entire lake, not just a few people. I am not as sympathetic to those who live there, though I understand their plight. The residents came after the Lake was there. It is not a case of what came first, the chicken or the egg. We already know. Commissioner Green agreed and advised that he would communicate with members of the Board because I would like to see a compromise. A member of the biking community did not see a problem with vehicular traffic in the middle of Lakeshore Drive with the outer lanes reserved for bicycle traffic, roller blading and walking.

Chairman Trask called for a roll call vote. The motion before the Committee is to recommend the reopening of Lake Terrace Parkway to vehicular traffic. Commissioner Saizan noted that he would normally vote to open Lake Terrace Parkway because public roadways should be open in the City. Commissioner Stack. I would like to hear Commissioner Stack's opinion as an engineer regarding the cost to put Lake Terrace Park in order because the area is in deplorable condition. Commissioner Stack advised that the area is not safe to open to vehicular traffic. It would take work to get the area safe to open to vehicular traffic. As a Board we have to decide if that is the direction that we want to go. There are possibilities of funding, but today it is not safe for vehicular traffic.

Chairman Trask requested a vote on the Lake Terrace issue before the quorum was lost.

Opposed: Trask, Saizan (depending on Stack's comments at the board meeting),
Brien, Ernst

In favor: None

Mr. Capo stated that the vote was unanimous and the motion fails. There were four votes opposed and zero in favor of the issue.

Commissioner Ernst clarified that the item could only go to the full Board if a member brings it as a Resolution. Mr. Metzger stated that was correct. Commissioner Baudy requested both items be placed on the Board Agenda.

ANNOUNCEMENT OF NEXT MEETING

Chairman Trask announced that the next Recreation/Subdivision meeting is scheduled for Thursday, May 8, 2014 at 2:30 p.m.

ADJOURNMENT

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

The meeting adjourned at 7:50 p.m.