

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, FEBRUARY 18, 2016**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or SLFPA-E) was held on Thursday, February 18, 2016, in the Orleans Levee District Franklin Avenue Administrative Complex – Meeting Room #201, 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. Hassinger called the meeting to order at 11:00 a.m. and led in the pledge of allegiance. The roll was called by Mr. Kemp and a quorum was present:

**PRESENT:**

Lambert J. Hassinger, Jr., President  
Stephen V. Estopinal, Vice President  
Jefferson M. Angers, Treasurer  
G. Paul Kemp, Secretary  
Richard A. Luettich, Jr.  
Kelly J. McHugh

**ABSENT:**

Thomas C. Spangler, Jr.

**INTRODUCTION OF NEW COMMISSIONER AND ADMINISTERING OATH OF OFFICE**

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Mr. Hassinger advised that this item was included on the agenda as a placeholder; however, there is no introduction to make at this point.

**OPENING COMMENTS:**

Mr. Hassinger explained that the Board has discussed taking the opportunity to recognize the strength on the bench of the Authority and Levee Districts, and the talented people who make a difference between whether or not the Authority succeeds. He commented that one of the individuals critical to the success of the Authority who typically flies under the radar is Stevan Spencer, SLFPA-E Regional Chief Engineer. Mr. Hassinger recognized Mr. Spencer and provided information on Mr. Spencer's background and responsibilities. Mr. Spencer has a Bachelor's and Master's Degree in Civil Engineer and has been a Civil Engineer for forty years and an Environmental Engineer for over twenty years. He has served the Authority and Orleans Levee District for over twenty years. Mr. Spencer currently serves as the Regional Chief Engineer and the Director of Engineering for the Authority and Levee Districts under the SLFPA-E's jurisdiction. Mr. Spencer reviews designs, plans, specifications and operation manuals produced by the U.S. Army Corps of Engineers (USACE), Coastal Protection and Restoration Authority (CPRA) and Louisiana Department of Transportation and Development (LA DOTD). He meets with the USACE and other stakeholders on the

State and local levels, reviews and monitors professional engineering and technical consultant projects, and manages all relevant engineering activities for the Authority and Levee Districts. Mr. Spencer has supervisory responsibility for the operability and maintenance of the structures under the supervision of the SLFPA-E. He provides technical assistance for formal inspections of the levees, assists the SLFPA-E Regional Director with the coordination of the Authority's emergency response procedures and supervises all engineering work of the Authority. Mr. Hassinger commended Mr. Spencer for being an excellent, valuable and critical component of the Authority and commented that the expertise and experience that Mr. Spencer brings to the table is outstanding. He thanked Mr. Spencer for doing an excellent job.

Robert Turner, SLFPA-E Regional Director, commented that he and Mr. Spencer worked together prior to the existence of the SLFPA-E. He stated that Mr. Spencer is a "can do" type of person and can be relied upon to work a problem to its final solution. He noted that Mr. Spencer produces a tremendous amount of work and has been a tremendous asset to the SLFPA-E and a great help to him, as Regional Director, on a day-to-day basis.

Mr. Spencer commented that it is a team effort and that everyone works together and does their best all of the time.

**ADOPTION OF AGENDA:**

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

**RESOLUTION NO. 02-18-16-01 –  
APPROVAL OF JANUARY 21, 2016 BOARD MEETING MINUTES**

On the motion of Mr. Kemp,  
Seconded by Mr. Estopinal, 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 January 21, 2016.

The foregoing was submitted to a vote, the vote thereon was as follows:  
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh  
NAYS: None  
ABSENT: Mr. Spangler

## **PUBLIC HEARING:**

### **Draft Final Report: New Orleans East-Bank Hurricane Surge Residual Risk Reduction, Including System-Wide Compartmentalization Study, Bob Jacobsen, PE, LLC (Final Project Public Hearing)**

Mr. Kemp noted that the Public Hearing is a requirement of the Community Development Block Grant (CDBG) under which the work was accomplished. He explained that Mr. Jacobsen was requested to provide a brief summary of the findings, particularly focusing on the compartmentalization study. He pointed out that this is the final presentation on this project and that a resolution is included on the Board agenda to accept the report. He requested that the Board consider the resolution after the presentation. There was no objection. He declared the Public Hearing open and advised that there would be an opportunity for public comment after the presentation.

Mr. Jacobsen explained that the study examines risks to the Greater New Orleans area and potential ways to mitigate the risks beyond the Hurricane and Storm Damage Risk Reduction System (HSDRRS). The study was funded through a CDBG and the major focus of the grant has been compartmentalization. The report is divided into four parts and includes twenty conclusions and four recommendations. He pointed out that the National Flood Insurance Program (NFIP) is a key element in risk reduction; however, there are risks beyond property damage; i.e., fatalities and economic damages. The term “comprehensive risk” is used to mean a range of potential consequences from a particular flood. The term “risk” is used to mean the consequences having a probability.

Mr. Jacobsen reviewed the four parts of the report:

**Part 1 - East Bank Surge Inundation Hazard:** The first part of the study deals with potential risks. Hazard assessments for the HSDRRS were previously performed for the NFIP. The surge and overtopping hazards were reevaluated in 20 locations around the system and used as part of the assessment for residual risk management. Two conclusions were reviewed. The first conclusion concerns a partial revision of the numbers for the 100-year level for the 20 identified areas, which on average are about one-half-foot too low around the system and as much as one-foot too low along the New Orleans lakefront. The second conclusion is that it is likely that the 100-year estimates will continue to rise as the evaluations are redone in the future utilizing new methodologies and improvements in surge science and hurricane climatology.

Uncertainties were briefly addressed. It was noted that surge estimates are scientific guestimates. The reasonably conservative treatment of uncertainty for a factor of safety is much higher from a local comprehensive management perspective than the treatment of uncertainty under the NFIP. Hurricane Katrina exceeded the 100-year numbers. The system authorized by Congress after Hurricane Katrina was focused on restoring property values and the economy of the region, and ensuring that people could rebuild and that FEMA would be able to provide cheaper flood insurance within the polders. The HSDRRS was designed as a “risk reduction system” not a “risk elimination system”. The HSDRRS is for the

protection of property and does not have factors of safety for overtopping that address comprehensive risks. As a result of the Category 5 Study authorized by Congress, the U.S. Army Corps of Engineers (USACE) determined that after the HSDRRS was built, it would not be in the nation's interest for the Federal government to build a higher, stronger system, and that other measures, such as evacuation and flood proofing, should be taken.

Some sections of system are more vulnerable than others due to the nature of the design for the NFIP; therefore, all parts of the system do not function equally relative to higher surge hazard levels. The portion of the system west of the Louis Armstrong International Airport is more vulnerable than the rest of the system because it has the lowest free board. It meets the criteria for the 100-year event; however, it becomes more vulnerable with more extreme events. The Inner Harbor Navigation Canal (IHNC) Basin is another area of vulnerability. There are risks associated with potential load impacts to the I-wall and the gate operations.

Ten major HSDRRS levee sustainability issues were developed from a comprehensive risk management perspective (Table ES-1) and form the basis for the estimates for residual hazard for inundation within the system. Eight of the issues relate to design and two relate to maintenance. Table ES-3 of the report details the eight approaches for reducing risks (evacuation, broader participation in flood insurance, flood proofing, enhancing the HSDRRS, improving interior drainage, coastal restoration, removing the west bank levees in Lower Plaquemines Parish and compartmentalization). Evacuation is the method for managing risk to life and health. The report assumes that the other agencies and entities with responsibilities are doing their jobs. Coastal restoration striven for habitat is not optimized for surge reduction. It was noted that removing the west bank levees in Lower Plaquemines Parish is not a practical solution.

**Part II - East Bank Compartmentalization Alternatives:** The process used for determining the alternatives included stakeholder input and review of existing literature on compartmentalization. The 36 alternatives that were developed were listed in Table ES-4. Thirty-four of the alternatives relate to locations of existing terrain features that can be enhanced and two relate to the IHNC Basin.

**Part III - Modeling of Class D Surge Inundation and Compartmentalization Features:** A Class D breach inundation scenario with 30,000 acre-feet of water was used in the modeling to determine how the features impact potential high level hazard issues and to cull down the 36 alternatives.

**Part IV - Evaluation of Compartmentalization Alternatives:** The compartmentalization alternatives were screened and reviewed for vulnerability, potential adverse consequences resulting from improvement, and design issues. Five priority compartmentalization alternatives were developed (Table ES 5):

1. East Jefferson / St. Charles Parish-Line Levee / Floodwall
2. Maxent Levee
3. 40 Arpent / Violet Canal Levee / Floodwall

4. IHNC Basin Levee / Floodwall
5. IHNC Basin Operational Modifications

Modeling, surveying and review of operational issues were used to define the upgrade options for the five priority compartmentalization alternatives. All of the alternatives provide a net risk reduction. The alternatives for the IHNC Basin address a major vulnerability, provide a major risk reduction and have a negligible adverse impact. The estimated cost for each upgrade option does not include operation and maintenance. The report assumes that the cost for the design and construction of the resiliency measures associated with the IHNC Basin Levee / Floodwall would be borne by the USACE and that the SLFPA-E's cost would be associated with defining the I-walls of concern.

Four recommendations were developed:

1. Continually educate officials, the media and the public on the four surge risks topics identified in the report.
2. Ensure that the four HSDRRS management objectives identified in the report (maintaining HSDRRS accreditation, efforts required for 2023 reaccreditation, identification of required funding, and identifying ways to improve the system) are being addressed.
3. Initiate the preliminary engineering for the baseline upgrade options for all five priority compartmentalization projects according to the ranking in Conclusion 20 assuming funds are available.
4. Support advancing regional surge science and surge hazard analyses.

Mr. Kemp called for questions or comments from the public. There were no questions or comments from the public.

Mr. Luettich thanked Mr. Jacobsen for his presentation. He commented that the HSDRRS is a piece in comprehensive surge risk management, which also consists of communications, better forecasts, polderization and elevation of structures. He asked if the design standard for the HSDRRS would be different if it is considered a piece of comprehensive surge risk management rather than a function of the NFIP, and the reason for the difference. Mr. Jacobsen responded that there would be a difference. He explained that this is due to fragmented responsibilities – e.g., the entity responsible for the NFIP is not the entity responsible for evacuation or drainage. Every agency looks at its authorizations and determines its responsibilities. Therefore, the definition that satisfies the NFIP for a 100-year event may be different if a single entity was responsible to develop the definition used for all risk management activities. Differing levels of uncertainty and prudence and different methodologies are used by different entities.

The Public Hearing portion of the meeting was closed.

**RESOLUTION NO. 02-18-16-02 - FINAL REPORT: NEW ORLEANS EAST-BANK HURRICANE SURGE RESIDUAL RISK REDUCTION, INCLUDING SYSTEM-WIDE COMPARTMENTALIZATION STUDY, DATED FEBRUARY 2016**

Mr. Kemp read the RESOLVED paragraphs contained in the resolution accepting the final report and commending Mr. Jacobsen for his work. He commented that this is the end of the CDBG study; however, it is the beginning of another process in which the SLFPA-E will work together with the CPRA to act on appropriate recommendations in the report and move forward.

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

**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) in the amount of \$900,000 as a part of a Local Governmental Infrastructure Program; and

**WHEREAS**, the application for CDBG funding included professional services to conduct a New Orleans East-Bank Hurricane Surge Residual Risk Reduction, Including System-Wide Compartmentalization Study, at a cost of \$385,561.30; and

**WHEREAS**, the study was completed and publically presented to the Board at a Public Hearing held within the regularly scheduled monthly board meeting on February 18, 2016, and;

**WHEREAS**, notice of the public hearing to present the results of the study was advertised in the Times Picayune on February 10, 2016; and

**WHEREAS**, a public notice soliciting written public comments and copy of the Final Report: New Orleans East-Bank Hurricane Surge Residual Risk Reduction, Including System-Wide Compartmentalization Study, dated February 2016, by Bob Jacobsen, PE, LLC, were placed on the SLFPA-E's website; and

**WHEREAS**, public comments have been received and will be taken into consideration.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority – East accepts the Final Report: New Orleans East-Bank Hurricane Surge Residual Risk Reduction, Including System-Wide Compartmentalization Study, dated February 2016, prepared by Bob Jacobsen, PE, LLC without endorsing or approving any of the specific recommendations therein, subject to further review.

**BE IT FURTHER RESOLVED**, that the SLFPA-E wishes to commend Bob Jacobsen, PE, LLC, on the outstanding quality and originality of the work provided, well beyond expectations, that forms an important and robust basis for consideration of additional measures by the Authority in its ongoing effort to reduce residual risk from hurricane surge.

The foregoing was submitted to a vote, the vote thereon was as follows:  
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None  
ABSENT: Mr. Spangler

Mr. Jacobsen commented that the report is the reflection of a lot of hard work of a big team.

Mr. Hassinger again asked whether anyone from the public wished to comment on the report. There was no comment from the public.

**PUBLIC COMMENTS:**

Carol Byram commented on her concern that Tim Doody, a former member of the SLFPA-E, will attempt to be reappointed to the SLFPA-E Board.

Mr. Luettich interrupted and advised that Ms. Byram's comments were inappropriate because the SLFPA-E does not nominate Board members. He stated that he understood the history that Ms. Byram would be referencing and respected her opinions; however, the Board meeting is not an appropriate time to disparage a former Board member. Therefore, he objected as the comment was inappropriate and did not pertain to any of the items listed on the Board's agenda, which is a requirement for public comment under the SLFPA-E's Rules Regarding Public Comment.

Ms. Byram stated that SLFPA-E Board members in the past recommended the appointment of certain other Board members. Mr. Luettich explained that there is a nominating process and that this would be an appropriate conversation with the Nominating Committee at their meeting. Ms. Byram noted that she distributed a written statement that she changed to some extent. Mr. Hassinger asked the consensus of the Board relative to permitting the comments. Mr. Luettich pointed out that the SLFPA-E went through a process several years ago to define the criteria for public comments. Ms. Byram stated that she thought she could connect her comments to the item listed on the Board agenda relative to the welcoming of a new Board member.

Wilma Heaton, SLFPA-E Director of Governmental Affairs, asked to offer a compromise. She stated that she assumed that Ms. Byram's displeasure with the former member was an attempt to inform the public that the deadline for the submittal of applications for the two vacancies on the Board, representing St. Bernard Parish and East Jefferson Parish, is February 21<sup>st</sup>.

Mr. Hassinger asked that Ms. Byram make her comments as concise as possible.

Ms. Byram commented on the need for smart, well-intentioned and honest people who placed science ahead of their own personal agendas and egos. She asked that the Board not allow certain people to be the only voices to be heard by the Governor, CPRA and Nominating Committee. She expressed her concern that based on the Governor's recent actions he may reappoint the former Board member, not realizing that this would be a terrible setback to the extraordinary and astonishing turn around that the SLFPA-E Board has achieved under Mr. Estopinal and Mr. Hassinger. She stated that even at today's meeting she marveled at the Board's transparency, respect and fairness, as well

as the high quality of all the SLFPA-E personnel. She congratulated the Board for this miracle and thanked the Board.

Beverly Crais commented that she and her husband have lived next to the West Return Floodwall for 35 years and that their property has never flooded until the USACE constructed the new West Return Floodwall and drainage system. She stated that their property has flooded 12 times in the past 21 months. She suggested that since the USACE indicated that it needed proof, that a gage be placed in the swale or surveillance cameras be installed to monitor the drainage. She commented that the USACE did not have a representative at today's meeting to provide an update on its progress. She commented on her interactions with USACE personnel over the past 21 months and concerning the on-going problem. She commented on the mental, physical and financial toll this problem has taken on her and her husband and for the need for USACE to fix the drainage system so that her property no longer floods and provide compensation for the damages. She thanked the Board for providing the opportunity to expose this injustice.

### **COMMITTEE REPORTS:**

**Finance Committee:** Mr. Angers reported that the Finance Committee met prior to the Board meeting and considered the following items:

- Proposed FY 2017 Budgets – The Committee reviewed the proposed FY 2017 SLFPA-E and levee district budgets. The FY 2017 Budgets must be approved by the Board at its March meeting. A Finance Committee meeting will be held prior to the Board's meeting in March so that the budgets can be finalized and circulated prior to the Board meeting.
  - SLFPA-E FY 2017 Budget - The modest changes to the SLFPA-E's budget represent additional staff, including a Chief Financial Officer, Operations Director and Human Resources Director. The Committee discussed the need to include a Chief Information Technology Officer.
  - EJLD FY 2017 Budget - Changes to the East Jefferson Levee District (EJLD) Budget for FY 2017 represent the increase in capital improvements, including work along the 17<sup>th</sup> Street Canal, levee lifts and the construction of the proposed Safehouse and Consolidated Facilities.
  - O.L.D. FY 2017 Budget - The Orleans Levee District (O.L.D.) Operations Budget did not include any major changes.
  - LBBLD FY 2017 Budget - The Lake Borgne Basin Levee District (LBBLD) Budget remained static. The proposed budget does not include any merit increases for personnel for the second year. The Violet Canal Levee/Floodwall Realignment Project was excluded from the LBBLD budget until fidelity is received relative to a grant for which an application was submitted.
- The Committee was advised that a communication was received from the Louisiana Department of Civil Service relative to the position of Chief Financial Officer and that the position will be advertised shortly. The job descriptions for the Operations

Director and Director of Human Resources are being finalized and a job description will be developed for a Chief Information Technology Officer.

- The Committee discussed efficiencies on which the SLFPA-E has focused, such as a unified Chart of Accounts. A quantum leap has been made since last year relative to the Chart of Accounts enhancing the Board's review of the budgets. Efficiencies relative to the use of vendors (ADP) for payroll were discussed. Multiple vendor accounts are established for the SLFPA-E and levee districts increasing costs and fees. The Committee discussed the consolidation of the accounts to effectuate savings.
- The Committee was advised about a recent data security breach at one of the levee districts. The system was hacked; however, it was reported that the data is now secure. Individuals who may have been effected by the breach are being notified. The inefficiencies in Information Technology (IT) across the SLFPA-E and levee districts prompted a candid discussion on the need for an individual to be in charge of IT for the Authority and levee districts. The Committee also discussed the need for interconnectivity between the Authority and levee districts.

Mr. Kemp commented that he and Mr. Turner have discussed the need for an additional engineer under Mr. Turner's supervision. He asked did the budget include this position. Mr. Turner responded that the position was not included in the budget at the present time. Mr. Kemp requested that this issue be discussed prior to the next meeting.

**Operations Committee:** Mr. Estopinal reported that the Operations Committee met prior to the Board meeting. Items forwarded to the Board with a recommendation for approval include:

- Selection of the design professional for the EJLD Safehouse and Consolidated Facilities.
- Amendment of the Tetra Tech Contract for Phase II of the Probabilistic Performance Analysis for the complex structures
- Approval of a servitude with the Port of New Orleans along the IHNC. Mr. Estopinal pointed out that a proper boundary survey was done for the servitude.
- Award of a contract for the Mississippi River Floodgate Paint and Repair Project.

Mr. Estopinal advised that authorization of Task Order No. 4 under the Design Engineering, Inc. contract for the Lake Pontchartrain Seawall Erosion Control Project was forwarded to the Board with no recommendation due to an insufficient number of Committee members to vote on the item.

Mr. Estopinal reported that a request was made at the Operations Committee meeting for an inventory of the Operations and Maintenance Costs for the Federal system.

Mr. Estopinal noted the need to push as hard as possible for the highest priority recommendation in Bob Jacobsen's report relative to operational modifications for the IHNC Basin in order to take advantage of the storage capacity offered by the Central Wetlands and reduce risks along the Industrial Canal I-walls. He expressed concern

about the threat posed to the City of New Orleans by the Industrial Canal I-walls and noted that a suggestion will be brought to the Board at its next meeting. Mr. Kemp requested that Mr. Estopinal lead the discussion at the next Coastal Advisory Committee meeting on this issue. Mr. Estopinal commented on the tremendous benefit that would be afforded to the City of New Orleans relative to risk reduction by modifying the operational plan for the IHNC Basin. Interested entities would include the USACE, Port of New Orleans, U.S. Coast Guard and the navigation industry. The operational modifications would reduce the risks due to vessels and floating objects potentially impacting the I-wall. Mr. Luetlich recommended that Mr. Jacobsen write a scope of work relative to the steps that would be necessary. Mr. Turner advised that a scope of work could be developed for a planning effort to determine the process. Mr. Kemp commented that this is the Authority's first venture beyond NFIP and standard resiliency efforts. Mr. Estopinal agreed with the recommendation relative to the development of a scope of work by Mr. Jacobsen. Mr. Hassinger stressed the importance of reaching out to the appropriate interested entities to ensure that everyone who needs to be involved in the discussion is involved and that the course that is developed is feasible. Mr. Kemp noted that the Strategic Partnership Meeting would be an appropriate forum to discuss this issue. Mr. Turner pointed out that a first step would be the identification of stakeholders.

Mr. Hassinger requested that Item XIV.C.3 be taken as the next item of business. There was no objection.

**RESOLUTION NO. 02-18-16-03 - LAKE PONTCHARTRAIN SEAWALL EROSION CONTROL PROJECT DEI TASK ORDER NO. 4**

Gerry Gillen, O.L.D. Executive Director, explained that Task Order No. 4 for the Seawall Erosion Control Project includes work under three phases. Phase 3 design and engineering services costs were adjusted to include annual rate increases. Preliminary work (geotechnical and survey) is being authorized for Phase 4. He pointed out that further negotiations are needed to address the additional construction phase services for Phase 1.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority–East (SLFPA-E) approved the Lake Pontchartrain Seawall Erosion Control Project, the four Phased Scope of Work and schedule, with a not-to-exceed fee limit of \$5,335,362.87; and

**WHEREAS**, the Phase 3 segment is ready for Engineering Design Services to commence, Phase 4 is ready for geotechnical investigation and surveying, and Phase 1 requires additional construction management services due to a higher number of RFIs than anticipated and construction visits caused by extensive unforeseen underground conditions; and

**WHEREAS**, funds for these services are available from the approved FY 2016 Special Levee Improvement Fund Budget.

**BE IT HEREBY RESOLVED**, that the SLFPA-E authorizes the Orleans Levee District (O.L.D.) Executive Director to sign Task Order No. 4 with Design Engineering, Inc., as follows:

Phase 3 Design and Engineering Remaining Services	\$717,492.07
Phase 4 Subconsultants	32,443.47
Phase 1 Additional Construction Phase Services	<u>227,641.96</u>
Total	\$997,577.50

**BE IT FURTHER RESOLVED**, that the not-to-exceed fee limit be amended from the approved amount of \$5,469,700.00 in Resolution 07-16-15-16 to include yearly labor rate increases, additional drainage design, and additional construction administration in the amount of \$299,262.26 for a new contract fee limit of \$5,768,962.26.

The foregoing was submitted to a vote, the vote thereon was as follows:  
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh  
NAYS: None  
ABSENT: Mr. Spangler

**Legal Committee**: No report.

**CPRA**: No report.

**Coastal Advisory Committee**: No report.

**REGIONAL DIRECTOR'S REPORT:**

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

- Seabrook Complex – The SLFPA-E reported problems (chipping and corrosion) with the coating on the lift gates to the CPRA and USACE. USACE experts subsequently agreed with the SLFPA-E experts concerning the coating problems. The USACE will remove and transport the lift gates to a facility for sandblasting and repainting. The gates will then be reinstalled. The SLFPA-E requested that the USACE address other problems while the gates are removed. If the USACE does not address the additional problems, they must be addressed by the SLFPA-E. The structure must be back in service by June 1, 2016 (the beginning of hurricane season).
- IHNC Surge Barrier Barge Gate – Mr. Turner pointed out that the Barge Gate remained closed during the 2015 hurricane season due to the risks involved with operating the gate due to certain problems. He explained that problems with the fairleads were initially investigated by SLFPA-E staff and reported to the USACE and CPRA. The USACE replaced the two fairleads during February. While investigating a problem with a Barge Gate windlass, SLFPA-E staff discovered rust inside the hydraulic oil tank and reported the issue to the USACE. The USACE will remove the units from the barge, replaced the tanks with stainless steel tanks and perform some refurbishment of the hydraulic system. Mr. Turner pointed out that the USACE's

Operations and Maintenance Manual provides for the use of a tug to push the barge into place only after all other methods are exhausted to swing the barge into place; however, the USACE has not provided a procedure for using a tug. The SLFPA-E communicated this issue to the CPRA and a letter was sent to the USACE requesting that the appropriate procedures be developed.

- IHNC Surge Barrier Sector Gate - Video footage of a recent incident in which a barge struck the Sector Gate fender system was shown to the Board. SLFPA-E personnel investigated the damage. There does not appear to be structural damage to the main structural members of the gate. The gate is fully operational. O.L.D. personnel are developing a plan to replace the damaged fender system rub rails, which are the first defense against impact. A claim will be made against the company operating the tug.
- Armoring Project – Mr. Turner explained that anchoring is required for the High Performance Turf Reinforcement Mat (HPTRM) until such time as roots are established through the mat. The USACE’s contractor neglected to clip the cable protruding from the anchors low enough. The issue was reported to the USACE and the contractor was instructed to clip the protruding cable on the exposed HPTRM. However, the USACE has no plan to investigate the areas where sod has been placed over the HPTRM. The CPRA has been notified and the SLFPA-E is working with the CPRA to ensure that this concern is addressed.
- Violet Canal Levee/Floodwall Realignment – The Authority attempted to acquire a portion of the property needed for the realignment through an act of donation. The property owner initially indicated that there would not be a problem with the donation. A plan was developed based upon discussions with the property owner. The plan was presented to the property owner and the property owner requested certain changes. A minor shift was made to the realignment and the revised plan was presented to the property owner. The property owner then requested additional changes resulting in a significant change to the plan. In addition, the property owner is now requesting the construction of three ramps along with the new realignment. The property owner is also constructing improvements on the site. The SLFPA-E is seeking alternative options due to the potential impact to the project cost. All of the other properties required for the project have been acquired. The SLFPA-E is awaiting the disposition of a Hazard Mitigation Program Grant (HMPG) to begin the Phase 2 work. An economic analysis was completed as part of the HMPG process. FEMA is doing an archaeological study and an environmental assessment. The project was omitted from the LBBLD FY 2017 Budget until better fidelity relative to receipt of HMPG funding is achieved.
- West Return Floodwall Landside Runoff Project – The USACE will begin today driving vinyl sheet pile from the Grand Lake Drainage Pump Station north to West Esplanade Avenue. All required tree trimming has been completed. The SLFPA-E is still waiting for the USACE’s final plan for the reach north of West Esplanade Avenue. SLFPA-E and USACE personnel met on site to discuss the issues. The results of the CPRA’s drainage study were provided to the USACE. The USACE has agreed to open an additional way (spillway) for water to exit the system at Vintage, which should reduce the pressure on the system north of West Esplanade

Avenue. Replacement of some of the pipe on the northern end where a bow may have occurred due to a buoyance issue has been discussed.

- Caernarvon Structure – The USACE will repaint the Sector Gate leafs to address the peeling paint problems. However, due to the need to provide the property owners located behind the structure time to make plans for the marine vessels utilizing their properties, the USACE will begin the repainting project next fall.
- Levee Lift Projects – The 100 percent and 95 percent plans have been submitted to the USACE for the levee lift projects located in the EJLD. The SLFPA-E is awaiting the USACE's comments. An environmental assessment and borrow analysis have been completed and submitted to the USACE. A letter co-signed by the SLFPA-E and CPRA relative to the levee lifts will be submitted to the USACE.
- Surge Analysis Update – Discussions are on-going regarding the reanalysis. Mr. Turner advised that he is scheduled to speak at the newly formed Maurepas-Pontchartrain Surge Consortium at an upcoming meeting. The CPRA has expressed an interest in taking the lead on the reanalysis.
- Risk Assessment Project – Phase I of the project is nearing completion. A report will be provided by Tetra Tech on Phase I. Verbal approval of CDBG funding has been received for Phase II. Phase II will be commenced as soon as written verification of the funding is received.
- Mississippi Valley Flood Control Association Annual Spring Meeting (February 29 and March 1-2) – Mr. Turner explained that while attending the MVFCA Annual Spring Meeting in Washington, D.C., meetings will be scheduled with members of the Congressional Delegation and other appropriate members of Congress. The three main items that will be address are:
  1. Levee recertification effort – The USACE recertified the Hurricane and Storm Damage Risk Reduction System (HSDRRS) in 2013. The certification is only good for ten years. The HSDRRS must be recertified in order for the system to remain accredited after 2023. The USACE should be involved in the recertification effort. The USACE must have Congressional authorization and funding to participate in the effort. The recertification effort for the entire system (HSDRRS East and West Banks and Mississippi River Levees) could cost an estimated ten to fifteen million dollars.
  2. Future levee lifts – Language was included in the Water Resources Development Act (WRDA) of 2014 regarding Federal interests in participating in future levee lifts in the HSDRRS; however, the Secretary of the Army must determine that the lifts are technically feasible, economically justifiable and environmentally sound. Therefore, the USACE will require that a General Reevaluation Report (GRR) be completed. The estimated cost of the GRR is three to four million dollars, half of which must be borne by the local sponsor. The economic justification part of the requirements will be an issue; therefore, a technical adjustment to the WRDA language is needed regarding the economic justification. The USACE's standard methodology for doing benefit-cost ratios for projects will not work for levee lifts.
  3. System management plan – A system management plan that goes beyond the SLFPA-E's authority is needed for the long term viability of the system. The plan

should include the USACE, CPRA, parish governments and other regional stakeholders. Due to the complexity of the system, a structured way to keep all of the required stakeholders in communication is needed. The plan should include the evaluation of the system, determination of future needs and associated costs, and advocacy. Participation by the USCE will require authorization and funding. This effort would also ensure the continuity of the system as a whole.

Mr. Turner pointed out that he will be meeting with USACE personnel regarding these items in order to ensure their feasibility and with local staff for the Congressional Delegation prior to formalizing a document.

Mr. Jacobsen advised that a Coastal Levee Coalition meeting will be held next week and can be used as a forum for the recertification issues.

### **EXECUTIVE SESSION:**

1. Discussion of a potential settlement in the litigation entitled Borgnemouth Realty Company, Ltd. vs. Parish of St. Bernard, Lake Borgne Basin Levee District and St. Paul Fire and Marine Insurance Company, No. 112-833 (34<sup>th</sup> JDC).

A motion was offered by Mr. Kemp, seconded by Mr. Estopinal and unanimously adopted for the Board to convene in Executive Session to discuss the item listed on the agenda. The Board convened in Executive Session at 1:20 p.m.

A motion was offered by Mr. Estopinal, seconded by Mr. Luettich and unanimously adopted, for the Board to reconvene in regular session at 2:00 p.m.

Mr. Turner requested a point of personal privilege. He stated that a lot of effort has recently been spent getting with SLFPA-E and levee district employees and telling them how much the Authority appreciates the work that they are doing and how important their jobs are to fulfilling the Authority's mission. However, no one ever says anything about the Commissioners. He stated that on behalf of himself and staff he wanted to express appreciation for the leadership provided by the Board and for the engagement by Board members on the difficult issues that must be dealt with by the SLFPA-E and levee districts. He stated that the Authority cannot afford to fail as an organization. The entire region depends on the Authority's success. Without the Authority's success, it would be very difficult for the Metropolitan New Orleans area to exist in the future. The job of the Board is very important. There are a variety of backgrounds and perspectives that the Board members bring to the table along with different technical expertise. He stated that he sees very good leadership, advice and guidance given to staff and that it is very much appreciated. He stated that it is essential that this leadership, advice and guidance continues for staff to be able to accomplish the Authority's mission. He stated that he looked forward to the continued engagement by the members of the Board on a regular basis. He stated that having a Board that is focused on the Authority's mission of flood protection and recognizing the value of the SLFPA-E and levee district employees motivates staff to do their best work and fosters good morale. He thanked

the members of the Board for the good work that they do and the help and value that they give staff so that they can do their jobs to the best of their abilities.

Mr. Kemp commented that Mr. Turner's comments were good to hear and that the Board under its current President and immediate past-President are working more coherently. Mr. Turner added that this does not go unnoticed and that this is seen by the staff.

Mr. Gillen advised that an inspection was conducted last week on the St. Bernard Polder. A list was developed from last year's inspection report of items that needed to be addressed. All of the items have been take care of over the past year. The USACE had no comments. He noted that the Mississippi River is still a little high and that there are some small insignificant areas that have washout that must be addressed. He commented that the system on the St. Bernard side looked great. O.L.D. personnel are addressing all of the outstanding items in preparation for the upcoming inspections of the New Orleans East and Metro Polders.

### **EXECUTIVE COUNSEL REPORT:**

Nyka Scott, SLFPA-E Executive Counsel, reported on the following items:

- Human Resource Matters – Approval has been received on the job description for the Human Resource Director. The job description is being reviewed by Mr. Turner and the position is anticipated to be posted within the next several weeks. The O.L.D. Police Department is in the process of interviewing for six new positions as well as filling two vacancies. Ms. Scott advised that she has been requested by the President to develop an awards and recognition program for employees. After its development the program will need to be reviewed by the Regional Director and it was hoped that the program will be presented to the Board next month for its consideration.
- Last month the Board approved the issuance of a Request for Proposals (RFP) for communication services. A draft of the RFP will be presented to the Regional Director next week for his review and approval. The RFP is anticipated to be issued within the next three weeks.
- Recently a notice was received that Louisiana L&G Energy was building a liquefied natural gas plant in Plaquemines Parish near some O.L.D. property in the Bohemia Spillway. Ms. Scott advised that she will provide information or a recommendation on this issue at the next meeting.
- The Legal Department has received several public records requests that should be wrapped up within the next few weeks.
- Grants - Phase I of the Risk Assessment Grant is nearing completion. The SLFPA-E Grants Administrator met with the Office of Community Development's Grants Administrator. The SLFPA-E's paperwork was brought into order and the Authority is awaiting a signed Cooperative Endeavor Agreement for Phase II. The SLFPA-E Grants Administrator is also assisting the O.L.D. with the close out of Project Worksheets from Hurricanes Gustave and Isaac. The SLFPA-E Grants

Administrator was advised by Capt. Boudreaux that new radios (estimated at \$3,500 per radio) will be needed for all levee district police officers due to a new frequency issue; therefore, she is researching funding for the new radio equipment. The SLFPA-E is also researching grant opportunities for levee imaging work.

- Litigation – Five active litigation cases remain. A resolution is expected on the majority of these cases in the next several months.

### **NEW BUSINESS:**

#### **Motion to hold the regular monthly Board Meeting for May on May 12, 2016, in lieu of May 19, 2016.**

Mr. Hassinger explained that he requested the change in date for the May Board meeting due to a scheduling issue. There was no objection to the change in date.

A motion was offered by Mr. Kemp, seconded by Mr. Estopinal and unanimously adopted, to hold the regular monthly Board Meeting for May on May 12, 2016, in lieu of May 19, 2016.

#### **Motion to adopt 2016 SLFPA-E Strategic Plan.**

Mr. Hassinger advised that he discussed this item with Derek Boese, EJLD Executive Director, and Mr. Luettich prior to the Board meeting and found that there are some additional items that must be included in the Strategic Plan. Therefore, the motion will be deferred to next month's Board meeting. Mr. Luettich pointed out that there are two new positions that should be included in organization chart and added to the Strategic Plan. Mr. Boese added that Mr. Luettich requested that a statement be included in the Strategic Plan to define the interaction with the Non-Flood Protection Asset Management Authority.

#### **RESOLUTION NO. 02-18-16-04 - SELECTION OF ARCHITECTURAL/ ENGINEERING FIRM FOR THE DESIGN OF THE EJLD SAFEHOUSE AND CONSOLIDATED FACILITIES**

Mr. Estopinal advised that he was a member of the selection team and that this item came before the Operations Committee. He explained that interviews were conducted and that everything was performed in good order. The firm universally recommended was Sizeler Thompson Brown Architects. Mr. Boese commented that the goal is to build the Safehouse and Consolidated Facilities within approximately two years with a budget between eight and ten million dollars.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East approved the advertisement of a Request for Qualifications (RFQ) for the design of

the proposed East Jefferson Levee District (EJLD) Safehouse and Consolidated Facilities based on a needs analysis; and

**WHEREAS**, the 16 (sixteen) Statements of Qualifications (SOQs) that were received were reviewed and competitively rated by a selection team consisting of Stephen Estopinal, SLFPA-E Vice President, Robert Turner, SLFPA-E Regional Director, Nyka Scott, SLFPA-E Executive Counsel, Derek Boese, EJLD Executive Director, and Nick Cali, LBBLD Executive Director; and

**WHEREAS**, the selection team recommended that Sizeler Thompson Brown Architects be selected to provide the aforementioned Professional Architectural and Engineering Services; and

**WHEREAS**, after a final contract has been negotiated, the Board will be requested to approve the contract with the selected consultant.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East approves the selection of Sizeler Thompson Brown Architects to provide Professional Architectural and Engineering Services for the design of the proposed EJLD Safehouse and Consolidated Facilities based on the needs analysis.

**BE IT FURTHER RESOLVED**, that the EJLD Executive Director is authorized to negotiate a contract with Sizeler Thompson Brown Architects for the aforementioned services.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

#### **RESOLUTION NO. 02-18-16-05 - APPROVAL OF LEGAL SERVICES INVOICES**

On the motion of Mr. Luettich,

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

**WHEREAS**, the legal services 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 February 18, 2016”, have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E Executive Counsel, and provided to members of the Legal Committee.

**BE IT HEREBY RESOLVED**, that the legal services invoices listed on the spreadsheet entitled “Legal Invoices Approved on February 18, 2016” are hereby approved.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

**RESOLUTION NO. 02-18-16-06 - AMENDMENT OF AGREEMENT WITH TETRA TECH, INC. FOR RISK ASSESSMENT ENGINEERING SERVICES**

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) is in need of a Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector Gate, Bayou Dupre Sector Gate and the Caenarvon Sector Gate; and

**WHEREAS**, the State of Louisiana Office of Community Development, Disaster Recovery Unit (OCD-DRU) is providing a Disaster Recovery Community Block Grant of \$500,000 to fund this analysis; and

**WHEREAS**, after the solicitation of proposals and conducting a competitive selection process, the SLFPA-E Board by Resolution No. 04-16-15-04 approved the selection of Tetra Tech, Inc. to provide aforementioned the Risk Assessment Engineering Services; and

**WHEREAS**, the SLFPA-E Board by Resolution No. 05-21-15-06 authorized the execution of a Contract with Tetra Tech, Inc. consisting of two phases: Phase I to provide for a risk elicitation workshop dedicated to each of the major structures, and Phase II for redeveloping the Operations & Maintenance plans for the structures that are the subject of the analysis; and

**WHEREAS**, the execution of the Contract for Phase II is contingent upon the successful completion of Phase I and on the Authority's receipt of funding for Phase II from the Office of Community Development/Disaster Recovery Unit (OCD/DRU); and

**WHEREAS**, Phase I of the Contract is nearing completion and verbal approval has been received for funding Phase II from the Office of Community Development/Disaster Recovery Unit (OCD/DRU) in an amount of \$260,000.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the amendment of the Agreement with Tetra Tech, Inc. to complete Phase II of the Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector Gate, Bayou Dupre Sector Gate and the Caenarvon Sector Gate in the amount of \$260,000, subject to successful completion of Phase I of the Contract and documentation evidencing the Authority's receipt of funding for Phase II from the Office of Community Development/Disaster Recovery Unit (OCD/DRU).

**BE IT FURTHER RESOLVED**, that the SLFPA-E Regional Director is hereby authorized to execute the aforementioned amendment and 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. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh  
NAYS: None  
ABSENT: Mr. Spangler

**RESOLUTION NO. 02-18-16-07 –  
APPROVAL OF TASK ORDER NO. 19 WITH GCR & ASSOCIATES, INC.**

Mr. Turner advised that the contract with GCR, Inc. includes providing the SLFPA-E with a GIS based system for tracking levee district properties, as well as the documentation pertaining to those properties. An additional group of properties must be added to the system. In addition, GCR is making changes to the program and providing training to staff for their use and maintenance of the system. There is enough capacity within the current contract for the task order.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) entered into an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with GCR, Inc. (GCR) (ID-IQ Contract No. 01-01) to provide services related to Lands, Easements, Rights-of-Way, Relocations and Disposal Sites (LERRDs); and

**WHEREAS**, the Board by Resolution No 11-19-16-04 approved the extension of the aforementioned contract to June 30, 2016; and

**WHEREAS**, GCR has previously been tasked by the SLFPA-E to provide services for the mapping of certain levee rights-of-way for the SLFPA-E and the levee districts under its jurisdiction and the development of a GIS Property Management Application; and

**WHEREAS**, Task Order No. 19 has been negotiated with GCR for the Mapping of Additional Levee District Land Assets, Levee Rights-Of-Ways, Application Enhancements, Training and IT Support with a not-to-exceed amount of \$59,150.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves Task Order No. 19 with GCR, Inc. and authorizes the SLFPA-E Regional Director to execute said Task Order 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. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh  
NAYS: None  
ABSENT: Mr. Spangler

**RESOLUTION NO. 02-18-16-08 - AGREEMENT WITH PORT OF NEW ORLEANS  
REGARDING IHNC EAST FLOODWALL AND LEVEE**

Mr. Gillen advised that the proposed agreement with the Port of New Orleans establishes the servitude on the east side of the IHNC.

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

**WHEREAS**, the Industrial Canal Project was authorized by the Legislature by Act 244 of 1914 and provided for the Co-Operation of the Board of Commissioners of the Port of New Orleans, the Board of Commissioners of the Orleans Levee District, the City of New Orleans, the Public Belt Railroad; and

**WHEREAS**, Act 203 of 1916 provided the Port of New Orleans (Port) power and authority to enter into contracts and agreements with the Board of Commissioners of the Orleans Levee District (O.L.D.) to construct and maintain levees and embankments over, in the bed and on shores of Lake Pontchartrain and along the canals to the Mississippi River simultaneously with the construction of said Canal; and

**WHEREAS**, three agreements were executed between the two agencies that committed \$925,000 annually by the O.L.D. to the Port for 50 years for repayment of bonds and the construction of permanent levees, including land and property, and for maintenance and repairs; and

**WHEREAS**, the operation and maintenance of the Industrial Canal levees were turned over to the O.L.D. after the expiration of the fifty-year agreements; and

**WHEREAS**, no survey rights-of-way have been recorded for the aforementioned levee sections.

**BE IT HEREBY RESOLVED** that the Southeast Louisiana Flood Protection Authority – East (SLFPA-E) approves the agreement with the Port of New Orleans granting to the Orleans Levee District a servitude and right-of-way over a portion of Port of New Orleans property along a floodwall beginning at the east bank of the Inner Harbor Navigation Canal and south of Almonaster Avenue, southward to the Gulf Inter-coastal Waterway and extending eastward to Elaine Street Wharf, as shown on survey by Dading, Marques & Associates, LLC, dated January 31, 2015, Job No. 52233, for the purpose of conducting the operation, maintenance, improvement, repair, replacement, and patrol of the floodwall and levees.

**BE IT FURTHER RESOLVED**, that the SLFPA-E President or the O.L.D. Executive Director is hereby authorized to execute the aforementioned agreement with the Port of New Orleans, subject to approval by the SLFPA-E General Counsel.

The foregoing was submitted to a vote, the vote thereon was as follows:  
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh  
NAYS: None  
ABSENT: Mr. Spangler

**RESOLUTION NO. 02-18-16-09 - MISSISSIPPI RIVER FLOODGATE PAINT AND REPAIR – AWARD OF CONSTRUCTION CONTRACT**

Mr. Gillen advised that four bids were received for the repainting and refurbishment of 67 of the 74 floodgates along the Mississippi River. He recommended the award of the

contract to the apparent low bidder, Kostmayer Construction, LLC, in the amount of \$2,582,827.

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

**WHEREAS**, the Mississippi River Floodgates require sandblasting and painting because of deteriorating paint and lead in the paint; and

**WHEREAS**, the Mississippi River Floodgates also require other repairs including rubber seal replacement, sill repairs and other repairs; and

**WHEREAS**, the Mississippi River Floodgate Paint and Repair Project was advertised and four bids were opened and read at the Orleans Levee District (O.L.D.) on Tuesday February 16, 2016 as follows:

<b>Bidding Contractors</b>	<b>Total Base Bid Price</b>
Kostmayer Construction, LLC	\$2,582,827
Command Construction Industries, LLC	\$2,761,460
Baker Pile Driving & Site Work, LLC	\$3,471,000
Cycle Construction Company, LLC	\$4,601,861

**WHEREAS**, funds for this project are available from the approved FY 2016 Special Levee Improvement Fund Budget.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority – East authorizes the award of a contract in the amount of \$2,582,827 to Kostmayer Construction, LLC, and the establishment of a construction budget in the amount of \$2,900,000, for the Mississippi River Floodgate Paint and Repair Project.

**BE IT FURTHER RESOLVED**, that the O.L.D. Executive Director is hereby authorized to execute a contract in the amount of \$2,582,827 with Kostmayer Construction, LLC, and sign any and all other documents necessary to accomplish the above.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

**RESOLUTION NO. 02-18-16-10 –  
LBBLD/CPRA BOARD/CPRA INTERGOVERNMENTAL AGREEMENT RE O&M OF  
THE VIOLET SIPHON FRESHWATER DIVERSION**

Nick Cali, LBBLD Executive Director, explained that the agreement is a continuation of the LBBLD's partnership with the CPRA for the operation and maintenance of the Violet Siphon, which is located behind the LBBLD's offices. LBBLD services are cost reimbursable.

On the motion of Mr. Estopinal,

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

**WHEREAS**, OCPR, also known as Coastal Restoration and Protection Authority (CPRA), asked that the Lake Borgne Basin Levee District (LBBLD) operate and maintain the Violet Siphon Freshwater Diversion, also known as the Violet Siphon (the Project), State Project No. PO-01 on its behalf; and

**WHEREAS**, effective July 1, 2000, the Lake Borgne Basin Levee District (LBBLD) entered into an Intergovernmental Agreement with the State of Louisiana, Office of Coastal Protection and Restoration (OCPR), OCPR Contract #2503-01-18, wherein the LBBLD agreed to operate and maintain the Project; and

**WHEREAS**, under said Agreement, CPRA reimburses LBBLD for 100% of the operation and maintenance (O&M) costs incurred; and

**WHEREAS**, after execution of several amendments over many years, the referenced agreement expired on June 30, 2015; and

**WHEREAS**, CPRA, its Board and LBBLD desire to continue the Agreement *ab initio* to achieve the goals and objectives of the original Agreement; and

**WHEREAS**, CPRA and its Board have submitted to LBBLD a new agreement for execution with an effective date of July 1, 2015 to avoid a break in continuity; and

**WHEREAS**, under the new agreement, CPRA will continue to reimburse LBBLD for 100% of the O&M costs incurred.

**BE IT HEREBY RESOLVED**, that the Board of Commissioners of the Southeast Louisiana Flood Protection Authority–East does hereby authorize the LBBLD Executive Director to execute the new agreement regarding O&M of the Violet Siphon Freshwater Diversion with the Coastal Protection and Restoration Authority Board (CPRA Board) and the Coastal Protection and Restoration Authority (CPRA).

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

**RESOLUTION NO. 02-18-16-11 - A RESOLUTION OF THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST ACCEPTING EXECUTIVE COUNSEL'S SETTLEMENT RECOMMENDATIONS IN THE "BORGNEMOUTH REALTY COMPANY, LTD. VS. LAKE BORGNE BASIN LEVEE DISTRICT, ET AL" MATTER, AND AUTHORIZING THE REGIONAL DIRECTOR TO EXECUTE ALL SETTLEMENT DOCUMENTS, AND ANY OTHER DOCUMENTS NECESSARY TO PERFECT THE SETTLEMENT OF THIS MATTER**

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On the motion of Mr. Estopinal,

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

**WHEREAS**, Borgnemouth Realty Company filed suit against the Lake Borgne Basin Levee District in the 34<sup>th</sup> Judicial District of St. Bernard Parish, Action No.

112-833 (34<sup>th</sup> JDC); and

**WHEREAS**, Executive Counsel has advised the Southeast Louisiana Flood Protection Authority-East Board that the parties are in the process of negotiating a settlement, in principal, of the litigation; and

**WHEREAS**, Executive Counsel recommends that the Southeast Louisiana Flood Protection Authority-East agree to move forward with the settlement as recommended by Counsel; and

**WHEREAS**, it is necessary for Robert A. Turner, Regional Director of the Southeast Louisiana Flood Protection Authority-East Board, to execute any and all documentation to effectuate settlement of the claims of the Lake Borgne Basin Levee District, including but not limited to, the authority to execute a Full and Final Release, Settlement, and Covenant Not to Sue and/or other appropriate documents in the form, substance, and amount recommended by Executive Counsel.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby accepts Executive Counsel's settlement recommendation in this matter.

**BE IT FURTHER RESOLVED**, that the Regional Director of the Southeast Louisiana Flood Protection Authority-East, is authorized to execute any and all documentation to effectuate settlement of the claims against the Lake Borgne Basin Levee District, including but not limited to the authority to execute a Full and Final Release, Settlement, and Covenant Not to Sue and/or other appropriate documents in the form, substance, and amount recommended by Executive Counsel.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

Ms. Heaton explained that there has been some misinformation circulating about the Non-Flood Protection Asset Management Authority (NFPAMA). She stated that as the SLFPA-E Board's representative on the NFPAMA Board, she wanted to first thank the SLFPA-E Board because not one single member of the SLFPA-E Board has ever asked, while she was a member of the NFPAMA Board, about individuals or firms obtaining leases or contracts. She thanked the SLFPA-E Board for allowing her to represent its interests. In addition, she explained that many people think that since the NFPAMA was created in 2010 that with its debt it could no longer provide revenues for flood protection. She stressed that this idea is false. Prior to Hurricane Katrina over 38 percent of the O.L.D.'s operating budget was derived from non-flood assets. Katrina wiped those assets out; however, things are getting better. She stated that it is her goal, at the request of the President, to provide a formal report each quarter on where the NFPAMA stands financially with the non-flood assets. She pointed out that this report is not for the SLFPA-E Board to micro manage the non-flood protection assets and stressed that the SLFPA-E Board's focus is flood protection. She reported that the NFPAMA just entered into a fifty year lease for a ten-year plus blighted piece of property that will generate a lot of revenue. It is an investment of \$13 million of private funds.

The tenant will pay the NFPAMA rent during the construction phase of the project. The NFPAMA has many other things that are happening. The NFPAMA will formally report on what is being accomplished. The ribbon cutting will take place at the end of March on the U.S. Customs and Border Protection facility located at the New Orleans Lakefront Airport, which was supported by the SLFPA-E Board through a loan by the O.L.D. NFPAMA representatives are scheduled to go to Washington, D.C., in late March or early April relative to the Lakefront Airport floodwall arbitration. She thanked the Board for its confidence and commented that it is her goal by next year to have a financial statement that can show a cash flow to the O.L.D. flood protection division.

Mr. Luetlich thanked Ms. Heaton for her comments. He added that Ms. Heaton's comments will help SLFPA-E Board members see the positive in this situation and thanked her for her tolerance.

The next regular monthly Board meeting will be held on March 17, 2016 and hosted by the LBBLD.

There was no further business; therefore, the meeting was adjourned at 2:20 p.m.

# SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST

## REGIONAL DIRECTOR’S REPORT

Feb.18, 2016

### HSDRRS Project Status Update

**IHNC-01 – Seabrook Complex** The two Vertical Lift Gates (VLGs) at the Seabrook Complex must be repainted by the Corps. The work requires the steel gates to be removed from the towers and transported a short distance to a facility on the IHNC where the blasting and painting will take place. The VLGs are scheduled to be removed in early March, painted and then put back in place before June 1, 2016. A site meeting with Corps was held on Feb. 11, 2016 to look at other metal components with potential paint problems.

**IHNC-02 – Lake Borgne Surge Barrier** We are still working with USGS and the Corps to rectify the problem with the Corps’ current velocity meters at the GIWW Sector Gate. USGS conducted velocity surveys in the gate structure in December, 2015, when the by-pass barge gate was in the closed position. USGS and the Corps have not yet made the necessary changes to obtain accurate real-time velocity readings. Meanwhile, we have a meeting scheduled with Arcadis to discuss their past hydraulic modeling efforts and what additional work might be needed to determine a relationship between stages, flowrates and velocities at the GIWW Sector Gate and Seabrook Complex.

The work to replace the fairleads on the Bypass Barge Gate was started by the Corps on Feb. 4, 2016 and completed on Feb. 15, 2016.

A distress report was filed with CPRA and the Corps concerning the rust discovered inside of the hydraulic oil tanks on the Bypass Barge Gate windlasses. The Corps has agreed to replace the two tanks and refurbish the windlasses.

On Feb. 8, 2016 the GIWW Sector Gate was struck by marine traffic. A tug pushing 5 barges lost control as it approached the gate structure and impacted the composite beams protecting the structural components of the north gate leaf. No significant structural damage has been found and the gate is fully operational. OLD is checking availability of replacement rails and formulating a repair plan.

**LPV-03.2B – West Return Wall North of I-10** We are still awaiting a response from the Corps on the distress report we filed regarding the seepage that occurs during high lake levels at the Grand Lake Drainage Pump Station. The seepage may be coming through a gap in the water-stop or through a handling slot in the

steel sheet pile in line with the monolith's isolation joint. There is no indication of floodwall distress at this time, and we continue to monitor the situation.

**LPV-03.2b.1- Landside Runoff** The Corps has started to install a vinyl sheet pile wall from the Grand Lake Drainage Pump Station north to West Esplanade Ave to prevent rainfall run-off from flowing from the levee right-of-way onto adjoining private property. All required tree trimming has been completed. Additional work will have to be done on some sections north of West Esplanade Ave. The Corps should be sending us the plan for those section soon.

**LPV-145A – Bayou Bienvenue** All structural work for the bridge is complete. Electrical and mechanical equipment is installed. Balancing and motor control issues are still being addressed. The bridge is scheduled for completion in March of this year after a modification for additional limit switches is completed.

**LPV-149 – Caernarvon Structure** The Corps has issued a contract for repainting the Sector Gate leafs to address peeling paint problems discovered after the Notice of Construction Complete (NCC) was issued. Work will not commence until November of 2016 to allow marine businesses in the area to plan for the closure of the Caernarvon Canal.

**LPV-150 Jib Crane Pad and Vegetation Removal** The Corps has refurbished the jib cranes and constructed parking pads at Bayou Dupre. The final inspection was held and all work was found to be acceptable.

**OFC-07 London Avenue and 17<sup>th</sup> Street Remediation** The Corps issued the NCC for this Project on March 31, 2015, but the Corps' contractor remains responsible for establishing turf and cutting the grass. SLFPA-E is working with the Corps to make sure all turf issues are resolved.

**Permanent Canal Closures and Pumps (PCCP)** A status update for the three pump stations from the CPRA was sent to all Commissioners on Feb. 17th. The ROE for the new structures has been requested by the Corps to be extended to December 31, 2018. Construction is expected to be completed before then. The decommissioning of the temporary structures (within the following two years) will require the use of the same ROW up through December 31, 2020. Please check the New Orleans District web site at [www.mvn.usace.army.mil/missions/hsdrrs/pccp.aspx](http://www.mvn.usace.army.mil/missions/hsdrrs/pccp.aspx) for details and regular updates on this last, major HSDRRS perimeter project.

The ROE request is in review for removal of the ICS (Internal Control Structures) that were built after Katrina. The demolition will begin after the PCCP's are completed.

**Armoring** Work continues on the Orleans lakefront levees (ARM-02) and the New Orleans East Levee (ARM-04). Reports of anchor cable protruding up through the sod (over HPTRM) are being investigated. The Corps is making its contractor trim back the anchor cable on all exposed HPTRM.

The relatively short section of levee in EJLD west of the Louis Armstrong International Airport (ARM-03) is nearly complete. Turf establishment remains to be completed. A pre-final inspection was held on Nov.18, 2015.

A pre-design meeting was held with Corps personnel on Jan. 13, 2016 to look at potential armoring issues on LPV-111. At the request of SLFPA-E, the Corps has verbally agreed to raise approximately 4,000LF of the levee prior to armoring. Orleans Levee District will pay for the cost of the lift.

A detailed status update on all Corps armoring projects was sent to the Commissioners on February 12, 2016.

**Levee Lifts Prior to USACE Armoring** SLFPA-E is pushing ahead with plans to raise some levees, at local cost, before they are armored. The intent is to save millions of dollars in future armoring replacement costs by raising the lowest levees now in advance of armoring in order to extend the life of armored levees. SLFPA-E and CPRA have been working with the Corps to complete the Environmental Assessment and secure the necessary USACE Section 408 Permits.

Three design firms are now under contract with SLFPA-E to prepare plans and specs for the levee raisings in EJLD and N.O. East. The status of the three construction bid packages for EJLD is listed below:

- LPV-00.2 – 100% P&S submitted to Corps for final review on Feb. 2, 2016
- LPV-01.1 & 02.2 – 95% P&S submitted to Corps for review and comment on Feb. 11, 2016
- LPV-19.2 & 20.1 – 95% P&S submitted to USACE for review and comment on Jan. 15, 2016

**SBPS-07 – Repairs to LBBLD Pump Stations #2 and # 3** The major work at Pump Station #3 is complete, and work is continuing on Pump Station # 2. At that site, the old discharge pipes have been removed and a temporary retaining structure (TRS) has been installed. The contractor is about to drive H-piles in the TRS. T-Wall and base placement west of the station is underway. The Corps has issued a contract modification to lengthen the sheet pile cut-off wall around the station, which has extended the construction timeline.

## Mississippi River Projects

**Jefferson Heights** The Corps' contractor continues raising segments of the Mississippi River Levee in East Jefferson by about two feet. Work began at the Orleans Parish end and is moving toward Kenner. The first 4.2 miles has been raised; punch list items are being addressed, turf is being worked on and cracked asphalt is being repaired.

Phase 2 of construction is along 4.5 miles of levee between Orchard Road in River Ridge and the Jefferson-St. Charles Parish line. The final lift for Phase 2 is scheduled for completion this week. Site work, turf establishment and replacement of the asphalt bike path has not yet been completed. Substantial completion is scheduled for April 2016.

The recent high river stages delayed construction work and an extension of the AFE is being prepared.

**Carrollton Project** All levee enlargement work in Orleans Parish is complete, but several issues raised by the OLD during a final inspection last summer are still not resolved with the Corps. A second "final" inspection was held on Sept. 2, 2015, and punch list items were prepared. The Corps issued the NCC on Sept. 29, 2015, without any concurrence on the outstanding issues. Recently, Corps officials have asked us about the status of the outstanding issues. We anticipate meeting with them on site to attempt to reach final resolution.

## Internal Affairs

**Surge Analysis Update** We continue to discuss internally and with others in the coastal science community the best path forward to accomplish a Hurricane Surge Analysis update over the next several years. The newly formed Maurepas-Pontchartrain Surge Consortium is also showing significant interest in the surge update, and we are meeting with the group monthly.

**Non-Federal Levee Certification** Plans and specifications for both phases of the levee realignment near the Violet Canal are complete. However the property owner for the Phase I work (soap factory) requested a realignment of the levee prior to granting the ROE. This realignment is being finalized.

The Benefit/Cost Analysis necessary for securing hazard mitigation grant funds for Phase II work was completed and submitted to GOHSEP, who reviewed it and passed it on to FEMA as "Cost Effective".

The Phase I (soap factory) Coastal Use Permit (CUP) was approved by the parish on April 7, 2015, and the Phase II (shrimp factory) CUP was approved in July, 2015.

**Asset Management** Phase 2 of the Task Order under our ID/IQ Contract with Moffat and Nichols to develop the software and data base necessary to effectively schedule and track operation and maintenance activities on our Complex Structures was begun on Jan., 11, 2016.

**Levee Inspection Tool** EJLD and LBBLD continue to utilize the FCIMS software from JBM, Inc. for their Quarterly Levee Inspections and it's working well for them. OLD had an all-day training session in the field on February 11, 2016, in preparation for their implementation of this new application next quarter.

**Emergency Preparedness** The Mississippi River crested at 17.0' on Jan. 15, 2016, and hovered between 16' and 17' until Jan. 29, 2016, when it began to drop slowly. Today's level is around 12.0', and is expected to rise slightly over 12.0' this week as a second smaller crest passes. The Bonne Carrie Spillway was opened on Jan. 10, 2016, initially with 20 bays. Eventually 210 of the 350 bays were opened to keep the river stage near New Orleans at 17'. All spillway bays were closed by Feb. 1, 2016. The Corps and our levee district personnel were conducting daily levee inspections while the river was above 15'. The districts are now doing two inspections weekly until the river drops below 11'.

**Tidal Gage Network** The Corps has submitted three right-of-entry requests for hardened tide gage station sites at Delacroix, Breakwater Park and Chef Menteur. The CPRA is preparing the Authorization for Entry (AFE) documents and checking property ownerships; we are awaiting project plans and specifications from the Corps before issuing the AFE.

**Periodic Inspection** All unacceptable PI items have been field-verified and photographed. Required information was submitted to the CPRA with the recommended resolutions in December, 2015.

A list and course of action for all remaining minimally acceptable items is being finalized. This work is ongoing, and a meeting was held with the CPRA to formulate an official responses to the Corps. The non-federal sponsor's official response is due to the Corps no later than December 2016.

**Risk Assessment** The Risk Assessment Project was awarded to Tetra Tech Inc. with a scope of work that includes a Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, the Seabrook Complex and gates, and Sector Gates at Bayou St. John, Bayou Bienvenue, Bayou Dupre and Caernarvon. The analysis will identify and address the possible risk of failure or breakdown of any mechanical system within these structures that could cause flooding in parts of Orleans, Jefferson and St. Bernard parishes. The results of this work will help to inform operation and maintenance plans for the structures.

A workshop with local agencies was held Dec. 9-10, 2016, (with large attendance) to discuss Hazard Operations Procedures. We are awaiting a report

with the results of the meeting and are scheduled to review them by the end of this month.

**Semi Annual Report** A meeting with the Corps to discuss their comments on the HSDRRS Semi-annual Report (SAR) submitted by SLFPA-E in October, 2015, will be scheduled for later this month. The next SAR is due in April, 2016.

**Meetings and Items of Note:**

The Coastal Protection and Restoration Authority Board meeting is scheduled for Feb. 24, 2016, at 9:30am in the LaSalle Building, Baton Rouge, The Governor’s Advisory Commission is scheduled to meet on April 6, 2016, at 9:30am in the Galvez Building, Baton Rouge.

**New Contracts:**

**No new contracts.**

**Construction Projects:**

<b>Project</b>	<b>District</b>	<b>Status</b>	<b>Comments</b>
<b>Seawall Steps Erosion Reach 4&amp;5</b>	OLD	100% complete	Final Punch List items remaining.
<b>Seawall Steps Erosion Reach 2B</b>	OLD	99% complete	Final Punch List items remaining.
<b>MRT Aluminum Shop Logs</b>	OLD	99% complete	Near completion
<b>Seawall Steps Erosion Phase 1 (Reach 1A/3B)</b>	OLD	50% complete	
<b>Seawall Slope Erosion</b>	OLD	20% complete	
<b>French Quarter Miss. River Floodwall Vegetation Removal</b>	OLD	100% complete	
<b>N.O. Lakefront airport Conference Center</b>	OLD	0% complete	Bids received require re-bid as public bid
<b>Mariners Cove Leak Repair</b>	OLD	20% complete	Source of water is not leak, but runoff.
<b>GIWW Surge Barrier, Ladder and Walkways</b>	OLD	0% complete	Contract awarded
<b>GIWW Floodgate S-04, Extra Material Removal</b>	OLD	100% complete	
<b>Lakeshore Drive Reach 4&amp;5, LED Light Work</b>	OLD	0% complete	

## Levee District Project Designs and Studies

<b>Project</b>	<b>District</b>	<b>Comments</b>
<b>Outfall Canals Erosion</b>	OLD	Study complete; design 90% complete; Stability analysis underway @CH2M
<b>Lakefront Seawall Area Reach , 4&amp;5</b>	OLD	Design complete; construction administration 100%
<b>Lakefront Seawall Area Reach 2B</b>	OLD	Design complete; construction administration 99% complete
<b>Lakefront Levee Drainage Improvement East of UNO Ramp</b>	OLD	Proposal under review – delayed until completion of ARM
<b>Citrus Lakefront Levee Railroad Drainage Study</b>	OLD	Investigation complete; design 90% complete and P&S in review-requesting LNO from USACE/CPRA
<b>Lakefront Seawall Area Phase 1</b>	OLD	Construction, administration and inspection 70% complete
<b>MRT Aluminum Stop Logs</b>	OLD	Complete
<b>Bayou Bienvenue/Bayou St. John O&amp;M Manuals</b>	OLD	BBSG 90% complete/BSJSG 70% complete
<b>Police Administration Building</b>	OLD	Site Study complete, pending Board authorization
<b>Cap Michoud Valve Pits (2)</b>	OLD	P&S 30% complete OLD
<b>Seabrook Internal Tower Modifications</b>	OLD	10% complete (BKI) Need to address condensation and size AC unit
<b>MRT Floodgate Painting</b>	OLD	Design complete & construction administration Bids open Tue., Feb. 16 <sup>th</sup> , to Board on 2/18/16
<b>Lakefront Seawall Area Phase 2 (2a, 3b, 1c, 3c, 5b)</b>	OLD	Design 100% complete, bids open 2 <sup>nd</sup> quarter of 2016
<b>Lakefront Lake Marina Road Raising</b>	OLD	Task Order extended
<b>Phase 1 for engine upgrades at Pump Stations</b>	LBBLD	Phase 2 funding is approved, preparing to submit air regulatory permits to LADEQ
<b>Phase 1 for Safe Room Design HMGP approved by FEMA</b>	LBBLD	Currently being advertised; bids were returned over construction estimate, will re-advertise w/bid alternates
<b>Pump Station #6 pump repair and hangers at P.S. #7</b>	LBBLD	P&S complete; preparing to advertise
<b>Pump Station #6 Erosion Repair</b>	LBBLD	P&S complete; preparing to advertise
<b>Safe house &amp; Consolidated Facility</b>	EJLD	Architect Short-List Interviews conducted 2/4/16. Recommendation will be presented to Board at 2/18/16 meeting.