

**MINUTES OF OPERATIONS COMMITTEE MEETING
HELD ON AUGUST 8, 2007
East Jefferson Levee District Board Room
203 Plaque Ct., Harahan, LA**

PRESENT: Chairperson Larry McKee
President Timothy Doody, Committee member
Commissioner David Barnes, Committee member
Commissioner Louis Wittie, Committee Member

FURTHERMORE

PRESENT: Fran Campbell, Interim Regional Director and Executive Director East
Jefferson Levee District (EJLD)
Stevan Spencer, Executive Director Orleans Levee (O.L.D.)
Peggy Sembera, Lake Borgne Basin Levee District (LBBLD)
Wilma Heaton, O.L.D.
Jonell Blowers, EJLD
Glenda Boudreaux, O.L.D.
Joseph Becker, Sewerage & Water Board of New Orleans (S&WB)
Larry Ardoin, Dept. of Transportation and Development (DOTD)
Sheila Grissett, Times Picayune
Leo Skinner, USACE

I. Call to Order: A quorum was present and the meeting was called to order by Chairperson McKee at 1:10 p.m.

II. Opening Comments: Mr. McKee announced the Routine and Emergency Operations Committee would henceforth be known as the Operations Committee and that the setting of a date for regular monthly Committee meetings would be discussed later in this meeting.

III. Adoption of the Agenda: An amended agenda was adopted which included the following additional item: discussion of acceptance of completed U.S. Army Corps of Engineers (USACE) construction projects.

Ms. Sembera asked whether authorization for the advertisement for bids for an office building was required and needed to be added to the agenda. She was advised approval was not required for advertisement; however, approval would be required for acceptance of a bid.

F. Discussion of acceptance of completed USACE construction projects.

Recent problems dealing with levee construction projects that were accepted by the USACE and turned over to the levee districts for maintenance were discussed. Problems included insufficient grass growth and rills forming on the levees caused by rainfall, which hampered or prevented levee maintenance and made entire sections of levee completely unmanageable. EJLD requested the USACE have its contractors work section by section, in lieu of working the entire length of the levee at the same time; however, this has not always occurred.

Mr. Ardoin, representing DOTD, commented that the levee districts should be involved in the final inspection, and unless a project is acceptable to the levee district, it should not be

accepted by the USACE. An additional problem is that some recent projects are being requested to be accepted when the original levee project had never been accepted.

The Committee discussed rights of entry, verbiage contained in contract specifications concerning conditions for acceptance, and the lack of enforcement of the contract specifications. Mr. McKee recommended including a condition in the right of entry giving the levee district authority for final acceptance. Mr. Wittie recommended specifications be reviewed to determine whether specs concerning grass growth needed to be better defined.

Mr. Leo Skinner, USACE Public Affairs representative, advised he was present today to take notes and bring these issues to the appropriate individuals at the USACE.

Mr. McKee reminded the Committee that at the last meeting he had requested the Regional Director to put together some information for the development of procedures that would identify the specific responsibilities of the levee districts concerning maintenance problems and the responsibilities of the USACE concerning construction, which would later be non-debatable and could be the basis of a Cooperative Endeavor Agreement (CEA).

Mr. Doody suggested Mr. McKee appoint a committee to work out a CEA with the four entities involved (SLFPA-E, USACE, DOTD and S&WB) to address problems and fixes as suggested by Mr. McKee. Mr. McKee added, since the levee district is the entity that will perform maintenance, it should be the final responsible party for the acceptance of the completed project for maintenance.

The Committee discussed the use of inspectors and their responsibilities, along with the use of additional levee district observers, during construction of USACE projects.

Mr. Doody recommended a listing of the projects that the USACE is asking the districts to accept and the projects that have been accepted be developed by levee district.

Mr. Spencer pointed out the USACE is requesting a four day inspection be held of all projects completed in Orleans Parish under Task Force Guardian to officially turn those projects over to the O.L.D. Mr. Spencer requested the USACE provide a complete listing of the projects, along with a map, the work that was done and as-built drawings.

Mr. McKee concluded he and Mr. Doody will get together and appoint a group to develop a CEA between the SLFPAE, USACE, DOTD and S&WB.

A. Discussion of interagency coordination and cooperation between O.L.D. and S&WB for maintenance work on Orleans Parish Drainage Outfall Canals (17th Street, London and Orleans Avenue Canals). (O.L.D.)

Mr. Joe Becker, S&WB, informed the Committee the S&WB's responsibility is from water edge to water edge and he had been advised that there was an existing agreement that stated this and offered to provide a copy. The property is owned by the City of New Orleans and the O.L.D. has a servitude. Mr. Becker agreed that the vegetation needed to be maintained to assist with inspection; however, he did not feel it was part of the S&WB's responsibility, nor could it provide any financial assistance.

Mr. McKee concluded there was general agreement that this maintenance needed to be done; Mr. Becker would research his records to locate the document he mentioned, and the SFLPAE would contact its legal counsel for suggestions.

B. Requested recommendation for awarding of maintenance service contract to responsive low bidder on three Drainage Outfall Canals (17th and Orleans and London Canals). (O.L.D.)

Mr. Spencer advised bids were publicly advertised for thirty days for a service contract. Five bids were received, ranging from \$263,000 to \$580,000 for clearing the Orleans, London and (east side) 17th Street Canals. Vegetation would be cleared by hand labor to 2-inches above ground and removed. Contract period is 60 days. The lowest responsible bidder was Great Southern Dredging, Inc., with a bid of \$263,000. Discussions are on-going with consultants and DOTD concerning use of a growth retardant.

Mr. Doody recommended project funding be taken from the operating fund, since ad valorem tax revenues are unknown at this time, and, if required later in the year, funding from the SLIP fund could be considered.

Mr. Doody offered a motion, seconded by Mr. Wittie, and no objection was offered, to recommend to the Board that it proceed with the project. Project funding would be addressed further by the Finance Committee.

Mr. Ardoin suggested approaching the City concerning the use of prison labor for this work. Mr. McKee requested Ms. Campbell look into this suggestion.

C. Requested recommendation for awarding New Orleans East Levee Grass Cutting Service Contract to responsive low bidder. (O.L.D.)

Mr. Spencer explained this service contract is for cutting grass along the hurricane protection levee in New Orleans East from Hwy. 47 to Southpoint and Southpoint to the CSX railroad (approximately 15 miles—281 acres) every two weeks (four to five times). No edging or trash pickup is involved. Bids were publicly advertised, but would not be received until next Wednesday. This service contract is needed due to personnel shortages. It is anticipated at the end of this time period that one of the two reaches will be under USACE contract, with the second to follow soon thereafter. A recent bid for grass maintenance for non-flood park area, with trash pickup and edging, was \$90 per acre for every two weeks; a rough estimate for this contract including contingency is \$110,000. Use of a growth retardant is being considered for a test site, which will not be located on the hurricane protection levee.

Mr. McKee recommended authorization for award of bid not to exceed \$150,000. Mr. Doody offered a motion to this effect, which was seconded by Mr. Barnes, with no objection.

D. Inspection and Maintenance Procedures.

Mr. McKee explained he would like to establish regular monthly meetings so that the districts could report to the Committee after completion of inspections. Mr. Doody recommended including levee inspection information or summaries on the website. It was pointed out that Mr. Wittie would be reviewing all inspection reports, and Mr. Wittie requested he be advised of follow up on items that require attention.

Ms. Campbell distributed a copy of the Inspection and Maintenance Procedures. Issues are initiated by way of quarterly DOTD, semi-annual USACE and daily inspections, and reports by police and maintenance crews. Maintenance personnel and police are trained to inspect and report to the immediate supervisor who logs the item, writes a report and initiates small repairs. For larger maintenance items, the USACE, DOTD and levee district meet at the location to determine correction action or remedy for the situation; the repair should be documented, including pictures, and afterward monitored.

Procedures currently used by the individual levee districts were discussed. Mr. Doody felt consistent procedures should be used by the districts. Mr. McKee suggested the procedures be included in the previously discussed CEA, possibly incorporated as an attached policy.

Use of GPS for clarifying location was discussed. Mr. Spencer distributed a copy of the O.L.D. monthly status of activities, along with a chart indicating operational data.

Mr. McKee requested that Ms. Campbell continue work on this task.

E. Vehicle Policy.

Mr. Wittie distributed a copy of a "Take Home Vehicle Policy". He felt much of this should end up the decision of the Executive Directors and eventually the Regional Director.

Those positions with the levee districts currently authorized use of a take home vehicle were discussed. Frequent call outs, duties and guidelines were discussed. Mr. Ardoin suggested an e-mail be sent to the member districts of the Louisiana Association of Levee Boards to obtain a copy of the various levee districts' policies. Mr. McKee concurred and requested Ms. Campbell handle this task.

Mr. McKee recommended Mr. Spencer document his recommendation on take home vehicles and reasons.

The Committee briefly discussed a recent Times Picayune article concerning the possible abandonment of the proposed interim closure structure in the GIWW and use of an alternate plan.

The LBBLD was requested to provide the status of the Caernarvon to Verrett levee project.

The Committee requested a standardized monthly status report be provided by the levee districts to the Committee.

IV. Establish Next Meeting: The Operations Committee will have regular monthly meetings on the second Wednesday of each month at 10:00 a.m.

V. Adjourn: There was no further business, therefore, the meeting was adjourned at 3:10 p.m.