

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, JULY 24, 2014**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or SLFPA-E) was held on Thursday, July 24, 2014, in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard, Harahan, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Estopinal called the meeting to order at 9:30 a.m. and led in the pledge of allegiance.

The roll was called by Mr. Wittie:

PRESENT:

Stephen Estopinal, President
Lambert J. Hassinger, Jr., Vice President
Louis E. Wittie, Secretary
Wilton P. Tilly, III, Treasurer
G. Paul Kemp
Kelly J. McHugh

ABSENT:

Jefferson M. Angers
Tyrone Ben
Richard A. Luettich, Jr.

OPENING COMMENTS: None

ADOPTION OF AGENDA:

Mr. Estopinal requested that the agenda be amended to add the following items under Executive Session:

1. *The Heirs of Dr. Thomas Burt v, Orleans Levee District*, Docket No. 58-217, Division "B", 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.
2. *Union Benevolent Association v. Board of Commissioners of the Orleans Levee District and the Division of Administration, State of Louisiana*, Docket no. 59-384, Division B, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.

Mr. Estopinal called for public comment on the amendment to the agenda. There was no public comment. The motion to adopt the agenda as amended, which was offered by Mr. Wittie and seconded by Mr. Tilly, was unanimously adopted.

**RESOLUTION NO. 07-24-14-01 - APPROVAL OF
JUNE 19, 2014 BOARD MEETING MINUTES**

On the motion of Mr. Hassinger,
Seconded by Mr. Tilly, 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 June 19, 2014.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

PRESENTATIONS: None

PUBLIC COMMENTS:

Craig Berthold explained that at the Operations Committee meeting he requested that a representative from the SLFPA-E visit the vegetation free zone along the 17th Street Canal levee/floodwall in order to view and understand the liability issues associated with the zone. Mr. Tilly, Robert Turner, SLFPA-E Regional Director, and Gerry Gillen, Orleans Levee District Executive Director, indicated at the Committee meeting that they would participate in a site visit. Mr. Berthold asked the status of the site visit. Mr. Turner requested that Mr. Gillen set up the site visit. Mr. Berthold also commented on the recently issued Judgment relative to the litigation entitled "*17th Street Canal Coalition, et al versus the Orleans Levee District, et al*", and on the available options. He requested that the SLFPA-E consider the option of purchasing the property, which the property owners are unable to use and must pay taxes on and insure.

Carol Byram commented on the SLFPA-E vote in 2008 on the tree and fence removal project along the 17th Street Canal. She commented that the property behind her house was not required and that it amounted to a land grab by the SLFPA-E. She added that she felt that the current Board would be more accessible and commented concerning the property owners' determination to keep coming to the Board until a fair resolution is implemented.

COMMITTEE REPORTS:

Finance Committee: Mr. Tilly reported that the Finance Committee met on July 10th. The Committee considered a number of items, which have been placed on the Board's agenda for consideration and action. One of the items considered was the procurement of healthcare coverage for the East Jefferson Levee District. Since a proposal was not received from the Louisiana Office of Group Benefits, the recommendation of the Committee is to select United Healthcare to provide the coverage.

Operations Committee: Mr. Wittie reported that the Operations Committee met on July 10th and considered the following items:

- Presentation on Levee Safety Survey by Mike Merritt, SLFPA-W – Mr. Merritt commented on the tradition of cooperation between the SLFPA-E and SLFPA-W. He informed the Committee about utilizing an analysis of lightning strikes in order to locate potential weaknesses and faults underneath levees. The analysis is an inexpensive method for locating problematic areas.
- Cooperative Endeavor Agreement (CEA) with SLFPA-W for mutual aid – The Committee recommended approval of the CEA with the SLFPA-W. He noted that the East Jefferson Levee District (EJLD), Lake Borgne Basin Levee District (LBBLD) and Orleans Levee District (O.L.D.) have executed CEAs and participate in a mutual aid agreement with the participating member levee districts of the Association of Levee Boards of Louisiana. Plaquemines Parish has not yet executed a CEA (mutual aid agreement) and a recommendation was made at the Committee meeting to contact Plaquemines Parish officials relative to the execution of such a document.
- OFC-07 and OFC-08 Projects (Orleans, London and 17th Street Canal Remediation) - Brad Drouant, U.S. Army Corps of Engineers (USACE) Senior Project Manager for the Lake Pontchartrain and Vicinity (LP&V) Project, provided an update on the projects to the Committee. The USACE is driving sheetpile in order to provide stabilization or seepage control in certain sections along the canals. The projects will be completed by February or March, 2015.
- Residual flooding on Grandlake Boulevard on the USACE landside runoff project – The USACE is looking into the design and construction of the project in order to identify the reason for the problem. Meanwhile the USACE has brought in temporary pumps and placed sandbags to remediate the flooding problem.
- The levee districts provided their monthly status reports to the Committee.

Legal Committee: Mr. Hassinger reported that the Legal Committee met on July 10th. He explained that the Legal Committee is considering the possibility of bringing the position of Counsel in-house. Data is being gathered to determine whether the establishment of an in-house position makes sense financially and operationally. The Committee will present a recommendation to the Board on this issue.

Coastal Protection and Restoration Authority (CPRA): Mr. Hassinger reported that he attended the CPRA meeting held on July 16th in Buras, LA. Approximately 200 people were in attendance at the meeting. The citizenry expressed their appreciation for the meeting being held in Buras. The primary issue discussed at the meeting was diversion projects. A number of speakers expressed their views both pro and con on the issue of diversion projects.

Coastal Advisory Committee: Mr. Kemp advised that the Coastal Advisory Committee did not meeting during the month of July.

REGIONAL DIRECTOR'S REPORT: Mr. Turner reviewed the highlights of the Regional Director's Report (copy appended to minutes). He provided the following additional comments:

- IHNC Surge Barrier and Seabrook Complex Structures – The structures are fully operational with only minor issues that are being addressed at this time.

- Bayou Bienvenue Sector Gate – The USACE’s contractor for the bridge project provided a crane to assist with pulling a gear box that required repair. The gear box has been repaired and put back in place.
- Hurricane Emergency Preparedness – The Emergency Operations Manuals for the levee districts were approved by the Board and posted on the SLFPA-E secured website. He urged Board members to visit and familiarize themselves with the secured website, which will be used extensively should a storm event occur.
- Non-federal levee certification – The certification effort for the Maxent Levee is nearing completion. Video and other technology was used to inspect a drain pipe that cuts through the levee in New Orleans East to determine whether any issues exist. The results of the inspection have not yet been received. The facility is owned by Wildlife and Fisheries; however, any necessary repairs can be done by the SLFPA-E if required in order to stay within the timeline for certification. Some potential certification issues were identified in connection with Floodgate #9 located in the non-federal levee located in the St. Bernard-Lower 9th Ward Polder. LBBLD personnel completed the work in connection with the Floodgate #9 project, which is FEMA reimbursable. A major issue that remains relative to the certification of the non-federal levee in the St. Bernard-Lower 9th Ward Polder concerns the Shrimp Factory on the Violet Canal. Intensive meetings have been held over the past several months with the consultant in order to determine a path forward. It appears the most viable option is the installation of a short I-wall landward of the Shrimp Factory, which would leave the factory on the floodside of the wall. Access to the factory would need to be provided. Meetings are being held with St. Bernard Parish officials and the City of New Orleans Mayor’s Office concerning the certification effort. The process for reapplication to the Interim Emergency Board for emergency funding to address the issue at the location of Shrimp Factory has commenced. Additional avenues for funding this effort are being investigated. Several minor issues remain, which includes an issue dealing with a floodgate in the Lower 9th Ward and corrosion that was identified by the consultant along the I-wall between Arabi and Paris Road. A potential path forward has been identified for the floodgate issue. The corrosion repairs are anticipated to be accomplished in-house by levee district personnel with assistance from St. Bernard Parish personnel.

Mr. Estopinal requested that the Board take New Business as the next order of business. There was no objection.

New Business:

**RESOLUTION NO. 07-24-14-02 –
AMENDMENT OF RESOLUTIONS NOS. 09-17-09-07 AND 01-21-10-03**

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

WHEREAS, the Southeast Louisiana Flood Protection Authority – East adopted Resolution No. 09-17-09-07 concerning the State of Louisiana Community

Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration; and

WHEREAS, it is necessary under the program regulations to authorize certain actions and individuals to perform certain designated functions by the State; and

WHEREAS, Section I – Financial Management of Resolution No. 09-17-09-07 was amended by Resolution No. 01-21-10-03 to authorize Robert A. Turner, Jr. and Glenda Boudreaux to sign “Authorized Signature Card for Request for Payment” and Timothy P. Doody, President, to certify to the correctness of the signatures; and

WHEREAS, Section II – Requisition of Funds of Resolution No. 09-17-09-07 provides that Timothy P. Doody, Stephen Estopinal and Robert A. Turner, Jr., are authorized to sign checks written on the CDBG account.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby amends Section I – Financial Management of Resolution No. 09-17-09-07, to read as follows:

“**NOW THEREFORE BE IT RESOLVED**, by the Southeast Louisiana Flood Protection Authority – East as legal authorized recipient of the LCDBG funds, in regular session convened, that Robert A. Turner, Jr. and Glenda Boudreaux are hereby authorized to sign “Authorized Signature Card for Request for Payment;” and

“**BE IT FURTHER RESOLVED**, that Stephen V. Estopinal, President, shall certify to the correctness of the signatures; and”

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East amends Section II - Requisition of Funds of Resolution No. 09-17-09-07, to read as follows:

“**BE IT FURTHER RESOLVED**, that Stephen V. Estopinal, Wilton P. Tilly, III, and Robert A. Turner, Jr., are hereby authorized to sign checks written on the CDBG account.”

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-03 - SLFPA-W AND SLFPA-E COOPERATIVE ENDEAVOR AGREEMENT FOR EMERGENCY SERVICES

On the motion of Mr. Wittie,

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

WHEREAS, the Southeast Louisiana Flood Protection-West (SLFPA-W) and Southeast Louisiana Flood Protection-East (SLFPA-E) desire to furnish mutual aid to each other in the event of an emergency, when requested, to the extent of its ability considering its resources and its own impact from the emergency; and

WHEREAS, each Flood Protection Authority will document the aid and assistance provided to the other during a time of emergency for reimbursement purposes.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the Cooperative Endeavor Agreement for Emergency Services with the SLFPA-W, and authorizes the SLFPA-E Regional Director to execute said document and any and all documents necessary to accomplish the above.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-04 – RECOGNITION OF COL. EDWARD R. FLEMING

Mr. Estopinal advised that Col. Fleming is retiring from the U.S. Army. The SLFPA-E would like to present a plaque to Col. Fleming, former District Engineer and Commander of the USACE New Orleans District, congratulating him on his retirement and thanking him for his service and hard work.

On the motion of Mr. Wittie,

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

“A resolution congratulating Colonel Edward R. Fleming, Executive Director, Civil Works and Emergency Operations, Headquarters, U.S. Army Corps of Engineers, upon his retirement from the U.S. Army and recognizing his many years of public service.”

WHEREAS, since his graduation from the United States Military Academy West Point, New York, in 1989, Colonel Edward R. Fleming’s distinguished career went on to include numerous command and staff assignments marked by combat and peacekeeping deployments in the United States and abroad; and

WHEREAS, Colonel Fleming’s exemplary military services includes deployments to Iraq in 1990 as a platoon leader in the 1st Infantry Division during Operations Desert Shield and Desert Storm where he was decorated for valor, a peacekeeping mission in 2003 to Kosovo serving as the Operations Officer for the 82nd Engineer Battalion in support of Operation Joint Guardian, and to Iraq in 2004 supporting Operation Iraqi Freedom as a Brigade Operations Officer in the 1st Infantry Division in 2004; and

WHEREAS, Colonel Fleming’s other command and staff assignments include Commander, Charleston District, USACE, Deputy District Engineer, Baltimore District, USACE, Company Commander at Ft. Riley, Kansas, Company Commander at the National Training Center, Ft. Irwin, California, platoon leader in Korea, and engineer staff officer positions in Heidelberg, Germany and Washington, D.C.

WHEREAS, Colonel Fleming served as Commander of the U.S. Army Corps of Engineers New Orleans District from July 23, 2010 until May 23, 2013, where he was responsible for the completion of the \$14.4 Billion Hurricane and Storm Damage Risk Reduction System for the greater New Orleans area and worked untiringly in service of the citizens of Southeast Louisiana to implement and further risk reduction and coastal restoration for the region; and

WHEREAS, Colonel Fleming subsequently assumed the position of Executive Director, Civil Works and Emergency Operations, Headquarters, U.S. Army Corps of Engineers where he continued his commitment to public service and addressing the needs of the Nation.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Colonel Edward R. Fleming for his twenty-five years of dedicated outstanding service to his country.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East congratulates Colonel Fleming on his retirement from the U.S. Army and wishes him continued success in future endeavors.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-05 - EJLD RENEWAL OF INSURANCE COVERAGES

Hardie Edgecombe with Arthur J. Gallagher Risk Management Services provided the following comments concerning the renewal of insurance coverages for the EJLD:

- General Liability Insurance – Coverage is being renewed with the same carrier with the same limits and deductibles. The premium increased approximately \$5,000 due to claims activity.
- Automobile Liability Insurance – The current carrier is not renewing coverage in Louisiana. Coverage is being procured from a new carrier at a 30 percent reduction in cost.
- Umbrella and Commercial Crime Insurances - Coverages are being renewed with the same carriers.
- Law Enforcement Liability Insurance – The current policy is being cancelled and the policy is being rewritten from a claims made policy to an occurrence policy. This coverage will be paired with Automobile Liability Insurance resulting in an overall reduction in cost.

On the motion of Mr. Tilly,

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

WHEREAS, the East Jefferson Levee District's (EJLD) General Liability, Automobile Liability, Umbrella, Commercial Crime and Law Enforcement Liability Insurance coverages are due to expire on July 19, 2014; and

WHEREAS, Arthur J. Gallagher Risk Management Services shopped the market, received quotes and provided the following recommendations for the renewal of said coverages:

- General Liability Insurance from Illinois Union Insurance Company a cost of \$66,150 with limits of \$1 million per occurrence and \$2 million aggregate
- Automobile Liability Insurance from National Fire Insurance Company at a cost of \$94,792
- Umbrella Insurance from Lexington Insurance Company at a cost of \$58,344.30
- Commercial Crime Insurance from Travelers Insurance Company at a cost of \$2,288
- Law Enforcement Liability from Columbia Casualty Company at a cost of \$30,565.50

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of General Liability, Automobile Liability, Umbrella, Commercial Crime and Law Enforcement Liability Insurance coverages as stated above through Arthur J. Gallagher Risk Management Services for a one year period.

BE IT FURTHER RESOLVED, that the EJLD Executive Director is authorized to execute any and all documents necessary to carry out the above.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-06 - EJLD HEALTHCARE COVERAGE

Mr. Tilly advised that the Board at its last meeting approved an extension of the EJLD's current coverage for one additional month in order to afford time to receive a proposal from the Louisiana Office of Group Benefits (OGB). A proposal has not been received to date from OGB. United Healthcare has submitted the least costly proposal for coverage. John Thomas confirmed that a proposal had not been received from OGB.

On the motion of Mr. Tilly,

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

WHEREAS, by Resolution No. 06-19-14-12 the Southeast Louisiana Flood Protection Authority-East authorized a one-month extension of the existing healthcare coverage for the East Jefferson Levee District's (EJLD), which was set to expire on July 1, 2014, with the incumbent provider in order to fully consider all options and determine the best course of action for procuring coverage for the next year.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of healthcare coverage from United

Healthcare for a one year period commencing on August 1, 2014 and ending on July 31, 2015.

BE IT FURTHER RESOLVED, that the EJLD Executive Director is authorized to sign any and all documents necessary to carry out the above.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-07 –

O.L.D RENEWAL OF GENERAL LIABILITY INSURANCE COVERAGE

Mr. Edgecombe advised that General Liability Insurance coverage is being renewed with the current carrier at no increase in premium with the same limits and deductibles.

On the motion of Mr. Tilly,

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

WHEREAS, the Orleans Levee District's (O.L.D.) General Liability Insurance coverage is due to expire on July 19, 2014; and

WHEREAS, Arthur J. Gallagher Risk Management Services shopped the market, received quotes and recommended the renewal of General Liability Insurance coverage for the O.L.D. Flood Protection Division with Illinois Union Insurance Company at a cost of \$111,037.50 with limits of \$2 million per occurrence and \$5 million aggregate for a period of one year commencing on July 19, 2014.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of General Liability Insurance coverage with Illinois Union Insurance Company as stated above for the O.L.D. Flood Protection Division for a one year period commencing on July 19, 2014.

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

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

Discussion of Orleans Levee District outstanding State of Louisiana Office of Community Development notes payable.

Robert Lacour, SLFPA-E General Counsel, explained that that the notes are also known as Go Zone Bonds under the Federal act that authorized the transaction. A number of municipalities and governmental entities experienced trouble making bond payments after Hurricane Katrina; therefore, the President of the United States declared New Orleans a disaster area and authorized the issuance of Gulf Opportunity Zone (Go

Zone) Bonds. The Federal government loaned the money to the State, which in turn loaned the money to the various governmental entities, including slightly less than \$27 million to the O.L.D. The agreement with the State expressly provides that the notes would be paid from non-flood protection asset (real estate) revenues less expenses and mineral interests [1430 (LA R.S. 38:1430) revenues]. A subsequent agreement took the mineral revenues out of the equation. The non-flood protection assets have not produced any revenues (i.e., revenues less expenses); therefore, there have not been any revenues to pay the notes. This information was conveyed to State numerous times; however, the State (Louisiana Office of Community Development) has continued to state that the O.L.D. is in default. Wilma Heaton, SLFPA-E Director of Governmental Affairs, recommended that that the SLFPA-E confer with the Assistant Attorney General's office and request that it facilitate a meeting with the appropriate officials relative to this issue. Mr. Lacour noted that it was reported that the Federal government forgave the State for the repayment of the loan and that State officials have expressed that these loans were never intended to be repaid.

Mr. Estopinal welcomed Ignacio Harrouch, the newly appointed CPRA Chief of Operations, and noted that the SLFPA-E looks forward to working with Mr. Harrouch.

RESOLUTION NO. 07-24-14-08 - LBBLD RENEWAL OF INSURANCE COVERAGES

Mr. Edgecombe provided the following comments concerning the renewal of insurance coverages for the LBBLD:

- Property Insurance – Coverage is being renewed with the current carrier at a six percent decrease in premium rate with the same deductible.
- Inland Marine Insurance – Coverage is being renewed with the current carrier at a 10 percent decrease in premium rate; however, the premium cost increased by four percent due to the addition of some new equipment.
- General Liability Insurance – Coverage is being renewed with the current carrier at the same premium with the same deductibles and limits.
- Automobile Insurance – Coverage is being paired with Law Enforcement Liability Insurance with a 24 percent decrease in premium rate.
- Commercial Crime Insurance – Coverage is being renewed with the same carrier.
- Umbrella Insurance – There is a five percent increase in the premium rate due to the increase in exposure.
- Police Professional Insurance – Coverage is being obtained at a two percent decrease in premium rate.
- Vessel Pollution and Hull P&I Insurance – Coverages are being procured from the same carrier with an approximately five percent decrease in the overall premium.

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

WHEREAS, the Lake Borgne Basin Levee District's (LBBLD) General Liability, Automobile Liability, Umbrella, Hull and P & I, Vessel Pollution, Inland Marine,

Property, Commercial Crime and Law Enforcement Liability Insurance coverages are due to expire on July 19, 2014; and

WHEREAS, Arthur J. Gallagher Risk Management Services shopped the market, received quotes and provided the following recommendations for the renewal of said coverages for a period of one year commencing on July 19, 2014:

- General Liability Insurance from Illinois Union Insurance Company at a cost of \$76,750 with limits of \$2 million per occurrence and \$5 million aggregate
- Automobile Liability Insurance from National Fire Insurance Company at a cost of \$40,850
- Umbrella Insurance from Lexington Insurance Company at a cost of \$36,465.45
- Hull and P & I Insurance from Great American Insurance at a cost of \$18,500
- Vessel Pollution Insurance from Great American Insurance at a cost of \$1,813
- Inland Marine Insurance from Great American Insurance at a cost of \$12,807
- Property Insurance from Landmark American Insurance Company at a cost of \$86,625
- Commercial Crime Insurance from Travelers Insurance Company at a cost of \$1,054
- Law Enforcement Liability Insurance from Columbia Casualty Company at a cost of \$1,967.70

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of General Liability, Automobile Liability, Umbrella, Hull and P & I, Vessel Pollution, Inland Marine, Property, Commercial Crime and Law Enforcement Liability Insurance coverages as stated above through Arthur J. Gallagher Risk Management Services for a one year period commencing on July 19, 2014.

BE IT FURTHER RESOLVED, that the LBBLD Executive Director is authorized to execute any and all documents necessary to carry out the above.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

**RESOLUTION NO. 07-24-14-09 –
LBBLD UTILIZATION OF SERVICES OF CAPITAL ONE BANK**

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

WHEREAS, LA R.S. 38:330.1.B establishes the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) as the governing authority over the Lake Borgne Basin Levee District; and

WHEREAS, the Lake Borgne Basin Levee District has utilized the services of Capital One Bank, or its predecessors, for a number of years; and

WHEREAS, there is a need to update the documentation on file at Capital One Bank for the levee district; and

WHEREAS, it is the intention of the Lake Borgne Basin Levee District to continue utilizing the services of Capital One Bank as the depository for its funds for its General Account; and

WHEREAS, the designated agents and signatories for all transactions on the General Account shall be as follows:

Nicholas P. Cali, Executive Director

Peggy J. Sembera, Administrative Assistant

Robert A. Turner, Jr., SLFPA-E Regional Director

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the Lake Borgne Basin Levee District to continue its utilization of the banking services of Capital One Bank for its General Account.

BE IT FURTHER RESOLVED, that the Capital One Bank Deposit Account Resolution and Authorization for Business Entities, designated as Attachment A, is hereby adopted in its entirety.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

EXECUTIVE SESSION:

1. *Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East on Behalf of the Orleans Levee District v. Louisiana Department of Natural Resources*, No. 563586, 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 25; *In re: Plaquemines Land Company, through its Successors in Interest, Carolyn C. LeBlanc, Nathan Carmadelle, Gustave W. Carmadelle, Jr., Laurnece C. Chantrey, Margaret C. Guidry, Trustees of the Arlene and Joseph Meraux Charitable Foundation, and Anne Pearson Potts v. Board of Commissioners of the Orleans Levee District*, No. 55-774, 25th Judicial District for the Parish of Plaquemines, State of Louisiana, Division “B”; *In re: Plaquemines Land Company, through its Successors in Interest, Carolyn C. LeBlanc, Nathan Carmadelle, Gustave W. Carmadelle, Jr., Laurnece C. Chantrey, Margaret C. Guidry, Trustees of the Arlene and Joseph Meraux Charitable Foundation, and Anne Pearson Potts v. Board of Commissioners of the Orleans Levee District*, No. 61-051, 25th Judicial District for the Parish of Plaquemines, State of Louisiana, Division “A”.
2. Discussion of settlement of Orleans Levee District’s casualty claims with RSUI insurance company from Hurricane Katrina.
3. *The Heirs of Dr. Thomas Burt v. Orleans Levee District*, Docket No. 58-217, Division “B”, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.

4. *Union Benevolent Association v. Board of Commissioners of the Orleans Levee District and the Division of Administration, State of Louisiana*, Docket no. 59-384, Division B, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.

A motion was offered by Mr. Wittie, seconded by Mr. Hassinger and unanimously adopted, for the Board to convene in Executive Session to discuss the items listed on the agenda. The Board convened in Executive Session at 10:17 a.m.

A motion was offered by Mr. Wittie, seconded by Mr. Hassinger and unanimously adopted, for the Board to reconvene in regular session at 10:47 a.m.

RESOLUTION NO. 07-24-14-10 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes legal counsel to proceed with the settlement offer as recommended in the litigation entitled “*Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East on Behalf of the Orleans Levee District v. Louisiana Department of Natural Resources*, No. 563586, 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 25; *In re: Plaquemines Land Company, through its Successors in Interest, Carolyn C. LeBlanc, Nathan Carmadelle, Gustave W. Carmadelle, Jr., Lurnece C. Chantrey, Margaret C. Guidry, Trustees of the Arlene and Joseph Meraux Charitable Foundation, and Anne Pearson Potts v. Board of Commissioners of the Orleans Levee District*, No. 55-774, 25th Judicial District for the Parish of Plaquemines, State of Louisiana, Division “B”; *In re: Plaquemines Land Company, through its Successors in Interest, Carolyn C. LeBlanc, Nathan Carmadelle, Gustave W. Carmadelle, Jr., Lurnece C. Chantrey, Margaret C. Guidry, Trustees of the Arlene and Joseph Meraux Charitable Foundation, and Anne Pearson Potts v. Board of Commissioners of the Orleans Levee District*, No. 61-051, 25th Judicial District for the Parish of Plaquemines, State of Louisiana, Division “A”.”

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-11 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East accepts the recommendation of legal counsel and authorizes legal

counsel to proceed with the acceptance of the settlement of the Orleans Levee District's casualty claims from Hurricane Katrina with RSUI Insurance Company.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-12 – LEGAL ACTION

On the motion of Mr. Tilly,

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes legal counsel to proceed as recommended in the litigation entitled "*The Heirs of Dr. Thomas Burt v, Orleans Levee District, Docket No. 58-217, Division "B", 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.*"

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

RESOLUTION NO. 07-24-14-13 – LEGAL ACTION

On the motion of Mr. Tilly,

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the actions recommended by legal counsel to settle the litigation entitled "*Union Benevolent Association v. Board of Commissioners of the Orleans Levee District and the Division of Administration, State of Louisiana, Docket no. 59-384, Division B, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.*"

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers, Mr. Ben and Mr. Luettich

The next regular monthly Board meeting will be held on August 21, 2014 and hosted by the Orleans Levee District.

There was no further business; therefore, the meeting was adjourned at 10:50 a.m.

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

July 24, 2014

HSDRRS Project Status Update

IHNC-02 – Lake Borgne Surge Barrier Complex The Orleans Levee District (OLD) continues exercising gate structures in the Surge Barrier Complex. The maintenance is up to date, the Complex Structures crew is adequately staffed and all gate systems are fully operational. Divers under contract to the OLD are on standby and available if needed during the 2014 Hurricane Season.

The Army Corps of Engineers recently issued a letter stating their intent to install tripping dolphins for navigational purposes on the inside and outside of the GIWW Sector Gate. The Southeast Louisiana Flood Protection Authority-East had asked that if the Corps chose to install the dolphins, the Corps would also agree to maintain them since navigation is a Corps responsibility. However, Corps leadership declares the dolphins will be part of the Surge Barrier Complex project, and as such, says the OLD must operate, maintain and inspect them.

IHNC-01 – Seabrook Complex The Orleans Levee District continues to regularly exercise and maintain this structure. It, too, is adequately staffed, well-maintained and fully operational. Divers are also on standby to do underwater checks before closure if needed this storm season.

We continue to await a Corps response to the state Coastal Protection and Restoration Authority (CPRA) report on Vertical Lift Gate paint problems, but that issue does not affect operation of the Seabrook gates.

LPV-01.2 – Foreshore Protection Reaches 1&2 Repairs to substantial erosion along the landward interface between the rock and the soil embankments are almost complete. Although the work is weather-dependent, the Corps hopes to finish placing fill and seeding this month. A pre-final inspection hasn't yet been held, and the Notification of the Contract Completion (NCC) is expected in September.

LPV-109.02a – Levee Enlargement for South Point to CXS Railroad and US 11 and US 90 Floodgates The Corps continues to address vegetation encroachments, turf establishment issues and excessive ruts and rills in advance of the final inspection, which is currently set for July 23. The Corps has scheduled this project for NCC at month's end.

LPV-111 – CSX RR to Michoud Canal About 12 inches of fill is being added to about 6,000 linear feet of levee that is currently below design grade, and on another 3,000 linear feet, six inches of fill is being added. The work is scheduled to be completed by the end of August and the NCC issued in September.

LPV-144 – Bayou Dupre The recent replacement of hinge and pintle assemblies has not fully corrected an issue in the west leaf, which emits grinding sounds when moving. The investigation continues; at present, operators are varying closure speeds to determine how that might affect the problem.

LPV-145A – Bayou Bienvenue Bridge Bridge approach “bent” pilings are about to be driven. The entire project won’t be complete until the 2015 hurricane season.

LPV-149 – Caenarvon Structure The Corps continues investigating paint peeling off the floodside skin plate of the Sector Gates.

LPV-149AR – Access Road at Caenarvon A final inspection was held June 18 and the NCC issued on June 26, 2014.

LPV-149A – Floodwall Tie-In to the MRL at Caenarvon Construction is completed, and a pre-final inspection was held on July 8, 2014.

Outfall Canals The installation of more sheet pile along the London Ave Canal and west side of the 17th St. Canal (OFC-07) continues, and the project is not scheduled for completion until early November. Contractors doing the work have submitted their plans for removing work barges from the Corps if necessary this storm season.

Debris consisting of bricks, glass and broken concrete has been found in the 17th Canal levee and is being removed during excavation. The Corps does not consider it a threat to the structural integrity of the levee.

All rights of entry have been granted for the 17th Street Canal bank protection project (OFC-08). The project was awarded at the end of June and completion is expected in January of 2015.

Permanent Canal Closures and Pumps (PCCP) Please check the New Orleans District web site www.mvn.usace.army.mil/missions/hsdrrs/pccp.aspx for details and regular updates on this last major HSDRRS perimeter project.

Armoring The Corps is reviewing the Non-Federal Sponsor’s comments to a revised version of the Armoring Engineering Alternative Report (EAR), and the award of system-wide armoring installation contracts is scheduled to begin this summer. Additionally, SLFPA-E, SLFPA-W and CPRA continue investigating with the Corps the possibility of raising some of these levees at local cost before they are armored. Raising them in advance of armoring could ultimately save taxpayers millions of dollars in armoring replacement costs. The Corps is reviewing the final Colorado State University report on the testing of the five High Performance Turf Reinforced Mats, which is the type material that will be used, in conjunction with turf, to armor the federal levees. A copy of the report is to be provided by month’s end to the Non- Federal Sponsor for review.

SBPS-07 – Repairs to LBBLD Pump Stations #2 and # 3 Construction bids were opened on June 11 and awarded on June 27, 2014 to Cayo, LLD. A pre-construction meeting is scheduled for July 24, 2014.

Mississippi River Projects

Jefferson Heights The first 10,000 linear feet of levee enlargement is complete and the seeding and fertilization is underway. Work on the next 10,000 linear feet is underway. A two-mile length of the bike path is currently out of service due to the construction that is adding height to the river levee in Jefferson Parish. As a levee section is completed, new material for the bike path base is placed. Asphalt is starting to be placed this week. Completion of the entire project is expected in December 2015.

Carrollton Project All levee enlargement work in Orleans Parish is complete, and only site cleaning remains. A final inspection is scheduled for July 16, 2014.

Internal Affairs

Non-Federal Levee Certification

Geotechnical field investigations, lab tests and land surveying are complete in St. Bernard and Orleans. Geotechnical reports are being finalized for the Maxent/Paris levee and should be completed for the 40-Arpent Levee in September. The O&M Manuals are complete and being reviewed by the Levee Districts.

Alternative designs for a new closure at the Shrimp Factory in St. Bernard were developed by the consultant and discussed with the property owner. The preliminary cost estimate for this work is about \$3 million. LBBLD's request for \$2 million in state capital outlay funds to help finance the project was unsuccessful and funds are being again sought from the IEB.

The draft certification report to be submitted to FEMA for the Maxent/Paris Road levee will be ready by July 18, 2014, for a two-week review by SLFPAE and the City of New Orleans. Videoing the 60-inch S&WB drain line and minor grading/filling on the Maxent Levee is scheduled to be completed by mid-August. The final report will be submitted to FEMA by August 30, 2014.

The draft certification report to be submitted to FEMA for the 40-Arpent Levee will be ready for review by SLFPAE and St. Bernard Parish in October 2014. Submittal; to FEMA will be pending the shrimp factory closure.

We continue to meet bi-monthly with our consultant to discuss progress of repairs and alternate closures.

LBBLD O&M Funding Workshops A \$32,780 task order was executed with GCR to plan and facilitate workshops focused on how LBBLD will pay for the rising cost of operating and maintaining the greatly expanded HSDRRS levees, floodwalls and floodgates in St. Bernard. The first workshop was held on June 11, 2014, to outline the issues and challenges. A second workshop now being scheduled will identify and discuss possible solutions.

Training The OLD's Complex Structure Team continues to evolve its training program, becoming ever more familiar with the operation and maintenance of HSDRRS complex gated navigational structures. Development of an overall asset management program is being discussed with several ID-IQ consultants.

Emergency Preparedness The Mississippi River, now around elev. 7.0', is expected to remain at this level before slowly falling.

Hurricane Season Preparation SLFPAE staff is accompanying the Coast Guard on regular boat rides to inventory barges in the IHNC that must be evacuated in advance of certain tropical storms and hurricanes. The tours will continue monthly throughout the 2014 season.

Eawall Erosion Protection Project (Reaches 1A, 1C, 2A, 2C, 2D, 3A, 3B, 3C, and 5B) The OLD is waiting for DEI to submit revised information in order to further negotiate their contract.

Complex Structures The bearing on the east leaf of the Bayou Bienvenue structure went out in late June. The new bearing has been installed, with the help of the Corps bridge contractor. Until that work is complete and automation is fully functional, the structure will be closed and opened manually.

Meetings and Items of Note:

The next CPRA Board meeting will be on Aug. 20, 2014, at 9:30am in the LaSalle Building in Baton Rouge.

New Contracts:

Gulf South Media has been awarded a contract to provide SLFPAE with IT Support Services from 7/1/14 to 6/30/15 for an amount not to exceed \$25,000.00.

Wanda D. Everett has been awarded a Human Resources Support Services contract from 7/14/14 to 7/14/15 for an amount not to exceed \$10,000.

Levee District Construction Projects:

Project	District	Status	Comments
Seawall Steps Erosion – Phase 1B	OLD	97% complete	NC
OLD Franklin Facility Parking Lot Improvements Landscaping Plan	OLD	99% complete	NC
IHNC Florida Ave. Bridge Sheet Pile	OLD	100% complete	
Floodgate & Floodwall Repairs	OLD	80% complete	NC
MRT and IHNC Vegetation Removal	OLD	0% complete	Work delayed due to high river crest.
MRT Poydras to Canal vegetation removal	OLD	100% complete	
Seawall Steps Erosion Phase 4&5	OLD	5% complete	Notice to Proceed issued

Levee District Project Designs and Studies

Project	District	Comments
Outfall Canals Erosion	OLD	Study 90% complete
Lakefront Seawall Area Reach , 4&5	OLD	Design complete; Construction Administration 5%
Lakefront Seawall Area Reach 2B	OLD	Design 95% complete
Floodgate Seal Repairs	OLD	Design complete; construction administration 80% complete
IHNC St. Claude Bridge Drainage	OLD	Design 50% complete.
Phase 1 for engine upgrades at Pump Stations	LBBLD	Design contract awarded; 65% complete project ongoing
1&4 HMGP approved by FEMA		
Phase 1 for Safe Room Design HMGP approved by FEMA	LBBLD	Design submitted to FEMA Region 6 for Phase 2 approval
Pump Station #6 pump repair and hangers at P.S. #7	LBBLD	P&S at 100%; advertise when erosion control project is complete
Pump Station #6 Erosion Repair	LBBLD	P&S at 100%; advertise for construction bids in June 2014
Floodgate #9 renovation	LBBLD	LBBLD performing in-house ECD 7/18; work 100% complete, waiting for turf establishment
Safe house & Consolidated Facility	EJLD	The architect is proceeding with the development design and working with a shop consultant. The target for submitting the design development to the cost estimator is August. We are awaiting feedback from the boards of the cemeteries re: the proposed traffic solution. Both boards meet in July.