

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, MARCH 19, 2015**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or SLFPA-E) was held on Thursday, March 19, 2015, in the St. Bernard Parish Council Chambers, St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Estopinal called the meeting to order at 9:45 a.m. and led in the pledge of allegiance.

The roll was called by Mr. Wittie and a quorum was present:

**PRESENT:**

Stephen V. Estopinal, President  
Lambert J. Hassinger, Jr., Vice President  
Louis E. Wittie, Secretary  
Wilton P. Tilly, III, Treasurer  
Tyrone Ben  
G. Paul Kemp  
Kelly J. McHugh  
Richard A. Luettich, Jr.

**ABSENT:**

Jefferson M. Angers

**OPENING COMMENTS:** None.

**ADOPTION OF AGENDA:**

A motion was offered by Mr. Wittie, seconded by Mr. Hassinger and unanimously approved, to adopt the agenda.

**RESOLUTION NO. 03-19-15-01 –  
APPROVAL OF MINUTES OF BOARD MEETING HELD ON FEBRUARY 19, 2015  
AND SPECIAL BOARD MEETING HELD ON MARCH 2, 2015**

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On the motion of Mr. Hassinger,  
Seconded by Mr. Wittie, the following resolution was offered:

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on February 19, 2015 and the Special Board Meeting held on March 2, 2015.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

## **Presentations:**

### **1. Armoring along Orleans Lakefront Levee – U.S. Army Corps of Engineers**

Brett Herr, U.S. Army Corps of Engineers (USACE) Project Manager, provided a brief synopsis of the armoring program. The USACE built two pilot projects at locations in St. Charles Parish and on the West Bank. Each pilot project was about 5,000-ft. in length and five different types of armoring [High Performance Turf Mat (HPTRM)] supplied by five different manufacturers was utilized. Each type of HPTRM had a unique installation procedure. The pilot tests also utilized half seed and half sod. A large amount of erosion was experienced on the backside (protected side) of the levees during Hurricane Katrina causing the failure of some of the levees. The purpose of the HPTRM is to add resiliency to the backside of the levee should an event exceed the design criteria and overtop the levee. The roots of the grass will grow through the HPTRM and into the levee anchoring the mat in place. The USACE recommended that only sod be used in the future. The 12 to 18-inch deep anchor trench on the floodside of the levee will be located from three to five-feet down the floodside slope. The anchor trench on the backside of the levee will be located about 15-feet beyond the landside toe of the levee. The HPTRM is anchored into the levee with 12-inch long pins. Anchors about two-feet in length will be used periodically along the mat. The anchors will be tested to ensure they can withstand a pull out strength of about 200 pounds.

Mr. Herr explained that a flume was set up at Colorado State University (CSU) for overtopping tests. The result was a recommendation to use HPTRM. The overtopping for different frequency events was considered. A determination was ultimately made to armor all of the levees in the Hurricane and Storm Damage Risk Reduction System (HSDRRS). Approximately 80 miles of levees will be armored on both the East and West Banks. About 4.5 million square yards of HPTRM and 4.5 million square yards of sod will be used. The USACE will work with the manufacturers to ensure that the supply can meet the demand. The toe of the levee was identified as the critical point; that is, the location where the velocities are the highest resulting in the most erosion.

Mr. Herr addressed the New Orleans lakefront levee. The levee enlargement project was divided into three separate contracts (LPV-102, LPV-103 and LPV-104). A single contract (LPV-ARM-02) will be awarded for the armoring along all three reaches. The contract has been advertised and will be awarded in the early to mid-April timeframe pending the resolution of some right-of-way issues. A number of access routes will be used to access the levee. About 70 percent of the truck trips have already occurred (about 35,900 of 53,400) for the Permanent Canal Closures and Pumps Project (PCCP). The estimated remaining truck trips over the next two years for the PCCP include 6,500 for concrete delivery and 11,000 for miscellaneous excavation. The armoring project will include deliveries of HPTRM and sod and will utilize minimal heavy

equipment. Since there are limitations and restrictions on how long the sod and HPTRM can sit prior to installation, truck traffic should be kept to a minimum.

Mr. Tilly inquired about the chances of the East Jefferson levees being overtopped. Mr. Herr responded that the East Jefferson levees were not overbuilt as much as the Orleans levees initially. Therefore, the East Jefferson levees are scheduled for a lift sooner than the Orleans levees and it would probably take a smaller event to overtop the East Jefferson levees. The chance of overtopping in East Jefferson for a greater than 100-year event would be a little higher than for Orleans. Mr. Tilly asked could the HPTRM be salvaged should a lift be constructed after the armoring is installed. Mr. Herr responded that at this time the HPTRM cannot be salvaged since the mat is anchored into the levee by the grass roots. Mr. Turner advised that the SLFPA-E has been working with the USACE and Coastal Protection and Restoration Authority (CPRA) to attempt to refine the areas that must be prioritized for lifts prior to the installation of armoring. The USACE has broken the main levee reaches into sub-reaches. The SLFPA-E is currently trying to digest the information provided by the USACE and will work with the CPRA to develop a more informed list of priorities to present to the Board. Mr. Tilly inquired about USACE participation in future levee lifts. Mr. Herr replied that at this time all future levee lifts are not a Federal responsibility. Language was included in the Water Resources Development Act (WRDA) of 2014 that addressed future levee lifts; however, the USACE must first request funding for a study.

Mr. Luettich inquired about the right-of-way for the New Orleans lakefront levee armoring project. Mr. Herr advised that the project is about five miles in length. The Orleans Levee District (O.L.D.) has sufficient right-of-way (ROW) along most of the levee. The determination to place the anchor trench 15-ft. beyond the levee toe is conservative; therefore, the location of the trench can be scaled back, if required. Areas where ROW issues must be resolved can be identified in the contract as option areas and the areas can be added to the contract as the issues are resolved. The State (the non-Federal Sponsor) is responsible for providing the ROW. Mr. Turner added that notification was recently received that additional ROW may be required along the Orleans lakefront levee. Most of the additional ROW is for temporary construction servitudes. The State's consultant for acquiring ROW is reviewing the USACE's plans and will identify the additional ROW requirements. Additional measures for anchoring will be taken in areas where the 15-ft. line must be scaled back. Mr. Luettich asked whether the HPTRM can be kept in place and a lift constructed at a later time atop the mat. Mr. Herr responded that at this time the USACE geotechnical staff advises that the armoring must be removed prior to the construction of a lift.

Mr. Hassinger asked that Mr. Turner inform him if there is a problem with acquiring the required ROW. He requested that Mr. Herr discuss the placement of signage and extension of the cones on the eastbound lane at the London Avenue PCCP site with the appropriate USACE personnel.

Mr. Herr advised that the USACE tried to identify levee reaches where the current elevations are good until at least 2025 in order to begin the armoring project. The New Orleans lakefront levee is one of these locations. Mr. Kemp asked did the USACE have

design criteria for the location of the anchoring trench on the floodside of the levee. Mr. Herr advised that he would investigate Mr. Kemp's question.

Mr. Herr noted that the contractor will be responsible for the sod until certain root penetration parameters are met. This may be a period of at least two to three months.

Mr. Wittie inquired about improvements to the USACE's specifications for establishing turf. Mr. Herr responded that the USACE has been continuously revising the specifications to improve maintenance.

Mr. Estopinal pointed out that the subsidence rate along the New Orleans lakefront levee is about one-half foot per decade, which is two-and-one-half times the general subsidence rate. He asked that the USACE investigate this issue.

## **2. Lake Borgne Basin Levee District millage election on May 2, 2015 – Nick Cali**

Stephen Reuther, CEO of the St. Bernard Chamber of Commerce (Chamber), explained that the presentation to be provided by Nick Cali, Lake Borgne Basin Levee District (LBBLD) Executive Director, was provided to the Chamber's membership. The Chamber has been following the funding challenges of the LBBLD for a little less than a year and believes that this issue is of the utmost importance to the safety of the St. Bernard community, business and economy. The community has seen a surge of both personal and financial investment following Hurricanes Katrina and Rita. It is incumbent upon the citizens of St. Bernard to protect this investment. St. Bernard Parish is a critical component of a state-of-the-art protection system that will ensure that for generations to come residents and business owners can invest in St. Bernard Parish and the region knowing that the most basic necessities for development (flood protection and water management) are adequately funded. Therefore, the St. Bernard Chamber Board of Directors voted last Wednesday to formally endorse and support the May 2<sup>nd</sup> millage proposition to provide additional funding for the LBBLD. Mr. Reuther stated that this position of support was not given lightly and that residents of St. Bernard Parish are being urged to educate themselves regarding the work and the responsibilities of the LBBLD and to ultimately support the millage that will safeguard St. Bernard Parish from potentially devastating repercussions.

Mr. Cali advised that the purpose of the presentation is to educate the public and business community about the roles and responsibilities of the LBBLD and SLFPA-E. He pointed out that the HSDRRS is the best flood protection that St. Bernard Parish has ever had and that without flood protection, nothing else matters. The LBBLD is one of the three levee districts under the governance of the SLFPA-E. The LBBLD was created in 1892 by the Louisiana Legislature and is funded primarily through ad valorem taxes. The LBBLD is not a part of St. Bernard Parish government; however, it enjoys a good working relationship with St. Bernard Parish government. The LBBLD is responsible for both flood protection and drainage in St. Bernard Parish and the revenues it collects can only be spent for these purposes in St. Bernard Parish. The HSDRRS in St. Bernard Parish is a contiguous line of protection from the IHNC Surge Barrier tie-in to Caernarvon and represents a \$1.4 billion investment by the Federal government.

Mr. Cali explained that prior to Hurricane Katrina (Katrina) the LBBLD was responsible for 60 miles of levee, 55 miles of drainage canals, 13 floodgates, one navigation floodgate and eight drainage pump stations. Since Katrina the LBBLD has become responsible for \$1.4 billion of additional or expanded infrastructure, which includes 23 miles of new floodwall, two navigation floodgates (Bayou Dupre and Caernarvon Canal), 12 new land-based floodgates, four new highway gates and one new railroad gate. Although the LBBLD's responsibilities have increased since Katrina, its funding remains at pre-Katrina levels. The LBBLD is asking for an additional 7.5 mills for a 30 year period on the May 2<sup>nd</sup> ballot, which will generate an additional \$2.5 million annually. The current millage being collected is 11.1 mills, which generates \$3.5 million annually. The LBBLD requires approximately \$6 million of revenues in order to fulfill its increased operations and maintenance (O&M) responsibilities. If the May 2<sup>nd</sup> millage proposition passes, the LBBLD will receive approximately \$6 million annually. The LBBLD has operated with a deficit of \$500,000 for each of the last three years.

Mr. Cali pointed out that the additional cost of the proposed millage for a home valued at \$150,000, less the homestead exemption of \$75,000, is \$4.69 per month.

Mr. Cali reviewed the consequences should the proposition not pass:

- There will be an increased chance of flooding.
- Readiness for the 2015 hurricane season will be diminished.
- Risks will have to be evaluated and the limited resources used accordingly.
- Further reduction in staff – LBBLD staffing will be 50 percent of what it was pre-Katrina.
- Pump station manning will be reduced.
- Canal and drainage maintenance will significantly diminish.
- Maintenance and repair for critical structures will be reduced.
- Homeowners and businesses may see increased flood insurance costs.

Mr. Cali pointed out that the premiums for the National Flood Insurance Program could potentially increase ten-fold should the HSDRRS become non-compliant and the base flood elevation decrease from +2-ft to -1-ft.

Mr. Cali explained that St. Bernard Parish has not experienced the population increase that was experienced by Orleans and Jefferson Parishes post-Katrina. The LBBLD received an additional millage between 1989 and 2008 to repay a bond debt for the construction of three new pump stations (Nos. 6, 7 and 8). The bond debt was retired in 2008 and the LBBLD is debt free at this time. The LBBLD has collected 11.1 mills since 2008 and is attempting to supplement this millage with 7.5 mills going forward. The LBBLD's total revenues for 2014 was \$3,765,363. Ninety-one percent of the revenues are from ad valorem taxes and the remaining revenues are from State revenue sharing, interest and grants. LBBLD expenditures for 2014 totaled \$4,232,804. Expenditures have escalated as the USACE turned over portions of the HSDRRS to the LBBLD. The remainder of the HSDRRS will be turned over by June, 2015 for the LBBLD to operate and maintain. The LBBLD currently has staff of 30 employees: 5 Administrative, 15 pump station, 9 levee maintenance and 1 police officer. Pump station operations represent 49 percent of the LBBLD's budget and over half of the pump station operation

expenditures are for salaries and benefits. Currently, there are 15 pump station operators—prior to Katrina there were 24 pump station operators—for the eight pump stations. The pump stations are maintenance intensive. The LBBLD needs to begin replacing retiring employees and bringing in staff with the knowledge and experience to handle the intricacies of the new HSDRRS. The LBBLD levee crew has a total of nine employees, who are responsible for maintaining levees, floodwalls, highway gates, sector gates and drainage canals. The non-federal back levee is currently going through the certification process.

Mr. Cali reviewed post-Katrina report and inspection requirements, which include quarterly inspections, semi-annual inspection reports, annual inspections and comprehensive periodic inspections. The navigation sector gates must be dewatered and fully inspected and serviced every ten years. The projected annual cost to operate and maintain the two new sector gates completed in 2011 is \$425,000. An annual set aside of \$325,000 is needed to meet future dewatering costs.

Mr. Estopinal emphasized that if the LBBLD is unable to maintain the system, the storm flood threat will initially come from rainfall events. St. Bernard Parish experiences a 100-year rainfall event approximately every two to three years. If the canals are not in good condition and the water is unable to drain, flooding will occur. FEMA will take note of any failures and flood insurance premiums will increase.

**PUBLIC COMMENTS:** None.

### **COMMITTEE REPORTS:**

**Finance Committee:** Mr. Tilly reported that the Finance Committee met on March 5<sup>th</sup> and reviewed the renewal of Public Officials/Employers Public Liability Insurance coverage for the SLFPA-E and Property Insurance coverage for the O.L.D., and the proposed FY 2016 budgets for the SLFPA-E and levee districts.

**Operations Committee:** Mr. Wittie reported that the Operations Committee met on March 5<sup>th</sup> and considered the following items:

- Construction of a new O.L.D. Police Station – The Committee previously excluded one of the initial four sites from consideration. After further discussion the Committee recommended Site Four A (Elysian Fields site) based upon receipt of \$1.3 million of Capital Outlay funding. Office space has been included in the project for SLFPA-E staff.
- Approval of a one-year extension of the current Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts for as-needed hydraulic, coastal and geotechnical engineering and surveying services.
- Approval of a task order for GCR, Inc. to continue the development of the GIS system.

**Legal Committee:** Mr. Hassinger reported that the Legal Committee met on March 5<sup>th</sup>. The Committee recommended the retention of counsel to assist with the acquisition of lands required for the construction of the Violet Canal levee alignment project. Seven to

nine properties are anticipated to be required depending upon the final design. The Committee discussed the issue of seeking an opinion from the State Bar Association Office of Disciplinary Counsel regarding the legality of the provisions of the contingency fee contract with counsel for the oil and gas industry litigation. Mr. Angers raised the issue at the March 2<sup>nd</sup> Special Board Meeting and requested that an item be placed on today's agenda. Mr. Hassinger provided the following report on the total estimated attorney and legal fees to-date for the litigation against the oil and gas industry. The total litigation costs to-date are \$2.1 million, including non-litigation costs of \$1.4 million and litigation costs of about \$700,000. Total attorney hours to-date are 19,391 hours. The total estimated attorney fees at \$800 per hour would equal \$15.5 million. The total estimated attorney fees at \$525 per hour (midpoint of the \$250 to \$800 per hour range) would equal \$10.2 million.

**CPRA:** Mr. Hassinger advised that he had no report for this month.

**Coastal Advisory Committee:** Mr. Kemp reported that the Coastal Advisory Committee (CAC) met on February 19<sup>th</sup> and had an open discussion of a Request for Qualifications (RFQ) being prepared by the SLFPA-E Regional Director to continue additional research relevant to future residual risks associated with the HSDRRS. This is a continuation of work that was previously done by Bob Jacobsen. The CAC is anxious to be involved in a direct way with the CPRA in the continuing discussions of return frequencies and modeling for levee designs and upgrades. He noted that the SLFPA-E may be ready to move forward sometime this month.

### **REGIONAL DIRECTOR'S REPORT:**

Robert Turner, SLFPA-E Regional Director, reviewed the highlights of the Regional Director's Report (copy appended to minutes). Mr. Turner reported that he traveled to Washington, D.C., for the Mississippi Valley Flood Control Association Annual Meeting on March 16-18. In addition, he attended multiple meetings with officials regarding Federal participation in future levee lifts, the operation and maintenance of the IHNC Surge Barrier navigation gates and the receipt of credit for the SLFPA-E's O&M of the gates since the USACE was given the responsibility for O&M of the gates based upon language in WRDA.

Mr. Hassinger asked for a description of the services that Shelly Midura would be performing under her new contract with the SLFPA-E. Mr. Turner advised that Ms. Midura will be looking at various local, State and Federal grants to determine which grants the SLFPA-E can make application. Once a determination is made that the SLFPA-E may be eligible for a grant, an application will be submitted and monitored. Ms. Midura is also helping with grant administration work. Mr. Hassinger asked whether the SLFPA-E is pursuing any funding sources other than grants under this contract. Mr. Turner responded that if something comes up, it will be pursued.

Mr. Estopinal requested that the Executive Sessions be taken later in the meeting. There was no objection.

### **NEW BUSINESS:**

**Motion to hold the regular monthly Board meeting on Thursday, August 27, 2015 (in lieu of Thursday, August 20, 2015).**

Mr. Estopinal advised that a request was made to move the Board meeting to August 27<sup>th</sup> so that it would be closer to the 10<sup>th</sup> anniversary of Hurricane Katrina. A motion was offered by Mr. Hassinger, seconded by Mr. Ben and unanimously adopted, to hold the regular monthly Board meeting on Thursday, August 27, 2015 (in lieu of Thursday, August 20, 2015).

**RESOLUTION NO. 03-19-15-02 – RENEWAL OF PUBLIC OFFICIALS LIABILITY AND EMPLOYMENT PRACTICES LIABILITY INSURANCE COVERAGE**

On the motion of Mr. Tilly,  
Seconded by Mr. Hassinger, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East's (SLFPA-E) Public Officials Liability and Employment Practices Liability Insurance Coverage is due to expire on March 16, 2015; and

**WHEREAS**, a quotation for renewal of said coverage has been received from ACE through Arthur Gallagher Risk Management Services at an annual premium of \$62,534.85.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Public Officials Liability and Employment Practices Liability Insurance Coverage with ACE at an annual premium of \$62,534.85 for a period of one year through Arthur Gallagher Risk Management Services.

**BE IT FURTHER RESOLVED**, that the SLFPA-E Regional Director is authorized to execute any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luetlich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**Presentation and discussion on costs associated with raising certain levee reaches prior to armoring in the East Jefferson Levee District and the funding options for said work.**

Handouts were distributed outlining recent information received from the USACE (2025 OT Analysis on Selected Sections) and estimated costs for lifting reaches 1 thru 5 of the lakefront levee in East Jefferson Parish prior to armoring. New information has been coming out that will affect the originally calculated costs. Mr. Turner advised that the SLFPA-E is working with the CPRA to ensure a full understanding is had before a recommendation is made to the Board on which levee segments the East Jefferson Levee District (EJLD) should go forward with lifts.



Mr. Turner explained that there are no levees within the SLFPA-E's jurisdictional area that are below the required HSDRRS hydraulic design height. The original information received from the USACE indicated that issues would begin developing in 2017. A sequence of maps were viewed that indicated levee segments or reaches that would require lifts in the years 2017 thru 2028. The total estimated cost at this time to lift reaches 1 through 5 of the EJLD lakefront levee is about \$17 million.

Mr. Turner advised that the USACE has reconsidered LPV 109 (Southpoint to CSX Railroad) in New Orleans East. The USACE's original calculations for LPV 109 did not include the fact that there is a significant wave berm in front of the levee. The USACE subsequently included the wave berm in its calculations and determined that LPV 109 will probably not required a lift for at least ten years. Therefore, the SLFPA-E is considering not adding an additional lift to LPV 109 at this time and allowing the levee to be armored. However, additional discussion is needed with the CPRA prior to a final decision. A lift will be required by 2020 on LPV 111 primarily because the levee was originally overbuilt by only one-half a foot. The O.L.D. has included \$16 million in its proposed FY 2016 budget for raising LPV 109 and LPV 111.

Mr. Turner explained that the USACE has broken the larger reaches of the East Jefferson lakefront levee into sub-reaches. The additional information provided by the USACE must be reviewed in order to prioritize the reaches. A significant amount of recent survey work has been done and historical survey information is available. A better job of prioritizing the most critical segments of the levee that need to be raised and matching the prioritized segments to the available funds can be done by considering the trends of the levee elevations along with the recent information provided by the USACE.

Mr. Turner advised that the USACE wants to proceed as quickly as possible with all of the armoring; therefore, a decision is required soon regarding which levees will be lifted prior to armoring. The SLFPA-E has retained the services of a program manager for the levee lift program and a schedule has been developed. The SLFPA-E is ready to issue an RFQ for the engineering work for the levee lifts. The USACE has indicated that a levee can be raised back up to the original construction grade plus about 6-inches without doing an extensive amount of geotechnical investigations as long as both the levee proper and the stability berm are lifted. If the East Jefferson lakefront levee is raised in this manner, another lift would not be required until about the 2030's. The Runway Levee will be below grade by 2024; however, since it is a short section (less than 2,000-ft) it was released for the USACE to armor. There was a brief discussion regarding the feasibility of salvaging the HPTRM should a lift be constructed after the armoring is installed.

Mr. McHugh asked about the amount of funding included in the EJLD FY 2016 budget for levee lifts. Mr. Turner responded that at this time there is no designated funding in the EJLD budget for levee lifts. He stated that he needs to come before the Board with recommendations concerning the prioritized segments and match these segments with available funding or provide options for funding. Mr. Tilly asked had any consideration been given to staging the construction of the safehouse/consolidated facilities and using

the funding to raise the most critical reaches. Mr. Turner responded that the Board could look at this option. The EJLD put aside \$21 million last year for the construction of the safehouse/consolidated facilities. A cash flow analysis should be developed to determine when the commitments must be met and an evaluation is needed to determine whether there are any savings in building the safehouse/consolidated facilities in phases. There could be additional costs, such as mobilization for multiple contracts, if the construction is phased. Mr. McHugh pointed out that the levee districts collect tax revenues for flood protection. He asked which is more important—the safehouse/consolidated facilities or the maintenance of the levee.

Mr. Tilly inquired about limitations in the Planned Unit Development (PUD). Nyka Scott, SLFPA-E Executive Counsel, indicated that there is probably a requirement to begin construction in six months; however, an application can be submitted for an extension. Mr. Turner advised that the plans and specifications are being developed for the safehouse/consolidated facilities at this time. Mr. Hassinger inquired whether anyone asked the question, should \$21 million be spent to construct this complex while the EJLD is faced with the levee lift issue. Mr. Turner responded that he did not know whether the question was considered in that light. A subcommittee of the Board was formed and met on several occasions to review the plans and make a decision on a path forward on what was to be built. Mr. Estopinal commented that the decision to build the safehouse/consolidated facilities was reached before the issue of lifting the levees prior to armoring arose; therefore, there is now a funding conflict that must be resolved. Mr. Kemp added that the armoring has been an evolving opportunity and the Board did not previously have the information regarding the settlement of the levees.

Mr. Hassinger asked did the new information from the USACE change the information depicted in red on the 2017 map regarding the EJLD levees. Mr. Turner responded that the information provided in the very least indicates that only pieces of the reaches will require lifts in 2017 rather than the entire reaches. The remaining pieces of the reaches will require lifts in the out years (e.g., 2020 and 2021). He reiterated the importance of digesting the new information from the USACE in order to provide a priority schedule for the Board. Mr. Hassinger commented that during the discussion at the Finance Committee meeting a mention was made that if there is not enough money, the EJLD would have to go to the voters of Jefferson Parish for a millage to pay for the lifts. He asked has anyone had any conversations with elected officials or community groups in Jefferson Parish regarding this issue. Mr. Turner replied that he did not know of anyone who has had this discussion. He noted that next year is a reassessment year and it will be incumbent upon the EJLD to roll forward its millage rate.

Mr. Tilly commented that in earlier discussions with the USACE the indication was that the levee districts would receive credits for the levee lifts or that Federal funding would be provided. Mr. Turner explained that when the HSDRRS project commenced in 2006-2007 there was a recognition of the requirement to account for sea level rise and subsidence. The floodwalls were constructed taking these issues into account for a fifty-year period. The intent was always to build the levees and add lifts as was done in the past. The designers and staff at the USACE New Orleans District thought the levee lifts would be handled like they were in the past under a cost share situation. The Project Partnering Agreement (PPA) between the USACE and State excludes the

responsibility for future levee lifts from the non-Federal sponsor's Operations, Maintenance, Repair, Replacement and Rehabilitation (OMRRR) responsibilities. Therefore, when the PPA was executed the understanding was that the lifts would be part of the project cost and participated in by the Federal government (65%) and the non-Federal sponsor (35%). However, in the 2010-2011 timeframe the USACE's attorneys determined that the Supplemental Appropriations Acts that authorized and funded the HSDRRS in 2007-2008 did not have the language required to allow the USACE to participate in future levee lifts. Based upon the PPA, no entity is identified as being responsible for the levee lifts. The 2014 WRDA was an attempt to fix this situation and allow the USACE to participate in future levee lifts; however, there is a problem because of the timing. A requirement was placed in the 2014 WRDA for the Secretary of the Army to commission a General Reevaluation Report (GRR) to demonstrate the technical feasibility, the environmental acceptability and the economic justification for doing the work. It would be impossible for the GRR to be completed in the timeframe required in order to raise the levees prior to armoring. In addition, the GRR cannot even commence until there is an appropriation to fund it. He pointed out that there is a need to investigate a process suggested by Senator Vitter's Office regarding a different approach for putting funding in place that would allow 35 percent participation in the cost. He added that an attempt is being made to find a way to at least get credit for local funding spent for the levee lifts.

Mr. Hassinger commented that he reviewed the minutes of past meetings on this issue and Mr. Turner has advised for years that if the lifts are constructed after the armoring is put in place, it would cost taxpayers millions of extra dollars. Mr. Turner responded that Mr. Hassinger was correct.

Mr. Luettich asked, if a way is found use the alternate approach and circumvent the GRR, is money appropriated for the USACE to do the levee lifts or would the SLFPA-E have to wait for the money to be appropriated. Mr. Turner replied that the SLFPA-E would have to wait for the appropriation. He suggested that experience dictates that the best that could be hoped for is to receive credit for the levee lifts and apply the credits towards future levee lifts that may be participated in by the Federal government or use the credits to offset the monies that the State must repay as the non-Federal sponsor for the original work. Mr. Luettich recommended that the responsible approach would be for the SLFPA-E to pursue all available options, but, in the meantime, proceed as though the levee lifts are the SLFPA-E's responsibility and get the work underway and completed. Mr. Turner stated that would be his advice. He added that he did not see anything on the horizon in the near future that will take care of the problem without spending local dollars.

Mr. Kemp inquired about a letter from USACE concerning risks. Mr. Turner advised that a letter was sent by the USACE that basically pointed out the fact that because the USACE will be armoring the highest levees first, there is a risk of not armoring the lowest levees first, and the SLFPA-E must be willing to recognize and accept this risk for the short term in order to lift the levees. Ignacio Harrouch, Chief, Operations Division CPRA, explained that the letter was addressed to the CPRA and that the CPRA is evaluating the letter. A presentation was provided to the USACE on the analyzation of the methodology that the CPRA would like to implement. He noted that Mr. Turner

has been engaged in the CPRA's investigation. A number of assumptions were associated with the schedule referenced in the USACE's letter. A draft schedule previously provided by the USACE indicated December 30, 2017 as the earliest completion date for the armoring project, and December 30, 2018 as the latest completion date. The schedule provided by the CPRA placed the end of construction at February 18<sup>th</sup>; therefore, it is assumed that the USACE added two years to this date. The CPRA could work the proposed lifts into the USACE's schedule and complete the project at the early or late completion date. He pointed out that there are right-of-way issues and other issues. The CPRA is working with the USACE and the SLFPA-E to attempt to expedite a resolution of all of the issues. CPRA staff has been instructed to review the overtopping rates and is in the process of analyzing data. The CPRA will make a determination on the response to the USACE.

Mr. Turner explained that the CPRA has been working with the SLFPA-E staff throughout the process and has done much of the work to determine the validity of the information being received. He pointed out that the work proposed by the SLFPA-E has no significant impact on the USACE's schedule. There is only a small amount of additional risk in the areas where the armoring is being slightly delayed so that the levee can be raised. In the areas where the USACE is a year or two away from armoring the levee, if the levee is raised in the meantime, there is no change in the risk. Raising a levee prior to armoring has a positive impact on the long term risk.

Mr. Tilly asked could the USACE's original design be used for the lift. Mr. Turner responded that originally it was thought that significant geotechnical work would be required for the lifts. However, the USACE is now advising that if a levee is raised only 6-inches above the originally constructed grade and the stability berm is appropriately raised, less geotechnical analysis and design is required. Raising the stability berm is a significant cost; therefore, the State hired a consultant to determine whether there is another method that could be demonstrated to the USACE for raising just the levee proper six-inches above the original grade without having to do additional geotechnical analysis and design. The USACE has not yet provided a response. He commented that the approach developed by the CPRA seemed to be reasonable. Should this methodology be acceptable, the costs provided to the Board on the handout could be reduced. Mr. Harrouch commented that the USACE requested that the CPRA evaluate several issues. The CPRA's approach is new to the USACE and would set precedent. He added that he advised the SLFPA-E that one way to reduce costs is to approach the companies that did the original design.

#### **RESOLUTION NO. 03-19-15-03 – APPROVAL OF SLFPA-E FY 2016 BUDGET**

On the motion of Mr. Hassinger,  
Seconded by Mr. Luettich, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2016 including estimated operating revenues and expenditures; and

**WHEREAS**, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2016:

**SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST  
TWELVE MONTHS ENDING JUNE 30, 2016 BUDGET**

**REVENUES:**

Investment income	100
Cost sharing allocations from affiliates	1,651,400
CDBG Grant Income	<u>50,000</u>

<b>TOTAL REVENUES</b>	<b><u><u>1,701,500</u></u></b>
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**EXPENSES:**

Personal Services	851,000
Travel and Training	43,000
Professional Services	127,500
Contractual Services	156,900
Materials and Supplies	15,000
Cost Sharing Allocations to Affiliates	420,500
Other Charges	2,600
Furniture and Equipment	35,000
CDBG Grant Expenditures	<u>50,000</u>
	<b><u><u>1,701,500</u></u></b>

<b>TOTAL EXPENDITURES</b>	<b><u><u>1,701,500</u></u></b>
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<b>NET BEFORE TRANSFERS</b>	<b>0</b>
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Transfer from Orleans Levee District	<u>2,500,000</u>
Transfer to Lake Borgne Basin Levee District	<u>(2,500,000)</u>

<b>CHANGE IN FUND BALANCE</b>	<b><u><u>0</u></u></b>
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<b>FUND Balance Beginning of Year</b>	<b>177,496</b>
<b>Fund Balance End of Year</b>	<b><u><u>177,496</u></u></b>

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East is mandated to submit an approved budget by April 1, 2015, to the Joint Legislative Committee on the Budget and other various oversight authorities.

**WHEREAS**, the Finance Committee at its meeting held on March 5, 2015 reviewed and recommended approval of the SLFPA-E Budget for the Fiscal Year Ending June 30, 2016.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2016 General Operating Budget for the Southeast Louisiana Flood Protection Authority-East.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luetlich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None  
ABSENT: Mr. Angers

**RESOLUTION NO. 03-19-15-04 - APPROVAL OF LBBLD FY 2016 BUDGET**

Mr. Estopinal pointed out that the LBBLD submitted two budgets. One of the budgets makes the assumption that the ad valorem tax fails on the May 2<sup>nd</sup> ballot and the other budget makes the assumption that the tax passes. However, the Board must approve the budget with the assumption that the tax fails and with the required budget cuts.

On the motion of Mr. Hassinger,  
Seconded by Mr. Tilly, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFP AE) has reviewed financial projections for Fiscal Year Ending June 30, 2016 for the Lake Borgne Basin Levee District, including estimated revenues and expenditures; and

**WHEREAS**, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2016:

**LAKE BORGNE BASIN LEVEE DISTRICT  
PROPOSED BUDGET  
FOR FISCAL YEAR ENDING JUNE 30, 2016**

**REVENUES:**

Taxes	\$ 3,587,500
Intergovernmental	177,000
Insurance proceeds	
Charges for services:	
Permits	1,800
Rents and leases	
Oil and gas royalties	
Investment income	5,240
Cost sharing allocations from affiliates	
Miscellaneous	60
Total revenues	<u>3,771,600</u>

**EXPENDITURES**

**FLOOD AND DRAINAGE PROTECTION:**

Personnel services	2,320,000
Travel	1,000
Contractual services	42,600
Materials and supplies	373,000
Professional services	170,200
Other charges	621,150
Cost sharing allocations to affiliates	193,650
Machinery and equipment	50,000
Hurricane expenses	

Total expenditures	<u>3,771,600</u>
Excess of revenues over expenditures	<u>(0)</u>
OTHER FINANCING SOURCES (USES)	0
NET CHANGES IN FUND BALANCES	<u>(0)</u>
CASH BALANCE AT BEGINNING OF YEAR	4,004,300
CASH BALANCE AT END OF YEAR	\$ <u><u>4,004,300</u></u>

**WHEREAS**, the Lake Borgne Basin Levee District (LBBLD) is mandated to submit an approved budget by April 1, 2015, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

**WHEREAS**, the Finance Committee at its meeting held on March 5, 2015, reviewed and recommended approval of the LBBLD Budget for the Fiscal Year Ending June 30, 2016.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2016 Budget for the Lake Borgne Basin Levee District.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

#### **RESOLUTION NO. 03-19-15-05 – APPROVAL OF O.L.D. FY 2016 BUDGET**

Gerry Gillen, O.L.D. Executive Director, advised that the Special Levee Improvement (SLIP) Fund budget includes \$16 million for levee lifts in the New Orleans East area.

Mr. McHugh commented on the significant increase in Louisiana State Employees' Retirement System (LASERS) rates.

On the motion of Mr. Hassinger,  
Seconded by Mr. Tilly, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2016 for the Orleans Levee District, including estimated revenues and expenditures; and

**WHEREAS**, funding in the following amounts is required as detailed by the line item budgets for Fiscal Year Ending June 30, 2016:

#### **ORLEANS LEVEE DISTRICT BUDGETS FOR FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

	<b>GENERAL FUND</b>	<b>SPECIAL LEVEE IMPR FUND</b>	<b>COMBINED</b>
<b>REVENUES</b>			
Ad Valorem Taxes	18,466,100	18,049,800	36,515,900
Intergovernmental Revenue	1,050,000	-	1,050,000
Interest Income	7,850	20,000	27,850
Oil & Gas Royalties	280,000	-	280,000
Rents & Other Income	299,950	-	299,950
<b>Total Revenue</b>	<b>20,103,900</b>	<b>18,069,800</b>	<b>38,173,700</b>

<b>EXPENDITURES</b>			
Personal Services	11,637,050	-	11,637,050
Travel and Training	15,800	-	15,800
Professional and Technical Services	414,550	3,865,000	4,279,550
Contractual Services	2,408,700	26,085,000	28,493,700
Materials and Supplies	1,071,950	-	1,071,950
Cost Allocations	482,050	-	482,050
Other Charges	18,350	-	18,350
Machinery & Equipment	861,900	-	861,900
<b>TOTAL EXPENDITURES</b>	<b>16,910,350</b>	<b>29,950,000</b>	<b>46,860,350</b>

<b>Income Before Other Sources (Uses)</b>	<b>3,193,550</b>	<b>(11,880,200)</b>	<b>(8,686,650)</b>
	<b><u>GENERAL FUND</u></b>	<b><u>SPECIAL LEVEE IMPR FUND</u></b>	<b><u>COMBINED</u></b>
OPEB Expense	(1,273,300)	-	(1,273,282)
Debt Service	-	-	-
Legal Settlements	(250,000)	-	(250,000)
Transfer Provision for Surge Barriers	-	(2,000,000)	(2,000,000)
Transfer Taxes From (to) Non Flood Div	400,000	(1,805,000)	(1,405,000)
Transfer to SLFPAE for 40 Arpent	-	(2,500,000)	(2,500,000)
<b>CHANGES IN FUND BALANCES</b>		<b>(18,185,200)</b>	<b>(16,114,950)</b>



	<hr/> 2,070,250		
<b>FUND BALANCES, BEGINNING OF YEAR</b>	<b>28,717,220</b>	<b>59,525,200</b>	<b>88,242,420</b>
<b>FUND BALANCES AT END OF YEAR</b>	<b>30,787,470</b>	<b>41,340,000</b>	<b>72,127,470</b>

**WHEREAS**, the Orleans Levee District is mandated to submit an approved budget by April 1, 2015, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

**WHEREAS**, the Finance Committee at its meeting held on March 5, 2015, reviewed and recommended approval of the Orleans Levee District General Fund Budget for the Fiscal Year Ending June 30, 2016, and the approval of the Special Levee Improvement Fund (SLIP Fund) budget for that same fiscal year.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2016 General Fund and SLIP Fund Budgets for the Orleans Levee District.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

#### **RESOLUTION NO. 03-19-15-06 – APPROVAL OF EJLD FY 2016 BUDGET**

Mr. Tilly asked if the Board approves the EJLD FY 2016 Budget, can a change be made at a later date to readjust the funding provided for the construction of the safehouse/consolidated facilities in order to pay for the levee lifts. Mr. Estopinal replied that the Board can revise the budget at any time. Mr. Turner noted that State law requires that the budget be submitted to the appropriate State officials by April 1<sup>st</sup>. However, the budget can be amended by the Board at any time after it is approved. Mr. McHugh commented that in light of the previous discussion he would not be in favor of voting for a budget with \$21 million for the construction of the safehouse/consolidated facilities and no money budgeted for levee lifts. Mr. Turner cautioned that sufficient money must be left in the safehouse/consolidated facilities account to pay for the outstanding bills for the architect. Mr. McHugh asked if ten or twenty percent would be sufficient. Mr. Turner responded that amount would be appropriate. Mr. Tilly recommended that the line item for the safehouse/consolidated facilities be reduced by \$17 million, which is the current estimated cost of the levee lifts, and do whatever can be done on the safehouse/consolidated facilities with the remaining funding. Mr. Luettich commented that the budget can be revisited and adjusted appropriately as additional information is received.

Mr. Hassinger commented that tight oversight must be exercised by the SLFPA-E Regional Director on the monies being spent and that priorities and schedules must be

appropriately evaluated. Mr. Tilly commented that a reevaluation is needed to determine what can be done with the remaining funding for the safehouse/consolidated facilities. Mr. Turner pointed out that safehouse/consolidated facilities project consists of multiple buildings. The most critical building is the safehouse that will protect the lives of the employees who remain on duty during a storm event. The other buildings could be constructed in phases. The project must be evaluated from a funding perspective. Mr. Tilly pointed out that if the USACE approves lifting the levee proper without lifting the berms, the estimated cost of construction will be reduced and funding can be replaced in the safehouse/consolidated facilities budget line item to potentially build the safehouse and that work on the remainder of the facilities could be done at a later date. Mr. Luettich commented on the need for safehousing for employees who remain on duty and on the need to prioritize the development of the proposed complex against the levee lifts.

Mr. Luettich offered a motion to amend the resolution to reduce the funding associated with the safehouse/consolidated facilities by \$17 million. The \$17 million will roll into the fund balance and be available for the levee lifts. Mr. Tilly seconded the motion and the motion to amend the resolution was unanimously adopted.

On the motion of Mr. Hassinger,  
Seconded by Mr. Tilly, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPAE) has reviewed financial projections for Fiscal Year Ending June 30, 2016 for the East Jefferson Levee District, including estimated operating revenues and expenditures; and

**WHEREAS**, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2016:

**EAST JEFFERSON LEVEE DISTRICT  
TWELVE MONTHS ENDING JUNE 30, 2016 BUDGET**

**REVENUES:**

<b>Ad Valorem Taxes Collected</b>	<b>8,800,000</b>
<b>State Revenue Sharing Funds</b>	<b>510,000</b>
<b>Interest and Dividend</b>	<b>600,000</b>
<b>Permit</b>	<b>18,000</b>
	<hr/>
<b>TOTAL REVENUES</b>	<b><u>9,928,000</u></b>

**EXPENSES:**

<b>Personal Services</b>	<b>5,293,294</b>
<b>Travel and Training</b>	<b>15,000</b>
<b>Contractual Services</b>	<b>1,109,185</b>
<b>Materials and Supplies</b>	<b>481,500</b>

Professional Services	5,681,000
Other Charges	421,745
Cost Sharing allocations to affiliates	530,900
Machinery and Equipment	<u>232,366</u>
<b>TOTAL EXPENDITURES</b>	<b><u>13,764,989</u></b>
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>	<b>(3,836,989)</b>
<b>ESTIMATED BEGINNING FUND BALANCE</b>	<b>35,809,898</b>
<b>ESTIMATED ENDING FUND BALANCE</b>	<b><u>31,972,909</u></b>

**WHEREAS**, the East Jefferson Levee District is mandated to submit an approved budget by April 1, 2015, to the Joint Legislative Committee on the Budget and other various oversight authorities.

**WHEREAS**, the Finance Committee at its meeting held on March 5, 2015 reviewed and recommended approval of the EJLD Budget for the Fiscal Year Ending June 30, 2016.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2016 Budget for the East Jefferson Levee District.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

Mr. Hassinger commended the Orleans Levee District employees who quickly responded during an early morning rainfall event that flooded Lakeshore Drive.

### **EXECUTIVE SESSION:**

#### **1. Discussion of Personnel Surveys.**

A motion was offered by Mr. Hassinger, seconded by Mr. Tilly and unanimously adopted, for the Board to convene in Executive Session to discuss the item listed on the agenda. The Board convened in Executive Session at 12:15 p.m.

A motion was offered by Mr. Hassinger, seconded by Mr. Ben and unanimously adopted, for the Board to reconvene in regular session at 1:10 p.m.

### **Discussion of outstanding lawsuits and litigation budget.**

Ms. Scott explained that she asked all outside counsel who are still handling outstanding cases to provide a budget for each case. This information was provided to the levee district Executive Directors for budgetary purposes.

Mr. Hassinger noted that the decision to create the in-house counsel position is not only allowing the SLFPA-E to realize decreased litigation costs, but is also resulting in more effective case management to drive the outstanding cases to conclusion and to deal with new cases more proactively.

### **RESOLUTION NO. 03-19-15-07 – ID-IQ CONTRACTS FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES**

Mr. Turner advised that all of the ID-IQ contracts are currently under the not-to-exceed contract values. Board approval would be required to raise a not-to-exceed contract value. The SLFPA-E anticipates issuing an RFQ for these services next year.

On the motion of Mr. Wittie,  
Seconded by Mr. Tilly, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) advertised Requests for Qualifications (RFQ) for Professional Coastal, Geotechnical and Hydraulic Engineering Services and for Professional Surveying Services, and after using a competitive selection process, selected and approved certain firms from which to contract services on an Indefinite Delivery-Indefinite Quantity (ID-IQ) basis for the SLFPA-E and the levee districts under its jurisdiction; and

**WHEREAS**, the SLFPA-E entered into Agreements for Professional Services with the selected and approved firms for a term of two years, commencing in 2012 and ending on June 30, 2014, with an option to renew said Agreements for one-year periods; and

**WHEREAS**, by Resolution No. 05-15-14-03, the SLFPA-E exercised the option to renew the agreements for a one-year period, commencing on July 1, 2014 and ending on June 30, 2015; and

**WHEREAS**, the SLFPA-E wishes to extend the aforementioned agreements for an additional one-year period, commencing on July 1, 2015 and ending on June 30, 2016.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the extension of the Agreements for Professional Services for Professional Coastal, Geotechnical and Hydraulic Engineering Services and for Professional Surveying Services on an ID-IQ basis for a one-year period, commencing on July 1, 2015 and ending on June 30, 2016.

**BE IT FURTHER RESOLVED**, that the President or SLFPA-E Regional Director are authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**RESOLUTION NO. 03-19-15-08 –  
APPROVAL OF TASK ORDER NO. 17 WITH GCR & ASSOCIATES, INC.**

On the motion of Mr. Wittie,  
Seconded by Mr. Tilly, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) entered into an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with GCR, Inc. (GCR) (ID-IQ Contract No. 01-01) to provide services related to Lands, Easements, Rights-of-Way, Relocations and Disposal Sites (LERRDs); and

**WHEREAS**, GCR has previously been tasked by the SLFPA-E to provide services for the mapping of certain levee rights-of-way for the SLFPA-E and the levee districts under its jurisdiction and the development of a GIS Property Management Application; and

**WHEREAS**, Task Order No. 17 has been negotiated with GCR for the mapping of additional levee district land assets, projects and rights-of-ways and application enhancements with a not-to-exceed amount of \$76,545.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves Task Order No. 17 with GCR, Inc. and authorizes the SLFPA-E Regional Director to execute said Task Order and any and all documents necessary to accomplish the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**RESOLUTION NO. 03-19-15-09 –  
LEGAL SERVICES CONTRACT WITH OWEN J. BORDELON**

On the motion of Mr. Ben,  
Seconded by Mr. Hassinger, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has a need for special litigation and real estate legal services for the acquisition of properties required for the construction of the Violet Canal Levee/Floodwall Project; and

**WHEREAS**, Owen J. Bordelon was selected to enter into a contract to provide legal services for the Violet Canal Levee/Floodwall project to the SLFPA-E and the Lake Borgne Basin Levee District levee District; and

**WHEREAS**, it is necessary for Owen J. Bordelon to commence work on real estate and property matters relating to the Violet Canal Levee/Floodwall project; and

**WHEREAS**, attorney fee rates in said contract for special legal services shall comply with the Hourly Fee Schedule of the Attorney General for special legal services. The hourly fee schedule for these contracts shall be as follows:

\$175.00 Per hour for Attorneys having experience of ten years or more in the practice of law

\$150.00 Per hour for Attorneys having experience of five to ten Years in the practice of law

\$125.00 Per hour for Attorneys having experience of three to five Years in the practice of law

\$100.00 Per hour for Attorneys having experience of less than three years in the practice of law

\$ 45.00 Per hour for Paralegal Services

\$ 25.00 Per Hour for Law Clerk Services

**WHEREAS**, a copy of this Resolution and contract with Owen J. Bordelon shall be submitted to the Louisiana Office of the Attorney General for approval; and

**WHEREAS**, Owen J. Bordelon proposes to use the following staff to perform services under this contract:

Owen J. Bordelon - 45 years experience - \$175 per hour

**BE IT HEREBY RESOLVED**, that the SLFPA-E approves and authorizes the SLFPA-E Regional Director to execute a contract for a term of one year with Owen J. Bordelon to provide special litigation and real estate legal services for the Violet Canal Levee/Floodwall project.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**Discussion of submission of a request to the Office of Disciplinary Counsel to render an opinion on the contract between the SLFPA-E and Jones, Swanson, Huddell & Garrison, LLC.**

Mr. Estopinal stated that during the process the contract between the SLFPA-E and Jones, Swanson, Huddell & Garrison, LLC. (Jones Swanson) was reviewed intensively and finally approved by a unanimous vote of the Board. There have been several revisits to the contract after the composition of the Board changed. The last revisit of the contract was on March 2<sup>nd</sup> during which the validity and legality of the contract was deeply discussed and eloquently spoken to with great passion and skill without convincing argument. At that time the majority of the Board continued to direct Jones Swanson in the contract and to move forward with the appeal. Therefore, he stated that the opinion of the Chair is that a discussion of this request is redundant to the already decided issue and out of order.

Mr. Hassinger commented that the issue of whether the contract complies with the ethical rules that apply to attorneys has never been addressed.

**RESOLUTION NO. 03-19-15-10 – ESTABLISHMENT OF A CREDIT CARD PROGRAM WITH CAPITAL ONE, NATIONAL ASSOCIATION FOR SLFPA-E**

Mr. McHugh cautioned that the proper controls must be exercised in the use of credit cards.

On the motion of Mr. McHugh,  
Seconded by Mr. Luettich, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has a need to establish a credit card program for payments for court cost and filing fees, seminar registration and other expenses; and

**WHEREAS**, SLFPA-E currently must use the Orleans Levee District credit card to make such purchases and re-allocate the charges to the appropriate levee district; and

**WHEREAS**, an application for SLFPA-E's enrollment in Capital One, National Association's Commercial Card program, allowing the Office Administrator (Glenda Boudreaux) and Executive Counsel (Nyka Scott) to be authorized agents;

**BE IT HEREBY RESOLVED**, that the SLFPA-E approves and authorizes Glenda Boudreaux and/or Nyka Scott to negotiate credit accommodations and complete application(s) for Capital One, National Association (the Lender), said indebtedness to be represented by a note(s) or other evidence of indebtedness made and executed by SLFPA-E from time to time, for the amount(s) extended by the Lender to SLFPA-E on forms drafted by the Lender for such amounts and for such maturities, and with such interest, and on such other terms, conditions, and provisions as the above designated agents of SLFPA-E may deem necessary, advisable, and/or proper, and to sign, execute and endorse any other agreement, such as a credit card agreement, obligation or any other instrument necessary or required by the Lender regarding SLFPA-E's obligation.

**BE IT FURTHER RESOLVED**, that this Resolution is hereby ratified and approved, and will remain in full force and effect, and Lender is entitled to rely upon such Resolution, until Lender receives actual written notice of its revocation.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**RESOLUTION NO. 03-19-15-11 –  
O.L.D. PROPERTY HAZARD (WIND/FIRE) INSURANCE COVERAGE RENEWAL**

Mr. Gillen advised that the renewal premium for Property Hazard Insurance coverage decreased by about \$25,000 although there was a \$1 million increase in coverage.

Mr. Hassinger commented that Ms. Scott was instrumental in reducing insurance costs for the Non-Flood Protection Asset Management Authority and suggested that she review coverages and costs prior to the renewal of coverage next year.

On the motion of Mr. Tilly,  
Seconded by Mr. Hassinger, the following resolution was offered:

**WHEREAS**, the Orleans Levee District (O.L.D.) Flood Protection Division's property hazard insurance coverage is due to expire on April 20, 2015; and

**WHEREAS**, Egan Insurance Agency shopped the market for said coverage and received a risk pool renewal quote from AmRisc, the incumbent carrier; and

**WHEREAS**, AmRisc has offered coverage through a non-admitted layered assigned named insurance risk pool of providers at an annual premium of \$353,397.45 for \$40,555,507.00 million dollars in coverage, with a \$25,000 deductible AOP per occurrence or a five percent (5%) deductible per building insured value for named storms (wind/ hail), subject to a \$100,000 minimum deductible; and

**WHEREAS**, the total estimated annual cost for the renewal of property insurance coverage is \$353,397.45 inclusive of surplus line policy taxes.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of property hazard (wind/fire) insurance coverage for properties under the jurisdiction of the O.L.D. Flood Protection Division from AmRisc, as stated above, at an estimated annual cost of \$353,397.45 for a period of one year, commencing on April 20, 2015 and expiring on April 20, 2016, and authorizes the O.L.D. Executive Director to execute any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**RESOLUTION NO. 03-19-15-12 –  
CLOSING OF ESCROW ACCOUNT FOR BOHEMIA SPILLWAY CLAIMS**

On the motion of Mr. Hassinger,  
Seconded by Mr. Wittie, the following resolution was offered:



**WHEREAS**, Act 1364 of the 1997 Regular Session of the Louisiana State Legislature instructed that “all revenues from the disputed property (in the Bohemia Spillway) shall be escrowed until a final court determination of the disposition of such property; and

**WHEREAS**, the Board of Commissioners of the Orleans Levee District, by Resolution No. 1-071598, dated July 15, 1998, ordered the creation of an escrow bank account for the purpose of receiving funds from various sources, to be dedicated to settlement of claims related to the Bohemia Spillway litigation; and

**WHEREAS**, the resolution directed the Orleans Levee District to create a Reserve against Fund Balance equivalent to the escrowed balance in accord with Generally Accepted Governmental Accounting Standards until such time as the courts have made a determination of the disposition of the Bohemia Spillway property subject to third party claims; and

**WHEREAS**, all claims relating to this matter have been settled, thereby ending the need for the account to be maintained or for the funds to be restricted as to use.

**BE IT HEREBY RESOLVED**, that the existing escrow account being maintained for potential Bohemia Spillway claims be closed and the balance therein be transferred to an Orleans Levee District General Fund investment or operating account, making those funds available for operations.

**BE IT FURTHER RESOLVED**, that the records of the District reflect the new status of those funds by elimination of the fund balance reserve and by a change in accounting for the revenues previously considered “disputed”.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luetlich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

**RESOLUTION NO. 03-19-15-13 –**  
**ORLEANS LEVEE DISTRICT MINERAL LEASE NOMINATION**

Mr. Luetlich commented that in the future the Board may wish to consider the issue of potential subsidence due to mineral withdrawal in relation to the award of mineral leases.

Ms. Scott advised that the SLFPA-E’s right-of-way agreement for pipelines requires that property be restored to its original condition.

On the motion of Mr. Wittie,

Seconded by Mr. Hassinger following resolution was offered:

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East (on behalf of the Orleans Levee District) has determined that the Orleans Levee District may hold mineral interests in and under immovable property described in Exhibits “A” (OLB Nomination No. 1, T19S-R16E, Plaquemines Parish,

LA +/-463 acres), “B” (OLB Nomination No. 2, T19S-R16E, Plaquemines Parish, LA, +/-233 acres) and “C” (OLB Nomination No. 3, T19S-R16&17E, Plaquemines Parish, LA +/-585 acres), attached hereto and made a part hereof;

**BE IT FURTHER RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East (on behalf of the Orleans Levee District) has determined that it desires to take advantage of LSA R.S. 30:152 (A), et seq., to authorize the Louisiana State Mineral and Energy Board to nominate on behalf of the Orleans Levee District for state agency mineral lease the mineral interests the Orleans Levee District may hold in and under the immovable property described in the attached Exhibits “A”, “B” and “C”; and

**BE IT FURTHER RESOLVED**, by the Southeast Louisiana Flood Protection Authority-East, in legal session convened, that it does hereby direct and authorize the Louisiana State Mineral and Energy Board and the Office of Mineral Resources to accept nominations, advertise for, accept and award bids, and execute all oil, gas and mineral leases pertaining to the interests the Orleans Levee District may hold in or under the immovable property described in the attached Exhibits “A”, “B” and “C”.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. McHugh, Mr. Tilly  
and Mr. Wittie

NAYS: Mr. Hassinger

ABSENT: Mr. Angers

#### **RESOLUTION NO. 03-19-15-14 – SITE SELECTION FOR CONSTRUCTION OF NEW O.L.D. POLICE STATION**

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Alton Davis with RCL Architecture, LLC advised that the estimated cost for Site Four A [construction of a one story building (approximately 11,000 square feet) at the Elysian Fields site] is \$3,048,650. An application has been made for \$1.3 million of Louisiana Capital Outlay funding to offset the cost at the Elysian Fields site, which would reduce the O.L.D.’s estimated cost to \$1,748,650. The estimated cost for Site Three (construction of facilities in O.L.D. warehouse) is \$1,897,500. Costs to demolish the building currently used by the O.L.D. police department (the Loft Building) is included in the cost estimates for all of the sites. If the Elysian Fields site is selected, the additional cost to demolish the building currently on the site is included.

Wilma Heaton, SLFPA-E Director of Governmental Relations, provided a report on her review of O.L.D. records. The Orleans Levee Board adopted a resolution 21 years ago that resulted in a \$40,000 study to determine what should be done with police station that was located at that time on Lakeshore Drive and Elysian Fields Avenue. A recommendation was made to renovate the facilities and bring the building into ADA compliance. Sixty thousand dollars was set aside for the design of the renovations; however, the facilities sat dormant. A Franklin Avenue Space Allocation Study was commissioned in 2003 and the recommendation was made that the facilities located on Elysian Fields Avenue be folded into the Franklin Facility. However, two years later a two story building was designed for the Elysian Fields site. The community has wanted the police facilities to be located at the Elysian Fields site. The Elysian Fields property

is technically and legally under the control of the Non-Flood Protection Asset Management Authority (NFPAMA) Board. The NFPAMA Board adopted a resolution to allow the SLFPA-E Board, if it so desires, to construct a police station at the Elysian Fields site. If the SLFPA-E Board decides not to build the police station at the Elysian Fields site, then the site would return to the NFPAMA.

Ms. Heaton stated that she has revisited members of the legislative delegation and they have stated that they would love to see a police station at the Elysian Fields site and are confident that the funding would be provided in House Bill 2; however, it is not known when the money would be provided by the State. She asked that the Board consider the issue and decide whether or not it wants to make a commitment to build the station at the Elysian Fields site. If the Board does not want to make this commitment, she asked that the NFPAMA be so informed so that it can deal with the blight on the site. She stated that she hopes that the Board would still move forward with the Elysian Fields site whether or not the O.L.D. receives the Capital Outlay funding. She reiterated the commitment of the legislative delegation to try to get the Capital Outlay funding.

Ms. Heaton explained that the legislative review of the Capital Outlay budget will begin upon the commencement of the Legislative session on April 13th. The SLFPA-E would know if the funding is in the Capital Outlay bill by the end of the 45 day legislative session. The determination as to when funds would be received is a Bond Commission issue. She asked that the Board make a decision relative to the Elysian Fields site and whether it would be willing to make the approximately \$3 million investment to construct the facilities at the site or choose another location. She reminded the Board that the decision will have ramifications for years to come. She pointed out that the SLFPA-E offices are included in the plan for the Elysian Fields location and would allow the SLFPA-E to have its own brand. Mr. Estopinal pointed out that approximately \$50,000 per year would be saved in rental expenses for the SLFPA-E's current office spaces.

Ms. Heaton informed the Board that there is no provision in State law to allow Capital Outlay monies to be used for reimbursement if the facilities are constructed prior to the receipt of the funding. She noted that funding for the project is included in the O.L.D. budget. Mr. Gillen pointed out that should the Capital Outlay funding request be included in the legislative bill and funding is received, an agreement must be put in place with the State before any work is performed or any monies spent on the project.

Mr. Luettich commented that he was inclined to want to go to the State for the Capital Outlay funding; however, he was not inclined to have a response that forces the construction of facilities in the warehouse building if the Capital Outlay funding request is unsuccessful.

A motion was offered by Mr. Luettich to amend the resolution to delete the second RESOLVED paragraph relative to Site Three. The motion was seconded by Mr. Hassinger and unanimously adopted. Mr. Estopinal clarified that if the Capital Outlay funding request is unsuccessful, the issue will be brought back to the Board.

On the motion of Mr. Hassinger,  
Seconded by Mr. Luettich, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approved the selection of RCL Architecture, LLC (RCL) to provide professional architectural and engineering services associated with the site study, demolition of the existing Orleans Levee District (O.L.D.) police building, and construction of a new police station; and

**WHEREAS**, the SLFPA-E approved the execution of a contract with RCL for a site study of four different sites and for the design and construction administration using the State of Louisiana Facility Planning and Control fee curve; and

**WHEREAS**, RCL provided a presentation on its revised Site Studies Report to the Operations Committee at its meeting on March 5, 2015; and

**WHEREAS**, office space to house SLFPA-E staff has been included in the proposed construction; and

**WHEREAS**, Louisiana Capital Outlay funding in the amount of \$1.3 million has been requested for the construction of the new police station at the former site on Elysian Fields Avenue; and

**WHEREAS**, the Operations Committee reviewed the four sites and recommended the selection of Site Four A (new construction of a one story building on the corner of Elysian Fields Avenue and Lakeshore Drive) as its first choice, contingent upon the receipt of the aforementioned Louisiana Capital Outlay funding, and Site Three (new construction of interior offices in the existing warehouse building on the O.L.D. Franklin Avenue campus).

**BE IT HEREBY RESOLVED**, that the SLFPA-E approves the selection of Site Four A (new construction of a one story building on the corner of Elysian Fields Avenue and Lakeshore Drive), contingent upon the receipt of the Louisiana Capital Outlay funding in the amount of \$1.3 million, for the construction of the new O.L.D. Police Station and SLFPA-E offices.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers

The next regular monthly Board meeting will be held on April 16, 2015 and hosted by the EJLD.

There was no further business; therefore, the meeting was adjourned at 1:45 p.m.

# **SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST**

## **REGIONAL DIRECTOR’S REPORT**

**March 19, 2015**

### **HSDRRS Project Status Update**

**Warranty Paint Repairs** In response to our concerns about peeling paint on newly-built complex structures, the U.S. Army Engineering Research and Development Center (ERDC) determined that the Corps of Engineers (Corps) will totally repaint the vertical lift gates (VLGs) and make spot repairs on the gate leafs at the Seabrook Structure and repaint gate leafs at the Caernarvon Structure; no additional painting is required at the GIWW Sector Gate. All painting will be done after the 2015 hurricane season.

**HNC-02 – Lake Borgne Surge Barrier** The Corps is seeking funds to make extensive repairs to two current velocity meters at the Sector Gate that are not functioning due to electrical problems. A third meter, which was damaged when struck by an object, has been repaired. The Corps will reinstall once all three meters are operational, but no estimated date has been provided.

**LPV-03.2b.1- Landside Runoff** Final site grading and construction of a lip levee adjacent to the swale is complete, but turf still needs to be established.

**LPV-111 – CSX RR to Michoud Canal** The Notification of Contract Completion (NCC) was issued in November, but the Corps must still establish turf on the recently raised sections.

**LPV-144 – Bayou Dupre** Despite investigation by the bearing manufacturer, no conclusive cause of vibrations in the hinge assembly of the gate leafs has been determined. The path forward includes shaving the plates that hold the top bearing in order to increase clearances and changing over to greased bearings for the hinge assemblies. Work will begin when new top bearings are delivered in late this month. Concurrent with that, Corps Hired Labor forces will install tripping dolphins on both sides of the Surge Barriers Sector Gate on the GIWW.

**LPV-145,146 & 148.02** The NCCs for 146 and 148.02 were received in September, but the need for additional hog damage repairs has delayed the NCC on LPV-145 until later this month.

**LPV-145A – Bayou Bienvenue Bridge** The periodic closures of Bayou Bienvenue that began in November to facilitate pile driving near the channel will continue through April. All of the bridge deck panels have been placed on the east approach ramp, and the contractor is now placing panels on the west side of the channel. The bridge project is scheduled for completion in late 2015.

**LPV 148.02A Safe Room at St. Mary's Pump Station** All piles have been driven, and the prefabricated building is under construction. Project completion is currently scheduled in mid-2015.

**LPV-149 – Caernarvon Structure** The Corps will issue a contract to repaint Sector Gate leafs to address peeling paint problems discovered after the NCC was issued. In order to repaint, the structure must be dewatered, and that will temporarily impact navigation. The Corps has denied our request that they replace machinery pit hatch covers. Hydradyne is modifying the hydraulic system to correct a water-in-oil problem. The work should be finished by month's end.

**LPV-150 Utility Crossings/Jib Crane Pad/Bypass Ramp Repair** The Corps is replacing utility crossing pads with gravel along the Access Road (Crossings are completed on LPV-146 and LPV148.02.) They also issued a Request for Proposals (RFPs) for the Emergency Bypass Road at Highway 46 and are finalizing plans for replacing jib cranes and building parking pads at Bayou Dupre.

**LPV-153 Bayou Dupre & Caernarvon Sector Gate Needles** The contract for manufacture of additional dewatering needles for Bayou Dupre and Caernarvon was awarded last December, but the project has been delayed. The needles are now scheduled for delivery in early April.

**OFC-07 London Avenue and 17<sup>th</sup> Street Remediation** Work along the London Avenue Canal is finished, and a pre-final inspection was held March 5. The portion of the project located within the East Jefferson Levee District's jurisdiction has several depressions in the levee slopes that may need re-grading. The as-built surveys are being reviewed to determine the accuracy of levee slope angles and the need for additional grading. The NCC is scheduled for June 2015 to allow for adequate turf establishment this spring.

**OFC-08 17<sup>th</sup> Street Canal Bank Stabilization** The contractor has completed placing stone for this project, and a pre-final inspection was held March 5. The staging area still must be cleared.

**Permanent Canal Closures and Pumps (PCCP)** Outstanding issues on this project include:

- Reaching agreement on the appropriate number of bypass closure gates to maintain maximum velocities through the permanent floodgates in the 17<sup>th</sup> Street Canal; and
- Reviewing settlement calculations based on new borings and updated consolidation values in the 17<sup>th</sup> Street, Orleans and London Avenue canals.

Commissioning of the new structures is still scheduled for May 2017, with decommissioning of the temporary structures possible within the following two years. Please check the New Orleans District web site at [www.mvn.usace.army.mil/missions/hsdrrs/pccp.aspx](http://www.mvn.usace.army.mil/missions/hsdrrs/pccp.aspx) for details and regular updates on this last, major HSDRRS perimeter project.

The March 2015 CPRA project update report was sent to all SLFPA-E Commissioners last week.

And finally, on a somber note, the Corps and CPRA have confirmed the death of a construction worker who was injured on the permanent pumps job site Wednesday, March 11. According to a CPRA statement, the injury occurred while the worker was removing formwork for a previously poured T-wall monolith on the east side of the 17<sup>th</sup> Street Canal.

**Armoring** Work on the first system-wide armoring installation contracts is underway on levees in St. Charles Parish, and the Corps has submitted two right-of-entry requests to the Orleans Levee District (OLD) in preparation for armoring some lakefront levees and one right-of-entry request to the East Jefferson Levee District (EJLD). It may be necessary to acquire temporary construction rights-of-way along some sections of the Orleans lakefront where there is insufficient land on the protected side of the levee to accommodate the armoring work without the temporary use of additional land. The exact locations and extent of needed property is being finalized.

Meanwhile, the SLFPA-E, Southeast Louisiana Flood Protection Authority-West and the Coastal Protection and Restoration Authority continue planning to try and raise some levees at local cost before armoring. The intent is to save millions of dollars in future armoring replacement costs by extending the life of armored levees. The SLFPA-E has awarded a contract for preliminary land survey work in both levee districts. Evans and Graves, under a task order last December for program management work in support of pre-armoring lift construction, has prepared an aggressive preliminary schedule and drafted a Request For Qualifications for design services on future levee lifts.

**SBPS-07 – Repairs to LBBLD Pump Stations #2 and # 3** Work is progressing at Pump Station #3; the cofferdam is complete and T-wall base slabs are placed. Work at Pump Station #2 will begin in the next two weeks, weather permitting.

## Mississippi River Projects

**Jefferson Heights** A Corps contractor continues to raise East Jefferson river levees between the Orleans-Jefferson and Jefferson-St. Charles parish lines. Work began at the Orleans Parish end and is moving toward Kenner. The first 10,000 feet of newly surfaced bike path between the Orleans line, upriver to

about the Jefferson Playground, has been reopened to the public. Another stretch of path from that point to the Huey P Long Bridge is expected to be opened by the end of March. The entire first phase of this project, about 4.2 miles, is to be complete by the end of April, although the contractor cautions that inclement weather or high-river delays could slow the schedule.

Once Phase 1 is complete, the second phase of construction will begin along 4.5 miles of levee from about Orchard Road in River Ridge to the Jefferson-St. Charles line in Kenner. That second segment of work is scheduled for completion in December of this year, but it is also subject to unanticipated delays. Tree removal for the second segment could begin as early as this April.

Additionally, to keep the public informed of schedule, Corps representatives have said they will issue one or more press releases that provide project updates. They also say the Corps has communicated, via phone calls and pamphlets, with the owners of property adjacent to any tree that will be removed.

**Carrollton Project** All levee enlargement work in Orleans Parish is complete, and the OLD has received a draft response from the Corps to several issues OLD officials voiced during a final inspection last summer. The OLD is now preparing its response to the Corps' comments.

## **Internal Affairs**

**Surge Analysis Update** We continue to discuss internally and with others in flood defense community the best path forward to accomplish a Hurricane Surge Analysis update over the next several years. With help from Commissioners Rick Luettich and Paul Kemp and other specialists in the field, we fashioned have a Draft Scope of Work for a Phase 1 Planning Study. The draft will be further reviewed and evaluated at the Coastal Advisory Committee following today's board meeting. The committee, chaired by Commissioner Kemp, will also review and make necessary changes to a draft resolution SLFPA-E staff has prepared encouraging the CPRA to begin the HSDRRS surge analysis update in collaboration with the local levee owners and operators.

**Non-Federal Levee Certification** Our certification report for the Maxent Levee was resubmitted to FEMA on Feb. 6, 2015, and we expect accreditation in the near future.

The results of geotechnical investigations of the Forty Arpent Levee indicate that no substantial levee stability issues remain. Our consultant is preparing plans and specifications for a new levee near the Violet Canal and working on real estate takings and appraisals for the new levee footprint. Meetings have been held with both Orleans and St. Bernard government officials to explain the urgency of this project.



**IHNC-01 – Seabrook Complex** In response to a distress report filed by OLD in early December, the Corps conducted a structural analysis of the damaged bearing pad beneath the eastern Vertical Lift Gate. The analysis showed that the damage is causing no problem; however, the Corps provided a repair method if the Non-Federal Sponsor wants to replace it.

Shortly thereafter, vibrations of the same VLG began, and the OLD is now preparing to monitor the vibrations, just as the Corps did at Bayou Dupre.

**Training** In their report on automated asset management software alternatives, one of the recommendations from Moffat & Nichols was to develop reporting forms utilizing software currently used by OLD. In response, a modeling exercise was held this month and a list of possible program upgrades prepared and submitted to the software firm. M&N will submit a final report by month's end.

**Emergency Preparedness** The Mississippi River, now around elevation 11.0, is expected by the National Weather Service to reach 14.0' by March 30.

**Complex Structures** Electrical shorts at the Bayou Bienvenue VLG are being investigated, but generators at the site still allow gate operation. All other navigation gates are in working order, and maintenance is up-to-date.

**Tidal Gage Network** The Corps has submitted to SLFPA-E three right-of-entry requests for hardened tide gage station sites at Delacroix, Breakwater Park and Chef Menteur, one in each of our Levee District.

**Periodic Inspection Reports** Representatives of SLFPA-E and its three Levee Districts met with the Corps in December to review the previous Periodic Inspections (PI). The purpose of a PI is to verify continued and appropriate operation and maintenance and to evaluate the stability of structures and compare constructed criteria to current criteria. The first PIs were conducted between February 2010 and January 2014 on all MR&T and HSDRRS projects. The Executive Directors of our Levee Districts are now reviewing their individual portions of the overall PI, and each is preparing a list of items that need to be addressed. A follow up meeting was held with the Corps and CPRA in February to review responses to the PI, and the resolution process continues.

**Risk Assessment** SLFPA-E has received several responses to its Request for Proposals to provide risk engineering services in the performance of a Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, the Seabrook Complex and gates, and Sector Gates at Bayou St. John, Bayou Bienvenue, Bayou Dupre and Caernarvon. The proposed analysis will identify and address the possible risk of failure or breakdown of any mechanical system within these structures that could cause flooding in parts of Orleans, Jefferson and St. Bernard parishes. The results of this work will help to inform Operation and Maintenance Plans for the structures. The RFPs will be reviewed and

evaluated by a three-person panel of engineers over the next month and a recommendation made to the full board in April.

#### **Meetings and Items of Note:**

The Coastal Protection and Restoration Authority Board will meet March 25, 2015 at 9:30 a.m. in the Louisiana State Capitol, House Committee Room 1900 North Third Street, Baton Rouge.

The Governor's Advisory Commission will meet April 1 at 10:00 a.m. in the Galvez Building in Baton Rouge.

The Louisiana 2017 Coastal Master Plan Modeling Update will be held today at 1:00 p.m. in the Oliver Pollack Room in the Galvez Building in Baton Rouge.

#### **New Contracts:**

Shelley Midura – Grant and Other Funding Source Consulting Services – 2/1/15 – 2/1/16 - Not to Exceed \$49,500.

J. Chris Compton Abstractor, Inc. – Professional Title Abstracting Services – 2/1/15 – 2/1/16 – Not to Exceed \$49,500.

#### **Levee District Construction Projects:**

<b>Project</b>	<b>District</b>	<b>Status</b>	<b>Comments</b>
<b>Floodgate &amp; Floodwall Repairs</b>	OLD	98% complete	Contractor to schedule remaining work with CSX RR.
<b>MRT and IHNC Vegetation Removal</b>	OLD	Complete	Final quantities to be verified
<b>Seawall Steps Erosion Phase 4&amp;5</b>	OLD	85% complete	
<b>Seawall Steps Erosion Phase 2B</b>	OLD	0% complete	Contractor mobilizing
<b>Floodgate W-30 &amp; 31 Road/Sill Repairs</b>	OLD	Complete	

## Levee District Project Designs and Studies

Project	District	Comments
Outfall Canals Erosion	OLD	Study complete; design 85% complete
Lakefront Seawall Area Reach , 4&5	OLD	Design complete; construction administration 85%
Lakefront Seawall Area Reach 2B	OLD	Design complete; construction administration 10% complete
Floodgate Seal Repairs	OLD	Design complete; construction administration 98% complete
IHNC St. Claude Bridge Drainage	OLD	Design complete
Lakefront Levee Slope Drainage Reach 4	OLD	Survey complete; design complete
Citrus Lakefront Levee Slope Paving at Intersections	OLD	Survey complete; design 90% complete
Bayou St. John Adaptive Water Management Plan	OLD	Plan 35% complete
Citrus Lakefront Levee Railroad Drainage Study	OLD	Investigation complete; design proposal to be submitted and approved by NSRR.
Lakefront Seawall Area Reach 1A-4C	OLD	Design 26% complete
MRT Aluminum Stop Logs	OLD	Complete
Bayou Bienvenue/Bayou St. John O&M Manuals	OLD	Complete
Police Administration Building	OLD	Site Study complete
MRT Floodgate Painting	OLD	Task Order signed
Phase 1 for engine upgrades at Pump Stations	LBBLD	95% designs received; comment resolution ongoing
Phase 1 for Safe Room Design HMGP approved by FEMA	LBBLD	Phase 2 approval received from FEMA Region 6 & GOHSEP; anticipate Phase 2 funds by month's end
Pump Station #6 pump repair and hangers at P.S. #7	LBBLD	P&S complete; advertise by the end of March
Pump Station #6 Erosion Repair	LBBLD	P&S complete; advertise by month's end
Safe house & Consolidated Facility	EJLD	The Kenner City Council approved the PUD/Resub submitted by the EJLD on March 5. Waggoner & Ball beginning to develop the construction documents.