

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, AUGUST 17, 2017**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or SLFPA-E) was held on August 17, 2017, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, New Orleans, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Hassinger called the meeting to order at 11:40 a.m. and led in the pledge of allegiance. Mr. Kemp called the roll and a quorum was present:

PRESENT:

Lambert J. Hassinger, Jr., President
Richard A. Luettich, Jr., Vice President
G. Paul Kemp, Secretary
Mark L. Morgan, Treasurer
Clay A. Cosse
Andrew J. Englande
Herbert I. Miller

ABSENT:

Quentin D. Dastugue
Jason P. Latiolais

ADOPTION OF AGENDA:

A motion was offered by Mr. Luettich, seconded by Mr. Morgan and unanimously adopted, to adopt the agenda.

**RESOLUTION NO. 08-17-17-01 –
APPROVAL OF JULY 20, 2017 BOARD MEETING MINUTES**

On the motion of Mr. Luettich,
Seconded by Mr. Morgan, 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 July 20, 2017.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Hassinger explained that each month the Board recognizes one of the Authority's team members whose contribution to the organization is key to its success. Police Officer Aurthur Agee was recommended by his colleagues for this distinction. Officer Agee is a very proactive police officer who also acts as a Field Training Officer. His proactive patrol has resulted in various tickets and arrests, including disturbing the peace by intoxication, and a traffic stop for an expired license plate, which resulted in citations for a suspended driver's license, no insurance and the driver being arrested for six outstanding attachments. He also did an outstanding job on a bicycle accident that occurred on the Mississippi River Levee. Office Agee is a fast riser in the department and is recognized as a young, up and coming officer amongst his peers and the administration. He displays leadership qualities that will advance his career, and he is a bright, knowledgeable and endearing officer who commands the respect of both his peers and the general public. Mr. Hassinger thanked Office Agee for his outstanding work and expressed the Board's appreciation for his being part of the organization. Officer Agee was presented with a Certificate of Commendation.

OPENING COMMENTS:

Mr. Hassinger advised that the groundbreaking ceremony was held earlier today for the construction of the East Jefferson Levee District (EJLD) Safe Room and Consolidated Facility. He thanked everyone who contributed to making the event a success.

Mr. Hassinger thanked staff for their efforts in making the Authority's Employee Newsletter a success and expressed his appreciation to Felton Suthon for his contribution relative to operations and maintenance responsibilities.

Mr. Hassinger thanked Commissioner Dastugue for his recommendation regarding the development of a space plan for the proposed enhancements to the Franklin Avenue Facility. The space plan was hugely beneficial in the process. He also thanked RCL Architecture, LLC for their quick, responsive and helpful advice regarding the project.

Mr. Hassinger explained that over the past several months senior staff has been working their way through organizational changes that have resulted in a huge amount of work. Staff has been working incredibly hard to implement the changes identified as beneficial to the organization. The first several months have necessarily involved a dynamic, explosive and rapid pace. He expressed the Board's appreciation for the volume and magnitude of the vitally important work. He added that the reorganization is a process that will come to fruition over time.

Mr. Hassinger stated that the construction of the new Orleans Levee District (O.L.D.) Police Complex is anticipated to be completed in the next 15 months. The O.L.D. Police staff has been housed in the Loft Building since the Police Station located on Elysian Fields Avenue flooded during Hurricane Katrina. Due to the condition of the Loft Building, a decision was made to temporarily relocate O.L.D. Police staff to a vacant office space in the Lake Vista Community Center until the new O.L.D. Police Complex is completed.

Mr. Hassinger explained that during the I-STORM group's visit to New Orleans in June, representatives of the network's UK component requested that Flood Protection Authority members visit the UK as part of a continuing educational exchange and network participation. Members of the various components of the network will discuss capabilities and best practices. A trip has been organized for November that currently includes the following participants: Mr. Englande, Mr. Morgan, Elbert Williams (Complex Structures Foreman), Ryan Foster (Engineer), Derek Boese (Chief Administrative Officer), Robert Turner (Director of Engineering and Operations), and possibly Mr. Hassinger. An email was sent to Commissioners asking about their interest in participating in the trip.

Mr. Hassinger commented on the problems and challenges currently being faced by the New Orleans Sewerage and Water Board (S&WB). He explained that the Authority received a request to potentially supply a limited number of staff members with mechanical backgrounds to augment the S&WB's staff on a temporary basis to assist with the operation of the pumps. The Authority identified several individuals who could be utilized on a temporary basis and offered their assistance to the S&WB and the City of New Orleans. O.L.D. personnel, in particular, who are part of the emergency response operation would need to immediately return to the Authority in the event of a storm. The Authority has not as yet received a response to the request.

Mr. Hassinger advised that a Town Hall meeting hosted by Senator J. P. Morrell will take place today at 5:30 p.m. in the Lakefront Airport Atrium to present the status of the flood defense system and general readiness in the event of a hurricane. The meeting is open to the public and Board members were invited to attend.

PUBLIC COMMENTS:

Roy Arrigo commented on his sensitivity relative to the movement within the Authority of one parish's assets to another parish for its benefit. He pointed out that the item on the agenda relative to a Cooperative Endeavor Agreement between the EJLD and the LBBLD is an example of one parish benefiting from the assets of another parish. The agenda item is vague and does not say to and from which parish the resources are being moved. The item incorrectly portrays the levee district's obligation to cut the grass along its drainage canals as protecting New Orleans. He requested that the Board be cognizant of the long time trend that has existed within the Authority.

Scott Hedlund, attorney representing TKTMJ, commented that he appeared before the Board last month to comment on the issuance of the contract for the next seawall erosion control project. He thanked the Board for the time and effort that was expended towards the Authority doing its job correctly.

COMMITTEE REPORTS:

Finance Committee: Mr. Morgan reported that the Finance Committee met prior to the Board meeting. The following items were considered by the Committee:

- The Authority's Police Superintendent Kerry Najolia provided a presentation relative to Police Department staffing and safety needs.
- Certification of the Orleans Levee District millage rates for calendar year 2018.
- Payment by the O.L.D. of the full amount due to the State of Louisiana on the GoZone Bonds, thus saving the levee district \$4.3 million.
- The annual fiscal year financial audit, which is coming to a close. The Audit Report must be presented to the Legislature by September 1st.
- Review of the Finance Department's organizational chart and the Authority's space study. The Committee recommended the award of a contract to RCL Architecture, LLC for the development of plans and specifications for the renovations.
- Transfer of funding from BP Settlement monies to meet the Authority's immediate cash flow needs. Recommendations will be developed to address long term cash flow needs.
- Property insurance coverage must be renewed on January 1st; therefore, consideration must be given as to whether the O.L.D.'s Franklin Facility should be insured for cash value or replacement value.
- An update was received from the Authority's Internal Auditor relative to Police details.

Operations Committee: Mr. Miller reported that the Operations Committee met prior to the Board meeting. The Committee discussed and recommended all of the Committee agenda items for Board approval with the exception of Board Agenda Item B.11 (amendment of the task order issued to Linfield, Hunter and Junius for services related to the LPV 19.2 and 20.1 Levee Lift Project). The Committee requested that Item B.11 be deferred until next month at Mr. Turner's request. Relative to Agenda Item B.5 (amendment of the task order issued to Atkins North America for inspection services for the Levee Lift Projects), there is a conflict between the resolution and the Contract Status Report; however, the number in the resolution is correct.

Coastal Advisory Committee: Mr. Kemp advised that the Coastal Advisory Committee will meet after the Board meeting. The Committee will discuss the Risk Analysis Report developed by Tetra Tech, the restoration of Pontchartrain Beach by the Lake Pontchartrain Basin Foundation, and a new acoustic technique that could potentially be deployed to inspect the IHNC Surge Barrier Barge Gate sill.

EXECUTIVE REPORTS:

Chief Administrative Officer's Report:

Derek Boese, Chief Administrative Officer, provided the following comments while highlighting items contained in his report:

- In addition to the report provided by Police Supt. Najolia to the Finance Committee, copies of the O.L.D. and EJLD Police Department monthly reports were sent to

Board members in order to bring awareness to the Department. Mr. Boese commented on the fantastic job performed by the O.L.D. and EJLD Police Officers.

- The groundbreaking ceremony was held this morning for the EJLD Safe House and Consolidated Facility.
- A motion was placed on the Board Agenda to retain RCL Architecture, LLC to develop plans and specifications for the renovation of the Franklin Facility in order to implement the space study. Comments were received at the Finance Committee meeting regarding being smart about how certain things are accomplished and laying the groundwork (e.g., electrical and HVAC systems and building structure) for potential future expansion. The space planner interviewed multiple staff members and discussed adjacencies, staff interactions, and work flow. The Administrative staff will be located in the Administration Building. The first floor of the portion of the warehouse building located beneath the Board Room will be dramatically overhauled to provide a functional and welcoming work environment for the Engineering and Operations staff. He commented that staff has been very satisfied with the space planner's work.
- Preparations are taking place for the temporary relocation of the O.L.D. Police staff to a vacant space in the Lake Vista Community Center. Mr. Boese commented on the poor condition of the facility (Loft Building) currently housing the Police staff and stated that there is an absolute need to move the staff now to a facility with better working conditions. The staff will move permanently to the new Elysian Fields Police Complex upon completion of its construction. He noted that Wilma Heaton, Director of Governmental Affairs, has been working on this project for some time. Bids will be opened on August 24th for the construction of the new complex.
- The Culture Change team met weekly over the past month and has been working to define the desired future culture. The team is composed of individuals from different levels of the organization and different locations. Seven principles were defined for focus: Accountability, Clear Expectations, Open and Transparent Communication, Employees are Valued and Appreciated, Teamwork, Professionalism, and Mission Focused. Customer service both in dealing with the public and with fellow employees is a theme in multiple principles. Additional information will be provided as the organization moves towards a more regional culture. New uniforms that identify employees with the Flood Protection Authority will be provided to the maintenance staff. New Authority decals will be placed on all equipment and vehicles, with the exception of Police vehicles due to legal implications.
- The kickoff of the Leadership Training Program is scheduled for September 1st and will start with the Police staff. The training will go hand-in-hand with regionalization and culture change. The program is a combination of workshops, on-line training and reading certain books. A professional library will be developed in the Human Resources (HR) Department for use by all employees. The Authority is attempting to grow the organization professionally and as a team.

Mr. Englande commended and thanked the Authority's staff for the tremendous amount of energy expended and the accomplishments over the past several months. Mr. Boese commented on the tremendous amount of work being done by staff related to the

reorganization and recognized Kelli Chandler, Finance Director; John Lewis, HR Director; Roman Dody, IT Director, and Supt. Najolia for their efforts.

Report by Director of Engineering and Operations:

Robert Turner, Director of Engineering and Operations, commented that the Engineering and Operations staff, particularly the senior leaders, have stepped up to the plate and put in a lot of hours and effort over the past several months to push forward the reorganization. He provided the following additional comments regarding items in his report:

- The U.S. Army Corps of Engineers (USACE) will use its hired labor crews to fill the scour hole that developed along the IHNC Surge Barrier and to make the appropriate modifications to the tie-in wall to prevent the redevelopment of the hole.
- The USACE completed the repainting of the Caernarvon Sector Gate and turned the structure over to the Authority. Authority staff found water in the hydraulic oil and upon investigation discovered that the two tanks were not the proper type of tank for the circumstances involved. The Authority is coordinating with the Coastal Protection and Restoration Authority (CPRA) and a report will be formulated and submitted to the USACE requesting that it address the situation. The Authority is taking short term measures (e.g., draining the oil from the tanks and placing a temporary cover over the tanks to keep out as much water as possible). The Authority requested that a contractor visit the site and provide recommendations to remedy the situation in the event that the USACE does not take action. He explained the difficulties involved in replacing the tanks.
- The USACE is continuing its levee armoring project. The Authority brought some issues regarding LPV 108 (Little Woods to South Point) to USACE's attention and the USACE is almost completely redoing the entire section.
- The Authority is considering additional risk reduction measures relative to the IHNC corridor, including the use of the Central Wetlands as additional storage during a major storm event and the employment of a geotechnical firm to review the USACE's geotechnical analysis of the I-walls along the IHNC and GIWW corridor in order to consider the factor of safety in relation to risks. The Authority obtained a cost estimate of \$24,000 for the geotechnical work utilizing the services of Eustis Engineering and is evaluating moving forward with the work. The Authority is also considering a feasibility study regarding using the existing Bayou Bienvenue structure to allow water to enter into the Central Wetlands.
- The Bayou Bienvenue and Bayou Dupre Complex Structures will be added to the existing complex structure software for preventive maintenance tracking. Some of the software's reporting features will also be improved for management purposes.
- Authority staff is monitoring weather conditions in the tropics. The Authority will conduct an internal hurricane exercise at the end of August or in early September. The Authority requested that the National Weather Service develop a storm scenario for use in the exercise. USACE, CPRA and local emergency managers will be invited to participate in the exercise.

Mr. Morgan noted that the Director of Engineering and Operations was provided with two direct reports in the reorganization in order to afford time to oversee the entire system and focus on future problems. Mr. Turner advised that staff is considering periodic third party inspections rotated around the system in order to bring a higher degree of confidence to the process.

Mr. Englande commended the Engineering and Operations staff for their efforts. He brought to the Board's attention the brochure developed by Anne Rheams, which identifies the Flood Protection Authority and explains its purpose and mission. He stressed the importance of being proactive and thanked Ms. Rheams for her effort in producing a first class brochure.

Mr. Cosse noted that one of the Board Agenda items deals with the transfer of some equipment from the EJLD to the LBBLD. This is the second time such a transfer would take place. He asked that Mr. Turner inform the Board about the critical situation in the LBBLD relative to equipment. He pointed out that trustees were recently cleaning a canal with weed-eaters.

Mr. Turner advised that the situation in the LBBLD has become severe. The LBBLD is down in its number of personnel and is desperately attempting to hire people to fill vacant positions for which funding is available. There is also a problem with equipment. He explained that recently when he visited the LBBLD there were three people on the levee crew to cut grass, two of which were over 70 years of age. The situation is partly due to employees leaving the LBBLD and partly due to several employees being on medical leave at the present time. Therefore, the focus must be on maintaining the Federal system, which is where the largest risk is located. The Authority has been working with St. Bernard Parish Government for assistance in maintaining the canals, which are currently in poor condition.

Mr. Cosse asked about the condition of the Gore Pump Station (PS). Mr. Turner responded that the building is in bad condition from a weather perspective. The roof and cinderblock walls leak. The PS is only manned when the pumps must be turned on and is no longer manned during the normal course of operations due to the lack of resources. The PS office is largely unusable due to the deterioration caused by the leaks. The Authority is considering making some quick repairs to the roof, and, if the leaks are stopped, tearing out the existing office and rebuilding a smaller one at a cost of \$20,000 to \$30,000. The Authority will also identify associated safety issues.

Mr. Cosse inquired about the number of operators versus pump stations. Mr. Turner responded that the LBBLD has eight PSs and that the three larger stations (PS Nos. 6, 7 and 8) are currently manned seven days a week for 10 hours a day (7 a.m. to 5 p.m.). Last Sunday the PS operators left work at 5 p.m. and a shower popped up at 5:30 p.m. when the operators were no longer on duty. The streets took on water; however, no structures were flooded. The operators were called out and returned to the PSs about forty minutes later and got the pumps running. He pointed out that this is an example of how the system is currently being operated.

Mr. Hassinger explained that sooner or later people in St. Bernard Parish will experience flooding because of the pumping and drainage situation. Currently, \$1.3 million is allocated in the LBBLD budget for pumping and drainage, which is not enough money to operate and maintain the system. The Authority has been calling attention to this situation for several years. The condition of the canals and pump stations will never be better than the current condition as long as the Flood Protection Authority is operating the pumping system. Meetings have been held with St. Bernard Parish officials during which they were requested to work with the Authority towards a solution in which the Parish takes over the pumping and drainage operations, since the Flood Protection Authority's primary responsibility is the perimeter system. The Authority has not been able to negotiate an acceptable arrangement. He added that Mr. Cosse has been helpful in trying to make this happen. He reiterated that the situation is only going to get worse. Mr. Turner concurred with Mr. Hassinger and stated that this is the message that the Authority has been trying to convey to St. Bernard Parish Government.

Mr. Cosse stated that the parties are within \$200,000 of an agreement. Mr. Hassinger stated that the numbers indicated by representatives of the Parish have changed. Mr. Cosse commented that the parties are close to an agreement. Mr. Hassinger advised that he had not heard from St. Bernard Parish officials in weeks; therefore, he did not know how close the parties are to an agreement. Mr. Cosse reiterated that the parties are within \$200,000 of an agreement. Mr. Cosse explained that when he and Mr. Hassinger met with St. Bernard Parish officials, Parish officials had determined the cost to operate and maintain the pumping system and presented a figure that was \$200,000 more than the figure presented by the Authority. Mr. Hassinger pointed out that St. Bernard Parish Government wanted an additional \$700,000, which he explained was not doable because it would impact the maintenance of the perimeter system. After additional discussion, the parties were \$400,000 apart from an agreement. Mr. Hassinger stated that he later proactively approached St. Bernard Parish Government with additional suggestions in an attempt to make things work and that he had not heard anything more from Parish officials.

Mr. Cosse commented that the Authority is spending millions on safe houses (EJLD and O.L.D.), which he did not have a problem with; however, the LBBLD has a pumping station with a deteriorated roof.

Mr. Hassinger reiterated that the LBBLD has \$1.3 million budgeted for the operation and maintenance of the pumping system, and that the Authority cannot afford to give the Parish \$2 million to operate and maintain the drainage system. St. Bernard Parish Government must step up and contribute some money to the pumping and drainage responsibilities for the Parish, as does the Department of Public Works in Jefferson Parish and the Sewerage and Water Board in New Orleans. Mr. Cosse stated that the \$2 million is ad valorem tax revenues collected in St. Bernard Parish. Mr. Hassinger explained that the LBBLD collects approximately \$3.6 million in ad valorem tax revenues; however, the LBBLD must spend about \$3 million per year to maintain the Federal system located in St. Bernard Parish, plus the interior canals and levees.

Mr. Cosse commented that the Authority needs to have St. Bernard Parish Government take over the responsibility for the pumping system.

Gerry Gillen, SLFPA-E Operations Director, advised the LBBLD budget includes funding to fill vacant positions. The positions, some of which are upper level skilled positions, are being advertised; however, no one is expressing interest in the positions. The equipment being transferred from the EJLD to the LBBLD is surplus equipment with some service life remaining and therefore not yet ready to be auctioned.

Mr. Cosse commented that St. Bernard Parish could very well end up in the same situation that the Mayor and New Orleans City Council are currently facing. He added that even though the recent tax referendums, which he supported, failed in St. Bernard Parish, residents will be looking to the Flood Protection Authority. He added that the buck stops with the Authority.

Mr. Luetlich explained that the Authority must come up with priorities and must determine what must be done first, and, if money runs out, what must be deprioritized. He stated that the perimeter system in his opinion, and thus far the Board's opinion, must be prioritized. Unfortunately, as a result, the interior drainage system is the part of the situation that is getting short changed. He stressed that no one wants this to happen; however, it is a matter of prioritization of funds. The Authority must continue to operate under this perspective until something else happens. Mr. Cosse stated that the comments do not sound very regional. Mr. Luetlich explained that it is a matter of survival and triage.

NEW BUSINESS:

RESOLUTION NO. 08-17-17-02 - ADOPT MILLAGE RATES FOR THE YEAR 2018 AND CERTIFY THE LEVY OF THE THREE MILLAGE RATES TO THE CITY OF NEW ORLEANS FOR THE PURPOSE OF ASSESSING AND COLLECTION OF THE THREE TAXES

The resolution was read aloud in its entirety by Mr. Morgan. Mr. Hassinger asked for comments from the public. There was no public comment. A roll call vote was conducted on the adoption of the resolution.

On the motion of Mr. Kemp,
Seconded by Mr. Morgan, the following resolution was offered:

BE IT RESOLVED, that the Southeast Louisiana Flood Protection Authority – East (“the Authority”), acting as the governing authority of the Orleans Levee District (“the District”), that:

Section 1. Millage to be levied in 2018. The following millages are adopted and levied for the tax year 2018 on all property subject to taxation within the portion of Orleans Parish located on the East Bank of the Mississippi River by the Orleans Levee District:

General Tax	5.46 mills
Special Levee Improvement Tax (SLIP Tax)	6.07 mills
Maintenance Tax	<u>0.75 mills</u>
Total Millage	12.28 mills

The General Tax is authorized by Article 6 Section 39(A) of the Constitution.

The Special Levee Improvement Tax is authorized by the Special Election of November 6, 2012.

The Maintenance Tax is authorized by the Special Election of March 5, 1974 and imposed by the District's Resolution No. 1-081899.

Section 2. Statement of Total Millage to be levied. A total of 12.28 mills shall be levied in 2018.

Section 3. The Authority, acting for the District, hereby certifies the annual levy of the General Tax, the SLIP Tax and the Maintenance Tax to the Council of the City of New Orleans for the purpose of causing the three taxes to be entered on the assessment rolls of said City for the tax year 2018, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and enforced and collected by the City's Finance Department in the manner and under the conditions and with interest and penalties prescribed by law for City taxes; and such monies, the ad valorem taxes including interest and penalties connected therewith, thus collected shall be paid to the District as provided by law for the tax year 2018.

Section 4. Further Action. The President of the Authority or the Authority's Chief Administrative Officer is and hereby authorized and empowered to execute any and all documents necessary to accomplish the above purposes.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: Mr. Cosse, Mr. Englande, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. Miller and Mr. Morgan

NAYS: None

ABSTAINED: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-03 - TRANSFER OF FUNDING FROM THE BP SETTLEMENT TO PROVIDE SUFFICIENT FUNDING FOR SLFPA-E CASH FLOW AND EMERGENCY RESERVE PURPOSES

Mr. Morgan advised that the Finance Committee discussed the proposed transfer of funds. The Authority is experiencing a cash flow issue when paying expenses such as the renewal of insurance coverages last month (\$320,000). The Authority pays for the expenses and the levee districts reimburse the Authority for their share of the expenses.

The assistance provided through the adoption of the resolution before the Board is a temporary fix. The Finance Director will develop a long term solution to better manage the Authority's cash flow situation.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolution No. 08-27-15-06 established a dedicated account in the name of the Board of Commissioners of the SLFPA-E at Louisiana Asset Management Pool, Inc. (LAMP) for the receipt of BP settlement monies; and

WHEREAS, the operating expenses of the SLFPA-E are allocated and invoiced to the levee districts after the expenditures have been made; and

WHEREAS, due to the recent reorganization of the SLFPA-E and levee districts and the consolidation of numerous activities and actions for which payment was previously disbursed by the levee districts, but are now funded and paid by the SLFPA-E and invoiced to the levee districts for reimbursement, the SLFPA-E's current cash balance is insufficient to service its required cash flow and to provide a reasonable emergency reserve.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the transfer of \$1,200,000 from the BP Settlement Fund to the SLFPA-E's Capital One Operating Account for cash flow and emergency reserve purposes.

BE IT FURTHER RESOLVED, that the SLFPA-E Chief Administrative Officer is hereby 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. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

**RESOLUTION NO. 08-17-17-04 - APPROVING AN AMENDMENT TO THE
RESOLUTION AUTHORIZING THE HIRING OF BURGLASS & TANKERSLEY, LLC**

Nyka Scott, Executive Counsel, advised that the Board previously approved the award of a contract to Burglass and Tankersley, LLC. Upon review of the resolution, the Attorney General indicated that the form of the required resolution was changed to include specific wording. She noted that *Schlorff vs. EJLD* is a suit related to the flooding of a residence located alongside the West Return Floodwall.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) passed Resolution No. 05-18-17-06 awarding a contract to the firm of Burglass and Tankersley, LLC to represent it in the cases of *Louisiana Southport vs. EJLD*, et al, Civil Action No. 770-212 and *Schlorff vs. EJLD*, et al, Civil Action No.761-045, both of which have been filed in Jefferson Parish; and

WHEREAS, in order for the Louisiana Attorney General to approve the contract award, an amended resolution and contract must be passed and executed; and

WHEREAS, a real necessity exists to have the SLFPA-E represented in these matters because lack of representation would result in a default judgment against the SLFPA-E and because of the limited amount of time Executive Counsel has to handle these matters; and

WHEREAS, the reasons to retain Burglass and Tankersley, LLC are as follows: While Executive Counsel for the SLFPA-E manages all litigation and handles some small, active cases, she does not have the capacity to handle matters that will require extensive litigation and the use of more than one attorney because she is the sole attorney for the SLFPAE, only has one assistant and handles human resource/civil service issues/litigation, contract negotiations, CEA/MOU agreements, public records requests, etc.; and

WHEREAS, Burglass and Tankersley will be compensated pursuant to the Louisiana Attorney General’s maximum Hourly Fee Schedule of February 8, 2016, which allows:

<u>Rate</u>	<u>Description</u>
\$225 per hour	For attorneys having experience of 10 or more in the practice of law
\$175 per hour	For attorneys having experience of 5-10 years in the practice of law
\$150 per hour	For attorneys having experience of 3-5 years in the practice of law
\$125 per hour	For attorneys having experience of less than 3 years in the practice of law
\$60 per hour	For Paralegal Services
\$40 per hour	For Law Clerk Services

WHEREAS, this Resolution shall take effect immediately.

BE IT HEREBY RESOLVED, that the SLFPA-E, pursuant to La. R.S. 42:262 does hereby retain and employ Burglass & Tankersley, LLC as special counsel; and

BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval;

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luetlich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-05 - APPROVING AN AMENDMENT TO THE CONTRACT WITH MARK IANNAZZO TO PROVIDE CONSULTING SERVICES FOR THE EAST JEFFERSON AND ORLEANS LEVEE DISTRICT POLICE DEPARTMENTS

Ms. Scott advised that the proposed resolution amends a previous resolution adopted by the Board in order to include specific wording required by the Attorney General.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) passed Resolution No. 05-18-17-07 awarding a contract to Mark Iannazzo to revise and update the East Jefferson Levee District and Orleans Levee District Police Departments (collectively "Police Department") Standard Operating Procedures ("SOP"); and

WHEREAS, in order for the Louisiana Attorney General to approve the contract award, an amended resolution and contract must be passed and executed; and

WHEREAS, a real necessity exists to have the Police Departments' SOP updated and revised because the current policy is over ten (10) years old and the Police Department wishes to remain current on SOP's; and

WHEREAS, a necessity exists to retain Mr. Iannazzo. While Executive Counsel for the SLFPA-E manages all litigation and handles some active cases, the revisions to the Police Departments Standard Operating Procedures is a task that requires specialized skills of which Mr. Iannazzo has; and

WHEREAS, Mr. Iannazzo will be compensated pursuant to the Louisiana Attorney General's maximum Hourly Fee Schedule of February 8, 2016, which allows:

<u>Rate</u>	<u>Description</u>
\$225 per hour	For attorneys having experience of 10 or more in the practice of law
\$175 per hour	For attorneys having experience of 5-10 years in the practice of law
\$150 per hour	For attorneys having experience of 3-5 years in the practice of law
\$125 per hour	For attorneys having experience of less than 3 years in the practice of law
\$60 per hour	For Paralegal Services
\$40 per hour	For Law Clerk Services

WHEREAS, this Resolution shall take effect immediately.

BE IT HEREBY RESOLVED, that the SLFPA-E, pursuant to La. R.S. 42:262 does hereby retain and employ Mark Iannazzo as special counsel; and

BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval;

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

Motion to Amend Resolution No. 06-15-17-08 authorizing the hiring of Foley Judell, LLC to represent the Orleans Levee District in regard to refinancing the Orleans Levee District's debt obligation.

Ms. Scott advised that the motion relative to the hiring of Foley Judell, LLC is no longer needed.

**RESOLUTION NO. 08-17-17-06 –
ACCEPTANCE OF TETRA TECH RISK ANALYSIS FINAL REPORT**

Mr. Morgan noted the last sentence in the resolution relative to endorsement and approval. Mr. Hassinger reminded everyone that a presentation was provided to the Board on the Risk Analysis Final Report at last month's meeting. Additional time was needed for Board members and staff to review the report. Additional discussion on the report will take place at the Coastal Advisory Committee meeting.

On the motion of Mr. Luettich,

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

WHEREAS, the US Army Corps of Engineers, upon transfer of responsibility for operation and maintenance of the Hurricane and Storm Damage Risk Reduction System to the Southeast Louisiana Flood protection Authority – East (SLFPA-E), provided a basic operation and maintenance manual for the Hurricane and Storm Damage Risk Reduction System; and

WHEREAS, said manual did not include a risk assessment or detailed emergency operations plan which allows the monitoring, maintenance, and prediction of functionality of the system in advance of and during an incident, without which communities in Orleans, Jefferson, and St. Bernard Parishes might be at risk of storm surge and flooding; and

WHEREAS, Southeast Louisiana Flood protection Authority – East sought out funding sources for the risk assessment study and operations and maintenance plan redevelopment; and

WHEREAS, the Southeast Louisiana Flood protection Authority – East is the recipient of a funding under the State of Louisiana Community Development Block Grant in the amount of \$500,000 as a part of a Katrina/Rita Planning Capacity Grant Program; and

WHEREAS, the Community Development Block Grant funding was utilized to conduct a Risk Assessment Study and Operations and Maintenance Plan Redevelopment at a cost of \$500,000 as follows:

Phase I. Risk Evaluation Study (\$240,000)

Phase II. Operations and Maintenance Plan Redevelopment (\$260,000); and

WHEREAS, the risk assessment study was completed and publically presented to the Board at a Public Hearing held within the regularly scheduled monthly board meeting on July 20, 2017; and

WHEREAS, notice of the public hearing to present the results of the study was advertised in Southeast Louisiana Flood protection Authority – East’s designated official journal, the Times Picayune.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority – East accepts the Final Report: Probabilistic Performance Analysis for all major structures in the Hurricane and Storm Damage Risk Reduction System and Redevelopment of Operations and Maintenance Manuals and Emergency Action Plans, dated June 2017, prepared by Tetra Tech, Inc. without endorsing or approving any of the specific recommendations therein, subject to further review.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-07 –
CEA BETWEEN EJLD AND LBBLD FOR EQUIPMENT TRANSFER

Mr. Miller advised that the proposed Cooperative Endeavor Agreement between the EJLD and LBBLD was discussed at the Operations Committee meeting.

On the motion of Mr. Cosse,
Seconded by Mr. Miller, the following resolution was offered:

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) is the governing authority over the East Jefferson Levee District (EJLD) and the Lake Borgne Basin Levee District (LBBLD) and is responsible for the operation and maintenance of the Hurricane and Storm Damage Risk Reduction System protecting the Greater New Orleans Area; and

WHEREAS, the EJLD possesses equipment that can be utilized by the LBBLD for grass maintenance operations for levees/areas associated with the flood protection system surrounding the Greater New Orleans area; and

WHEREAS, Art VII, Sec 14(C) of the Louisiana Constitution of 1974 provides that for a public purpose, the State and its political subdivisions or political corporations

may engage in cooperative endeavors with each other or with any other private association, corporation or individuals for a public purpose.

BE IT HEREBY RESOLVED, that the SLFPA-E approves the Cooperative Endeavor Agreement (CEA) between the EJLD and LBBLD to transfer one tractor, one 15' flex wing cutter, one trash truck, and two pick-up trucks for use in grass cutting operations for levees/areas associated with the flood protection system surrounding the Greater New Orleans Area, and authorizes the SLFPA-E Director of Engineering and Operations to execute said CEA and any and all other documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-08 – APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE SOUTHEAST EAST FLOOD PROTECTION AUTHORITY-EAST, ON BEHALF OF THE ORLEANS LEVEE DISTRICT, AND THE U.S. ARMY CORPS OF ENGINEERS REGARDING THE DUMAINE STREET FLOODWALL REPLACEMENT PROJECT

Ms. Scott advised that a Memorandum of Understanding (MOU) is required with the USACE for work that is needed in order to construct the Dumaine Street Floodwall Replacement Project (e.g, removal of fiber optic and Entergy cables). The work will be paid for by the French Market Corporation. The USACE requested that the money pass through the Authority, as the local non-Federal sponsor; therefore, a MOU is required with the USACE and a Cooperative Endeavor Agreement is required with the French Market Corporation.

On the motion of Mr. Luettich,

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

WHEREAS, the U.S. Army Corps of Engineers (COE) is currently performing work on the Mississippi River and Tributaries Project, Mississippi River Levees, Dumaine Street Floodwall Replacement (the Project); and

WHEREAS, the French Market Corporation (FMC) has certain items that are within the Orleans Levee District's (OLD) right-of-way, such as utility lines, lights, electrical conduits, and fiber optic cable that will need to be removed, relocated and returned to their original locations once the work is complete; and

WHEREAS, the FMC has agreed to allow the COE to perform the removal, relocation and reinstallation; and

WHEREAS, the COE requires the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) on behalf of the OLD, as the local non-federal sponsor on the project, to enter into a Memorandum of Agreement (MOA) with the COE to set forth the terms of the work to be performed; and

WHEREAS, the estimated costs for the project is \$52,468.00, which the FMC will pay; and

WHEREAS, Art VII, Sec 14(C) of the Louisiana Constitution of 1974 provides that, for a public purpose, the State and its political subdivisions or political corporations may engage in cooperative endeavors with each other or with any other private association, corporation or individuals; and

WHEREAS, it is in the best interest of all citizens of Orleans Parish to have this Project performed.

BE IT HEREBY RESOLVED, that the Board approves a MOA between the SLFPA-E, on behalf of the OLD, and the COE and authorizes its Director of Engineering and Operations, Robert Turner, to execute said MOA, which sets forth the Non-Federal estimated costs associated with the removal, relocation, and return to their original locations of certain items of real estate owned by the City of New Orleans, Department of Public Works and the French Market Corporation, in connection with the Mississippi River and Tributaries Project, Mississippi River Levees, Dumaine Street Floodwall Replacement, with said costs estimated at \$52,468.00, inclusive of an additional 30% of the estimate to cover any possible contingencies and deficiencies, and 3% of the estimate to cover incidental engineering and design, construction, supervision and administration and other related Work efforts, as detailed in the COE's Cost Estimate.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-09 - APPROVING A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE SOUTHEAST EAST FLOOD PROTECTION AUTHORITY-EAST, ON BEHALF OF THE ORLEANS LEVEE DISTRICT, AND THE FRENCH MARKET CORPORATION REGARDING THE DUMAINE STREET FLOODWALL REPLACEMENT PROJECT

On the motion of Mr. Kemp,

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

WHEREAS, the U.S. Army Corps of Engineers (COE) is currently performing work on the Mississippi River and Tributaries Project, Mississippi River Levees, Dumaine Street Floodwall Replacement (the Project); and

WHEREAS, the French Market Corporation (FMC) has certain items that are within the Orleans Levee District's (OLD) right-of-way, such as utility lines, lights, electrical conduits, and fiber optic cable that will need to be removed, relocated and returned to their original locations once the work is complete; and

WHEREAS, the FMC has agreed to allow the COE to perform the removal, relocation and reinstallation; and

WHEREAS, the COE requires the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) on behalf of the OLD, as the local non-federal sponsor on the project, to enter into a Cooperative Endeavor Agreement (CEA) with the FMC to set forth the terms of the work to be performed; and

WHEREAS, the estimated costs for the project is \$52,468.00, which the FMC will pay; and

WHEREAS, Art VII, Sec 14(C) of the Louisiana Constitution of 1974 provides that, for a public purpose, the State and its political subdivisions or political corporations may engage in cooperative endeavors with each other or with any other private association, corporation or individuals; and

WHEREAS, it is in the best interest of all citizens of Orleans Parish to have this Project performed.

BE IT HEREBY RESOLVED, that the Board approves the CEA between the SLFPA-E, on behalf of the OLD, and the FMC, and authorizes its Director of Engineering and Operations, Robert Turner, to execute said CEA for the removal, relocation, and return to their original locations certain items owned by the FMC, in connection with the Project, with said costs estimated at \$52,468.00, inclusive of an additional 30% of the estimate to cover any possible contingencies and deficiencies, and 3% of the estimate to cover incidental engineering and design, construction, supervision and administration and other related Work efforts, as detailed in the COE's Cost Estimate, as required by the COE for construction of the Project.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-10 - INCREASE IN NOT TO EXCEED AMOUNT OF TASK ORDER NO. 16-04-01 ISSUED TO ATKINS FOR LEVEE LIFT INSPECTION SERVICES

Mr. Morgan questioned the justification for the requested increase in the not-to-exceed task order amount. Mr. Turner advised that the task order is for the services of a full time resident inspector for the three EJLD levee lift projects. The task order expires on August 30. The contractors have not completed the projects due to near record rainfall in June and August; therefore, work on the project will continue until at least the end of September. The cost to extend the task order to September 30 is \$15,000. He pointed out that there is work that goes on when there is rain, such as ensuring the silt fencing is in place. Also, in some cases there may be rain at the levee lift site; however, the contractor may have taken advantage of the weather to process material at the borrow pit located on the West Bank where there was no rain. After review of the consultant's submittal, staff determined that the requested additional \$15,000 was a fair amount.

Mr. Turner advised that work under the task order did not commence until January, 2017. Mr. Luettich pointed out that, in accordance with the Contract/Task Order Status

Report, there was three months' worth of unexpensed money for the task order. Ms. Chandler advised that the last invoice received under the task order was for services through June 30th.

On the motion of Mr. Miller,
Seconded by Mr. Morgan, the following resolution was offered:

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolution No. 10-20-16-05 authorized the issuance of Task Order No. 16-04-01 in an amount not-to-exceed \$175,000.00 to Atkins North America, Inc. to provide the inspection services for the LPV 00.2; LPV 01.1 and 02.2; and LPV 20.1 and 19.2 Levee Lift Projects; and

WHEREAS, Task Order No. 16-04-01 was subsequently issued to Atkins North America, Inc. with a not to exceed amount of \$160,599.70 for services for the period November, 2016 through August 30, 2017; and

WHEREAS, the construction contracts for the aforementioned levee lift projects were extended due to modifications and weather days; and

WHEREAS, a proposal has been received from Atkins North America, Inc. for inspection services for the said projects for the period September 1 through September 30, 2017 at a not to exceed amount of \$15,456.00.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the amendment of Task Order No. 16-04-01 issued to Atkins North America, Inc. to extend the period of service to September 30, 2017, and to provide an increase to the not to exceed amount of \$15,456.00 (increasing the task order from \$160,599.70 to \$176,055.70).

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations is authorized to execute the aforementioned amendment to Task Order No. 16-04-01, 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. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

**RESOLUTION NO. 08-17-17-11 - INCREASE OF NOT TO EXCEED AMOUNT OF
TASK ORDER NO. 16-04-02 WITH ATKINS NORTH AMERICA, INC. FOR REVIEW
OF FEDERAL PROJECTS**

Mr. Turner explained that the task order issued to Atkins North America, Inc. is for inspection services for Hurricane and Storm Damage Risk Reduction System (HSDRRS) projects. Atkins has provided the inspection services for the HSDRRS projects since 2010. The on-going projects are primarily for armoring.

Mr. Luettich noticed that the hourly rates being paid under this task order are not the same as the hourly rates paid under the previously discussed Atkins task order. Mr. Spencer commented that a portion of the cost for the inspection services is paid by the CPRA; therefore, the CPRA rates may have been included. Mr. Turner advised that he would research this issue. CPRA pays for a portion of the cost of the inspection services for the HSDRRS; however, the amount paid by CPRA is divided between the East and West Authorities' projects.

On the motion of Mr. Kemp,
Seconded by Mr. Miller, the following resolution was offered:

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolution No. 01-19-17-06 E approved the issuance of Task Order No. 16-04-02 to Atkins North America, Inc. for engineering review and construction inspection services for the HSDRRS features at a not to exceed amount of \$70,180 for the period February 1, 2017 through June 30, 2017; and

WHEREAS, Atkins has submitted a proposal to provide inspection services for the period September 1, 2017 through February 28, 2018, at a not to exceed amount of \$60,480; and

WHEREAS, the State of Louisiana through the Coastal Protection and Restoration Authority is a participant in the aforementioned engineering review and construction inspection services provided by Atkins for the HSDRRS features and provides 25 percent of the funding towards these services, in addition to the funding authorized in Task Order No. 16-04-02.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the amendment of Task Order No 16-04-02 issued to Atkins North America, Inc. to provide inspection services for the period September 1, 2017 through February 28, 2018 at a not to exceed amount of \$60,480.

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations is authorized to execute the aforementioned amendment to Task Order No. 16-04-02, 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. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-12 - INCREASE IN CONTRACT AMOUNT FOR RIPRAP REPAIRS AT BAYOU BIENVENUE SWING BRIDGE

Mr. Miller advised that the increase in the contract amount for the riprap repair work was reviewed by the Operations Committee. The requested increase of \$3,110.00 is for additional work at the unit prices included in the contract.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolution No. 02-16-17-09 approved the award of a contract in the amount of \$136,445.00 to Gill's Crane and Dozer Service, Inc. for the Riprap Repairs at the Bayou Bienvenue Swing Bridge; and

WHEREAS, extra work was required at a cost of \$3,110.00 to provide drainage away from the work site; and

WHEREAS, funds for this project are available from the approved FY 2018 Special Levee Improvement Fund Budget.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority – East approves an increase of \$3,110.00 in the contract amount for the contract with Gills' Crane and Dozer Service, Inc. (increases contract from \$136,445.00 to \$139,555.00) for the Riprap Repairs at the Bayou Bienvenue Swing Bridge, and authorizes the SLFPA-E Director of Engineering and Operations to execute any and all documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-13 – LAKE PONTCHARTRAIN SEAWALL EROSION CONTROL REACHES 1C, 2A AND 5B PROJECT – AWARD OF CONSTRUCTION CONTRACT

Mr. Hassinger recused himself from discussion and participation on this item.

Mr. Turner advised that the project is the continuation of the work along the lakefront seawall. The bids were evaluated to determine the lowest responsive and responsible bidder. The Authority's consultant recommended that the contract be awarded to TKTMJ, Inc. Ms. Scott added that the Attorney General advised that the contract could be awarded to TKTMJ, Inc. based on the Authority's interpretation of its specifications.

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

WHEREAS, the areas behind the Lake Pontchartrain Seawall are experiencing erosion and said erosion is causing unsafe conditions for public access; and

WHEREAS, the Lake Pontchartrain Seawall Erosion Control Reaches 1C, 2A and 5B Project (Phase III) was advertised and six bids were opened and read at the Orleans Levee District on Tuesday June 20, 2017, as follows:

Bidding Contractors	Total Base Bid Price
TKTMJ, Inc.	\$8,996,989.00
Command Construction, LLC	\$9,469,809.00
Baker Pile Driving and Site Work, LLC	\$9,537,340.89
Fleming Construction Company, LLC	\$10,570,403.84
Boh Brothers Construction, LLC	\$10,909,314.55
Shavers-Whittle Construction, LLC	\$10,955,227.00

WHEREAS, funds for this project are available from the approved FY 2018 Special Levee Improvement Fund Budget.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East (SLFPA-E) authorizes the award of a contract in the amount of \$8,996,989.00 to TKTMJ, Inc., for the Lake Pontchartrain Seawall Erosion Control Reach 1C, 2A and 5B Project.

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations is hereby authorized to execute the aforementioned contract with TKMJ, Inc., and to sign any and all other documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

RECUSED: Mr. Hassinger

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-14 - APPROVAL OF PERMIT FEES

Mr. Hassinger explained that the initial draft of the proposed resolution set the permit fees at \$50 for residential permits and \$100 for commercial permits. Language was added to the proposed resolution to allow the Director of Engineering and Operations to adjust the fees upward as necessary in the future so that Board action would not be required for slight adjustments to the fees.

On the motion of Mr. Luettich,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Orleans Levee District and Lake Borgne Basin Levee District as part of their operational responsibilities accept permit applications, process the required information relative to the applications and issue permits for construction and other activities in the vicinity of the Hurricane and Storm Damage Risk Reduction System and Mississippi River Levee System; and

WHEREAS, it is the SLFPA-E’s intention to hereby establish and adopt permit fees for the Authority and aforementioned levee district in order to provide consistency across the SLFPA-E’s jurisdiction.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby establishes and adopts the following permit fees: \$50 for residential permits and \$100 for commercial permits for construction or other activities in the vicinity of the HSDRRS and Mississippi River Levee System.

BE IT FURTHER RESOLVED, that any and all prior resolutions relative to the establishment of permit fees are null and void.

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations is authorized to increase the aforementioned fees at his discretion.

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations or SLFPA-E Regional Chief Engineer is 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. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-15 - ASSET MANAGEMENT OF WATER CONTROL STRUCTURES PHASE 2 - CUSTOM ASSET MANAGEMENT SYSTEM DEVELOPMENT

Mr. Miller advised that the proposed task order to be issued to Moffatt & Nichol was reviewed by the Operations Committee and recommended for approval.

Mr. Turner explained that Moffatt & Nichol developed the asset management software under a previous task order. The two complex structures located within the LBBLD will be added to the software system as part of the complex structures group under the proposed task order. The maintenance staff for the complex structures requested some additional functionality with regards to reporting to assist with tracking work orders. The additional work relative to functionality will also be accomplished under the proposed task order.

On the motion of Mr. Luettich,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolution No. 11-19-15-16 approved the issuance of Task Order No. 09-04-03 under an Indefinite Delivery-Indefinite Quantity (ID-IQ) contact dated December 1, 2012 with Moffatt & Nichol in a not to exceed amount of \$159,110 for Asset Management of Water Control Structures Phase 2 - Custom Asset Management System Development; and

WHEREAS, a proposal has been received from Moffatt & Nichol for the continuation of the aforementioned project, which includes the addition of the Caernarvon and Bayou Dupre Complex Structures to the inspection software, as well as

customization of the reporting and tracking functions, at a not to exceed cost of \$39,835; and

WHEREAS, Task Order No. 13-03-01 will be issued to Moffatt & Nichol for the new scope of work under the ID-IQ contract with said firm dated January 13, 2017.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the issuance of Task Order No. 13-03-01 to Moffatt & Nichol in a not to exceed amount of \$39,835 to add the Caernarvon and Bayou Dupre Complex Structures inspection software to the Water Control Structures Asset Management System and customize the reporting and tracking functions for said structures.

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations is authorized to execute the aforementioned 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. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

Motion to authorize an amendment to Task Order No. 2 issued to Linfield Hunter and Junius, Inc., to increase the not to exceed amount for Engineering During Construction and Construction Management for the LPV 19.2 and 20.1 Levee Lift Project.

The motion was deferred until the next meeting at the request of the Operations Committee.

RESOLUTION NO. 08-17-17-16 - AMENDMENT OF TASK ORDER ISSUED TO HNTB CORP. FOR ENGINEERING DURING CONTRUCTION AND CONSTRUCTION MANAGEMENT FOR THE LPV 01.1 AND 02.2 LEVEE LIFT PROJECT

Mr. Turner advised that the proposed increase to the amount of the task order issued to HNTB Corp. for Engineering during Construction and Construction Management for the LPV 01.1 and 02.2 Levee Lift Project is due to the fact that the work will extend beyond the original construction period due to rain. The task order will be extended through October 30. Mr. Hassinger commented that the increase to the task order had not been finalized at the time that the agenda was issued. Mr. Turner advised that the amount included in the proposed resolution was the final negotiated amount.

Mr. Miller stated that the proposed increase to the task order amount was reviewed by the Operations Committee and recommended for approval.

On the motion of Mr. Miller,
Seconded by Mr. Morgan, the following resolution was offered:

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolution No. 08-27-15-02 authorized the execution of a contract with HNTB Corporation for professional engineering services required for lifting certain levees in Orleans and Jefferson Parishes; and

WHEREAS, Task Order No. 1 for Project Management and Plans and Specifications Development and Task Order No 2 for Engineering Support During Advertisement were issued to HNTB Corporation for the LPV 01.1 and 02.2 Levee Lift Project; and

WHEREAS, the SLFPA-E by Resolution No. 11-17-16-07 authorized the issuance of Task Order No 3 under said contract with a not to exceed amount of \$140,806 to provide Engineering During Construction and Construction Management for the LPV 01.1 and 02.2 Levee Lift Project; and

WHEREAS, HNTB Corporation submitted Supplement No. 1 to Task Order No. 3 for additional services required through the project completion with an increase of \$34,290 to the not to exceed amount of Task Order No. 3.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes an amendment to Task Order No. 3 issued to HNTB Corporation to provide an increase of \$34,290 (increasing Task Order No. 3 from \$140,806 to \$175,096) for Engineering During Construction and Construction Management for the LPV 01.1 and 02.2 Levee Lift Project.

BE IT FURTHER RESOLVED, that the SLFPA-E Director of Engineering and Operations is authorized to execute the aforementioned amendment to Task Order No 3 issued to HNTB Corporation, and any and all other documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

Mr. Hassinger reminded Board members and staff that proposed agenda items must be submitted seven working days prior to the Board meeting. He requested that the agenda items be submitted timely and that resolutions be prepared by the Thursday preceding the Board meeting in order to have the resolutions finalized prior to the agenda being issued. This would eliminate the need to resolve issues after the agenda has been issued. Mr. Cosse recommended that the Chairman be allowed the flexibility to permit items to be added to the agenda after the deadline in a situation where a matter that requires Board approval becomes known after the deadline. Mr. Hassinger concurred with Mr. Cosse's recommendation.

RESOLUTION NO. 08-17-17-17 - INTERIOR RENOVATIONS/UPGRADES TO THE ADMINISTRATION AND WAREHOUSE BUILDINGS AT FRANKLIN AVENUE

Mr. Luettich requested information regarding the architect's fees. Mr. Boese explained that the Authority initially retained the services of a space planner. RCL Architecture, LLC was retained to provide the services required for a previous renovation of the Franklin Facility. RCL Architecture, LLC reviewed the plan provided by the space planner, estimated the work to be accomplished, and provided an estimate based on a typical curve (approximately 7.5 percent). He stated that the estimate is reasonable for the anticipated work.

Mr. Morgan explained that based on reading the proposal some additional costs may be involved for engineering services. Mr. Boese advised that the proposed estimate does not include resident inspection services.

Mr. Hassinger commented that the projected construction includes upgrading the mechanical systems, including, for example, the upgrade or replacement of the 37-year old emergency generator that currently operates at 60 percent capacity and HVAC upgrades at an estimated cost of \$600,000.

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

WHEREAS, the Franklin Avenue facilities have been occupied by the Orleans Levee District but will now be occupied by regional staff of the Flood Protection Authority—East, and require interior renovations and upgrades to the HVAC, lighting, sprinkler, and fire alarm systems. The renovations and upgrades are based upon the space study, floor plans and concepts provided by AGL Designs; and

WHEREAS, RCL Architecture, LLC has proposed to provide professional services for the schematic design, design development, construction documents, bidding and permitting for the renovations and upgrades; and

WHEREAS, RCL Architecture, LLC provided a proposed scope of work for the project with an estimated construction cost of \$2,016,000.00; and

WHEREAS, the proposed scope of work was reviewed by the Finance Committee at its meeting held on August 17, 2017; and

WHEREAS, the estimated fee for professional architectural and engineering services for the aforementioned project is \$149,954.27.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) authorizes the SLFPA-E Chief Administrative Officer to execute a contract with RCL Architecture, LLC for the interior renovations and upgrades to the Administration and Warehouse Buildings at Franklin Avenue.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-17-17-18 - OUTFALL CANAL SURVEY

Mr. Miller advised that the proposed task order to be issued to Bryant Hammett and Associates was reviewed by the Operations Committee and recommended for approval.

Mr. Hassinger commented that the proposed task order being considered by the Board is an example of the reason for submitting agenda items and resolutions timely. The item was initially submitted with a proposed cost of \$155,000, which included about \$25,000 in per diem costs for the proposed consultant. Mr. Hassinger requested that staff take another look at the proposed work and another consultant who is located in the area was selected at a cost of about \$97,000.

On the motion of Mr. Luettich,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority–East wants to perform surveys of all three outfall canals (17th Street Canal, Orleans Avenue Canal and London Avenue Canal) to monitor the canals for erosion; and

WHEREAS, the Orleans Levee District negotiated a proposal for surveying services with Bryant Hammett and Associates under the SLFPA-E’s Indefinite Delivery-Indefinite Quantity contract with said firm.

BE IT HEREBY RESOLVED, that Bryant Hammett and Associates be granted a Task Order in the amount of \$97,720.00 for Labor and Equipment to perform surveys at the above three outfall canals.

BE IT HEREBY RESOLVED, that the SLFPA-E Director of Engineering and Operations be authorized to sign the aforementioned Task Order, and any and all other documents necessary to carry out the above.

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

YEAS: Mr. Cosse, Mr. Englande, Mr. Kemp, Mr. Luettich, Mr. Miller and
Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

The next regular monthly Board Meeting will be held on September 21, 2017 at the Orleans Levee District Franklin Avenue Facility.

There was no further business; therefore, the meeting was adjourned at 1:55 p.m.