

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, AUGUST 16, 2012**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, August 16, 2012, in Meeting Room 221 of the Orleans Levee District Franklin Administrative Complex, 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. Wittie called the meeting to order at 9:30 a.m. and led in the pledge of allegiance.

PRESENT:

Louis E. Wittie, Secretary
Stephen Estopinal, Treasurer
David P. Barnes, Jr.
G. Paul Kemp
Richard A. Luettich, Jr.
Ricardo S. Pineda

ABSENT:

Timothy P. Doody, President
John M. Barry, Vice President
Thomas L. Jackson

OPENING COMMENTS:

Mr. Wittie advised that Mr. Doody and Mr. Barry were attending the Bond Commission meeting this morning to provide information concerning the resolution adopted by the Board at its July 12th meeting calling for a special tax election to renew the Orleans Levee District's Special Levee Improvement (SLIP) tax.

ADOPTION OF AGENDA:

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

**RESOLUTION NO. 08-16-12-01 – APPROVAL OF JULY 12, 2012
BOARD MEETING MINUTES**

On the motion of Mr. Kemp,
Seconded by Mr. Barnes, 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 12, 2012.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

PUBLIC COMMENTS:

Carol Byram voiced her objection to the new public comment rules, which she stated appear to have been written to keep a few individuals from publicly addressing the Board. She commented on the Board's actions relative to the tree and fence removal project and the toe plus 15-ft. zone restriction. Ms. Byram asked that the Board reconsider the reason for the adoption of the new rules. She provided a handout with questions regarding the new public comment rules and backup information.

Craig Berthold stated that he was informed that the State was attempting to obtain a variance from the U.S. Army Corps of Engineers (USACE) relative to the application of the toe plus 15-ft. zone restriction along the 17th Street Canal. He asked that the Board adopt a resolution at a future meeting stating its support of this variance and that the resolution be forwarded to the USACE. He welcomed the Commissioners to visit the location and witness this extreme situation.

Mr. Wittie advised that he understood that the SLFPA-E requested the variance from the USACE and that he would attempt to find out the status of this request.

Mr. Pineda explained that in his experience in California that the USACE wanted a clear maintenance access on the landside of a new project; however, it becomes murky when dealing with existing projects. Therefore, it is unclear in his mind whether the USACE is saying that the toe plus 15-ft. zone is required along the 17th Street Canal. However, the interpretation of the new State law regarding the toe plus 15-ft. zone for projects that are already in place is another complex issue. Some of these issues should be worked out before the Board considers adopting a global statement of support of a variance.

Mr. Luettich suggested that Mr. Berthold send his request in writing to the Board.

COMMITTEE REPORTS:

Finance Committee: The Finance Committee did not meet during the month of August.

Operations Committee: Mr. Wittie reported that the Operations Committee met on August 2nd and considered the following items:

- Presentation by Atkins on the Levee Information Management System (LIMS) Strategic Implementation Plan - Various potential modules for the LIMS were discussed. Mr. Wittie commented that he looked forward to the implementation of an inspection module.
- Presentation by AECOM on the Study to determine future Operations and Maintenance Costs for the Hurricane and Storm Damage Risk Reduction System – The projected additional costs are: \$827,125 for the East Jefferson Levee District

(EJLD), \$1,185,043 for the Lake Borgne Basin Levee District (LBBLD) and over \$4 million for the Orleans Levee District (O.L.D.).

- Status report on Requests for Qualifications (RFQ) for Coastal Engineering services - An item was placed on the Board agenda for the selection of consultants.
- Report on bids received for a LBBLD VHF communications tower - One bid was received for this small project in a specialized field. An item was placed on the Board agenda for the award of the bid.

Legal Committee: The Legal Committee did not meet during the month of August.

CPRA/Governmental Affairs: Mr. Barry was absent; therefore, there was no report.

Coastal Advisory Committee: Mr. Kemp advised that an item had been placed on the Board agenda to voice the Board's support for continuing the MRGO Ecosystem Restoration Feasibility Study to completion. A draft USACE Chief of Engineers' report was issued recommending that no further action be taken since no non-federal sponsor has been identified willing to cost share in the implementation of the plan.

REGIONAL DIRECTOR'S REPORT:

A copy of the Regional Director's Report is appended to the minutes. Robert Turner, SLFPA-E Regional Director, commented on several items:

- "Best Practice Training to Obtain Vertical Elevations in Southeast Louisiana" workshop held on August 15th - Mr. Turner commented on the success of the workshop, which began a dialog about what would be expected from surveyors under the Authority's standardized procedure. The Board adopted a resolution requiring surveyors doing work for the Authority and using GSP to tie into the spatial reference system. The eighty workshop seats were filled within two days of the meeting's notice. Plans are contemplated for conducting additional workshops in other areas. Mr. Turner explained that levee districts must run a profile on their levees at least once every three years. Areas of concern may require more frequent profiles. He pointed out that the technology is progressing at a rapid rate and over time technologies, such as LIDAR, may prove to be more cost effective than sending a crew to perform cross sections. Stevan Spencer, SLFPA-E Regional Chief Engineer, advised that the Coastal Protection and Restoration Authority (CPRA) expects to complete its program of obtaining levee and floodwall heights for southeast Louisiana by the end of the year. This information will be used to confirm information provided by the USACE. In addition, the USACE is completing its top of the floodwall surveys.

Mr. Luetlich informed the Board that subsidence is an area of priority recognized by the Water Institute of the Gulf. He suggested that the Authority may wish to work with the Water Institute in the coordination of long term subsidence data collection. Mr. Estopinal explained that one of the issues being pursued by the Authority is the confusion over the datum. NOAA and the National Geodetic Survey have issued a new definition for their epoch called 2012; however, the adjustment has been withdrawn for this region because of inconsistencies in the data. The Authority was advised to use the 2009 adjustment while the reasons for the inconsistencies are

determined. Mr. Estopinal commented on the need for fundamental research to establish an epoch for the State of Louisiana that works for this area and does a good job of tracking vertical movement, and on the importance of implementing height modernization procedures and the use of good gravity meter readings for fundamental establishment of the datum. Mr. Luettich recommended interaction with the Water Institute in this endeavor.

- IHNC Surge Barrier Barge Gate Repair – A final discussion will be held tomorrow on the working plan for the repair of the Barge Gate before the USACE approves the plan. The contractor will pour a new slab in the bottom of the barge in the vicinity of the failure area and add reinforcement. A steel plate is anticipated to be placed over the punch out area at the bottom of the barge to prevent salt water from engaging the rebar. The Authority requested that the plate be placed on the bottom of the barge first to allow the contractor to chip out the shear cone area associated with the failure and patch the area with new concrete before pouring the additional slab. However, the contractor is resisting the Authority's request since the slab is being replaced and the plate would alleviate future potential corrosion problems. Mr. Turner commented that the fix is a good one and has been reviewed by Dr. Mustafa, who is a leader in concrete design particularly relating to concrete barge work. In addition, the State hired a concrete expert to sit in on the USACE's discussions. The experts seem to be satisfied that the fix will work. The Authority also requested that the USACE install a side scanning sonar device on the structure for scanning the sill before closing the gate.
- Certification of the non-federal levees – The Authority has prepared an RFQ for services in connection with the certification of the non-federal levees. The Authority signed a Provisionally Accredited Levee (PAL) Agreement last month; however, FEMA was not satisfied with the language of the Agreement. The PAL Agreement language will be revised and a new agreement signed within the next week. The Authority has submitted an application through the Louisiana Interim Emergency Board for funding for this effort, which is currently estimated at \$4.5 million for the two non-federal levee systems. The current estimate does not include potential repairs required as a result of the investigation.
- FEMA Digital Flood Insurance Rate Map (DFIRM) - The Authority met with FEMA to discuss the new DFIRMs that will be issued soon for Jefferson, Orleans and St. Bernard Parishes. The DFIRMs will form the basis for flood insurance for the area as far as setting premiums and base flood elevations. The DFIRMs are still in the draft phase. FEMA will probably begin holding public meetings on the DFRIMs within the next several months. Mr. Turner stressed that the current DFIRMs are based upon Provisionally Accredited Levees. The non-federal levees will be designated on the DFIRMs as Provisionally Accredited. The Authority has two years to go through the certification process and do everything that is required to have the levees accredited. If the non-federal levees are not accredited after the two year process, there will be a huge detrimental effect on the Lower Ninth Ward, New Orleans East and St. Bernard Parish.
- Low water inspections along the Mississippi River Levees will take place during September and October.

- Development of a Comprehensive Operation and Maintenance (O&M) Plan for the Lake Borgne Surge Barrier and Gates, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector, Bayou Dupre Sector Gate and Caernarvon Sector Gate – The Board selected GEC, Inc. for the development of the O&M Plan. Discussions were held between Authority staff and GEC and a scope of work and fee schedule were developed. The scope of work and fee schedule will be presented to the Operations Committee for review and then forwarded to the Board. The USACE will provide the Authority with O&M procedures for the structures. The consultant will help the Authority to determine organizational requirements, the resources and manpower required to meet the O&M needs, and whether the long term maintenance requirements should be performed in-house or contracted.

Mr. Wittie requested that the Executive Session be taken after Item XII – New Business. There was no objection.

RESOLUTION NO. 08-16-12-02 – APPROVAL OF LEGAL INVOICES

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

WHEREAS, the legal invoices submitted to the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District listed on the spreadsheet entitled “Legal Invoices Approved on August 16, 2012”, have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E General Counsel, Robert Lacour; and

WHEREAS, the aforementioned invoices were submitted to the members of the Legal Committee for review.

BE IT HEREBY RESOLVED, that the legal invoices listed on the spreadsheet entitled “Legal Invoices Approved on August 16, 2012” are hereby approved.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luetlich and Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry, Mr. Jackson and Mr. Pineda

RESOLUTION NO. 08-16-12-03 – ID-IQ CONTRACT FOR PROFESSIONAL GEOTECHNICAL ENGINEERING SERVICES

Mr. Pineda explained that Mr. Doody appointed a selection committee, which consisted of Mr. Turner, Mr. Spencer, Gerry Gillen, O.L.D. Executive Director, and himself. The seven Statements of Qualifications (SOQs) submitted in response to the Authority’s RFQ were reviewed and scored separately by the selection committee members. The selection committee discussed the results and recommended the selection of Eustis Engineering Services, LLC, Fugro Consultants, Inc., and Ardaman and Associates, Inc. for Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts.

On the motion of Mr. Pineda,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and the levee districts under its jurisdiction have a need for Professional Geotechnical Engineering Services on an indefinite delivery-indefinite quantity basis; and

WHEREAS, the Board by Resolution No. 05-19-11-06 approved the advertisement of a Request for Qualifications (RFQ) for the aforementioned services for the purpose of selecting a consultant(s) and entering into an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with said consultant(s); and

WHEREAS, the seven Statements of Qualifications submitted in response to the RFQ were reviewed and competitively rated by a selection team; and

WHEREAS, the selection team has recommended the following consultants for the purpose of entering into an ID-IQ Contract for Professional Geotechnical Engineering Services with said consultant(s):

Eustis Engineering Services, LLC
Fugro Consultants, Inc.
Ardaman and Associates, Inc.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the selection of the following firms for the purpose of entering into an ID-IQ Contract with said consultants:

Eustis Engineering Services, LLC
Fugro Consultants, Inc.
Ardaman and Associates, Inc.

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is authorized to negotiate the final ID-IQ Contract with the approved consultants, and that the SLFPA-E President is hereby authorized to execute said ID-IQ Contracts with the approved consultants.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

RESOLUTION NO. 08-16-12-04 – ID-IQ CONTRACT FOR PROFESSIONAL COASTAL ENGINEERING SERVICES

Mr. Turner advised that 18 SOQs were received in response to the Authority's RFQ. The SOQs were reviewed and a short list of seven firms was developed for interviews. The selection committee consisted of Mr. Turner, Mr. Spencer and Carlton Dufrechou, SLFPA-E Coastal Advisory Committee member. The selection committee recommended the selection of Bob Jacobsen PE, LLC, CH2M HILL Engineers, Inc., Evans-Graves Engineers, Inc., and Moffatt & Nichol for ID-IQ contracts.

On the motion of Mr. Luettich,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and the levee districts under its jurisdiction have a need for Professional Coastal Engineering Services on an indefinite delivery-indefinite quantity basis; and

WHEREAS, the Board by Resolution No. 05-19-11-06 approved the advertisement of a Request for Qualifications (RFQ) for the aforementioned services for the purpose of selecting a consultant(s) and entering into an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with said consultant(s); and

WHEREAS, the eighteen Statements of Qualifications submitted in response to the RFQ were reviewed and competitively rated by a selection team; and

WHEREAS, the selection team has recommended the following consultants for the purpose of entering into an ID-IQ Contract for Professional Coastal Engineering Services with said consultant(s):

Bob Jacobsen PE, LLC
CH2M HILL Engineers, Inc.
Evans-Graves Engineers, Inc.
Moffatt & Nichol

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the selection of the following firms for the purpose of entering into an ID-IQ Contract with said consultants:

Bob Jacobsen PE, LLC
CH2M HILL Engineers, Inc.
Evans-Graves Engineers, Inc.
Moffatt & Nichol

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is authorized to negotiate the final ID-IQ Contract with the approved consultants, and that the SLFPA-E President is hereby authorized to execute said ID-IQ Contracts with the approved consultants.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

RESOLUTION NO. 08-16-12-05 – APPROVAL OF A FUND BALANCE POLICY FOR THE SLFPA-E AND ITS MEMBER DISTRICTS

Mr. Estopinal advised that a Fund Balance Policy must be formally adopted in accordance with Government Accounting Standards Board (GASB) requirements.

Jim Bollinger, O.L.D. Comptroller, explained that GASB is the rule making body that defines how governmental bodies report their financial statements. GASB adopted a new rule (GASB Statement 54) on the reporting of fund balances. The new rule clarifies how much of the fund balance is reported as constrained as opposed to how much of

the fund balance is free for use. The proposed policy defines the five classifications of the fund balance and identifies the Board as the rule making authority with the right to set aside or to commit the fund balance. Mr. Bollinger reviewed the five classifications of the fund balance listed in the policy. The policy also provides for a minimum fund balance requirement for meeting unexpected circumstances or disasters. The policy before the Board suggests a minimum unassigned fund balance of 10 to 30 percent of operating expenses. The policy should be reviewed annually by the Finance Committee and reports made to the Board. Unassigned fund balances driven by budgets below the policy's targeted goal should be reported and the appropriate actions taken. Mr. Doody and the Authority's Auditor have reviewed the Fund Balance Policy.

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

WHEREAS, the Government Accounting Standards Board (GASB) has issued Statement No. 54 establishing new classifications for the reporting of Fund Balance in financial statements, in order to improve reporting and clarify the constraints that govern how a government entity can use amounts reported as Fund Balance; and

WHEREAS, the Board has determined that compliance with GASB 54 will clearly define new fund balance classifications; set forth the Board's decisions on authority and actions that are necessary to define fund balances as committed and assigned; establish spending priority, and establish a minimum fund balance policy.

BE IT HEREBY RESOLVED, that the Board hereby adopts the policy *attached hereto as Exhibit A, establishing a fund balance policy for financial statement reporting as well as providing a long term prospective recognizing that stated thresholds are considered minimum balances.

BE IT FURTHER RESOLVED, that the President is authorized to evaluate existing fund balances and reclassify them in accordance with GASB 54.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

*appended to minutes

RESOLUTION NO. 08-16-12-06 –
MRGO ECOSYSTEM RESTORATION FEASIBILITY STUDY

Mr. Estopinal requested that the RESOLVED portion of the draft resolution be amended to change "Violet Canal Diversion" to "Violet Canal Site Diversion". Mr. Luettich requested that the draft resolution be amended in the first WHEREAS paragraph to remove the words, "that contributed significantly to flooding and human misery during Hurricane Katrina". The Board concurred with the amendments offered. Mr. Kemp explained that there is a 30 day comment period on the draft USACE Chief of Engineers' report. The State and the USACE are working on language that may

potentially solve the cost share issue. The draft resolution was recommended by the members of the Coastal Advisory Committee.

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

WHEREAS, the Mississippi River Gulf Outlet (MRGO) is a federally authorized and constructed navigation project; and

WHEREAS, the MRGO negatively impacted over 600,000 acres of coastal habitat in southeast Louisiana; and

WHEREAS, in 2006, Congress directed the U.S. Army Corps of Engineers (USACE) to complete a restoration plan for the MRGO; and

WHEREAS, Congress also directed the USACE to carry out a remediation plan to offset ecosystem damage caused by the MRGO at 100 percent federal expense; and

WHEREAS, the USACE's draft MRGO Ecosystem Restoration Feasibility Study and EIS documents the damage to the coast and recommends a plan for restoring some 27,000 acres of habitat; and

WHEREAS, the Violet Diversion is recommended in the MRGO Ecosystem Restoration Feasibility Study and EIS that was authorized in the Water Resources Development Act of 2007; and

WHEREAS, many of the USACE's restoration recommendations are elements in, or generally supported by, the 2012 *Louisiana's Comprehensive Master Plan for a Sustainable Coast*; and

WHEREAS, the Chief of Engineers recommends "no further action" on the MRGO restoration project unless and until Congress resolves a dispute between the State of Louisiana and USACE's counsel over whether the proposed work is to be carried out at 100 percent federal cost or, alternatively, requires a State cost-share; and

WHEREAS, no further action by the USACE to address the MRGO impacts contradicts the intent of Congress, and puts off correction of a universally acknowledged federal environmental affront.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority East requests the State of Louisiana and U.S. Army Corps of Engineers to consider all options that will allow the MRGO Ecosystem Restoration Feasibility Study – including the Violet Canal Site Diversion -- to continue to completion without delay, without awaiting further clarification by Congress, if possible, so that first phase restoration elements can move to construction as quickly as possible.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

Mr. Gillen requested that Item XII.C.1 be taken after the Executive Session. There was no objection.

RESOLUTION NO. 08-16-12-07 – ORLEANS LEVEE DISTRICT – TO AUTHORIZE CONTRACT FOR COMMUNICATION SERVICES

Mr. Gillen explained that Mr. Doody and Mr. Barry have been working with Carvin/Seder Communications, L.L.C. in regards to the SLIP tax renewal. The firm performed some preliminary public relations/strategic communications work for the O.L.D. on the renewal of the SLIP tax. The Bond Commission’s approval is being sought to place the proposed special tax election on the ballot in November and a continuation of the firm’s services is needed for the special tax election. The proposed services include advertisements and presentations for future meetings of homeowner associations and other organizations in order to educate the public about the special tax election. He stated that he, Mr. Doody and Mr. Barry would like to contract with Carvin/Seder Communications, L.L.C. in order to continue their work. The O.L.D. entered into several small contracts with Carvin/Seder Communications, L.L.C., for the preliminary work; however, the threshold level of the new contract will require the President’s signature. He noted that the work for the special tax election is a specialized field. Mr. Pineda added that he understood that discussions were held with several companies relative to these services and that a competitive process was used.

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

WHEREAS, the Orleans Levee District may have a need to communicate with and provide information to the citizens of New Orleans.

BE IT HEREBY RESOLVED, the President of the Southeast Louisiana Flood Protection Authority — East, on behalf of the Orleans Levee District, is hereby authorized to negotiate a contract with Carvin/Seder Communications, L.L.C. for communication and information services, on such terms and conditions as he deems advisable, and the President is hereby further authorized to execute said contract.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

RESOLUTION NO. 08-16-12-08 – LBBLD – PROJECT NO. 2012-05-0002 VHF COMMUNICATIONS TOWER.

Nick Cali, LBBLD Executive Director, explained that the VHF Communications Tower is required for internal communications. The cost of the project will be reimbursed 100 percent by FEMA.

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

WHEREAS, FEMA Project Worksheet #19686 allows for the replacement of the exterior VHF radio tower located at the Lake Borgne Basin Levee District (LBBLD) office and maintenance yard that was damaged during Hurricane Katrina; and

WHEREAS, the LBBLD advertised a request for bids for Project No. 2012-05-0002, VHF Communications Tower, which required bidders to submit prices for two options: a guyed tower and a self-supporting tower; and

WHEREAS, the bids were reviewed, and the lowest responsive and responsible bid was submitted by Pittsburg Tank and Tower Co., Inc., as follows:

Option 1 - self-supporting tower - \$49,198.00

Option 2 - guyed tower - \$61,794.00

WHEREAS, the self-supporting tower is less expensive than the guyed tower and more practical because of equipment clearance constraints.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the award of a contract for Project No. 2012-05-0002, VHF Communications Tower, to Pittsburg Tank and Tower Co., Inc., the lowest responsive and responsible bidder, for Option 1 in the amount of \$49,198.00, and the execution of said contract by the LBBLD Executive Director.

BE IT FURTHER RESOLVED, that SLFPA-E Regional Director or the LBBLD Executive Director are hereby authorized to execute all minor change orders, a total of all change orders not to exceed \$5,000, and any and all other documents concerning ancillary matters in connection with Project No. 2012-05-0002 VHF Communication Tower.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

RESOLUTION NO. 08-16-12-09 – AUTHORIZATION TO UTILIZE ATKINS FOR PROFESSIONAL SERVICES REQUIRED FOR REPAIRS AT PUMP STATION NO. 6

Mr. Cali explained that the requested services are a continuation of a task order that ended in May, 2012. A new agreement will be executed between the LBBLD and the CPRA in order to utilize Atkins Global (Atkins) for design and construction management services for repairs at Pump Station (PS) No. 6 and for several small Project Worksheets that will be consolidated. The proposed cost for these services of approximately \$62,000 will be reimbursed by FEMA. FEMA has assured the LBBLD that the use of Atkins under these circumstances meets requirements for reimbursement. Atkins reached the 95 percent solution for the refurbishment of three pumps at PS No. 6 under the previous task order. The pipe hangar and erosion control work at PS No. 6 will be consolidated with the pump refurbishment work under one contract for construction bid.

On the motion of Mr. Luettich,

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

WHEREAS, after conducting a competitive selection process, the Louisiana Office of Coastal Protection and Restoration (OCPR), and PBS&J entered into a contract for professional services on September 15, 2009; and

WHEREAS, in order to expeditiously proceed with required repairs of pumps 1, 2 and 3 at Pump Station No. 6, the Board by Resolution No. 12-16-10-13 authorized the Lake Borgne Basin Levee District (LBBLD) to utilize PBS&J to perform the Engineering and Design (E&D) necessary in the production of technical contract documents, construction cost estimates, construction management support and special services through a task order issued by OCPR to PBS&J under the abovementioned contract, and to reimburse OCPR for said services with the expectation of reimbursement by FEMA in accordance with FEMA Project Worksheets (PW's) Nos. 19196F, 19199F and 19200F; and

WHEREAS, the Memorandum of Agreement (MOA) between OCPR and the LBBLD executed on February 18, 2011, for utilizing the services of PBS&J, terminated on May, 15, 2012; and

WHEREAS, not all of the aforementioned E&D work has been completed and FEMA has issued revised Project Worksheets for additional repairs at Pump Station No. 6; and

WHEREAS, the Coastal Protection and Restoration Authority (CPRA – formerly OCPR) has agreed to task Atkins Global (formerly PBS&J) to perform the E&D services for the outstanding repairs of pumps 1, 2 and 3 and the additional repairs required at Pump Station No. 6 as outlined in PW 19673, 19790(v1), 19792(v1), 19794(v1) and PW 19840; and

WHEREAS, CPRA will pay Atkins Global for said work upon concurrence from the LBBLD, the LBBLD will reimburse CPRA, and the LBBLD will then request reimbursement from FEMA.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the LBBLD to utilize Atkins Global under a task order to be issued by CPRA under its Professional Services Contract for the E&D services required in connection with the outstanding repairs of pumps 1, 2 and 3 and the additional repairs required at Pump Station No. 6.

BE IT FURTHER RESOLVED, that the LBBLD Executive Director and/or SLFPA-E President is authorized to execute a Memorandum of Agreement with CPRA and any and all additional documents necessary to carry out the above.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

Update on LBBLD grant applications.

Mr. Cali provided an update on the LBBLD's grant activities:

- Port Security Grant – Homeland Security Grant Program - The LBBLD previously submitted applications for funding from the 2009 and 2010 Port Security Grant Programs. The LBBLD will submit an application tomorrow for funding from the most recent Homeland Security Grant Program for a 4-wheel drive Expedition marked police unit, two 4-wheelers, upgraded radios and surveillance equipment. Cameras and light packages will be funded at 100 percent. The Expedition and 4-wheelers are cost matched at 75% grant/25% LBBLD. The upgraded radios will be based on FCC mandates and will be interoperable with the State Police and other State law enforcement agencies during emergency situations.
- FEMA Hazard Mitigation Grant Program (HMGP) – The LBBLD is a sub-applicant of St. Bernard Parish. St. Bernard Parish has been allocated approximately \$52 million under the HMGP. The LBBLD requested approximately \$8 million from this allocation. The LBBLD is attempting to obtain Phase I funding for upgrades to Pump Stations 1 and 4. The LBBLD received approval for a Phase I study for three safe houses (\$522,000 for site survey, engineering and design, and telemetry). The money expended to date for telemetry design will be reimbursed to the LBBLD. The LBBLD will receive \$125,000 for community outreach.

EXECUTIVE SESSION:

1. Succession of Carter Ursin and Charles Ursin (Eusan), Heirs of Joseph Eusan, Warren H. Eusan, Michelle Eusan, Ahmed Collins v. Board of Levee Commissioners of the Orleans Levee District, Docket No. 51-896, Division A, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.
2. Succession of Marion Roberts, widow of Guy H. Willian, Legatee of Mrs. Bella Stevens Connors Roberts v. The Orleans Levee District of the State of Louisiana, et al, Docket No. 57-507, Division A, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.

A motion was offered by Mr. Luetlich, seconded by Mr. Barnes and unanimously adopted, for the Board to convene in Executive Session to discuss the matters listed on the agenda. The Board convened in Executive Session at 11:10 a.m.

A motion was offered by Mr. Barnes, seconded by Mr. Kemp and unanimously adopted, for the Board to reconvene in regular session at 12:40 p.m.

RESOLUTION NO. 08-16-12-10 – O.L.D. – STATE MINERAL BOARD

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

WHEREAS, the Orleans Levee District owns certain mineral interests in certain tracts of land in an area of Plaquemines Parish commonly referred to as the Bohemia Spillway; and

WHEREAS, the Orleans Levee District would like to appoint the Louisiana Department of Natural Resources, through State Mineral Board, to serve as its agent in the process of leasing such mineral interest to third parties.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves and authorizes the Louisiana Department of Natural Resources, through the State Mineral Board, to accept nominations, advertise property to be leased, accept bids, accept leases, and execute leases provided, however, all such leases must provide for no surface operations without the prior written consent of the Orleans Levee District, on all mineral interests owned by the Orleans Levee District in Plaquemines Parish.

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

YEAS: Mr. Barnes, Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and
Mr. Wittie

NAYS: None

ABSENT: Mr. Doody, Mr. Barry and Mr. Jackson

The next regular monthly Board meeting will be held on September 20, 2012 and hosted by the LBBLD.

There was no further business; therefore, the meeting was adjourned at 12:43 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST
REGIONAL DIRECTOR'S REPORT
August 16, 2012

100 Year Level of Protection

IHNC 01- Seabrook Complex:

The Seabrook Project is about 99% complete and was opened to navigation on July 2, 2012.

Both vertical lift gates and both sector gate leaves are installed and can be operated by generator or manually. One of three coordinated night exercises has been held with Orleans Levee District (OLD). The next one will be held at night in early September.

The trailers have been removed from the site; site cleanup and grading will be completed by the end of August. The final inspection is scheduled for the first week of November.

IHNC 02 - Inner Harbor Navigation Canal Hurricane Storm Surge Barrier:

The project is 97% complete. The final inspection is scheduled for Oct. 3, 2012. The Bayou Bienvenue Vertical Lift Gate is open to the public with a 22' height restriction. About 70% of the scour stone has been placed on the bypass side of the GIWW. The construction access channel closures (flood side and protected side) are complete and have been inspected.

The approach wall subcontractor (Traylor Brothers) has completed installing all of the north end piers, 92% of the center end piers, and all of the south end piers. The contractor has finished setting precast skirt beams, placing concrete, and installing rub rails for the approach walls along the Sector Gate channel on the GIWW. About 85% of the concrete placement is complete for the approach walls along the bypass channel.

The hinges on the GIWW Sector Gate have to be re-shimmed and the skin tanks must be filled with about 22" of water to solve the buoyancy problem with the gate leaves. The DOR is writing all the final responses and gathering the paperwork for addressing the three buoyancy problems that came up. The type of fill water is still being investigated. CJ Mayhan is working on completing the architectural finishes (epoxy floor and roof) at the Sector Gate control house.

The barge gate repairs should start in about one week and the work will take about four weeks. The repairs will consist of a 22" slab being placed over the spalled area from knee wall to knee wall. The barge gate subcontractor (Baker) is 98% complete with the mechanical and plumbing work. The electrical work is 98% complete.

All of the concrete has been placed at the north shore complex. The architectural finishes (windows, doors, painting, and roof) in the safe house are being completed. The wiring for the electrical equipment in the safe house, testing generators, and running conduit & wire out to power the GIWW gates is being worked on. The GIWW opens and closes by using temporary generator power; it will be hooked to shore power. The north splash pad and wave ejector concrete placement is complete. The permanent bulkhead storage platform structure is complete and the bulkheads are stored on the structure.

Commissioning has been completed for the Bayou Bienvenue Vertical Lift Gate.

The south vehicle access ramp and splash pad, with wave ejector, are complete.

Final grading, scour stone, and turf establishment is ongoing.

East Jefferson Levee District:

Reach 1 Lakefront Levee:

The only remaining work is to finish sealing the cracks in the all- weather access road. This work will be completed this week, weather permitting. The Notice of Construction Complete (NCC) letter for this Project was transmitted by the USACE on July 31st 2012.

Reach 2 Lakefront Levee:

The NCC letter for this project was transmitted by the USACE on July 31st 2012.

Reach 3 Lakefront Levee:

The NCC letter for this project was transmitted by the USACE on August 8th, 2012.

Reach 4 Lakefront Levee:

The NCC letter for this project is in the executive office waiting to be signed.

Reach 5 Lakefront Levee:

The NCC letter for this project is in the executive office waiting to be signed.

Bonnabel Breakwater Project:

The NCC letter for this project was transmitted by the USACE to CPRA and copied to EJLD on November 12, 2010.

Duncan Breakwater Project:

The NCC letter for this project was transmitted by the USACE to CPRA and copied to EJLD on February 2, 2011.

Williams Blvd. Floodwall and Gate:

The NCC letter for this project was transmitted by the USACE to CPRA and copied to EJLD on May 31, 2012.

Bonnabel Floodwall and Gate:

The NCC letter for this project was transmitted by the USACE to CPRA and copied to EJLD on May 17, 2012.

Pump Station Fronting Protection:

The Work is approximately 77% complete. Work is ongoing at all four pump stations. The breakwater concrete has been completed at all pump stations. Bonnabel and Duncan pump stations have been dewatered and excavation/demolition has begun in the basin. Pile driving is ongoing at both Duncan and Bonnabel pump stations. Modification work is ongoing at both Elmwood and Suburban pump stations. Pre-inundation inspections were held at both Elmwood

and Suburban stations. The contractor has an approved Hurricane Plan for Duncan Pump Station and has implemented the plan on site.

LPV 017.2 (Causeway Crossing):

The phase II traffic switch to the new roadway has been completed in both directions. An additional turning lane has been added to the southbound lane to alleviate congestion. The contractor has completed Phase III pile driving, as well as the pile driving for the canopy. They are continuing to work on the all weather access road, retaining walls and placing embankment. Contractor is continuing to work on Phase III diaphragms and deck spans. There has been a temporary bulkhead installed at Monolith M5 to achieve 100 year hurricane protection. The permanent wall at Monolith M5 should be completed by mid September. Work is approximately 88% complete for the project. Red zone meeting is tentatively scheduled for early September.

West Return Levee/Floodwall - North:

All work for the project is substantially complete. The contractor is still waiting for turf establishment as well as the final recapping of the rip rap along the flood side of the new flood wall. Pre-final inspection was held on May 23, 2012. There was a punch list developed and the USACE and contractor are working on completing those items. There is a seepage area at the pump station near the south end of the project. Attempts to fix the seepage problem have been unsuccessful so far. There will be a meeting this week to discuss any further action to correct the seepage problem.

West Return Levee/Floodwall North LSRO (Landside Runoff Collection System)

A-E has submitted 95% plans and specifications. They are currently under review.

West Return Levee/Floodwall – South:

All work for the project is substantially complete. Pre-final inspection was held on May 30, 2012. There was a punch list developed. The USACE and contractor are working on completing those items. Turf establishment remains an issue. final inspection is tentatively scheduled for the end of this month.

Foreshore Protection Reaches 1 and 2:

Work is approximately 94% complete. The majority of the work on Reach 2 has been completed and compliance surveys taken. Turf establishment remains an issue. The contractor is going to use herbicide on Reaches 1 and 2, followed by reseeding. There was a modification to the contract that added geotextile fabric and 9" of coarse aggregate between the clay and the rock dike. This work has been completed. There were two failure areas on the Reach 1 rock dike. They are approximately 350 LF in total length. The USACE have given a fix to the contractor that will extend the base of the rock dike further into the lake. They are currently recapping those failure areas as well as any other low areas. Surveys were taken of the entire rock dike. The cross sections from the surveys showed incomplete sections. The contractor believes it was a bad survey and is having more surveys taken to see if the cross sections are incomplete. More rock may need to be placed on the rock dike.

Foreshore Protection Reaches 3 and 4:

Work is approximately 94% complete. Contractor has completed sand and uncompacted fill placement on Reach 4 and completed the recapping of the rock dike. There will be a

modification to the contract to add geotextile fabric and 9" of coarse aggregate between the clay and the rock dike. The contractor has nearly completed the modification work on Reach 4 and is currently working on Reach 3. They will need to reseed and mulch both reaches once the modification work is complete. The contractor has experienced its fourth failure of the rock dike on Reach 3. The USACE has provided a fix and the contractor have implemented it on site. A red zone meeting for this project will be scheduled shortly.

West Return Levee (Airport Runway):

The NCC letter for this Project was transmitted by the USACE on August 1st, 2012.

Orleans Levee District:

LPV 101.02 (17th St. Canal to Topaz Street):

Construction is complete.

The final inspection was held on June 28, 2012. As-builts are being prepared.

Ladders are being placed on the floodgates under another project, for a total of 22 ladders throughout the lakefront on NO East.

LPV 102.01, 103.01, and 104.01:

Projects are complete and NCCs have been transmitted to Orleans Levee District on all three projects.

LPV 103.01A1 (Bayou St. John):

Construction is complete. Final inspection was held on May 24, 2012. Some crack repairs are still ongoing.

LPV 103.01A2 (Rail Street and Lake Terrace Flood Gate):

Construction is complete. Lakeshore Drive is fully open to traffic. The guard rail at Lake Terrace floodgate was realigned. The NCC was issued on August 2, 2012.

LPV 104.01A (Ramp Crossings – Lakeshore Dr.):

Construction of the originally required work is complete and all ramps are open to vehicular traffic. Turf establishment is still incomplete at the Canal Boulevard ramp. Final inspection is not yet scheduled.

The existing I-walls at Franklin Avenue must be converted to L-walls (LPV-104.02b). The work began on May 21, 2012 and is 95% complete.

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection will be rescheduled, and punch list items (cracks in slope pavement) are being resolved. Contract modifications are required to convert the I-wall section at the miter gates on Lakeshore Drive to L-wall and to construct a sheet pile or cut-off wall to address seepage design issues between Franklin Avenue and the Seabrook Complex.

The L-wall work is scheduled to be completed before Nov. 1, 2012. The seepage cut-off wall work is scheduled to be awarded in mid-October, 2012.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is complete. All lanes of traffic are open at Downman Road. One street light and pole still must be replaced on the protected side of the floodwalls. Guard rails at Downman Road were corrected per Louisiana Department of Transportation & Development direction. Gates still require final exercising and adjustment. Final inspection is scheduled for the end of August.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is 99% complete. All T-wall monoliths are complete. The pre-final inspection is scheduled for Aug. 22, 2012. Two ramps need to be paved, and additional slope pavement work must be completed prior to inspection.

LPV 106 (Citrus Lakefront Levee):

Construction is complete. Concrete slope pavement cracks on the floodside still must be repaired; resolution is pending. A USACE white paper on "Crack Repair" has been finalized and used in the inspection process. Operation and maintenance safety concerns still need to be addressed. The drains along the railroad tracks are being excavated and pavement will be sloped to drain.

Final inspections were held on July 26 and Aug. 2, 2012. Armoring may still be required on the protected side of the levee (under review by USACE).

LPV 107 (Lincoln Beach Floodgate):

Construction is complete. Final inspection is scheduled for mid-August after the contractor addresses problems found during the last inspection. Remaining issues include problems identified with seating the gates.

LPV 108 (New Orleans East Lakefront Levee):

The project is substantially complete. The USACE hired labor group is mowing the grass and correcting rill problems (flattening out); a bigger roller was used and appears to have been successful. The access roadway at the levee toe has been removed and was seeded. Gravel is still to be replaced and reshaped on the levee crown. Final inspection was held on May 22, 2012, but further work on rills and turf is required. A second final inspection is to be scheduled.

LPV 109.02a (South Point to CSX Railroad – Levee Embankment):

Construction is complete. The Final inspection was held July 25, 2012.

Highway 11 floodgate monoliths are settling and now leaning away from the floodgate. URS is investigating the movement and submitted their report to the USACE for review. Further movement of the slope pavement and by-pass road is occurring and will continue to be monitored. The by-pass road slump was repaired.

The 15' vegetative clear zone waiver request is in review.

Final resolution of the 23 monitoring test sections is pending completion of a final report by URS.

The S&WB has had their concerns addressed at PS#15 frontal protection.

A report confirming the increased shear strengths resulting from the wick system is pending. Increased strengths are expected to confirm the necessary factors of safety for stability, as required by the HSDRRS.

LPV 109.02a1 (South Point to CSX Railroad - Wick Drain Test Section):

Construction is complete.

LPV 109.02a2 (South Point to CSX Railroad – Drainage Blanket):

Construction is complete.

LPV 109.02b (I-10 Crossing):

Construction is complete. Subsidence on the shoulders of I-10 is being investigated. The NCC is being prepared by USACE, pending the subsidence review.

LPV 109.02c (South Point to CSX Railroad – Hwy 90 and Hwy 11 Floodgates):

Construction is being done under LPV 109.02a.

LPV 110 (CSX Railroad Crossing):

Construction is complete. The NCC was issued on June 4, 2012.

LPV 111.01 (North Side GIWW):

Construction is complete, including all T-wall construction and deep soil mixing. The 15' vegetative clear zone waiver request is in review.

Final inspection was held on June 6, 2012. Small areas of turf still need to be addressed. The NCC is being prepared.

LPV 113 (NASA):

Construction is substantially complete. Final inspection is scheduled for Aug. 23, 2012, after rills have been repaired and turf has been established.

OFC-03 London Ave. Canal:

Turf still needs to be established. Final inspection was held on Nov. 15, 2011; another Final Inspection will be scheduled to check turf establishment. The NCC planned for Nov. 9, 2012.

OFC-04A Orleans Canal:

The work is complete and punch list resolution meeting was held on Sept. 28, 2011. Rill problems have been corrected and re-establishment of turf is ongoing. The NCC is planned for Nov. 2, 2012.

OFC-05 17th Street Canal:

The project is nearly complete. Re-establishment of turf is ongoing. The NCC is planned for Nov. 16, 2012.

OFC-06 Orleans Canal:

The project is complete and the NCC was transmitted on March 9, 2012.

LPV192.02b Buttress Slab:

The work is nearly complete. Final inspection is scheduled for late August, pending turf establishment. Due to weather, access to borrow pit has delayed work.

LPV192.02 Berm:

USACE Memphis Hired Labor force constructed this project (Phase III), and the work is complete. Turf establishment issues remain. Hydro seeding is on-going. Final inspection is scheduled for Sept. 7, 2012, pending turf establishment.

LPV192.03 Relief Wells

Work is substantially complete. Final inspection was held May 23, 2012. Turf establishment is complete. The NCC was received on July 20, 2012. Turf establishment is still outstanding and being reviewed.

France Road Floodgate

The project is complete. The final inspection was held on July 31, 2012. Road is open to traffic. Minor site work is being finalized.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

The work is about 99% complete. A final inspection was held March 8, 2012. The contractor has completed all punch list items. Vibrations were detected during gate operation. Further investigations have determined there is a problem with the hinge and pintle assemblies. Operations Branch from USACE has dewatered the structure. The gate was jacked up and the upper hinge and pintle bushing were removed and examined for damage. It was determined that the pintle ball was not completely round and would have to be replaced. This will be done with a second dewatering in early 2013. The USACE Plan forward is to reassemble the pintle bushing and install the new upper hinge bearing and make the gate operable on limited basis, then rewater the structure for use in case of storm. All work is now completed and the pre-inundation inspection on the gate was completed 8-14-2012 and the gate will be flooded in the next week. This will achieve the proper level of hurricane protection for 2012.

Construction of the jib crane pad will be done as part of the access road modifications.

The section of the PDD dealing with abandonment of the old Bayou Dupre Structure is being revised by Corps.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The project is complete.

The USACE is installing instrumentation to collect data to support the “pile bending moment analysis”. Work started on April 12, 2012, and is being coordinated with CPRA.

The bridge design by Arcadis is scheduled to be complete before the end of this calendar year, and bids for construction should out in early 2013. The bridge design 30% review is underway. Access Road project on this reach is in 95% plan review, work scheduled for fall of this year.

LPV 146 (Bayou Dupre to Verret):

Work is complete. The emergency by-pass ramp for LA Hwy 46 is complete and paved. The access road has developed settlement cracking, which will be addressed in spring of 2013. The final inspection was held on Aug. 23, 2011. As-built plans and the O&M Manual are under review by USACE.

Access Road Project is in 95% design review and work should be completed in the fall of 2012.

LPV 147 (LA Hwy 46 Flood Gate):

Work is complete. The final inspection was held Aug. 5, 2011. As-built drawings and O&M manuals are being prepared.

LPV 148.02 (Verret to Caernarvon):

Construction is substantially complete. Final inspection was held on June 11, 2012 and all punch list items were completed. USACE has started the NCC process on this project.

Access Road Project is in 95% design review and work should be completed in the fall of 2012.

LPV 149 (Caernarvon Floodwall – Lake Borgne Basin Levee District):

The work is about 99% complete. The Pre-final inspection was held Oct. 21, 2011. All power supply issues have been resolved, and permanent power to the structure was installed on Dec. 13, 2011. The USACE held a punch list resolution meeting Jan. 3, 2012. The final inspection for this project is set for Friday Aug. 17, 2012.

Water level gauges are installed on both flood and protected sides of the sector gate. The data collected from these gauges will be posted on “River Gauges” web site.

Armoring:

Staff continues to engage the USACE on armoring planning and design.

SLFPA-E has reviewed the Armoring Project Description Document (PDD) and provided its comments to the USACE through CPRA. CPRA has asked for a response to its comments before the PDD is forwarded to the Mississippi Valley Division Commander for signature.

An armoring test site was constructed in St. Charles Parish during the latter part of September 2011, and an additional test section was constructed on the LPV 111 project site in late October/early November 2011. The purpose of the test was to determine the potential for

damage to HPTRM from wild hogs. In April 2012 the TRM was removed from the St. Charles levee project to check on how well the turf roots were anchored through it into underlying soil. Report is in review.

The USACE proposes two more armoring pilot projects, the first of which now will be constructed on an east bank HSDRRS levee in St Charles Parish (LPV-05.2B). The project is about one-mile long. The USACE is pursuing the ROE from the PLD for the work to be done within its jurisdiction and work will begin within 60 days of that issuance. The work will include installation of high performance turf reinforced mat, or HPTRM. Sod will be placed on half the mat, and the other half will be seeded. Plans and specs have been reviewed by SLFPAE, EJLD, and CPRA and those comments are being incorporated in the final P&S. A "sources sought" list was reviewed by the USACE for material criteria of the HPTRM. Five of the six manufacturer/submitters met the original criteria. An additional pilot project is currently under consideration for the SLFPAW. Lessons learned from all these pilot projects are to be incorporated into the permanent armoring work, which is not expected to begin until the fall of 2012.

Permanent Pump Stations

The Design Build Contract was awarded on April 13, 2011, for \$674 million to CBY Design Builders, a joint venture of CDM, Brasfield and Gorrie, and Yates Construction, but the award was protested by two of the unsuccessful bidders.

The U.S. Court of Federal Claims approved a decision by the Corps to set aside its awarding last year of a \$674 million contract with CBY Design Builders to build the stations, as suggested by the GAO.

The finalists have responded to a revised request for proposals outlining how the permanent pump stations should be built. Corps officials will hold one-on-one meetings with representatives of four of the five finalists in early August, 2012. The USACE plans on awarding a design-build contract for the permanent pump stations in September 2012.

HSDRRS Elevation and Status Maps

The USACE has published a map showing the 100-year level of protection elevations for the hurricane protection levee system in the metro New Orleans area. The elevations depicted are current as of June 2010. The map can be found at the following web address:

http://www.mvn.usace.army.mil/hps2/pdf/2010_System_Construction%20Status_Map.pdf

The new Greater New Orleans HSDRRS June 2012 Status Map can be found at the following web address:

http://www.mvn.usace.army.mil/hps2/pdf/Status_Map_June_2012_reduced.pdf

FEMA NFIP Levee System Accreditation

USACE leadership is pushing hard to find ways of making up lost time and accelerating contracts that have slipped beyond original completion dates so that accreditation isn't adversely affected. Estimated completion dates change on most of these contracts from month to month as new issues present themselves and existing ones are resolved.

Fifty percent models for interior flooding have been developed by the USACE for FEMA. The models are in review by the pertinent drainage districts. Revisions to the models are ongoing. SLFPAE staff and executive directors attended recent meetings with FEMA and the appropriate parish officials to discuss final results.

OLD and LBBLD may have to “certify” the non-federal levees in the Lower Ninth Ward/St. Bernard area and the New Orleans East area. We are working with FEMA and the USACE to develop a plausible path forward. The Board has given approval to an RFQ for services needed for “certification” of the non-federal levees. The RFQ will be advertised this week. We are also investigating funding sources that could be used to pay for the certification work. SLFPA-E the PAL Agreement with FEMA for the 40 Arpent levee.

Coastal Protection and Restoration

State of Louisiana – CPRA

The next meeting is scheduled for August 21, 2012, in Belle Chasse, Louisiana.

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion is not operating due to low river stage.

Flood Fight

We are awaiting the Tropical Storm Lee after action review document from the New Orleans District.

The OLD closed eight floodgates for Tropical Storm Debby in late June; they had no damages. USACE did not close surge barrier.

The Mississippi River is near El. 2.0' at the Carrollton Gage. It is predicted to fall half a foot during the next 30 days.

Design and Construction

East Jefferson Levee District:

The New Orleans City Council has approved the airport property sale at their July 26th meeting for the EJLD building. EJLD is arranging for surveys, environmental investigations, title work and conducting meetings with the City of Kenner to get the alienation and purchase of streets and zoning changes completed.

Orleans Levee District:

The State Fire Marshall inspection of the new safe house facility was completed on March 16, 2012. Punch list items are being corrected.

The Administration Building Refurbishment Project designs are 100% complete. Bids will be solicited for the work upon completion of the Safe House Project.

The SEA Grant for the Bayou St. John Waterfall Removal Project was signed and Burk-Kleinpeter has task orders to prepare construction documents for the demolition of the waterfall structure and removal of the sandbar under Lakeshore Drive Bridge. Design is 63% complete.

The Outfall Canal Bank Stabilization Monitoring Project is 49% complete.

The Florida Avenue Sheet Pile Rehabilitation Project is 55% complete.

The Lakefront Seawall Reach 1B Erosion Control Project Design is 32% complete.

Lake Borgne Basin Levee District

Pump Station #6 repairs – The FEMA PA work at Pump Station 6 will be designed under a consolidated Task Order with Atkins in order to expedite the completion of the bid documents and allow LBBLD to advertise and award the work as quickly as possible. The projects included in the Task Order are:

- Repairs to Pumps 1, 2, and 3 at Pump Station #6. The FEMA PWs (19790, 19792 & 19794) for this project are obligated. Advertising and bidding documents were provided to LBBLD and are under review by LBBLD staff, attorney, LADOTD and representatives of Atkins Global. Bid document modifications are still ongoing. Projected bid date is scheduled for September 15, 2012.
- Erosion Repair (Fronting Protection) at PS #6. The FEMA PW (19763) for this project is obligated. A cost estimate for the work was reviewed by LBBLD and LADOTD and was subsequently provided to FEMA.
- Corrosion on Discharge Pipes at PS #6 and PS #7. On 10/13/11, a Version request accounting for the updated cost estimate of \$212,422 for each station was submitted to FEMA. The FEMA PW for this project (which has been assigned number PW 19840 V0) has passed environmental review. This work will be added to the bid documents for the repairs at Pump station #6 as both a cost saving and time saving measure.

Seepage Repairs Project at Pump Stations #2 and #3 is now a 100% federal project managed by the USACE. LBBLD has provided the USACE with the 80% P&S completed by WS Nelson and is applying for FEMA reimbursement of the design costs incurred up to the date of the USACE decision to complete this work (i.e. 29 March 2012).

100% Plans and Specifications for the Remote Control/Telemetry Project for PS #2 and PS #3 are under review by LBBLD staff. FEMA Hazard Mitigation Grant Program (HMGP) funding is being pursued for this project in conjunction with the safe rooms under the Hazard Mitigation Grant for St. Bernard Parish.

Pump #1 at Pump Station #7 was removed by Conhagen Inc. after a failure occurred in the pump shaft assembly. Conhagen inspected the pump at its facility and determined that the failure occurred in the shaft coupling and key. Recommended repair plans and specifications prepared by Conhagen have been reviewed by BKI Inc. to ensure the repair will be adequate to prevent repeated failures. BKI's final report recommends a possible change in the start-up procedure to avoid torque spikes. LBBLD will require additional testing by BKI to determine which start-up procedure will work best.

Bid for the replacement of the LBBLD VHF Communication Tower were opened on June 19, 2012, and a contractor has been selected for award. Subject to board approval, contract will be awarded no later than August 25, 2012.

Internal Affairs

We continue to have three inspectors working with us provided by CPRA, and we are getting additional technical assistance from CPRA staff, LDOTD staff, and consultants Atkins North America [formerly PBS&J] and Vali Cooper International through an ID/IQ contract with CPRA. One inspector is now primarily focused on the completion of the IHNC Surge Barrier project.

Halcrow Inc. has completed review of the Safe Water Elevation (SWE) Reports and the designs for the remediation work proposed by the USACE for all three outfall canals. All major comments submitted by Halcrow have been incorporated into the current plans or are under further review by the USACE's consultants. The maximum stick-up/minimum embedment issues identified by Halcrow are still being investigated by the USACE. The SWE Report was reissued as the "Mean Operating Water Level" (MOWL) Report with the text rewritten. Halcrow has completed the review of the final version of the MOWL Report for the London Ave. Canal and 17th St. Canal. Final review has been completed for the Orleans Canal. This work is being conducted under Halcrow's original SOW. The New Orleans District is having each canal's report reviewed in detail by other corps districts. The USACE ETL 1110-2-575 (6/14/2011) regarding Evaluation of I-Walls has been released by the Corps and Halcrow is reviewing the document to determine potential impacts to previously completed work. We met with the Corps on April 18, 2012 and July 18, 2012, to discuss additional remediation work required by the Corps on the three outfall canals. An additional remediation report was done by the Corps and we are awaiting a copy. According to the corps, it should address the remaining canal issues found by Halcrow on all three canals. An extension to Halcrow contract was approved by the SLFPAE Board.

The "Hurricane Risk & Safety Module for the New Orleans Levee System" demonstration project is complete. The transfer and location of the website for the next year is being considered.

An O&M Cost Study for all three levee districts was completed by AECOM. They gave a presentation at the August Operations Committee on their report. This work is funded through a CDBG Grant.

The project for the LIMS Strategic Implementation Plan (SIP) is complete. This project was funded through a CDBG Grant. A final presentation on the SIP was given at the Operations Committee meeting.

SLFPA-E staff is working closely with CPRA staff to develop an automated on line permitting process for levee districts. Billy Wall is the project manager. A beta version of this application is expected to begin testing this month.

On August 6, 2012, SLFPA-E, SLFPA-W, CPRA and Corps personnel met to discuss floodgate information for use in the "Emergency Operations System" floodgate module. SLFPA-E and levee district staffs have updated floodgate information contained in the new program. The system was used during the recent Tropical Storm Debby event.

St. Bernard Parish government has agreed to use a portion of its HMGP allocation to fund three safe rooms. The State submitted LBBLD's initial application for one safe room to FEMA for unofficial review. It will be revised again to incorporate the other two safe rooms. Ultimately, we will submit one application for all three safe rooms so they can be designed and constructed simultaneously.

Two internal working groups have been established to deal with new O&M requirements for the HSDRRS. One will focus on general Operation and Maintenance and the other with specialized O&M requirements for the surge barrier and navigation gates.

RFQ for a consultant to develop a comprehensive O&M plan for all flood control structures within SLFPAE's jurisdiction have been received. The Board selected a consultant and they have prepared a Scope of Work for review, before negotiations begin.

Three separate Indefinite Delivery-Indefinite Quantity were published in the Times-Picayune for as-required services on Geotechnical, Hydraulic and Coastal Engineering specialties. We received 42 responses. The short listed firms for Geotechnical and Coastal Services have been interviewed. A resolution recommending firms for Geotechnical and Coastal Services is being submitted for the August 16, 2012 Board meeting.

The Coast Guard held its first monthly RNA Assessment tour on June 28, 2012. Representatives from the Corps and SLFPA-E attended the tour. The next tour is scheduled for August, 2012.

We met with GCR Consulting on July 10, 2012 to review the progress of taking data that the USACE and EJLD were able to provide regarding right-of-way. They demonstrated an online mapping capability that could be streamline the process of providing information requested by the public, and aid in day to day operation and maintenance. Roger Colwell has been assigned as the project manager for this development.

Corps realignment on LPV Projects:

The New Orleans District Corps office has decided to turn over review and resolution responsibilities of outstanding HSDRRS design and construction issues to two other corps districts. The Memphis District will handle the New Orleans East polder and St. Paul District will handle the St. Bernard polder issues.

Safety:

SLFPA-E levee districts will continue to conduct ongoing safety meetings to review levee district safety manuals and emphasize the importance of following safety rules and guidelines at all times. All field inspectors will conduct a similar ongoing safety meetings process.

New Contracts:

Gulf South Media
IT Services FY 12-13
Not to exceed \$15,000

Hurricane Preparedness:

The 2012 Hurricane Season officially started on June 1, 2012.

Revisions to the Districts EOP manuals have been completed and approved by the Board.

A hurricane planning and preparedness meeting with the USACE was held on May 18, 2012, to coordinate our planning and response activities with the USACE. Our annual internal planning meeting with the levee districts directors was held immediately after the meeting with the USACE.

A comprehensive table top exercise was conducted at the Lake Borgne Basin Levee District on June 13, 2012.

Southeastern Louisiana Flood Protection Authority – East
Fund Balance Policy

A. Fund Balance Policy

The Authority hereby establishes and will maintain classifications of Fund Balance, as defined herein, in accordance with Governmental Accounting Standards Board Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. This Policy shall only apply to the Authority's governmental funds. Fund Balance shall be composed of non-spendable, restricted, committed, assigned and unassigned amounts.

The classifications of fund balance give information about the portion of fund balance that is available for new programs or to expand existing ones, amounts set aside to meet current obligations, amounts that have been identified with specific uses, and amounts which are not available to spend. A minimum fund balance policy provides the means for the Board to express its judgment about minimum desired fund levels necessary to provide for financial flexibility and to protect the Authority against unforeseen circumstances such as revenue shortfalls and unanticipated expenditures.

B. Definitions

Fund Balance – refers to the difference between assets and liabilities in the governmental fund's balance sheet. It is not strictly equivalent to cash.

Non-Spendable fund balance – Amounts that are not in spendable form (such as inventory or prepaid expenses) or are required to be maintained intact (such as principal of an endowment fund) and including long term receivables which have only long term cash flow potential.

Restricted fund balance – Amounts that can be spent only for the specific purposes stipulated by external resource providers (such as grantors, bondholders) or enabling legislation. Restrictions may be changed or lifted only with the consent of the resource providers.

Committed fund balance – Amounts that can only be used for purposes determined by formal action of the Board, the highest level of decision-making authority. Commitments may be changed or lifted only by the Board taking the same action as that which imposed the commitment.

Assigned Fund Balance – Amounts that are set aside for use for specific purposes by the Authority's highest level of decision-making authority or a body or official that has been delegated the authority by the Board. Assigned funds cannot cause a deficit in unassigned fund balance.

Unassigned Fund Balance – The residual balance for the General Fund; the portion of fund balance which is not obligated or specifically designated and is available for any purpose.

C. Authority to Commit fund balance

The Authority's Board, as the District's highest level of decision-making authority, may commit fund balance for specific purposes pursuant to constraints imposed by formal actions taken, such as majority vote or resolution. These committed amounts may not be used for any other purposes unless the Authority's Board removes or changes the specific use through the same type of formal action taken to establish the commitment. Formal action must be taken prior to the end of the fiscal year, though the exact amount may be determined in the subsequent period.

Southeastern Louisiana Flood Protection Authority – East
Fund Balance Policy

D. Authority to Assign fund balance

The Finance Committee, with the concurrence of the President, shall have the authority to assign amounts available in fund balance to specific purposes; however before expenditure, amounts must be appropriated by the Board.

E. Minimum Fund Balance

Unassigned fund balance shall be maintained to provide each organization with sufficient working capital and a margin of safety to address emergencies and contingencies. The Fund Balance Policy establishes a minimum Unassigned Fund Balance equal to between 10% and 30% of total General Fund expenditures. In the event that the balance drops below the established minimum level, the Authority's Board will develop a plan to replenish the fund balance to the established minimum level **within** two years.

Any budget revision that will result in the Unassigned Fund Balance dropping below the minimum level will require the approval of the Authority's Board.

F. Annual Review and Determination of Fund Balance Classification and Minimum Fund Balance Goals

Compliance with the provisions of this policy shall be reviewed by the Finance Committee. The amounts of non-spendable, restricted, committed, assigned and unassigned fund balance, along with any recommendation for changes to the minimum fund balance goals shall be reported to the Board.

G. Funding flow assumptions

When expenditures are incurred for purposes for which both unrestricted and restricted fund balances are available, restricted fund balance is considered to have been spent first. When expenditures are made for purposes for which amounts in any of the unrestricted classifications of fund balance could be used, committed funds should be used first, followed by assigned, and then unassigned amounts.