

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, JUNE 18, 2015**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or SLFPA-E) was held on Thursday, June 18, 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 9:30 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  
Jefferson M. Angers  
Tyrone Ben  
Richard A. Luettich, Jr.  
Kelly J. McHugh

**ABSENT:**

G. Paul Kemp

**OPENING COMMENTS:** None.

**APPROVAL OF AGENDA:**

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

**RESOLUTION NO. 06-18-15-01 –  
APPROVAL OF MAY 21, 2015 BOARD MEETING MINUTES**

On the motion of Mr. Wittie,  
Seconded by Mr. Hassinger, 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 May 21, 2015.

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

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

NAYS: None

ABSENT: Mr. Kemp

**NOMINATION AND ELECTION OF OFFICERS FOR ONE YEAR TERM EFFECTIVE  
JULY 1, 2015.**

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The floor was opened for nominations for the office of President. Mr. McHugh offered and Mr. Ben seconded the nomination of Lambert J. Hassinger, Jr. There were no further nominations. Mr. Hassinger was elected to the office of President by a unanimous vote of the Board.

The floor was opened for nominations for the office of Vice President. Mr. Hassinger offered and Mr. Wittie seconded the nomination of Stephen V. Estopinal. There were no further nominations. Mr. Estopinal was elected to the office of Vice President by a unanimous vote of the Board

The floor was opened for nominations for the office of Secretary. Mr. Wittie offered and Mr. Hassinger seconded the nomination of Wilton Paul Tilly, III. There were no further nominations. Mr. Tilly was elected to the office of Secretary by a unanimous vote of the Board.

The floor was opened for nominations for the office of Treasurer. Mr. Hassinger offered and Mr. Ben seconded the nomination of Jefferson M. Angers. Mr. Tilly inquired about Mr. Angers ability to fulfill the responsibilities of the office of Treasurer due to family responsibilities. Mr. Angers responded that he recognized the importance of the business of the Board and pledged his service. He expressed his appreciation for the Board's forbearance during the past 11-1/2 months and indicated that he was prepared to fulfill the responsibilities of the office. There were no further nominations. Mr. Angers was elected to the office of Treasurer by a unanimous vote of the Board.

**RESOLUTION NO. 06-18-15-02 – ELECTION OF OFFICERS**

“A resolution stating the results of the election of Officers of the Southeast Louisiana Flood Protection Authority-East for a term of one year commencing July 1, 2015.”

**WHEREAS**, the Board adopted revised Bylaws at a Regular Board Meeting held on December 17, 2009, which provide in part for the designation and election of Officers of the Board; and

**WHEREAS**, Article IV, Section 1 (Officers and Elections), designates the officers as President, Vice President, Secretary and Treasurer to be elected from among the members of the Board at the regularly scheduled June meeting; and

**WHEREAS**, Article IV, Section 1 further provides that officers shall assume their duties on July 1<sup>st</sup>; and

**WHEREAS**, Article IV, Section 2, provides that officers shall be elected to serve one year terms.

**BE IT HEREBY RESOLVED**, that, in accordance with elections held this date, the Officers of the Southeast Louisiana Flood Control Authority-East shall be as follows for the term commencing July 1, 2015:

President – Lambert J. Hassinger, Jr.  
Vice President – Stephen V. Estopinal  
Treasurer – Jefferson M. Angers  
Secretary – Wilton P. Tilly, III

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

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

NAYS: None

ABSENT: Mr. Kemp

**PRESENTATIONS:**

None.

**PUBLIC COMMENTS:**

Roy Arrigo stated that he has been a critic of the Board since its creation in 2007; however, in the past year he has seen the Board do a number of great things, such as its action in respect to the cemeteries located in the City of Kenner and the flooding of residences along Grand Lake Boulevard. He expressed his appreciation for the direction in which the Board is moving and thanked the members of the Board for their service and for addressing and resolving the issues along the 17<sup>th</sup> Street Canal.

Van Robichaux, Vice President of the Lake Oaks Civic Association (Association), advised the Board that one of the topics discussed at the Association's June 11<sup>th</sup> meeting was the possible location of a police station in the area and that the Association urged the relocation of the station at its former Elysian Fields site. The crowd of participants at the Association's meeting supported the relocation of the Orleans Levee District's police station at its pre-Katrina location at Elysian Fields Avenue and Lakeshore Drive. The location of the police station at this strategic location worked very well prior to Katrina. Relocating the station on Elysian Fields Avenue would provide a presence and deter vehicles from racing on the resurfaced Lakeshore Drive. The Elysian Fields site is strategically located for not only monitoring Lakeshore Drive, but also the Pontchartrain Beach property, and for providing service to the community.

Mr. Robichaux informed the Board that the Association also unanimously agreed to oppose the attempt by a developer to build condominiums, townhouses or multi-family structures on the former Mormon Church property. He explained that when the Lake Oaks Subdivision was developed, a strip of properties were dedicated for religious institutions to support the students of the University of New Orleans. It was recently

learned that a developer purchased the property and made application to the City of New Orleans Safety and Permits Department to re-subdivide the property into four different lots. The Association suspects that the next step would be to immediately request a building permit. The Association adopted a motion to ask the Board to take immediate action to prevent the development from occurring and to maintain the integrity of the building restrictions and prevent anything from being built contrary to the building restrictions. He stated that the Board is the enforcement authority in this situation; however, if the Board does not take action, the Association will file suit. He stressed that immediate action is required because the new New Orleans Comprehensive Zoning Plan is anticipated to take effect in 60 days or less.

Lambert Boissiere, Constable for the New Orleans 1<sup>st</sup> City Court, explained that he searched for a location for a satellite office in New Orleans East and that due to the current condition of the building on Elysian Fields Avenue, he rented office space in the New Orleans Lakefront Airport Terminal. He urged the Board to relocate the police station at the Elysian Fields site. He commented that the church property discussed by Mr. Robichaux is zoned multi-family; however, it was contained by the Title Restrictions of the Orleans Levee District. The zoning was not previously changed because it was appropriate for religious purposes and the Orleans Levee Board had no concerns about multi-family developments because of the Title Restrictions. However, by the churches getting together to remove the restrictions, it is now open to multi-family zoning; therefore, immediate action is necessary to prevent the development from happening.

Mr. Estopinal inquired concerning the Authority's responsibilities in this situation. Nyka Scott, SLFPA-E Executive Counsel, explained that the area in question was not placed under the authority of the Non-Flood Protection Asset Management Authority (NFPAMA) in the Memorandum of Understanding between the agencies. The Orleans Levee District owns three pieces of property in the religious row area, which is close to a majority of the lots in the strip. Mr. Estopinal requested that an item be placed on the Legal Committee agenda for a briefing on the SLFPA-E's regulatory authority over this issue and for the appropriate action to be taken.

Wilma Heaton, SLFPA-E Director of Governmental Affairs, advised that the SLFPA-E was successful in getting \$1 million authorized in priority five of House Bill 2 (Capital Outlay bill) for the relocation of a police station at the Elysian Fields site. She stated that she is working diligently to place this item before the Bond Commission.

### **COMMITTEE REPORTS:**

**Finance Committee:** Mr. Tilly reported that the Finance Committee met on June 4<sup>th</sup> and discussed the following items:

- SLFPA-E and Orleans Levee District (O.L.D.) FY 2015 budget revisions.
- Renewal of Workers Compensation Insurance and Primary and Excess Flood Insurance coverages for the O.L.D.
- Renewal of Flood Insurance coverage for the East Jefferson Levee District (EJLD) police and maintenance complex.

- Selection of the Times Picayune as the official journal for the SLFPA-E, EJLD and O.L.D. and the St. Bernard Voice as the official journal for the Lake Borgne Basin Levee District (LBBLD).
- Completion of the Louisiana Compliance Questionnaires for the SLFPA-E and levee districts.
- Status of the renewal of healthcare coverage for EJLD employees.

**Operations Committee:** Mr. Wittie reported that the Operations Committee met on June 4<sup>th</sup> and received public comments from City of Kenner and Jefferson Parish officials and residents concerning the flooding issues along Grand Lake Boulevard. A representative from the U.S. Army Corps of Engineers (USACE) appeared before the Committee and discussed the flooding problem; however, the USACE at this time did not seem to have a solution. The Committee was advised that the USACE would review its design criteria and develop a possible solution. Representatives of the USACE were asked to attend today's meeting to present the results of the analysis; however, the USACE requested additional time for the analysis and the development of a solution. Therefore, the discussion of this item has been postponed to the July 16<sup>th</sup> Board meeting. Robert Turner, SLFPA-E Regional Director, addressed the SLFPA-E's participation in the proposed General Reevaluation Report (GRR) for future levee lifts at the Committee meeting. A resolution has been placed on the Board agenda concerning the SLFPA-E's participation in the GRR. The GRR must be commissioned by the Secretary of the Army and 50 percent of the \$3 million total estimated cost must be paid by the local non-Federal sponsor.

**Legal Committee:** Mr. Hassinger reported that there was no requirement for the Legal Committee to meet during the month of June.

**Coastal Protection and Restoration Authority (CPRA):** Mr. Hassinger advised that he was unable to attend the June 17<sup>th</sup> CPRA meeting.

**Coastal Advisory Committee Meeting:** Mr. Estopinal advised that Mr. Kemp was unable to attend the Board meeting due to pressing business; therefore, there was no report.

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

Mr. Turner reviewed the highlights of the Regional Director's Report (copy appended to minutes). The following additional comments were provided:

- IHNC Surge Barrier Bypass Barge Gate – A problem has been discovered with the connection of the chain used to swing the Bypass Barge Gate. The USACE has been notified and is developing a plan to fix the problem. The USACE is anticipated to use stainless steel appurtenances and a different type of bearing assembly that will allow the barge to pivot under the existing conditions. The USACE has not yet turned over the emergency closure plan for the Barge Gate to the local sponsor and is developing a plan for closing the gate with the assistance of a standby tug. The possibility of leaving the Barge Gate closed for the remainder of the hurricane

season once it is closed has been discussed; however, environmental clearances will be required.

- Levee Lifts – The SLFPA-E provided the latest list of levees that will be lifted prior to the application of armoring to the USACE. A procedure is being implemented to allow better coordination between the SLFPA-E and USACE on the project. The majority of the surveying work required for the lifts in Jefferson Parish has been completed and submitted to the CPRA. A resolution will be considered by the Board later in the meeting that will allow the SLFPA-E to enter into a Memorandum of Understanding with the CPRA in order to use its consultant for the geotechnical analysis that has been agreed to by the USACE. The Request for Qualifications has been issued for engineering services for the preparation of plans and specifications for the lifts. A preliminary schedule has been submitted to the USACE and CPRA for the lifts. It is anticipated to take 1-1/2 to 2 years to complete all of the current levee lifts. Additional lifts should not be required for the next eight to ten years.
- General Reevaluation Report (GRR) – A conference call was held with Senator Vitter's office and USACE headquarters last Friday to discuss the possibility of accelerating the GRR. The GRR is a study which must be accomplished in order to allow credit and Federal participation (65% Federal/35% Local) in future levee lifts. The CPRA is filing paperwork to preserve the right to obtain credit for the current levee lifts. There is very little chance that any work begun by the SLFPA-E on the GRR process prior to the authorization of Federal participation will be credited towards the local cost share. It may take five years under normal circumstances for the GRR to be completed. If the GRR findings are favorable, Congress would then have to fund the levee lifts. Mr. Turner recommended that the SLFPA-E begin looking at funding for the levee lifts that will be required in the 2023-2025 timeframe. One of the GRR findings that must be favorable is the benefit-cost ratio. The USACE and other entities have expressed concern regarding the USACE's standard procedure for the economic analysis.

Mr. Estopinal recognized State Representative Raymond Garofalo, St. Bernard Parish President David E. Peralta and former Judge David Gorbaty who were in the audience.

### **NEW BUSINESS:**

#### **Discussion of the flooding problems along Grand Lake Boulevard in Jefferson Parish (West Return Floodwall).**

The discussion of this item has been deferred and will take place at the July 16, 2015 Board Meeting in order to provide sufficient time for the U.S. Army Corps of Engineers to provide its findings and present a recommendation.

#### **Presentation and discussion of LBBLD post election path forward.**

Mr. Turner reviewed the proposed Lake Borgne Basin Levee District (LBBLD) restructuring plan. The LBBLD is responsible for the operation and maintenance of following infrastructure: 35 miles of Federal levee/T-walls, land based floodgates, two navigation floodgates (Caernarvon and Bayou Dupre), approximately 60 miles of

drainage canals, eight drainage pump stations and approximately 23 miles of non-Federal levee. He pointed out that the levee districts have assumed the projects constructed as part of the Hurricane and Storm Damage Risk Reduction System (HSDRRS) as they have been completed.

Mr. Turner explained that the LBBLD's costs have exceeded its revenue stream since the 2006-2007 timeframe and that the levee district has been drawing down its fund balance in order to balance its budget. The LBBLD's fund balance is nearly depleted. The LBBLD's current revenues are approximately \$3.6 million per year. The LBBLD needs approximately \$6 million of revenues to properly operate and maintain all of its infrastructure. Therefore, significant changes will be made to the organization in order to balance revenues and expenses. The LBBLD has 31 employees as of June, 2015, with the majority of the employees working in the area of drainage (primarily pump stations). The LBBLD's current workforce is significantly lower than its pre-Katrina workforce. The LBBLD must further reduce its workforce to 24 employees and implement its restructuring plan. Therefore, the LBBLD will not be able to continue to provide its past level of service with a 20 percent reduction in its workforce. The restructuring of the organization is required with the emphasis placed on the complements that present the greatest risk to the people living within the HSDRRS. The greatest risk is a failure in the Federal system (Mississippi River Levee and HSDRRS), which could result in a significant loss of life and catastrophic damage. Therefore, the areas associated with internal drainage will be less emphasized. The frequency of damages resulting from a rain event will probably be greater than damages resulting from a hurricane event or riverine levee failure; however, the potential for loss of life and costs for damages are significantly less for a rain event compared to a hurricane or major spring flood event.

Mr. Turner reviewed the following employee and budget transitions:

#### Employee Transition

	Today	Projected Need	Proposed Future
Admin	5	6	5
Levees	11	15	14
Drainage	15	18	5
Total	31	39	24

#### 2014 Budget Transition

	Current	Present Revenue vs. Projected Need	Proposed Future
Revenue	\$ 3,600,000.00	\$ 3,600,000.00	\$ 3,600,000.00
Expenses	\$ 4,233,000.00	\$ 6,060,000.00	\$ 3,600,000.00
Revenue Over Expenses	\$ -732,804.00	\$-2,560,000.00	\$ 0

Mr. Turner pointed out that although the LBBLD will experience a net loss of seven employees, the levee department will be increased by three individuals in order to properly operate and maintain the levee infrastructure. The drainage department will lose ten employees and be reduced to five employees. The proposed pump station operation changes were reviewed.

### Pump Station Operation Changes

Pump Station	Current Staffing	Projected Staffing
1	24/7	Day only
6		
2	Under construction	Not regularly manned
3	Under construction	Not regularly manned
7	24/7	Day only
4	1/2 time	Not regularly manned
5	1/2 time	Not regularly manned
8	24/7	Not regularly manned

Mr. Turner explained that Pump Stations Nos. 1 and 6 are located next to each other and are typically operated by a single individual. Pump Stations 1 - 6 and 7 are projected to be staffed during the daytime only as a base of operations and employees will travel from station to station during the course of the work week to continue some preventive maintenance on the pump stations. The LBBLD will not be able to continue the robust preventive maintenance that is currently being done. The remaining pump stations will not be regularly manned. The reliability of the pump stations will decrease over time with the reduced preventive maintenance. There may be instances when the pump stations are not manned when rainfalls begin unless the LBBLD receives advance warning of the approach of a significant rain event. The LBBLD is investigating the possibility of automating some of the smaller pump stations; however, certain safety issues must first be researched. Flood prone areas in St. Bernard Parish will increase over time as the pump stations degrade and due to the inability to sufficiently man the pump stations.

Mr. Turner concluded by reviewing the following points:

- No additional funding is available from State or Federal sources
- Money cannot be transferred between levee districts for operation and maintenance
- Cuts are necessary to ensure operating expenses do not exceed annual revenue
- Priorities are established based on level of risk
  - Highest risk is the potential failure of the Federal levee systems
    - HSDRRS Levees
    - Mississippi River Levees
- Restructuring will most likely result in increased flooding during heavy rains
- The proposed plan is a short-term solution only and additional changes will be required as time goes by in order to protect the citizens of the region as a whole

Mr. Estopinal advised that a meeting was held with some of the working officials of St. Bernard Parish Government and that they are aware of the situation and working on assistance to mitigate the potential increased threat for the region. Alternatives are being considered; however, thus far no solutions have been found. The long term projection is for increased flooding risks for St. Bernard Parish residents.

Mr. Ben inquired about hiring part time help. Mr. Turner explained that the LBBLD will do everything possible to maximize services; however, the annual budget cannot exceed \$3.6 million. The hiring of part time employees could displace a full time employee. The LBBLD implemented the layoff avoidance plan required by Civil Service. Salaries for all LBBLD employees have been frozen and an incentive has been presented to employees who are eligible for retirement. Discussions are being held with other State and Parish agencies to assist employees who may be laid off with finding other jobs.

Mr. Luettich inquired about the potential impact on flood insurance rates for the region. Mr. Turner advised that FEMA is very interested in what is happening in St. Bernard Parish. The SLFPA-E executed FEMA's Provisionally Accredited Levee (PAL) agreement about three years ago and was given a certain period of time to certify the non-Federal levee. Thus far FEMA has been willing to work with the SLFPA-E in allowing additional time before the area is remapped. The final maps have not yet been adopted by St. Bernard Parish Government (the floodplain manager). If the area is remapped, many of the properties in St. Bernard Parish may become unmarketable due to the cost of flood insurance. Mr. Estopinal stressed that the situation is very grim and that the property values in St. Bernard Parish at this time are at great risk. He expressed confidence that St. Bernard Parish Government is aware of this situation and will work diligently with the SLFPA-E to avoid the potential predictable outcome. Mr. Luettich noted that private insurers could view this situation as a reason to raise rates.

Mr. Ben asked about the target date for the projected cuts. Mr. Turner explained that the restructuring will probably be phased in over the course of six months. The LBBLD's current fund balance is \$4 million; however, sufficient money must be retained in the fund balance to provide a cash flow between July 1 (start of the fiscal year) and January 1 (collection of tax revenues). He pointed out that the LBBLD's fund balance is being drawn down quickly due to the design of the flood protection at the Shrimp Factory and that a decision will be required soon concerning the purchase of the property required for the construction of the flood protection alignment.

Mr. Turner stressed that the SLFPA-E and LBBLD will continue to search for remedies and a permanent solution. He reiterated that the plan presented today is a temporary solution. The significant periodic maintenance for the major complex structures is not currently being addressed in the LBBLD's budget.

#### **RESOLUTION NO. 06-18-15-03 – PARTICIPATION IN GRR**

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

**WHEREAS**, the Lake Pontchartrain and Vicinity (LPV) Project contains levee segments that must be lifted periodically to account for subsidence and sea level rise and sustain the authorized level of risk reduction; and

**WHEREAS**, Section 3017 of the *Water Resources Reform and Development Act of 2014 (WRRDA 2014)* authorized the Secretary of the Army to carry out measures that address consolidation, subsidence, sea level rise, and new datum to restore certain federally authorized hurricane and storm damage risk reduction projects to their authorized levels of protection if the Secretary determines through a project-specific General Reevaluation Report (GRR) that the measures are:

- Technically feasible
- Environmentally acceptable
- Economically justifiable

**WHEREAS**, the cost of the GRR would be shared 50/50 pursuant to the terms of a Feasibility Cost Share Agreement and is anticipated not to exceed \$3 million; and

**WHEREAS**, the Louisiana Coastal Protection and Restoration Authority (CPRA) has requested a statement of intent to participate in the cost and development of the GRR from the Southeast Louisiana Flood Protection Authority-East (SLFPA-E); and

**WHEREAS**, the statement of intent does not require the SLFPA-E to commit funds at this time.

**BE IT HEREBY RESOLVED**, that the SLFPA-E intends to participate with the CPRA and the U.S. Army Corps of Engineers in the development of the General Reevaluation Report required by Section 3017 of WRRDA 2014 for federal participation and cost share on future levee lifts on the Lake Pontchartrain and Vicinity Projects.

**BE IT FURTHER RESOLVED**, that this resolution only expresses the SLFPA-E's intent to participate, and that funding of this effort is dependent on the development of an acceptable project management plan, schedule and reasonable cost.

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

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

NAYS: None

ABSENT: Mr. Kemp

#### **RESOLUTION NO. 06-18-15-04 – MOU BETWEEN SLFPA-E AND CPRA FOR GEOTECHNICAL WORK FOR LEVEE LIFTS**

On the motion of Mr. Luettich,

Seconded by Mr. Hassinger, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection-East (SLFPA-E) by Resolution No. 05-21-15-02 directed the Regional Director to proceed with the

necessary analysis and design of levee lifts for the following levee segments prior to armoring by the U.S. Army Corps of Engineers: LPV 00.2, LPV 20.1, LPV 19.2, LPV 01.1, LPV 02.2, LPV-109, and LPV 111; and

**WHEREAS**, Resolution No. 05-21-15-02 further authorized the Regional Director and Executive Counsel to negotiate a Memorandum of Understanding (MOU) with the Louisiana Coastal Protection and Restoration Authority (CPRA) for assistance with the geotechnical analysis associated with the levee lift design work; and

**WHEREAS**, the process developed by the CPRA and its consultant, HNTB, for the geotechnical data collection and analysis required for the construction of the levee lifts has been approved by the U.S. Army Corps of Engineers; and

**WHEREAS**, the Memorandum of Understanding (MOU) between the CPRA and the SLFPA-E for the geotechnical analysis shall stipulate that the SLFPA-E shall pay the costs associated with the work required for the aforementioned levee lifts, and the CPRA shall instruct its consultant to proceed with the work upon execution of the MOU; and

**WHEREAS**, a not-to-exceed amount of \$260,000 shall be included in the MOU.

**WHEREAS**, the MOU shall be reviewed and approved by the SLFPA-E Executive Counsel prior to its execution.

**BE IT HEREBY RESOLVED**, that the Regional Director is authorized to execute a Memorandum of Understanding between the CPRA and the SLFPA-E for the geotechnical analysis required for the lifting of levee segments LPV 00.2, LPV 20.1, LPV 19.2, LPV 01.1, LPV 02.2, LPV-109, and LPV 111 prior to armoring by the USACE.

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

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

NAYS: None

ABSENT: Mr. Kemp

#### **RESOLUTION NO. 06-18-15-05 – 2015 SLFPA-E BUDGET REVISIONS**

Mr. Turner explained that additional SLFPA-E personnel have been hired that were not included in the initial budget when it was formulated in April, 2014; therefore, a revision to the SLFPA-E Fiscal Year (FY) 2015 budget is required. A budget revision is required when expenditures exceed five percent of the approved budget.

Mr. Hassinger inquired about the decrease in expenditures for Community Development Block Grants (CDBG). Mr. Turner explained that the SLFPA-E was awarded a series of CDBGs. The vast majority of the CDBG funds are dedicated to particular projects and the projects have not progressed as quickly as the SLFPA-E had hoped. Therefore, the CDBG funds have not been drawn down and expended. CDBG funds are received as work on a project is accomplished. Mr. Hassinger inquired about the administration of the grants. Mr. Turner advised that Shelley Midura has been retained under a professional service contract and that her primary job is to assist with the necessary

paperwork to comply with CDBG requirements and to locate additional grants. Neither the SLFPA-E nor the levee districts employ personnel for seeking grants.

Mr. McHugh inquired about the current method used for allocating SLFPA-E operating expenses to the levee districts and suggested that the method be reviewed for its appropriateness and to perhaps provide some relief for the LBBLD. Nyka Scott, SLFPA-E Executive Counsel, advised that the methodology currently used for the allocation of expenses was approved by Board resolution shortly after the creation of the Authority. She asked that any potential change in the methodology also be reviewed and approved by the Attorney General's office. Mr. Estopinal commented that there are alternatives and that the SLFPA-E is examining equitable ways of making this determination. Mr. Turner advised that the allocations are currently based on ad valorem tax collections for operations and maintenance and that the resulting ratio is used to determine each levee district's allocation of the SLFPA-E's operating expenses. Jim Bollinger, O.L.D. Comptroller, informed the Board that additional methodologies are used for determining the allocations of expenses for the SLFPA-E Superintendent of Police (based on the number of officers in each levee district) and Board expenses (based on the number of members of each of the levee boards prior to the reorganization). He suggested that an array of allocation procedures can be put in place provided they are reasonably based on the benefits derived by each organization or the efforts of the SLFPA-E's administration in particular situations. The Constitutional ad valorem taxes are currently used as the basis for the allocation of many of the SLFPA-E's expenses; however, this situation can be reviewed and additional tax revenues could potentially be factored into the methodology.

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

**WHEREAS**, by Resolution No. 03-20-14-05, the Authority approved the budget for SLFPA-E for fiscal year 2015 to provide for required expenditures for personal services, contractual and professional services, operating supplies, equipment, and miscellaneous operating costs; and

**WHEREAS**, it is the responsibility of management to appraise the Board whenever actual expenditures are expected to be greater than budgeted or if revenue is expected to fall below budget; and

**WHEREAS**, actual expenses in the areas of personal services are projected to be 21% greater than originally budgeted, and professional services greater by 16%, while spending on initiatives funded by block grants are expected to be lower than budgeted by 90% and \$360,000, which when combined with other minor changes result in a net reduction in expenses of 13%; and

**WHEREAS**, the net reduction in expenses dictates a decrease in revenue of the same amount, which causes management to propose a budget revision in order to inform the Board of the latest projection of financial results for this fiscal year; and

**WHEREAS**, the following summarized adjustments are determined to reflect the currently projected financial results of the Southeast Louisiana Flood Protection Authority-East based on the latest revenue and expenditure information.

**Southeast Louisiana Flood Protection Authority-East**

	<b>Original Budget 2015</b>	<b>Recommended Changes</b>	<b>Revised Budget 2015</b>
	<b>(In Thousands)</b>		
<b>Revenue from Districts</b>	<b>1,359</b>	<b>128</b>	<b>1,487</b>
<b>CDBG Grants</b>	<b>402</b>	<b>(362)</b>	<b>40</b>
<b>O&amp;M</b>	<b>(1,359)</b>	<b>(128)</b>	<b>(1,487)</b>
<b>Grant Related Costs</b>	<b>(402)</b>	<b>362</b>	<b>(40)</b>
<b>Surplus / (Deficit)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Beginning Unrestricted Fund Balance</b>	<b>177</b>	<b>0</b>	<b>177</b>
<b>Ending Unrestricted Fund Balance</b>	<b>177</b>	<b>0</b>	<b>177</b>

**BE IT HEREBY RESOLVED**, that the revisions to the Fiscal Year 2015 SLFPA-E Budget are approved.

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

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

NAYS: None

ABSENT: Mr. Kemp

**RESOLUTION NO. 06-18-15-06 – SELECTION OF OFFICIAL JOURNAL FOR  
SLFPA-E, E.J.L.D., O.L.D. AND LBBLD**

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

**WHEREAS**, R.S. 43:171 provides that levee districts and other political subdivisions shall have the proceedings of their board and such financial statements required by the legislative auditor published in a newspaper, which shall be selected at the first meeting in June of each year for a term of one year; and

**WHEREAS**, R.S. 43:171 further provides that the newspaper shall meet certain criteria relative to location and publication; and

**WHEREAS**, the Times Picayune meets the aforementioned criteria for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District; and

**WHEREAS**, the St. Bernard Voice meets the aforementioned criteria for the Lake Borgne Basin Levee District.

**BE IT HEREBY RESOLVED**, that the Times Picayune is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District for a one year term commencing on July 1, 2015.

**BE IT FURTHER RESOLVED**, that the St. Bernard Voice is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Lake Borgne Basin Levee District for a one year term commencing on July 1, 2015.

**BE IT FURTHER RESOLVED**, that the SLFPA-E President, SLFPA-E Regional Director or appropriate Levee District Executive Director are authorized to sign any and all documents necessary to accomplish the above.

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

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

NAYS: None

ABSENT: Mr. Kemp

#### **RESOLUTION NO. 06-18-15-07 – LOUISIANA COMPLIANCE QUESTIONNAIRES**

Mr. Bollinger explained that the Louisiana Compliance Questionnaires are required as part of the audit of the SLFPA-E and levee districts and are an attestation of compliance with all of the laws pertaining to levee districts.

On the motion of Mr. Tilly,

Seconded by Mr. Hassinger, the following resolution was offered:

**WHEREAS**, Section 327.08 of the Louisiana Governmental Audit Guide (the Guide) specifies that the Louisiana Compliance Questionnaire is a required part of any audit of Louisiana; and

**WHEREAS**, the Guide further specifies that the responses contained in the questionnaire should be reviewed by the governing body and approved in an open meeting.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the representations made by management in the Louisiana Compliance Questionnaires for the Southeast Louisiana Flood Protection Authority-East (SLFPAE), the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District for the fiscal year ending June 30, 2015.

**BE IT FURTHER RESOLVED**, that the SLFPA-E President, SLFPA-E Secretary and SLFPA-E Treasurer are authorized to sign the Louisiana Compliance Questionnaires.

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

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

NAYS: None

ABSENT: Mr. Kemp

**Motion to approve a policy for the issuance of Requests for Qualifications and Requests for Proposals, the selection process and the award of contracts to the selected consultants.**

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A motion to approve the policy relative to the issuance of Requests for Qualifications and Requests for Proposals was offered by Mr. Angers and seconded by Mr. Wittie.

Mr. Tilly suggested that the policy include provisions for sole sourcing and for putting in place contracts to provide emergency services. Mr. Estopinal noted that the SLFPA-E's pool of Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts are also available to provide service for an emergency situation. Mr. Turner added that the Louisiana Revised Statutes provide the ability to declare an emergency and to use any means necessary to address the emergency. A declared emergency must be noticed in the official journal. He explained that the Orleans Levee District is attempting to develop a contractual agreement with Boh Bros. Construction Co. in order to immediately address any emergency situations that arise (for example, damage resulting from a barge collision) at the IHNC Surge Barrier. The agreement would contain line items for general broad categories.

Mr. Hassinger offered a substitute motion, which was seconded by Mr. Tilly, to defer the motion to approve the policy until next month in order to provide additional time for review.

Mr. Ben asked whether the policy contained verbiage addressing Disadvantaged Business Enterprises (DBE). Ms. Scott replied, yes; one of the considerations when awarding contracts is DBE, small minority owned business and women owned business participation. She agreed that language should be added to the policy to address sole sourcing under limited circumstances; however, the State's language concerning this issue should first be adopted by the Board. She recommended that a resolution be presented to the Board at its next meeting for the adoption of the State's language and that the sole source contract language be included in the SLFPA-E's policy, as well as language concerning emergency situations. Mr. Tilly suggested the bidding of contracts to provide emergency services for a one-year period.

There was no further discussion. The substitute motion to defer the original motion was unanimously adopted.

**RESOLUTION NO. 06-18-15-08 – LOUISIANA ATTORNEY GENERAL LEGAL OPINION ON REVENUE EXPENDITURES**

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Mr. Estopinal explained that the SLFPA-E's interpretation of State law is that money cannot be taken from one levee district and expended in another levee district for operation and maintenance. The resolution under consideration by the

Board authorizes the Executive Counsel to request a formal opinion from the Louisiana Attorney General in order to ensure that the SLFPA-E's interpretation is correct. Mr. Hassinger pointed out that the SLFPA-E is seeking confirmation that the SLFPA-E's position is accurate.

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") is the governing authority of the Orleans Levee District ("OLD"), the East Jefferson Levee District ("EJLD") and the Lake Borgne Basin Levee District ("LBBLD"); and

**WHEREAS**, OLD, EJLD and LBBLD are political subdivisions charged with the duty to maintain the levee systems in Orleans, Jefferson and St. Bernard Parishes in accordance with La. Const. Art. VI, §38 and La. R.S. 38:281, et seq.; and

**WHEREAS**, pursuant to La. R.S. 38:301.1(D), levee districts located wholly or partially in the coastal area may expend funds for projects and programs outside of their normal jurisdictional bounds on the condition that the funds are used consistent with the purposes and intent expressed in R.S. 49:214.1 and will benefit the jurisdiction from which the funds are derived; and

**WHEREAS**, pursuant to La. R.S. 38:301.1(D), the SLFPA-E Board has the power and authority to enter into a cooperative agreement to authorize coastal area levee districts to expend funds for projects and programs outside of their normal jurisdictional bounds on the condition that the funds will benefit the jurisdiction from which the funds are derived; and

**WHEREAS**, the SLFPA-E Board authorizes Executive Counsel to request a formal opinion from the Louisiana Attorney General as to whether, and under what circumstances, funds from one levee district may be expended in the jurisdiction of another levee district.

**BE IT HEREBY RESOLVED**, that the SLFPA-E Executive Counsel is authorized to request a formal opinion from the Louisiana Attorney General as to whether and under what circumstances funds from one levee district may be expended in the jurisdiction of another levee district.

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

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

NAYS: None

ABSENT: Mr. Kemp

#### **RESOLUTION NO. 06-18-15-09 – APPROVAL OF LEGAL SERVICES INVOICES**

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

**WHEREAS**, the legal services invoices submitted to the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District listed on the spreadsheet entitled "Legal Invoices Approved on June 18, 2015", have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E Executive Counsel, and provided to members of the Legal Committee.

**BE IT HEREBY RESOLVED**, that the legal services invoices listed on the spreadsheet entitled "Legal Invoices Approved on June 18, 2015" are hereby approved.

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

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

NAYS: None

ABSENT: Mr. Kemp

**RESOLUTION NO. 06-18-15-10 – EJLD RENEWAL OF FLOOD INSURANCE COVERAGE FOR POLICE/MAINTENANCE COMPLEX**

Derek Boese, EJLD Interim Executive Director, recommended Option B of the coverage.

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

**WHEREAS**, the East Jefferson Levee District's (EJLD) Flood Insurance coverages for the Police/Maintenance Complex and Sandbag Building are due to expire in July, 2015; and

**WHEREAS**, Wright National Insurance Company through Arthur J. Gallagher Risk Management Services provided notice for the renewal of the Flood Insurance coverages at a premium of \$2,395 for the Police/Maintenance Complex (1135 Lesan Drive - coverage: \$97,500 building and \$105,000 contents), and \$1,031 for the Sandbag Building (1135 Lesan Drive Rear - coverage: \$41,800 building and \$10,500 contents) for a one year period commencing on July 9, 2014 for the Police/Maintenance Complex and July 7, 2014 for the Sandbag Building.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the renewal of Flood Insurance coverage for the Police/Maintenance Complex and Sandbag Building with Wright National Insurance Company through Arthur J. Gallagher Risk Management Services as stated above at a total cost of \$3,426, and authorizes the EJLD 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. Angers, Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Luettich,  
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None  
ABSENT: Mr. Kemp

**UPDATE ON STATUS OF RENEWAL OF EJLD HEALTH INSURANCE COVERAGE FOR EMPLOYEES.**

Mr. Boese advised that the EJLD's health insurance coverage expires on July 31<sup>st</sup>. John Thomas with Best Group Benefits explained that a Request for Proposals was released on May 29<sup>th</sup> to all of the fully insured carriers in the market plus the Louisiana Office of Group Benefits (OGB). The bid deadline was June 15<sup>th</sup>. Proposals have been received from interested carriers, except OGB, and final rates are pending. A new carrier, if selected, would prefer acceptance by July 15<sup>th</sup> in order to put coverage in place by August 1<sup>st</sup>.

**RESOLUTION NO. 06-18-15-11 –  
O.L.D. WORKERS' COMPENSATION INSURANCE COVERAGE RENEWAL**

Gerry Gillen, O.L.D. Executive Director, advised that there is a \$25,000 reduction in the premium for Workers' Compensation Insurance coverage.

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

**WHEREAS**, the Orleans Levee District's (O.L.D.) current Workers' Compensation, USL&H & Employers Liability Insurance Coverage is due to expire on July 1, 2015 at 12:01 AM; and

**WHEREAS**, LWCC, the incumbent provider, offers a renewal of the Worker's Compensation coverage through the Morrison Insurance Agency for the period of one year, commencing on July 1, 2015 and ending on July 1, 2016, at a proposed estimated annual cost of \$176,065; and

**WHEREAS**, the estimated premium is subject to the annual policy term payroll audit.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the renewal of Workers' Compensation Insurance coverage with LWCC through the Morrison Insurance Agency at an annual estimated cost of \$176,065 for a period of one year commencing on July 1, 2015, and authorizes the O.L.D. Executive Director to execute any and all documents to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Kemp

**RESOLUTION NO. 06-18-15-12 – O.L.D. PRIMARY FLOOD INSURANCE RENEWAL**

Mr. Gillen advised that there is an increase of approximately \$1,000 in the premium for Primary Flood Insurance coverage.

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

**WHEREAS**, the Orleans Levee District's (O.L.D) Primary Flood Insurance Building and Contents coverage on the Franklin Administration, Loft and Warehouse buildings is due to expire on July 21, 2015; and

**WHEREAS**, Wright National Insurance Company through the Eagan Insurance Agency provided notice for the renewal of the current Primary Building and Contents Flood Insurance coverage for the aforementioned buildings for a term of one year, commencing on July 21, 2015 and expiring on July 21, 2016 at 12:01 a.m., at a total cost of \$4,218.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the renewal of the Primary Flood Insurance coverage for the Franklin Administration, Loft and Warehouse buildings with Wright National Insurance Company through the Eagan Agency at a total cost of \$4,218 for a one year period commencing on July 21, 2016, and authorizes the O.L.D. Executive Director to execute any and all documents to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Kemp

**RESOLUTION NO. 06-18-15-13 –  
O.L.D. EXCESS FLOOD INSURANCE COVERAGE RENEWAL**

Mr. Gillen advised that the premium to renew the Excess Flood Insurance Coverage is the same as last year's premium.

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

**WHEREAS**, the Orleans Levee District's (O.L.D.) Excess Flood Insurance coverage of \$1 million Building and \$1 million Contents for the Franklin Warehouse building is due to expire on July 29, 2015; and

**WHEREAS**, the Lexington Insurance Company through the Eagan Insurance Agency has offered to renew the aforementioned coverage for the Franklin Warehouse building for a term of one year, commencing on July 29, 2015 and expiring on July 29, 2016 at 12:01 a.m., at a total estimated cost of \$16,026.15.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of the Excess Flood Insurance coverage (\$1 million Building and \$1 million Contents) for the Franklin Warehouse building with the Lexington Insurance Company through the Eagan Agency at a total estimated cost of \$16,026.15 for one-year term commencing on July 29, 2015.

**BE IT FURTHER RESOLVED**, that the O.L.D. Executive Director is authorized to execute any and all documents to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Kemp

### **RESOLUTION NO. 06-18-15-14 – CANVASS OF VOTES**

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

### **PROCÈS VERBAL AND PROCLAMATION OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE LAKE BORGNE BASIN LEVEE DISTRICT, LOUISIANA, ON SATURDAY, MAY 2, 2015.**

BE IT KNOWN AND REMEMBERED that on Thursday, June 18, 2015, at nine-thirty o'clock (9:30) a.m., at its regular meeting place, the St. Bernard Parish Council Chambers, 8201 W. Judge Perez Drive, Chalmette, Louisiana, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, Louisiana (the "Governing Authority"), acting as the governing authority of the Lake Borgne Basin Levee District, Louisiana (the "District"), and being the authority ordering the special election held therein on Saturday, May 2, 2015, with a quorum being present, did examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of said election, there having been submitted at said election the following proposition to wit:

#### **PROPOSITION (MILLAGE)**

Shall the Lake Borgne Basin Levee District (the "District"), levy and collect a special ad valorem tax of seven and one half (7.5) mills on all property subject to taxation within the District (an estimated \$2,591,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of thirty (30) years, beginning with the year 2015 and ending with the year 2044, for the purpose of Constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto which tax may be used as security for bonds or other evidences of indebtedness to be used to pay the costs of such projects?

The canvass of the results of the election showed that there was a total of **1,272** votes cast **IN FAVOR OF** the Proposition and a total of **1,785** votes cast **AGAINST** the Proposition, and that there was a majority of **513** votes cast **AGAINST** the Proposition as hereinabove set forth.

Therefore, the Governing Authority did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition as hereinabove set forth was duly **DEFEATED** by a majority of the votes cast by the qualified electors voting at the said special election.

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

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

NAYS: None

ABSENT: Mr. Kemp

Mr. Estopinal read Ordinance No. 1-2015 in its entirety. A roll call vote was conducted on the adoption of the ordinance by Mr. Wittie.

The following ordinance was offered by Mr. Wittie and seconded by Mr. Ben:

**ORDINANCE NO. 1 - 2015**

**AN ORDINANCE LEVYING AND IMPOSING MILLAGE RATES AND ASSESSMENTS FOR TAX YEAR 2015 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE LAKE BORGNE BASIN LEVEE DISTRICT**

**WHEREAS**, it is necessary for the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, Louisiana, acting as the governing authority of the Lake Borgne Basin Levee District, Louisiana (the "District"), to levy taxes and assessments for the year 2015;

**BE IT ORDAINED** by the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, Louisiana, acting as the governing authority of said District, that:

**SECTION 1. Operation and Maintenance Taxes.** Under the authority of the Constitution and Laws of the State of Louisiana, the following millages for special taxes are hereby levied, assessed and imposed on all the property in the Lake Borgne Basin Levee District, Louisiana (the "District"), for the year 2015, for the respective purposes described below:

<b>2015 Millage Rate</b>	<b>Election Date</b>	<b>Type of Tax</b>	<b>Years Authorized</b>	<b>Purpose</b>
3.83	N/A	Ad Valorem	N/A	Constitutional Tax (LA Constitution Article VI, Section 39)
4.27	Oct. 17, 2009	Ad Valorem	2011-2020	Constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto

3.00	Oct. 22, 2011	Ad Valorem	2015-2044	Constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto which tax may be used as security for bonds or other evidences of indebtedness to be used to pay costs of such projects
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**SECTION 2. Local or Forced Contribution.** Under the authority of Part II and Sub-Part B of Part VI, Chapter 4, Title 38 of the Louisiana Revised Statutes of 1950, as amended, and specifically pursuant to LSA-R.S. 38:421 (F) and other constitutional and statutory authority supplemental thereto, a local or forced contribution of Sixty and 00/100 Dollars (\$60.00) per mile of railroad lines within the District is hereby levied and assessed for the year 2015, for the purpose of constructing and maintaining levees, levee drainage, and for all other purposes incidental thereto.

**SECTION 3. Collection of Taxes.** The proper administrative officials of the Parish of St. Bernard, State of Louisiana, are hereby empowered, authorized and directed to spread said taxes and assessment, as set forth above, upon the assessment roll of said Parish for the year 2015, and to make the collection of the taxes and assessment imposed for and on behalf of the District according to law, and the taxes and assessment herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

Specifically, the Assessor of the Parish of St. Bernard shall extend said taxes and assessment on said assessment roll as required by law, and the Sheriff and ex officio tax collector of the Parish of St. Bernard shall collect said taxes and assessment in the same manner as state taxes are collected and shall settle therefore with the State Treasurer, as provided by Section 404 of Title 38 of the Louisiana Revised Statutes of 1950, as amended; provided, however the proceeds of the tax levied by Section 3 of this ordinance shall be remitted to the District pursuant to the authority of Section 551.9 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

Certified copies of this ordinance shall be forwarded to the St. Bernard Parish Assessor and to the St. Bernard Parish Sheriff and ex officio tax collector as complete authority to levy and collect the taxes and assessment herein provided.

**SECTION 4. Publication.** This ordinance shall be published one time in the official journal of District in the manner provided by law.

**SECTION 5. Effective Date.** This ordinance shall become effective immediately.

The foregoing ordinance was read in full; the roll was called on the adoption thereof, and the vote thereupon was as follows:

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

**NAYS:** None

**ABSENT:** Mr. Kemp

**ABSTENTIONS:** None

**RESOLUTION NO. 06-18-15-15 –  
APPROVAL OF LBLD FY 2015 BUDGET AMENDMENT**

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) has reviewed the operating results to-date which indicate that budget revisions to the Lake Borgne Basin Levee District Operating Budget for Fiscal Year ending June 30, 2015 are necessary to comply with applicable state law, which requires that budgets be changed to reflect new expectations; and

**WHEREAS**, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2015.

**LAKE BORGNE BASIN LEVEE DISTRICT  
AMENDED BUDGET  
FOR FISCAL YEAR ENDING JUNE 30, 2015**

<u>REVENUES:</u>	<u>CURRENT</u>	<u>AMENDED</u>	<u>AMENDED</u>
	<u>BUDGET</u>	<u>ITEMS</u>	<u>BUDGET</u>
Taxes	\$ 3,500,000	-	3,500,000
Intergovernmental	1,330,000	(950,000)	380,000
Insurance proceeds	-	-	-
Charges for services:			
Permits	3,000	-	3,000
Rents and leases	-	-	-
Oil and gas royalties	-	-	-
Investment income	7,500	-	7,500
Cost sharing allocations from affiliates	-	-	-
Miscellaneous	-	-	-
Total revenues	<u>4,840,500</u>	<u>(950,000)</u>	<u>3,890,500</u>
 <u>EXPENDITURES</u>			
<b>FLOOD AND DRAINAGE PROTECTION:</b>			
Personnel services	2,333,400	-	2,333,400
Travel & Training	2,800	-	2,800
Contractual/Operating Services	1,920,400	(950,000)	970,400
Materials and supplies	366,700	-	366,700
Professional services	372,200	-	372,200
Other charges	0	150,500	150,500
Interagency transfers	175,000	-	175,000
Machinery and equipment	155,000	-	155,000
Hurricane expenses	-	-	-
Total expenditures	<u>5,325,500</u>	<u>(799,500)</u>	<u>4,526,000</u>
Excess of revenues over expenditures	\$ <u>(485,000)</u>	<u>(150,500)</u>	<u>(635,500)</u>

OTHER FINANCING SOURCES (USES)		-	-	-
NET CHANGES IN FUND BALANCES	\$	(485,000)	(150,500)	(635,500)
CASH BALANCE AT BEGINNING OF YEAR		4,687,000	-	4,687,000
CASH BALANCE AT END OF YEAR	\$	<u>4,202,000</u>	<u>(150,500)</u>	<u>4,051,500</u>

**BE IT HEREBY RESOLVED**, that the revisions to the Lake Borgne Basin Levee District Fiscal Year Ending June 30, 2015 Budget are approved.

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

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

NAYS: None

ABSENT: Mr. Kemp

The next regular monthly Board meeting will be held on July 16, 2016 and hosted by the EJLD.

There was no further business; therefore, the meeting was adjourned at 11:20 a.m.

**SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST**  
**REGIONAL DIRECTOR’S REPORT**

**June 18, 2015**

**HSDRRS Project Status Update**

**Warranty Paint Repairs** The US Army Corps of Engineers (Corps) has sent out Right of Entry requests for both the repainting of Vertical Life Gates and the spot painting of gate leafs at the Seabrook Complex. All work will be done after the 2015 Hurricane Season.

**IHNC-02 – Lake Borgne Surge Barrier** The Corps has repaired and reinstalled three current velocity meters at the Surge Barrier, but the agency has not yet identified a web site where SLFPA-E can view the readings.

Corps Hired Labor forces have installed all ten tripping dolphins (five on each side) at the Surge Barrier Sector Gate on the GIWW. The finishing work, to include installation of lights and ladders, is scheduled for completion by month’s end.

**LPV-03.2b.1- Landside Runoff** Rainfall runoff once again flooded several homes along the West Return Canal Floodwall. The Corps continues to investigate and will brief the SLFPA-E Board in July on the results of a new analysis being run to try and identify the problem and best permanent solution.

Final site grading and construction of a lip levee adjacent to the swale is complete, but turf still needs to be established. We received the Notification of Contract Completion (NCC) in April, but the Corps also continues addressing four areas of the swale north of Vintage that are holding water and allowing rain to wash away grass seed and erode these sites.

**LPV-111 – CSX RR to Michoud Canal** The NCC was issued last November, but the Corps must still establish turf on recently raised sections; problem areas were recently reseeded.

**LPV-144 – Bayou Dupre** A final inspection of the structure was held May 13, and the NCC was issued May 29. The Dupre structure now appears to be operating satisfactorily after a number of actions were taken in response to vibrations in the hinge assembly of the gate leafs.

**LPV-145,146 & 148.02** The NCCs for 146 and 148.02 were received in September, but additional hog damage repairs and vegetation clearance remains. We received the NCC on April 9, 2015, for LPV-145. The vegetation removal will be done under LPV-150 project,

**LPV-145A – Bayou Bienvenue** All the bridge deck panels have been placed on the west and east approach ramps. The bridge itself was fabricated elsewhere and is being shipped in sections to the site this month. The bridge project is scheduled for completion late this year.

**LPV 148.02A Safe Room at St. Mary’s Pump Station** All piles have been driven, the prefabricated building installed on the elevated deck, and the utilities and electrical wiring to the station installed. A pre-final inspection was held May 13, and it is scheduled for completion late this month. Issues with the generator are still to be resolved.

**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 work will be done after this Hurricane Season 2015.

**LPV-150 Jib Crane Pad** The Corps is finalizing plans to refurbish both of the jib cranes and building parking pads at Bayou Dupre. Vegetation removal for LPV 145,146 and 148.02 is also being done as part of this project.

**LPV-153 Bayou Dupre & Caernarvon Sector Gate Needles** The dewatering needles for Bayou Dupre and Caernarvon were delivered to Caernarvon last month, and the NCC should be issued very soon.

**OFC-07 London Avenue and 17<sup>th</sup> Street Remediation** The Corps has finished reviewing as-built surveys of that portion of the project located within the East Jefferson Levee District’s jurisdiction to decide whether some depressions in the levee slope need re-grading. According to the Corps, these conditions existed prior to construction and no corrective action is needed. We received the NCC dated March 31, 2015, but the contractor remains responsible for establishing turf and cutting the grass.

**OFC-08 17<sup>th</sup> Street Canal Bank Stabilization** The NCC was issued on April 27, 2015; however, the contractor must still establish turf.

**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/hsdrss/pccp.aspx](http://www.mvn.usace.army.mil/missions/hsdrss/pccp.aspx) for details and regular updates on this last, major HSDRRS perimeter project.

Monthly CPRA project update reports are sent to all SLFPA-E Commissioners as they become available. The June report is expected shortly.

**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). The ROE for the Orleans Parish Lakefront Metro Polder has been granted and a pre-construction meeting held on May 13. The ROE for the EJLD's section of airport levee has also been granted and the pre-construction meeting held. The final ROE request for the NO East Lakefront levee is still under consideration.

Meanwhile, the SLFPA-E, Southeast Louisiana Flood Protection Authority-West and the Coastal Protection and Restoration Authority plan to raise some levees, at local cost, before they are armored. The intent is to save millions of dollars in future armoring replacement costs by raising the lowest levees now in advance of armoring. This will extend the life of armored levees.

The Authority issued a contract for preliminary land survey work in both levee districts. Also, working under a program management task order, Evans-Graves prepared an aggressive preliminary schedule and drafted a Request For Qualifications for design services on future levee lifts that has been finalized and advertised; the RFQ proposal package is available on SLFPA-E's website as well. The advertisements began June 10, 2015, and proposals must be submitted by July 10, 2015.

On May 1, 2015, SLFPA-E submitted a letter to the CPRA outlining its intention to raise all unarmored hurricane levees in Orleans and East Jefferson Parishes for which Rights of Entry have not been granted. Additionally, the Corps has provided the further information on two sections of levees in eastern New Orleans, as requested by the Non-Federal Sponsor.

**SBPS-07 – Repairs to LBBLD Pump Stations #2 and # 3** The contractor has completed installing T-wall on the east side of Pump Station #3. The T-walls that are penetrated by discharge pipes are also complete, and T-wall on the west side of station is being placed. The installation of new discharge pipes is underway. There is currently no major work being done at Pump Station # 2.

## Mississippi River Projects

**Jefferson Heights** A Corps contractor continues to raise by about two feet the Mississippi River Levee in East Jefferson between the Orleans-Jefferson and Jefferson-St. Charles parish lines. Work began at the Orleans Parish end and is moving toward Kenner. The first phase of this project, about 4.2 miles, was completed in April, although the contractor warns that inclement weather or high-river delays could slow the schedule and turf establishment.

The second phase of construction has begun 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 early summer of 2016.

**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 sent its response to the Corps' comments and a meeting was held to discuss the responses with the Corps, but there is not yet a final resolution. The OLD continues to cut grass on the levees.

## Internal Affairs

**Surge Analysis Update** We continue to discuss internally and with others in the coastal science 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 a Draft Scope of Work for a Phase 1 Planning Study. The draft is being further reviewed and evaluated by the Coastal Advisory Committee, which includes Commissioners Kemp (chair), Luettich and Jeff Angers, as well as well coastal scientists in the community. The newly formed Maurepas-Pontchartrain Surge Symposium is also showing significant interest in the surge update, and Bob Turner is meeting with the group monthly.

**Non-Federal Levee Certification** Our certification report for the Maxent Levee was resubmitted to FEMA on Feb. 6, 2015, and the levee was accredited by FEMA in a letter dated April 6, 2015. The RIP program (under the Corps) for this levee is expected to be approved shortly.

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. The soap factory levee plans and specifications are complete, and those for the shrimp factory were released at 65%. Meetings have been held with both Orleans and St. Bernard government officials to explain the urgency of this project. The soap factory Coastal Use Permit (CUP) was approved by the Parish on April 7, 2015, and the shrimp factory permit was approved this month.

**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 that same VLG began. In response, the OLD will soon begin to monitor the vibrations, just as the Corps did at Bayou Dupre.

**Training** In their earlier 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. In response, Moffatt & Nichols submitted a final report recommending development of new, customized software rather than using existing OLD software.

**Emergency Preparedness** The Mississippi River is now around elevation 13.2' and had reached a crest of 13.5' on June 14. The National Weather Service predicts it to drop slowly to below 12' by the month's end.

**Complex Structures** Electrical shorts at the Bayou Bienvenue VLG are being investigated, but generators at the site still allow both gates to operate. The OLD had a platform fabricated that hangs over the side railing to access the conduit and junction boxes that bring secondary power from the sector gate. Two of the boxes showed a great deal of corrosion on the wiring and will be repaired, and we are currently waiting on parts. The cause for water in the conduit is being investigated.

This is a problem that occurred prior to the NCC being issued, but was not corrected.

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 Districts. The CPRA is preparing the AFE's, granting survey authorization and checking property ownerships. We are still waiting for the P&S for the project.

**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, to evaluate the stability of structures and to 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 reviewed their individual portions of the overall PI, and each prepared 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.

All unacceptable PI items have been visited in field, verified and photographed. A list and course of action for all unacceptable items is being prepared. This work is ongoing and a meeting is scheduled with the CPRA next week to finalize a status report for the Corps.

**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 Board authorized awarding the contract to Tetra Tech Inc, but it cannot be signed until the CDBG completes a review and gives approval.

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

The Corps held a public meeting in Lakeview on June 2 to discuss plans to armor several lakefront levees. A dozen or so interested residents attended and asked questions.

The Coastal Protection and Restoration Authority Board will meet July 15 at 9:30 a.m. at the Slidell Municipal Auditorium in Slidell.

The Governor's Advisory Commission is scheduled to meet Aug. 5 at 10 a.m. in the Vermillion Parish Library in Abbeville, LA.

**New Contracts:**

SLFPA-E (on behalf of EJLD) and VSN Consulting, LLC – Acting EJLD Executive Director – 4/24/15 – to terminate at direction of Regional Director – not-to-exceed \$49,500.

SLFPA-E and Valbridge Property Advisors/Argote, Derbes, Graham, Suffield & Tatje, Inc. – Appraisal reports and research for Shrimp Factory Levee/Floodwall Project and appraisals of property along 17<sup>th</sup> Street Canal – 1/2/15 – 1/29/16 – not-to-exceed \$49,500.

**Levee District Construction Projects:**

<b>Project</b>	<b>District</b>	<b>Status</b>	<b>Comments</b>
<b>IHNC St. Claude Bridge Drainage</b>	OLD	0% complete	Notice to Proceed late Q2 2015.
<b>Floodgate &amp; Floodwall Repairs</b>	OLD	99% complete	
<b>Seawall Steps Erosion Phase 4&amp;5</b>	OLD	99% complete	
<b>Seawall Steps Erosion Phase 2B</b>	OLD	30% complete	
<b>Lakefront Levee Slope Drainage Reach 4</b>	OLD	10% Complete	
<b>MRT Aluminum Stop Logs</b>	OLD	0% complete	Long lead items ordered NTP late 3Q 2015
<b>Citrus Lakefront Levee Slope Paving</b>	OLD	0% complete	NTP late Q2 2015

**Levee District Project Designs and Studies**

<b>Project</b>	<b>District</b>	<b>Comments</b>
<b>Outfall Canals Erosion</b>	OLD	Study complete; design 90% complete
<b>Lakefront Seawall Area Reach , 4&amp;5</b>	OLD	Design complete; construction administration 99%
<b>Lakefront Seawall Area Reach 2B</b>	OLD	Design complete; construction administration 30% complete
<b>Floodgate Seal Repairs</b>	OLD	Design complete; construction administration 99% complete
<b>IHNC St. Claude Bridge Drainage</b>	OLD	Design complete; construction administration 0%
<b>Lakefront Levee Slope Drainage Reach 4</b>	OLD	Survey complete; design complete; construction administration 10%
<b>Citrus Lakefront Levee Slope Paving at Intersections</b>	OLD	Survey complete; design complete; construction administration and inspection pending Board award

<b>Bayou St. John Adaptive Water Management Plan</b>	OLD	Plan 60% complete
<b>Citrus Lakefront Levee Railroad Drainage Study</b>	OLD	Investigation complete; design 15% complete
<b>Lakefront Seawall Area Phase 1</b>	OLD	Design complete-open bids, June 30th
<b>MRT Aluminum Stop Logs</b>	OLD	Design complete-CA/PS soon
<b>Bayou Bienvenue/Bayou St. John O&amp;M Manuals</b>	OLD	BSJSG 85% Complete
<b>Police Administration Building</b>	OLD	Site Study complete, pending Board authorization
<b>MRT Floodgate Painting</b>	OLD	Design 25% complete
<b>Phase 1 for engine upgrades at Pump Stations</b>	LBBLD	95% designs received; comment resolution ongoing
<b>Phase 1 for Safe Room Design HMGP approved by FEMA</b>	LBBLD	Phase 2 funding received from FEMA Region 6 & GOHSEP; Preparing to advertise through SBPG
<b>Pump Station #6 pump repair and hangers at P.S. #7</b>	LBBLD	P&S complete; preparing to advertise
<b>Pump Station #6 Erosion Repair</b>	LBBLD	P&S complete; preparing to advertise
<b>Safe house &amp; Consolidated Facility</b>	EJLD	Waggonner & Ball are working on the construction documents and expect to have them completed in early July.