

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

**RESOLUTION #09-16-10-01 - APPROVAL OF THE AUGUST 19, 2010
BOARD MEETING MINUTES**

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on August 19, 2010.

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

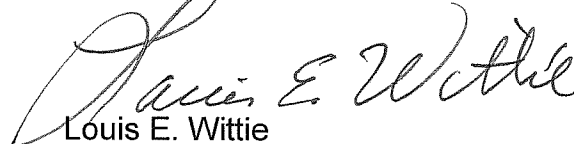
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson and Mr. Wittie

NAYS: None

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

This resolution was declared adopted this 16th day of September, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of September 16, 2010, held in Chalmette, LA, at which a quorum was present.


Louis E. Wittie
Secretary

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

RESOLUTION #09-16-10-02

WHEREAS, the United States Army Corps of Engineers (USACE) is constructing the Lake Pontchartrain and Vicinity Hurricane Protection System in the Metropolitan New Orleans area on the East Bank of the Mississippi River; and

WHEREAS, LPV 145, LPV 146, and LPV 148 are segments of the system located in St. Bernard Parish that include approximately 23 miles of concrete T-Walls atop existing levee embankments; and

WHEREAS, the T-walls are supported on steel H-piles and utilize steel sheet piles for seepage cutoff; and

WHEREAS, the levee embankments will undergo significant settlement over time; and

WHEREAS, a void space will develop under the base/stability slab due to embankment settlement, thus exposing the upper portions of the steel piles to air and moisture; and

WHEREAS, the Hurricane Protection Office (HPO) of the USACE has been granted a waiver of the coating requirements required in the HSDRRS Design Guidelines, and has decided to use increased steel thickness as a sacrificial layer to account for corrosion of the steel foundation elements for these projects; and

WHEREAS, both the Southeast Louisiana Flood Protection Authority – East (SLFPA-E) and the Louisiana Office of Coastal Protection and Restoration (OCPR) hired independent corrosion experts to review the HPO's decision and provide comment and recommendations; and

WHEREAS, the experts hired by SLFPA-E and the experts hired by OCPR both recommended coating the steel piles; and

WHEREAS, after numerous SLFPA-E and OCPR correspondences, written reports and meetings with the HPO concerning this corrosion issue, the HPO disagrees with the findings of the Non-Federal Sponsor's experts and continues to drive uncoated steel piles into the ground on the referenced projects; and

WHEREAS, the waiver from the HSDRRS Design Guidelines has been granted based on the Corps' desire to complete the project by June 1, 2011; and

WHEREAS, present scheduling indicates that some projects may not reach the required level of protection before June 1, 2011, thereby invalidating the concern regarding scheduling impacts associated with properly coating the piles.

NOW THEREFORE BE IT RESOLVED THAT:

The SLFPA-E demands that the USACE accelerate the Independent External Peer Review process for corrosion issues, "down-drag" issues, subsidence issues, flood-side armoring issues, stability slab issues and other pertinent issues on the projects listed above;

The SLFPA-E demands that the USACE immediately begin development of a remediation plan to properly address corrosion of the steel piles if the results of IEPR indicate additional measures are needed;

The SLFPA-E demands that the USACE develop and fund a robust testing and long term monitoring program to detect potential corrosion issues before they become critical;

The SLFPA-E demands that the USACE institute requirements for coal tar epoxy coating of the steel piles on all LPV Projects.

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

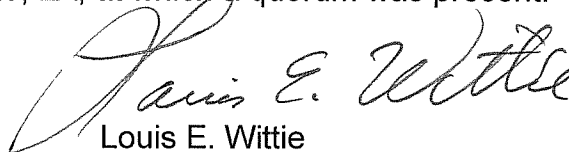
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson and Mr. Wittie

NAYS: None

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

This resolution was declared adopted this 16th day of September, 2010.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of September 16, 2010, held in Chalmette, LA, at which a quorum was present.



Louis E. Wittie
Secretary

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

RESOLUTION #09-16-10-03 – COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) is the recipient of a Grant under the State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program; and

WHEREAS, it is the intent of the SLFPA-E to utilize the SLFPA-E Urgent Projects Program Technical Assistance Grant (CDBG Grant Number 677085) to fund the Engineering Studies for the East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District.

BE IT HEREBY RESOLVED, that the SLFPA-E approves the substitution of the aforementioned Engineering Studies in lieu of the work plan originally submitted to the State of Louisiana Office of Community Development.

BE IT FURTHER RESOLVED, that the SLFPA-E President is hereby authorized to sign any and all documents necessary to accomplish the above.

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

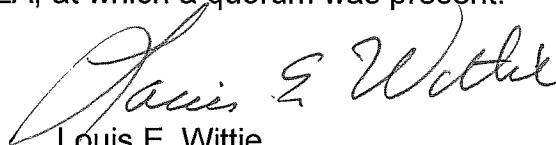
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson and Mr. Wittie

NAYS: None

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

This resolution was declared adopted this 16th day of September, 2010.

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Louis E. Wittie
Secretary

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

RESOLUTION #09-16-10-04 - ADJUSTMENT TO MURRAY ARCHITECTS' FEE FOR FRANKLIN FACILITY WAREHOUSE SAFE HOUSE/IT/EOC BUILDOUT

WHEREAS, by Resolution No. 01-15-09-11, the Board authorized the award of a design and administration construction contract to Murray Architects, Inc. for the Franklin Facility Warehouse Safe House/IT/EOC Build-out in the amount of \$109,953.85 calculated on the 2006 Edition of the Louisiana Capital Improvements Project Manual based on a construction cost estimate of \$923,982; and

WHEREAS, the architect requests that the total fee be adjusted using the manual to \$261,741.90 based on an actual bid amount of \$2,373,000, which reflects additional scope of work items approved in Operations Committee meeting project updates.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East authorizes the amended scope design and construction administration fee increase in the amount of \$168,764.27, and further authorizes the Orleans Levee District Executive Director to execute a Supplemental Agreement to accomplish the above.

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

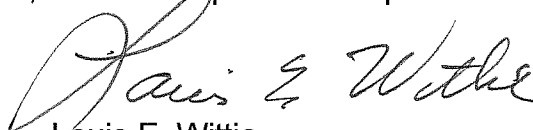
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson and Mr. Wittie

NAYS: None

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

This resolution was declared adopted this 16th day of September, 2010.

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Louis E. Wittie
Secretary

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

RESOLUTION #09-16-10-05 – LEGAL ACTION

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East follow the advice of legal counsel as presented in Executive Session on September 16, 2010 in the litigation entitled, *Isabella Stevens Conner v. Board of Levee Commissioners of the Orleans Levee District*, Docket No. 53-112, Division B, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana *c/w 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.

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson and Mr. Wittie

NAYS: None

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

This resolution was declared adopted this 16th day of September, 2010.

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Louis E. Wittie
Secretary