

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING AND PUBLIC HEARING
THURSDAY, SEPTEMBER 18, 2008**

The regular monthly Board Meeting and Public Hearing of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, September 18, 2008, at the St. Bernard Public School Board Building, 200 East St. Bernard Hwy., Chalmette, Louisiana, after due legal notice of the meeting was sent to each member and the news media and posted.

Mr. Doody called the meeting to order at 9:35 a.m. and led in the pledge of allegiance.

The roll was called and a quorum of the Board was present.

Present:

Timothy P. Doody, President
Abril B. Sutherland, Vice President (departed meeting at 2:00 p.m.)
David P. Barnes, Jr. (departed meeting at 12:28 p.m.)
Thomas L. Jackson
Larry A. McKee
Stradford A. Goins (arrived at meeting at 1:15 p.m.)
Ricardo S. Pineda
Louis E. Wittie

Absent:

John M. Barry, Secretary
George Losonsky, PH.D., Treasurer
Sara Lee St. Vincent

OPENING COMMENTS:

Mr. Doody commented on the two recent hurricane events and commended the personnel of the levee districts for their excellent performance and for working so well together under very stressful conditions. Personnel performed sand bagging operations while their families were evacuating and while worrying about their homes. These employees remained to protect the Districts even though there are still no safe houses for them—a situation which he stressed must be corrected. Safe houses must be obtained for pump operators and essential personnel who stay behind to flood fight.

Mr. Doody stated that operations were well coordinated. The directors of the levee districts met prior to Hurricane Gustav to review their emergency procedures and to plan. The Authority and levee districts held conference calls twice daily during the days leading up to Gustav. The conference calls grew to include the U.S. Army Corps of Engineers (USACE), Louisiana Department of Transportation and Development (DOTD), the Southeast Louisiana Flood Protection Authority-West (SLFPA-W) and

Coastal Protection and Restoration Authority (CPRA). He noted that the interoperability radios and blackberries with pins worked well, as did communications between the Levee Districts, State, State EOC and USACE.

Mr. Doody stated that while the hurricane protection system is not yet completed, it passed a critical test. These two hurricanes were a wake-up call for those who may have become complacent. He stressed the need to move forward rapidly on completing the system and that critical components of the system must be completed without delay. The Mississippi River Gulf Outlet still remains open—three years after Katrina—and interim measures are a year off. While the process moves ahead, the fact that the MRGO is still open is an indication of the need to eliminate all impediments to a timely completion of the system. He stated that the Board is calling on the Governor, our Congressional Delegation, the USCE and local representatives to smooth the way for a rapid completion of the system using all the tools at their disposal to make certain that the 2011 deadline is met. This includes making certain there is the proper funding, the required land is acquired, the necessary legal agreements are completed and that the necessary borrow material is acquired.

Mr. Doody commented that although we can all breathe a temporary sigh of relief that we came through this event, at least locally unscathed, the potential for danger still exists. Everyone watched on television as the wind driven waves crashed over the floodwalls onto the armoring placed there after Hurricane Katrina. The need for armoring was a lesson learned from Katrina. If there are lessons to be learned from Gustav, it is that dangers exist which are both preventable and beyond our control.

Mr. Doody stated that the marine vessels loose in the Inner Harbor Navigation Canal (IHNC) posed a very real threat to the entire city. Floodwalls in the flood protection system are not designed to withstand the impact of a ship driven by hurricane force winds. Ship owners, barge owners and tug boats stored their assets inside the IHNC for their protection, endangering the assets of the District and the viability of the entire city. If the city had been flooded, again, the struggle for survival would have been more than most locals would be willing to bear. The Coast Guard has the duty to protect the City from this kind of danger. Companies are required to file “heavy weather” plans, which are reviewed by the Coast Guard. The Coast Guard has the ability to reject these plans or to require changes. It was reported that 70 vessels were loose in the IHNC. If the heavy weather plans filed by maritime interests and reviewed by the Coast Guard, produced that result, then the system is broken and the result of this failure could have been disastrous.

Mr. Doody stated that a much less publicized situation was the damming effect of the railroad bridge at Almonaster. By first hand accounts, there was between a 3 foot to 5 foot differential between the IHNC water level and the Lake water level. The railroad bridge, which was in a down position because it cannot withstand the winds accompanying a hurricane, caused this differential. This same situation occurred during Katrina.

Mr. Doody commented that this country is terrific at investigating catastrophes, but this near catastrophe escaped almost unnoticed. An explanation of what happened and why is owed by the Coast Guard and maritime industry, as well as a plan to make certain that this never happens again.

Mr. Jackson commented that Louisiana learned from Hurricanes Gustav and Ike that large storms with high wind velocities and tidal surges each impact different areas in different ways. He noted the important contribution made by the armoring placed along the IHNC floodwall after Katrina in these two recent hurricane events.

Mr. Pineda stressed that with the uncertainty of rain amounts and storm surges produced by hurricanes, the focus must stay on going beyond the 100 year project to a much higher level of protection. In addition, since flooding can result from several different causes, including rainfall and pumping system failures, he encouraged participation by home owners in the FEMA National Flood Insurance Program.

Mr. Doody added that a tremendous amount of debris which resulted from Hurricanes Gustav and Ike must be removed. The Authority has been working with the State for FEMA participation in this cost and clean up effort.

Mr. David Miller, Director of Implementation of the Office of Coastal Protection and Restoration, advised that the State, along with the levee districts, have asked FEMA to request the USACE to initiate a debris removal mission and the USACE has agreed.

RESOLUTION #09-18-08-01 – ADOPTION OF AGENDA

The agenda was amended to add Item XV.A.1 - A motion to approve the recommendation of the selection committee for a consulting firm to perform right of way services including lands, easements, rights of way, relocations and disposal sites for U.S. Army Corps of Engineers projects and other projects under the jurisdiction of the SLFPAE and to grant the Regional Director the authority to negotiate the final contract with the selected firm of GCR & Associates, Inc. Mr. Pineda explained that the four firms which submitted proposals were interviewed yesterday by the selection team and there was unanimous agreement on the firm recommended for selection. This item is being placed on the agenda in order to proceed with the contract.

The agenda was also amended to add Item XV.A.2 – A resolution for the Board to acknowledge the tremendous effort that the levee district personnel put into preparations for Hurricanes Gustav and Ike and the protection of the assets of the districts and the public during these hurricane events.

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

“A resolution to adopt the agenda, as amended, for the Board Meeting-Public Hearing of September 18, 2008.”

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Barnes, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky

RESOLUTION #09-18-08-02 – APPROVAL OF MINUTES

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

“A resolution to approve the minutes of the Board Meeting of August 21, 2008 and the Public Hearing and Special Board Meeting of August 27, 2008.”

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Barnes, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky

PUBLIC HEARING (LAKE BORGNE BASIN LEVEE DISTRICT):

Mr. Doody advised the Board was at this time holding the Public Hearing to consider levying additional or increased millage rates without further voter approval or adopting the adjusted millage rate and rolling forward to a millage rate not to exceed the prior year’s maximum for the Lake Borgne Basin Levee District.

- A. Ordinance No. 1 – 2008 - An Ordinance providing for the adjustments of millage rates, as allowed by Article VII, Section 23 (B) and (C) of the Louisiana Constitution of 1974 and La. R.S. 47:1705 (B), and levying and imposing taxes and assessments for 2008 on all the property subject to taxation in the Lake Borgne Basin Levee District.
- B. Ordinance No. 2 – 2008 - An Ordinance providing for the increase in millage rates, but not in excess of the prior year’s maximum rates, as allowed by Article VII, Section 23 (B) and (C) of the Louisiana Constitution of 1974 and La. R.S. 47:1705 (B), and levying and imposing taxes and assessments for 2008 on all the property subject to taxation in the Lake Borgne Basin Levee District.

Mr. Doody asked whether there was anyone who wished to comment at this public hearing and there was no response from the public.

Mr. Charles Doize, Accountant for the Lake Borgne Basin Levee District (LBBLD), provided a brief presentation on the millage issues. The budget for the period July 1, 2008 through June 30, 2009 was shown. Mr. Doize explained that ad valorem taxes are the major source of funding for operations and maintenance and that the anticipated General Fund ad valorem tax revenue is \$2,600,000. Expenditures in the current

adopted budget total \$4,172,000. The budget deficit for this year alone is \$1,045,000. The only means to fund this deficit is from funding accumulated over past years.

The 2008 tax rolls as adjusted by reappraisal/reassessment for St. Bernard Parish is \$240 million. The LBBLD has three ad valorem tax millages to fund operations and maintenance for both flood protection and drainage:

- Constitutional Tax (La. Const. Article VI, Section 39) – Adjusted Millage Rate per Reassessment 3.67 mills – 2008 Maximum Authorized Millage Rate 3.83 mills.
- Constructing and maintaining necessary levees, levee drainage, flood protection, and hurricane flood protection and all other purposes incidental thereto (Oct. 23, 1999 Election) - Adjusted Millage Rate per Reassessment 4.09 mills – 2008 Maximum Authorized Millage Rate 4.27 mills.
- Constructing and maintaining necessary levees, levee drainage, flood protection, and hurricane flood protection and all other purposes incidental thereto (Nov. 15, 2003 Election) - Adjusted Millage Rate per Reassessment 2.88 mills – 2008 Maximum Authorized Millage Rate 3.0 mills.

If the operations and maintenance ad valorem tax millage rates are not rolled up, the LBBLD would collect \$2,550,000. If all three millage rates are rolled up to the maximum authorized rates, the LBBLD would collect \$2,666,000 in ad valorem tax revenues. Therefore, the roll up to the maximum authorized millage rates would result in approximately \$110,000 of additional revenues.

In addition, there is a special ad valorem tax for servicing the LBBLD bond debt. Approximately \$300,000 has accumulated in the debt service account and this surplus was to be used to cover any unforeseen problems. This is the last year for payment of this debt. The debt to be serviced this year is \$648,000. After taking into account the monies that accumulated in the debt service account less expenses, only about \$341,000 will be needed to fund the remainder of the debt service for this year. The millage rate for debt service in 2007 was 2.75 mills. Due to the debt service account surplus, only 1.5 mills will be required to service the debt for 2008.

Should the Board approve the rolling up of all three ad valorem tax millage rates for operations and maintenance to the maximum authorized rates, with the decrease in the millage rate for bond debt service, the LBBLD would be collecting 1.25 less mills.

Mr. Doody advised that the Board would vote on the LBBLD Ad Valorem Tax Millage Ordinances later in this meeting.

There was no one in the public who wished to comment during the public hearing portion of the meeting.

Mr. McKee offered a motion, which was seconded by Mr. Jackson and unanimously adopted, to close the public hearing portion of the meeting.

Mr. Doody advised that public comment concerning issues that are not on the agenda would be taken later in the meeting.

PRESENTATIONS:

Port of New Orleans – Operations of the railroad bridges across the Inner Harbor Navigation Canal (IHNC)

Ms. Deborah Keller advised that she has been the Director of Port Development for the Port of New Orleans for the past 20 years and is Chief Engineer for the Port. She has 30 years experience working in public works, flood protection, drainage pumping station systems and port infrastructure. Ms. Keller provided a Power Point presentation and briefing on the Port of New Orleans' bridges on the IHNC (Industrial Canal).

Ms. Keller explained that the Industrial Canal was dug in 1919. There are eight bridges under three authorities that cross the Industrial Canal. The focus of the presentation was on the two bridges that encountered the storm surge; i.e., the Almonaster Avenue Bridge and Seabrook Railroad Bridge, which were originally constructed in 1919.

The distance between the floodwalls on either side of the IHNC average 700 ft. The lowest point of the original 1970's floodwalls is about 12 ft. above sea level. At the peak of Hurricane Gustav's storm surge the water elevation near the lock was elevation 12 ft. The navigation channel is 300 ft. wide; however, at the 1919 bridges the channel is just 94 ft. wide. The land juts out on either side of the two bridges for roadway and rail approaches and the bottom of the steel bridge is about five feet above sea level. Water is funneled through bridges until the bridges are overtopped and then overflows the base of the bridge, comes up to the floodwall and passes over the railroad tracks and the approaches of land.

Ms. Keller showed a comparison of the New Florida Avenue Vertical Lift Bridge built in 2004 at a cost of \$43 million versus the 1919 bascule bridge it replaced. The new bridge was funded 93% by the U.S. Coast Guard through a special appropriation because the old bridge was a hazard to navigation. The New Florida Avenue Bridge provides 300 ft. of channel width and replaced the original 1919 bridge structure and the land approach that jutted into the channel. The New Florida Avenue Bridge can be raised 40 ft. above the water line in preparation for a storm and locked into position.

Ms. Keller explained that the 1919 bridges cannot be raised for storms and that the effects of winds on the bridges could be far worse than the effects of leaving the bridges in the down position. A project for the replacement of the Almonaster Bridge has been under study for the past five years; however, the estimated cost of construction presented in the preliminary study was \$80 million. Currently, there is insufficient funding for an \$80 million bridge; therefore, post Katrina the Port of New Orleans and

DOTD have been doing value engineering to determine how that cost could be brought down to one more affordable for Federal and State funding.

Interagency meetings that included the U.S. Coast Guard (Navigation and Bridge Administration), the Maritime Administration, U.S. Army Corps of Engineers, Federal Rail Administration, Port of New Orleans and LA DOTD were conducted throughout Hurricane Gustav on the IHNC and common concerns and solutions regarding these bridges were addressed. The Port of New Orleans takes direction from the commanders of the federal regulatory authorities; i.e., the U.S. Coast Guard (Bridge Administration and Navigation) and the U.S. Army Corps of Engineers (Flood Control and Navigation) for bridges being in the up or down position and for what is in the navigable waterway.

Ms. Keller referred to the letter dated September 9, 2008 from Admiral Whitehead, Commander of the 8th Coast Guard District, to Brigadier General Walsh, USACE Mississippi Valley Division. She explained that with reference to whether or not the bascule bridges should be kept in a down position in preparation for a hurricane, Admiral Whitehead wrote:

“...the best course of action for Hurricane Ike is to keep the bridge in a closed position.” “...when winds exceed 40 mph, there is a risk of damage that requires the bridge to be closed”

“...there would be a significant risk of losing the bridge entirely” “...it could also dam the flow of water through the narrow opening the bridge crosses, worsening the problem observed during Gustav”.

Ms. Keller further explained that with respect to the hydraulic modeling provided by the Corps of Engineers when there was about 3.5 feet of difference in the water level across the Almonaster Avenue Bridge during Hurricane Gustav, Admiral Whitehead wrote:

“...the model showed that removing the bridge entirely would only result in a 0.4 to 0.7 foot lessening of that differential, confirming that the major source of the problem is the horizontal narrowing that takes place on the waterway at the bridge and not the bridge itself.”

“...the model showed that if the Port added additional side spans, ...the difference would only be another 0.2 feet.”

“...everyone agreed that the best course of action was keeping the bridge closed”

“...the hurricane surge protection structures you are erecting should significantly reduce the amount of water seen in the IH-NC during a Gustav-like storm”.

There was a brief discussion regarding the hydraulic modeling. Ms. Keller explained that the channel narrows leading up to these bridges and what is going on with the 35 feet of water from elevation +5 to -30 (the depth of the channel) is also significant. In effect, 35 feet of water that was 300 feet wide must go through the concrete foundations that are only 94 feet apart.

Ms. Keller advised that engineers had attempted to investigate ways to prop up or support the bridge. They found that even with raising the bridge with the tip at elevation 10 or 12 ft., the bridge structure would become unstable because of the bridge pins. In addition, it would take about two weeks to put this type of bridge support in place before a storm and it would take time afterwards to dismantle.

Information and announcements relative to the Port's bridges can be found on the website at www.portno.com – under Citizen Resources - Bridge Closures and Curfews.

Ms. Keller reiterated that the hurricane surge protection structures that are being erected should significantly reduce the amount of water seen in the IHNC during a Gustav-like storm.

Mr. Doody pointed out that the closure structures would not be higher than the surrounding levees; therefore, there is still potential for water in the IHNC and the need for planning prior to 2011. He asked whether any lessons were learned from the two recent hurricane events relative to these two bridges.

Ms. Keller responded that the design criteria of those two bridges cannot be changed and the bridges cannot be retrofitted. Any interim measure such as propping up the bridge, which could endanger the bridge structure, would have to be taken at the start of the hurricane season and left in place throughout the season. This would mean that there would be no rail service during the hurricane season. She stressed the need for all agencies involved to better understand each other's operating parameters and constraints, which would facilitate better communications.

Mr. Robert Turner pointed out the need to ensure that everyone is comfortable with the numbers from the USACE hydraulic models and that the IHNC restrictions are taken into account in order to better predict water levels on the upstream reaches of the channel as a particular storm approaches.

U.S. Coast Guard - Shipping and safety procedures in the IHNC.

Capt. Lincoln Stroh, U.S. Coast Guard Captain of the Port, advised that he has been on active duty with the Coast Guard for about 25 years and that this is his third tour of duty in a port affected by hurricanes. He presented information regarding Coast Guard actions to assure the safety of the citizens of New Orleans relative to the Port of New Orleans, IHNC and other waterways in the New Orleans area.

Capt. Stroh stated that one of the key incident management tools used by the Coast Guard to ensure marine facilities are prepared for hurricane weather season is to require those facilities to have heavy weather action plans. Marine facilities in the Port of New Orleans, the Industrial Canal and along the Mississippi River are required to develop these plans which describe the actions the facility will take in the event a hurricane approaches and threatens landfall in Southeast Louisiana. The speed with which the Port of New Orleans was able to reestablish operations and enable maritime

commerce to proceed on the Mississippi River after Gustav's landfall is a testament to the effectiveness of these plans. However, plans must be followed if they are to be effective. As has been reported, numerous ships owned by Southern Scrap Recycling broke loose from their moorings in the Industrial Canal.

Capt. Stroh explained that the Industrial Canal is made up of three basic sections: the southern section from the lock on the river to the Florida Avenue Bridge, the turning basin and the northern section from the turning basin to Lake Pontchartrain. It is the southern section that was the primary source of flooding of the Ninth Ward during Hurricane Katrina. There is a minimal buffer zone between the navigation channel and the wall and levee protection system. To that end, one of the new changes that was made to the Coast Guard's Hurricane Contingency Port Plan as a result of Katrina was the removal of commercial vessels from the southern section of the Industrial Canal. This was strictly enforced by the Coast Guard during Hurricane Gustav and no vessels were adrift in the southern section of the Industrial Canal during the storm. The vessels that broke loose from their moorings at Southern Scrap were located along the turning basin. Many of the vessels, including three large decommissioned ex-Navy vessels, drifted west and remained aground on the west and north sides of the turning basin. All the vessels that were loose in the turning basin, except for one, were Southern Scrap Recycling vessels that were there for scrap. The Federal protection system in the turning basin was not impacted. There have been reports that adrift vessels were resting on a natural gas pipeline. A barge is currently aground near the pipeline, but not resting on the pipeline, which runs 30 feet below the surface. A salvage plan has been submitted to the Coast Guard, which will be reviewed by Entergy, in order to safely remove the barge.

Capt. Stroh advised that the Coast Guard has launched an investigation to determine why these vessels broke their moorings and in the interim he has ordered Southern Scrap Recycling to remove their vessels located in the Industrial Canal turning basin and the Intracoastal Waterway in the vicinity of the turning basin for the rest of the 2008 hurricane season. Southern Scrap is moving the vessels at this time with about 40 having been moved. Approximately 20 vessels are still on ground and must be cut up and four must be salvaged (lifted up, floated and taken out of the area). Had Hurricane Ike continued on its path towards New Orleans, holes would have been cut in the vessels that are being salvaged so that they could not float. This would have to had been done within 12 hours of gale force winds arriving at the sea buoy. There are civil and criminal penalties associated with violating a Captain of the Port Order.

Mr. Doody asked what event triggers the directive for vessels to be removed. Capt. Stroh responded that if a hurricane is heading this way and the area is in the cone of danger, the Coast Guard would step up its Port Conditions to the point that when Condition Zulu (12 hours before gale force winds are at the sea buoy) is reached that all parts of the Captain of the Port Order is followed.

Capt. Stroh explained that after Hurricane Ike turned towards Houston and New Orleans was outside of the cone of danger, the Coast Guard did not go into Port Conditions here

and New Orleans became a safe haven for vessels in Houston. He advised that the Coast Guard will have to work with Southern Scrap in the coming weeks so that they can resume business. Southern Scrap will have barges coming in from Mobile, however, no more than four at a time, which will have to be cleared out 72 hours in advance of an approaching hurricane. He advised that the Coast Guard would monitor and provide oversight. A part of the investigation is whether Southern Scrap followed its heavy weather plan. Capt. Stroh indicated he lost confidence in their ability and issued the Captain of the Port Order.

Capt. Stroh commented on the size of the system in this area. At the time of Hurricane Gustav's approach there was over 2,300 barges, 70 ships and hundreds of tug boats in the area that had to be positioned in accordance with their plans and procedures and the Coast Guard's guidelines for moorings. The majority of these vessels road out the storm well. Southern Scrap was the anomaly in the harbor and drastic action had to be taken by the Coast Guard.

Mr. Doody asked had any ships or barges broken free in the Mississippi River? Capt. Stroh replied that some dragged or broke their anchors; however, tow boats are usually near by that can help them re-establish their position and get their anchors set again. Mr. Doody asked whether there was a requirement for vessels remaining in the IHNC to have a tow boat near by? Capt. Stroh explained that the Coast Guard requires that a plan be submitted and after review, if the Coast Guard does not like the plan, it will tell the facility to change it. Some vessels have tugs standing by, others don't.

Capt. Stroh explained that the system has about 250 miles of river and 230 miles of Intracoastal Waterway. Some barges in fleeting areas along the river broke loose, however, many of those fleeting areas fall under a Memorandum of Understanding with the Coast Guard and have horse power nearby to help out.

Capt. Stroh stated in anticipation of future hurricanes in the region, in addition to the order he gave to Southern Scrap, he also issued Captain of the Port Orders to other facilities in the northern section of the Industrial Canal from the turning basin to Lake Pontchartrain. Based upon the surge current created by Gustav from the turning basin towards Lake Pontchartrain and to prevent that current from breaking ships loose in the northern section, Capt. Stroh stated he was requiring those facilities to move their vessels out in accordance with the Coast Guard plan before Port Condition Zulu.

Capt. Stroh expressed his commitment through diligent preparation and coordination with government and industry partners to protect the waterway system, and his confidence in the training of the men and women of the Coast Guard to help protect and save lives. Capt. Stroh advised that he brought his senior staff to today's meeting so that they could also hear and understand the gravity of the Board's concerns.

Mr. Doody advised that Mr. Barnes would have to leave after the lunch break and that his vote was needed on the ad valorem millage resolutions. Ms. Sutherland offered a motion to amend the agenda to take Agenda Items (Old Business) XIV.A. 1 and 2 on

the East Jefferson Levee District Ad Valorem Tax Resolutions and (New Business) XV.D.1 and 2 on the Lake Borgne Basin Levee District Ad Valorem Tax Ordinances as the next order of business. The motion was seconded and unanimously adopted by roll call vote with Mr. Barnes, Mr. Doody, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie voting in favor of the motion.

RESOLUTION NO. 09-18-08-03 – ADJUSTING THE MILLAGE RATE:

Ms. Fran Campbell, East Jefferson Levee District (EJLD) Executive Director, recommended that the ad valorem tax millage rate for the EJLD be rolled up to the maximum authorized rate. She explained that the EJLD has collected \$12 million in its Levee Improvement Fund over the past four to five years because it did not have to pay a local cost share during that time. A prior board resolution directed that the District put aside 30% of its millage in the Levee Improvement Fund. The EJLD collected approximately \$7 million in ad valorem taxes this year. The 30% transfer this year to the Levee Improvement Fund is \$1.8 million. Only \$1 million was left in the budget after expenses, therefore, \$800,000 had to be taken from the operating fund for the transfer. In addition to future cost share obligations, anticipated expenses include lands, easements, rights of ways, surveys, document recordation and mapping, and a safe house for employees. The average home owner at this time is paying approximately \$30 per year for levee protection and rolling the millage rate to the maximum authorized rate would increase this amount by \$7 to \$8.

Mr. Doody read aloud in full Resolution No. 09-18-08-03 – Adjusting the Millage Rate.

Mr. Jackson, the East Jefferson Parish representative on the Board, commented that Ms. Campbell brought up some good issues in terms of needs for money, however, he expressed his concern about the late receipt of this information for review by the Board. Due to the importance of hurricane protection and the need for safe housing, he stated he would vote in favor of rolling up the EJLD millage rate. However, he and Ms. Campbell agreed to meet on a monthly basis and put together a workable plan for safe housing.

The question was called and a roll call vote was conducted on Resolution No. 09-18-08-03.

On the Motion of Mr. Wittie
Seconded by Mr. Barnes

RESOLUTION NO. 09-18-08-03 – Adjusting the Millage Rate

BE IT RESOLVED, that the Southeast Louisiana Flood Protection Authority – East for the East Jefferson Levee District, of the Parish of Jefferson, Louisiana, in a public meeting/hearing held on August 27, 2008, which meeting/hearing was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S.

47:1705(B), that a public hearing was held to consider levying an additional or increased millage rate from the adjusted millage rate after reassessment, back up to the prior year's maximum millage;

BE IT FURTHER RESOLVED, that the actual adjusted millage rate was not available for the hearing held on August 27, 2008;

BE IT FURTHER RESOLVED, that a subsequent meeting was held in accordance with the Open Meetings Law on September 18, 2008 and the following **adjusted** millage rates be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within the east bank of said Parish for the year 2008, for the purpose of raising revenue:

EAST JEFFERSON LEVEE DISTRICT 3.210 mills

BE IT FURTHER RESOLVED, that the Assessor of the Parish of Jefferson, shall extend upon the assessment roll for the year 2008 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

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. Barnes, Mr. Doody, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie
NAYS: None
ABSTAINED: None
ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky

Mr. Doody read aloud in full Resolution No. 09-18-08-04 – Increasing the Millage Rate.

Mr. McKee brought out that the millage rate increase would provide an additional \$1.7 of revenues and with the current \$1 million surplus would bring the total surplus to \$2.7 million. Ms. Campbell pointed out that this surplus would be before the transfer to the Levee Improvement Fund. She reiterated that the District had been putting aside \$1.8 million each year in the Levee Improvement Fund, which is used for land, legal work and federal fund matches. There is currently about \$1.2 million of expenses due to Hurricane Gustav that have not been included in the budget and that will not be covered by FEMA, including \$875,000 of damage to shoreline work done since Hurricane Katrina and police/maintenance compound repairs. She listed other needs including the replacement of the Administration Building air conditioning system, a new server and the cutting down and removal of approximately 400 trees from the levee system.

The question was called and a roll call vote was conducted on Resolution No. 09-18-08-04.

On the Motion of Mr. Wittie
Seconded by Mr. Barnes

RESOLUTION NO. 09-18-08-04 – Increasing the Millage Rate

BE IT RESOLVED, that the Southeast Louisiana Flood Protection Authority – East for the East Jefferson Levee District of the Parish of Jefferson, Louisiana, in a public meeting/hearing held on August 27, 2008, which meeting/hearing was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that a public hearing was held to consider levying an additional or increased millage rate from the adjusted millage rate after reassessment, back up to the prior year’s maximum millage;

BE IT FURTHER RESOLVED, that the actual adjusted millage rate was not available for the hearing held on August 27, 2008;

BE IT FURTHER RESOLVED, that a subsequent meeting was held in accordance with the Open Meetings Law on September 18, 2008 and the following adjusted millage rate and 2008 Levy be and is hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within the east bank of said Parish for the year 2008, for the purpose of raising revenue:

	<u>Adjusted Rate</u>	<u>2008 Levy</u>
EAST JEFFERSON LEVEE DISTRICT	3.210 mills	4.010 mills

BE IT FURTHER RESOLVED, that the Assessor of the Parish of Jefferson, shall extend upon the assessment roll for the year 2008 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with the law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership of the taxing authority voting in favor as required by Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B). The votes were:

YEAS: Mr. Barnes, Mr. Doody, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSTAINED: None

ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky

ORDINANCE NO. 1 – 2008 – LAKE BORGNE BASIN LEVEE DISTRICT

Mr. Doody read aloud in full Ordinance No. 1-2008.

The question was called and a roll call vote was conducted on Ordinance No. 1-2008.

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

ORDINANCE NO. 1 - 2008

AN ORDINANCE PROVIDING FOR THE ADJUSTMENT OF MILLAGE RATES, AS ALLOWED BY ARTICLE VII, SECTION 23 (B) AND (C) OF THE LOUISIANA CONSTITUTION OF 1974 AND LA. RS. 47:1705 (B), AND LEVYING AND IMPOSING TAXES AND ASSESSMENTS FOR 2008 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 2008;

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 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 2008, for the respective purposes described below:

<u>2007 Millage Rate</u>	<u>Adjusted 2008 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Purpose</u>
3.83	3.67	N/A	N/A	Constitutional Tax (La. Const. Article VI, Section 39)
4.27	4.09	Oct. 23, 1999	2001-2010	Constructing & maintaining necessary levees, levee drainage, flood protection, and hurricane flood protection and all other purposes incidental thereto.

<u>2007 Millage Rate</u>	<u>Adjusted 2008 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Purpose</u>
3.00	2.880	Nov. 15, 2003	2005-2014	Constructing and maintaining necessary levees, levee drainage, flood protection, and hurricane flood protection and all other purposes incidental thereto.

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 other constitutional and statutory authority supplemental thereto, a local of forced contribution of Fifty-Two and 80/100 Dollars (\$52.80) per mile of railroad lines within the District is hereby levied and assessed for the year

2008, for the purpose of constructing and maintaining levees, levee drainage, and for all other purposes incidental thereto.

SECTION 3. Taxes for Payment of General Obligation Bonds. Under the authority of the Constitution and Laws of the State of Louisiana, including, without limitation, Section 551.9 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, a special tax of one and five tenths (1.5) mills is hereby levied, assessed and imposed on all the property in the District for the payment of principal and interest of the District's outstanding General Obligation Refunding Bonds, Series 2003.

SECTION 4. 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 2008, 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 therefor 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 5. Publication. This ordinance shall be published one time in the official journal of the District in the manner provided by law.

SECTION 6. 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. Barnes, Mr. Doody, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky

ABSTENTIONS: None

And the ordinance was declared adopted on this, the 18th day of September, 2008.

/s/ Timothy P. Doody

Timothy P. Doody - President

I hereby certify that the foregoing is a true and exact copy of the ordinance adopted at a regular meeting of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East held on September 18, 2008.

Chalmette, Louisiana, this 18th day of September, 2008

/s/ Timothy P. Doody
Timothy P. Doody - President

ORDINANCE NO. 2 – 2008 – LAKE BORGNE BASIN LEVEE DISTRICT

Mr. Turner read aloud in full Ordinance No. 2-2008.

Mr. Doody, as the St. Bernard Parish representative on the Board, commented that everyone is well aware of the LBBLD's financial difficulties and that a full roll forward of the ad valorem tax rates, which would only provide additional revenues of \$110,000, is necessary. He commented on amount of work needing to be done in the LBBLD and the amount of funds with which to do the work. He hoped that the Authority would work towards the goal of looking at the three levee districts as a system and not differentiate between boundaries.

The question was called and a roll call vote was conducted on Ordinance No. 2-2008.

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

ORDINANCE NO. 2 - 2008

AN ORDINANCE PROVIDING FOR THE INCREASE IN MILLAGE RATES, BUT NOT IN EXCESS OF THE PRIOR YEAR'S MAXIMUM RATES, AS ALLOWED BY ARTICLE VII, SECTION 23 (B) AND (C) OF THE LOUISIANA CONSTITUTION OF 1974 AND LA. RS. 47:1705 (B), AND LEVYING AND IMPOSING TAXES AND ASSESSMENTS FOR 2008 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 2008; and

WHEREAS, as a result of the quadrennial reappraisal and valuation of the property subject to taxation within the Parish of St. Bernard, State of Louisiana (the "Parish"), the millages levied by the District have been adjusted downwards from the 2007 levy in proportion to the increase in the taxable assessed valuation of the District; and

WHEREAS, pursuant to Article VII, Section 23(C) of the Louisiana Constitution of 1974 and La. R.S. 47:1705(B), it is the desire of this Board of Commissioners to adjust the taxes levied by the District for the year 2008 back to the prior year's maximum authorized millage rate; and

WHEREAS, a public hearing has been held by this Board of Commissioners on the subject of the proposed millage adjustment in accordance with La. R.S. 47:1705(B); and

WHEREAS, it is also necessary for this Board of Commissioners to levy taxes for the year 2008 for the payment of general obligation bonds of the District;

NOW, THEREFORE, 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, particularly Article VII, Section 23(B), and (C) of the Louisiana Constitution of 1974 and La. R.S. 47:1705(B), and pursuant to the authority of Special Elections held on the dates shown below, the following 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 2008, for the respective purposes described below:

Adjusted Rate Per Reassessment (Millage Rate)	2008 Maximum Authorized Levy (Millage Rate)	2008 Levy (Millage Rate)	Election Date	Years Authorized	Purpose
3.67	3.83	3.83	N/A	N/A	Constitutional Tax (La. Const. Article VI, Section 39)
4.09	4.27	4.27	Oct. 23, 1999	2001-2010	Constructing and maintaining necessary levees, levee drainage, flood protection, and hurricane flood protection and all other purposes incidental thereto.
2.88	3.00	3.00	Nov. 15, 2003	2005-2014	Constructing and maintaining necessary levees, levee drainage, flood protection, and hurricane flood protection and all other purposes incidental thereto.

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 other constitutional and statutory authority supplemental thereto, a local of forced contribution of Fifty-two and 80/100 Dollars (\$52.80) per mile of railroad lines within the District is hereby levied and assessed for the year 2008, for the purpose of constructing and maintaining levees, levee drainage, and for all other purposes incidental thereto.

SECTION 3. Taxes for Payment of General Obligation Bonds. Under the authority of the Constitution and Laws of the State of Louisiana, including, without limitation, Section 551.9 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, a special tax of one and five tenths (1.5) mills is hereby levied, assessed and imposed on all the property in the District for the payment of principal and interest of the District's outstanding General Obligation Refunding Bonds, Series 2003.

SECTION 4. 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 adjusted taxes

and assessment, as set forth above, upon the assessment roll of said Parish for the year 2008, 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 therefor 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 5. Publication. This ordinance shall be published one time in the official journal of the District in the manner provided by law.

SECTION 6. Effective Date. The 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. Barnes, Mr. Doody, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky
ABSTENTIONS: None

And the ordinance was declared adopted on this, the 18th day of September, 2008.

/s/ Timothy P. Doody
Timothy P. Doody - President

I hereby certify that the foregoing is a true and exact copy of the ordinance adopted at a regular meeting of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East held on September 18, 2008.

Chalmette, Louisiana, this 18th day of September, 2008

/s/ Timothy P. Doody
Timothy P. Doody - President

PUBLIC COMMENTS:

Mr. Doody called for public comments and there was no one from the public that offered comments.

Mr. Doody requested that the Board take Agenda Item XV.A.2 as the next order of business. There was no objection.

RESOLUTION #09-18-08-05 – RECOGNITION OF LEVEE DISTRICT EMPLOYEES

Mr. Doody commented on the tremendous job done by the personnel of the levee districts during the recent hurricane events.

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

WHEREAS, on the morning of September 1, 2008 the center of Hurricane Gustav passed over Cocodrie in Terrebonne Parish, within 100 miles south of the City of New Orleans with the characteristics of a "Category 2" storm (and possibly stronger storm, after being downgraded from a Category 3 storm prior to landfall), pushing a devastating storm surge through Terrebonne and South Lafourche Parishes; and

WHEREAS, on the morning of September 13, 2008 the center of Hurricane Ike passed 300 miles west of New Orleans causing catastrophic storm surges along the Texas and western Louisiana coasts; and

WHEREAS, in anticipation of these storms, three levee districts under the jurisdiction of the Southeast Louisiana Flood Protection Authority – East (East Jefferson Levee District, Orleans Levee District and Lake Borgne Basin Levee District) implemented their Hurricane Emergency Operations Procedures; and

WHEREAS, the weather conditions made it necessary to seal the Hurricane Protection System in accordance with Emergency Operations Procedure Manuals, which required closing LPVHPP Hurricane and Mississippi River floodgates and storm relief valves, and numerous sandbagging efforts, including securing and providing protection to all District properties; and

WHEREAS, in order to complete the closures and numerous sandbagging operations to protect the citizens of Southeast Louisiana from catastrophic flooding from storm surges, major efforts were required by all levee districts' personnel.

BE IT HEREBY RESOLVED, That the Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East expresses its sincere and heartfelt thanks to all District personnel, for their outstanding and tireless efforts during these back to back storms to shield the citizens of Southeast Louisiana from the possible devastating effects of Hurricanes Gustav and Ike.

BE IT FURTHER RESOLVED, That special recognition is given to the Operations and Maintenance and Police Department personnel, which spent many long and arduous hours in performing all the work required to complete the closure of the Hurricane Protection System and sandbagging operations and the many long hours of service performed.

BE IT FURTHER RESOLVED, That the Board recognizes and expresses gratitude for the personal struggles and sacrifices of employees, including their teamwork and cooperation to come to the aid of other agencies and districts as coordinated through the Coastal Protection and Restoration Authority.

BE IT FURTHER RESOLVED, That the Board commends the leadership and dedication demonstrated by the SLFPA-E Regional Director and the Executive Directors of the levee districts during these stressful and dangerous events.

BE IT FURTHER RESOLVED, That as an expression of sincere gratitude and deepest appreciation, a copy of this resolution be made a part of the personnel jacket of each employee who provided protection to the citizens of the Districts of the East Jefferson Levee District, Orleans Levee District and Lake Borgne Basin Levee District.

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

YEAS: Mr. Barnes, Mr. Doody, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry, Mr. Goins and Mr. Losonsky

The Board recessed for lunch at 12:28 p.m. The Board reconvened and the meeting was called back to order at 1:18 p.m.

SLFPA-E STRATEGIC PLAN AND ORGANIZATIONAL STUDY WORKSHOP

Dr. Christel Slaughter with SSA Consultants advised that since the last Board meeting SSA has met with Mr. Wittie, several individuals on the SLFPA-E nominating committee and various stakeholders. The intent of this workshop is to discuss and draft a vision and mission statement and to discuss guiding principles. Dr. Slaughter advised that she would formulate final wording in accordance with comments provided in the workshop .

The following draft vision was developed based on comments offered: “To provide a regional system that protects the area and people within the jurisdiction of the Southeast Louisiana Flood Protection Authority East from at least a 500-year flood event.”

The Board then discussed the Authority’s mission and developed the following draft mission statement: “The mission of the Southeast Louisiana Flood Protection Authority East is to protect to the highest level possible the lives and property by reducing the probability and associated risk of flooding in the jurisdictional geographic area.”

The Board discussed the values and standards that should steer the Authority, and based upon discussion and comments the following draft guiding principles were crafted:

1. We can do better. We must do better. We do so through the institutional knowledge, technical expertise, professionalism, and character of our staff and resources.
2. We view flood protection as a system rather than a series of projects or individual taxing districts – we are only as good as our weakest link.
3. We recognize the contribution and dedication of each employee, regardless of their position.

4. Our actions over a sustained period of time will build trust with our partners and the public. We are honest, visible, responsive, responsible, and accountable.
5. We exercise fiscal responsibility through the continuous improvement of operations.

COMMITTEE REPORTS:

Mr. Doody reported that the Legal Committee met today prior to the Board meeting and approved legal invoices. The Finance and Operations Committees did not meet in September due to Hurricanes Gustav and Ike.

REPORT BY SLFPA-E REGIONAL DIRECTOR:

The Report by the SLFPA-E Regional Director was focused on Hurricane Gustav. Mr. Turner advised that Gustav came on shore just south of Cocodrie as a Category 2 (Saffir-Simpson Scale) hurricane on September 1, 2008. Orleans, St. Bernard and Jefferson Parishes remained in the cone of uncertainty for a long period of time and prior to landfall Gustav had been expected to substantially increase in size and intensity.

Preparations for Gustav included:

- Closure of the Bayou Bienvenue and Bayou Dupre Control Structures.
- Closure of 74 hurricane floodgates and 48 valves.
- Closure of 40 Mississippi River floodgates and 29 valves.
- Installation of Hesco Baskets for flood fighting in the various districts, including at Verrett and Violet (St. Bernard) and France Road-IHNC (New Orleans).
- Sandbagging operations in the various districts, including the Cold Storage Ramp on the GIWW, West End and Saturn Blvd. (NASA) in New Orleans, and Airline Highway, the Causeway Approach and the Coast Guard Station in Jefferson Parish.

Over 150 employees remained on duty in the three levee districts from Saturday, August 30th through Wednesday, September 3rd.

The London Avenue Canal and 17th Street Canal ICS (Interim Control Structures) were closed during Gustav and the pump stations operated. The water level in the Orleans Avenue Canal did not get high enough to close the ICS.

The storm surge produced by Hurricane Gustav was +11 ft. in the IHNC, approximately +12 in the GIWW and +5 ft. at the New Orleans Lakefront. Mr. Turner explained the reason for the differential in the storm surge at the IHNC and the lake and pointed out that each storm has its own characteristics and produces its own set of problems. The Mississippi River rose during Gustav to approximately 10-1/2 ft. at the Carrollton gage.

The damage assessment began almost immediately (within 24 hours) and was a coordinated effort by the levee districts, LA Department of Transportation and Development, the LA Coastal Protection and Restoration Authority and the U.S. Army Corps of Engineers.

The overall assessment of the Hurricane Protection System:

- System performed well for storm surges produced by Gustav and Ike.
- No structure flooding within the hurricane protection system.
- Wave overtopping of floodwalls at IHNC.
- Minor scour to embankments at various locations.
- Significant amount of debris washed onto levee sections.

Levee District Reports by Executive Directors regarding financial impact of Hurricane Gustav:

Lake Borgne Basin Levee District (LBBLD):

Mr. Jason McCrossen, LBBLD Executive Director, reported that LBBLD expenditures resulting from Gustav were approximately \$80,000 and included payroll and materials, such as diesel fuel, food and sand/Hesco baskets. Much of these expenditures will be reimbursable from FEMA. During Gustav 24 employees remained on duty, including the levee crew, pump operators and the police officer. The LBBLD had prepared for the possibility of a Category 4 hurricane. Mr. McCrossen commented that the employees responded with a good attitude and did a great job preparing for the storm and flood fighting. Hesco baskets will remain in place for the remainder of the hurricane season, except for those that would impede the conducting of business. Many measures were already in place for Hurricane Ike. A skeleton crew was left in St. Bernard to coordinate with St. Bernard Parish crews and the remaining LBBLD employees were sent as mutual aid to assist Plaquemines Parish with flood fighting. He commented that Plaquemines Parish President William Nungesser asked that his appreciation be expressed to the Authority and the levee districts for their assistance.

East Jefferson Levee District (EJLD):

Ms. Fran Campbell, EJLD Executive Director, advised that the EJLD incurred \$1.3 million of costs, which included \$875,000 for shoreline protection that was lost, \$246,500 for debris removal from the levee system, and \$113,000 for pre-storm emergency preparedness purchases and employee overtime. Fifty employees remained on duty during the hurricane. In addition, \$48,000 of materials and sand bags were provided to others (Lafitte, Pontchartrain Levee District, LBBLD, Plaquemines Parish and Jefferson Parish). The only cost not reimbursable by FEMA, unless Category G is approved, is the \$875,000 for shoreline protection.

Mr. Doody recommended stockpiling filled sand bags at the O.L.D.'s Franklin Avenue Warehouse. It was pointed out that filled sand bags will only last about two years in storage indoors because of weight of the filled bag and the biodegradable material used for the bag. However, filled sand bags can be re-bagged if necessary.

Orleans Levee District:

Mr. Stevan Spencer, O.L.D. Executive Director, reported that 84 employees stayed on duty, consisting of 56 engineering, maintenance and IT personnel and 28 police officers. O.L.D. employees closed floodgates along the hurricane protection system and Mississippi River, installed sandbags at the Cold Storage Ramp, along the IHNC and West End at Coconut Beach. The O.L.D. provided 16,000 small empty sand bags to the Atchafalaya Basin Levee District and 7,000 filled sand bags to Plaquemines Parish. The O.L.D. currently has about 5,000 sandbags in stock and will rebuild its stockpile of filled sandbags. Repairs have been done at two areas with erosion near a railroad floodgate in New Orleans East and near floodgate W-29. FEMA will be requested to initiate a USACE debris mission for the removal of the debris along the levee system. O.L.D. work crews will begin cutting up trees that are down along the levees in New Orleans East.

Mr. Doody advised that reports were received about problems on the Maxent and MRGO levees. Two teams, each comprised of six individuals consisting of engineers from the Authority and levee districts, USACE and DOTD, were dispatched to investigate these reports. The teams found that the levees were in fairly good condition with some minor scouring and debris.

RESOLUTION #09-18-08-06 – SELECTION OF GCR & ASSOCIATES, INC.

The selection team, which was headed by Mr. Pineda and included Ms. Sutherland, Mr. Jackson, Mr. Goins and Mr. Gerry Gillen, met yesterday and interviewed three firms: Krebs, LaSalle and LeMieux, GCR & Associates, Inc. and ABMB. Each firm was afforded one hour to provide a presentation and to respond to a standard set of questions. Mr. Pineda advised that the selection team concurred unanimously with the selection of GCR & Associates as the most qualified firm to provide these services. He stated that the Board is being requested to approve the selection team's recommendation and to grant authority to the SFLAPE Regional Director to finalize a contract and for execution of the contract.

Mr. Jackson explained that because of its interpretation of the Request for Qualifications GCR & Associates did not have a land surveying firm as part of its team, and he requested that one be added. Mr. Turner advised that language could be included in the contract for GCR & Associates to provide a list of surveyors for pre-approval or GCR could obtain Board approval of surveyors as needed under its contract.

On the motion of Mr. Pineda,
Seconded by Mr. Jackson, the following resolution was offered:

WHEREAS, by Resolution #05-15-08-09, the Board approved the advertisement of a Request for Qualifications (RFQ) for Professional Consulting Services in acquiring lands, easements, rights-of-ways, relocations and disposal sites (LERRDs) for the Authority and the levee districts under its jurisdiction as

needed for U.S. Army Corps of Engineers projects and other projects under the jurisdiction of the SLFPAE; and

WHEREAS, proposals and qualifications were reviewed and three firms interviewed by a selection team; and

WHEREAS, the selection team unanimously concurred with the recommendation of GCR & Associates, Inc. as best qualified consultant to perform the aforementioned services.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the selection of GCR & Associates, Inc. to provide professional consulting services in acquiring LERRDs consistent with the proposal submitted in response to the RFQ.

BE IT FURTHER RESOLVED, that the SLFPAE Regional Director is authorized to negotiate the final contract for said services, and that the SLFPAE President is hereby authorized to execute said contract with GCR & Associates, Inc.

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

YEAS: Mr. Goins, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Losonsky

RESOLUTION #09-18-08-07 – REQUEST FOR DONATION OF PUMPS

On the motion of Mr. Jackson,

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

WHEREAS, post Hurricane Katrina the U.S. Army Corps of Engineers (USACE) utilized pumps on a temporary basis as needed in the region until such time as permanent pumps could be installed; and

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) has an on-going need for temporary pumps either to supplement or to backup its current pumping system and capacity.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East officially requests that the U.S. Army Corps of Engineers donate any pumps that are surplus and no longer needed for temporary pumping to the Lake Borgne Basin Levee District.

BE IT FURTHER RESOLVED, that the LBBLD Executive Director is hereby authorized to sign any and all documents required for the acceptance of a donation from the USACE.

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

YEAS: Mr. Goins, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Losonsky

**RESOLUTION #09-18-08-08 – STATE PROJECT NO. 579-44-0001
PARIS TO PUMP STATION #3 (ROCK ROAD) (PHASE 4)**

Mr. McCrossen advised that this is a FEMA project for resurfacing the access road from Paris Road to Pump Station #3.

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

WHEREAS, the LBBLD advertised and received bids for State Project No. 579-44-0001 Paris to Pump Station #3 (Rock Road) (Phase 4); and

WHEREAS, the aforementioned project is covered under a FEMA Project Worksheet (PW 17100); and

WHEREAS, the bids were reviewed and the lowest responsive and responsible bid pursuant to Louisiana law was submitted by Cycle Construction Co., LLC, in the amount of \$136,429.00.

BE IT HEREBY RESOLVED, that the LBBLD Executive Director is authorized to award the contract to Cycle Construction Co., LLC, the lowest responsive and responsible bidder pursuant to Louisiana law, for State Project No. 579-44-0001 Paris to Pump Station #3 (Rock Road) (Phase 4).

BE IT FURTHER RESOLVED, that the President is hereby authorized to execute the aforementioned contract with Cycle Construction Co., LLC.

BE IT FURTHER RESOLVED, that SLFPA-E Regional Director and the LBBLD Executive Director are hereby authorized to execute all minor change orders costing under \$20,000 or other documents concerning ancillary matters in connection with the administration of the contract for State Project No. 579-44-0001 Paris to Pump Station #3 (Rock Road) (Phase 4).

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

YEAS: Mr. Goins, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Losonsky

**RESOLUTION #09-18-08-09 – STATE PROJECT NO. 579-44-0001 TANTER GATE
REPAIRS AT PUMP STATION #1 (FORTIFICATION) AND #4 (MEREUX) (PHASE 3)**

Mr. McCrossen advised that this repair project will be funded from the \$5 million of surplus funding provided through DOTD. Monies remaining from the \$5 million will be used to replace trash screens at several rebuilt pumping stations and possibly to replace discharge tubes at Pump Stations #6 and #7.

On the motion of Mr. Jackson,
Seconded by Mr. Goins, the following resolution was offered:

WHEREAS, Act 203 of the 2007 Regular Session of the Louisiana Legislature appropriated funding for the Hurricane Flood Protection, Construction and

Development Program and designated the Louisiana Department of Transportation and Development (LADOTD) as the recipient of said funding; and

WHEREAS, a maximum of \$5,000,000 of this funding was designated for the Forty Arpent Levee Project and a Cooperative Endeavor Agreement setting forth the terms for administering the Project was executed between LADOTD and the Lake Borgne Basin Levee District (LBBLD) for State Project No. 579-44-0001 – Forty Arpent Levee; and

WHEREAS, the LBBLD advertised and received bids for State Project No. 579-44-0001 Tainter Gate Repairs at Pump Station #1 (Fortification) and #4 (Mereaux) (Phase 3); and

WHEREAS, the bids were reviewed and the lowest responsive and responsible bid pursuant to Louisiana law was submitted by Nottingham Construction Co., LLC, in the amount of \$2,102,600.00.

BE IT HEREBY RESOLVED, that the LBBLD Executive Director is authorized to award the contract to Nottingham Construction Co., LLC, the lowest responsive and responsible bidder pursuant to Louisiana law, for State Project No. 579-44-0001 Tainter Gate Repairs at Pump Station #1 (Fortification) and #4 (Mereaux) (Phase 3).

BE IT FURTHER RESOLVED, that the President is hereby authorized to execute the aforementioned contract with Nottingham Construction Co., LLC.

BE IT FURTHER RESOLVED, that SLFPA-E Regional Director and the LBBLD Executive Director are hereby authorized to execute all minor change orders costing under \$20,000 or other documents concerning ancillary matters in connection with the administration of the contract for State Project No. 579-44-0001 Tainter Gate Repairs at Pump Station #1 (Fortification) and #4 (Mereaux) (Phase 3).

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

YEAS: Mr. Goins, Mr. Jackson, Mr. McKee, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Losonsky

The next regular monthly Board Meeting will be held on October 16, 2008 and hosted by the East Jefferson Levee District.

There was no further business, therefore, the meeting was adjourned at 3:55 p.m.