

AGENDA
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY– EAST
BOARD MEETING

THURSDAY, NOVEMBER 21, 2013 – 9:30 A.M.

LOCATION: ORLEANS LEVEE DISTRICT FRANKLIN ADMINISTRATIVE COMPLEX
6920 FRANKLIN AVENUE, MEETING ROOM 221, NEW ORLEANS, LA 70122

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. Opening Comments: President Timothy Doody**
- V. Motion to adopt Agenda**
- VI. Motion to approve Minutes of the Board Meeting held on October 17, 2013 and Special Board Meeting held on November 7, 2013**
- VII. Election to Fill Vacant Offices of the Board**
- VIII. Presentations:**
 1. Levee Certification Non-Federal Levees – Tetra Tech
 2. Community Outreach – Lake Borgne Basin Levee District in conjunction with St. Bernard Parish – Dewberry Consultants, LLC
 3. Mississippi River Levee Raising Projects (Orleans and Jefferson Parishes) – U.S. Army Corps of Engineers
- IX. Public Comments**
- X. Committee Reports:**
 1. Finance Committee: Chair Estopinal
 2. Operations Committee: Chair Wittie
 3. Legal Committee
 4. CPRA/Governmental Affairs
 5. Coastal Advisory Committee: Chair Kemp
- XI. Report by SLFPA-E Regional Director**
- XII. Executive Session:**
 1. Yacht Homes of Gabriel, LLC v. East Jefferson Levee District, 24th Judicial District Court, Parish of Jefferson, No. 626-181 Div. “P”
 2. Yacht Homes of Gabriel, LLC and Bryan G. Krantz v. East Jefferson Levee District, 24th Judicial District Court, Parish of Jefferson, No. 688-793 Div. “F”
 3. Southeast Louisiana Flood Protection Authority-East, et al, v. Tennessee Gas Pipeline Company, LCC, et al, Civil District Court for the Parish of Orleans No. 13-6911.

4. Discussion of potential litigation.
5. *“West End Tennis and Fitness Club, Inc. as Successor in Interest to Edward P. Gaskell, III and Edward P. Gaskell, III, individually versus Board of Commissioners for the Orleans Levee District and the City of New Orleans Civil District Court for the Parish of Orleans, No. 06-13668 Division “G”.*

XIII. New Business:

A. Southeast Louisiana Flood Protection Authority-East (SLFPA-E):

1. Motion to adopt a resolution recognizing the commitment and contributions of Mr. John M. Barry to the SLFPA-E and to the citizens of Louisiana.
2. Motion to adopt a resolution recognizing the commitment and contributions of Mr. David P. Barnes, Jr., to the SLFPA-E and to the citizens of Louisiana.
3. Motion to adopt a resolution recognizing the commitment and contributions of Mr. Ricardo S. Pineda, P.E., CFM, to the SLFPA-E and to the citizens of Louisiana.
4. Motion to approve the legal invoices listed on the spreadsheet dated November 21, 2013.
5. Motion to authorize the apportionment of one hundred percent of the overhead of the SLFPA-E to the East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District based on the ratio of each district's tax revenues dedicated to operations and maintenance to total taxes collected by all of the districts that are dedicated to operations and maintenance.
6. Motion to approve the selection of GCR, Inc. to develop and implement a Document Management Module for the SLFPA-E Levee Information Management System (LIMS) under a Louisiana Disaster Recovery Community Development Block Grant, and to authorize the SLFPA-E Regional Director to negotiate a contract with GCR, Inc. for the aforementioned services and to execute said contract.
7. Motion to authorize a one-year extension of the ID-IQ Contract with GCR, Inc., dated December 17, 2009, for Abstracting, Project Management and Right-of-Way Acquisition Consulting Services, with all terms and conditions of the contract to remain the same.
8. Briefing by John Barry on *SLFPA-E et al. v. Tennessee Gas Pipeline Company, LCC, et al.*
9. Discussion of fees and costs purportedly incurred to date under contract signed in connection with litigation captioned *SLFPA-E et al. v. Tennessee Gas Pipeline Company, LLC, et al.*
10. Motion to stay litigation captioned *SLFPA-E et al. v. Tennessee Gas Pipeline Company, LLC, et al.*
11. Motion to request that the Legislative Auditor evaluate the contract for legal services in connection with litigation captioned *SLFPA-E et al. V. Tennessee Gas Pipeline Company, LLC, et al.*

12. Motion to reaffirm Resolution No.08-15-13-04, and to authorize continued prosecution of the lawsuit filed originally in Civil District Court for Orleans Parish as Case No. 13-6911 and removed to the federal District Court for the Eastern District of Louisiana as Case No. 13-5410, naming as plaintiffs the Board of Commissioners of SLFPA-E, individually and as the board governing the Orleans Levee District, the Lake Borgne Basin Levee District, and the East Jefferson Levee District, and naming as defendants Tennessee Gas Pipeline Company, LLC, *et al.*
13. Motion to approve a task order with BFM Corporation in the amount of \$166,500 for Phase 2 Survey – Maxent and 40 Arpent Levee Systems for Non-Federal Levee Certification.

B. East Jefferson Levee District (EJLD):

None.

C. Orleans Levee District (O.L.D.):

1. Adopt millage rates for the year 2014 and certify the levy of the three millage rates (General Tax, Special Levee Improvement Tax and Maintenance Tax) to the City Of New Orleans for the purpose of assessing and collection of the three taxes.
2. Motion to award a contract in the amount of \$394,455.00 to Cycle Construction Company, LLC, and establish a budget in the amount of \$450,000.00 to include contingencies, for the Florida Avenue Bridge Erosion Protection Project.
3. Motion to award a contract in the amount of \$906,337.00 to Kostmayer Construction Company, LLC, and establish a budget in the amount of \$1,200,000.00 to include contingencies, for the Floodgate and Floodwall Repair Project.
4. Motion to award a contract in the amount of \$794,595.10 to Barriere Construction Company, LLC, and establish a budget in the amount of \$900,000.00 to include contingencies, for the Franklin Avenue Facility Parking Lot Improvements Project.
5. Motion to renew Umbrella Insurance coverage with Lexington Insurance Company at an annual premium of \$62,498, for a one year period commencing on December 19, 2013, through Arthur J. Gallagher Risk Management Services, Inc.
6. Motion to accept settlement in the litigation entitled "*West End Tennis and Fitness Club, Inc. as Successor in Interest to Edward P. Gaskell, III and Edward P. Gaskell, III, individually versus Board of Commissioners for the Orleans Levee District and the City of New Orleans Civil District Court for the Parish of Orleans, No. 06-13668 Division "G"*".

D. Lake Borgne Basin Levee District (LBBLD):

1. Motion to authorize the execution of a Cooperative Endeavor Agreement with St. Bernard Parish Government for Hazard Mitigation Grant Program (HMGP) Project No. 1603x-087-0011 (FEMA-1603-DR-LA, Project #0418) in the amount of \$447,412.00 for costs associated with Phase I H&H Study and Design for the Palmisano Drainage Upgrades.

2. Motion to authorize the execution of a Cooperative Endeavor Agreement with St. Bernard Parish Government for HMGP Project No. 1603x-087-0010 (FEMA-1603-DR-LA, Project #0417) in the amount of \$318,627.00 for costs associated with Phase I H&H Study and Design for the Widening/Stabilization of the Congressmen Hebert, Creely, and Bluebird Canals.

XIV. Announcement of next Board Meeting: December 19, 2013 hosted by LBBLD

XV. Adjourn

ANYONE WISHING TO ADDRESS THE BOARD MUST FILL OUT A SPEAKER'S
CARD PRIOR TO THE MEETING

In accordance with the American with Disabilities Act, if you need special assistance, please contact Bob Turner at (504) 280-2411, describing the assistance that is necessary.

Posted 11/19/13 – 9:10 a.m. (revised)

Contact for Information: Glenda Boudreaux
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