

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, JUNE 14, 2018**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on June 14, 2018, in the 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 11:10 a.m. and led in the pledge of allegiance. Mr. Kemp called the roll and a quorum was present:

PRESENT:

Lambert J. Hassinger, Jr., President
Richard A. Luettich, Jr., Vice President
Mark L. Morgan, Treasurer
G. Paul Kemp, Secretary
Clay A. Cosse
Jason P. Latiolais
Herbert I. Miller

ABSENT:

Quentin D. Dastugue
Andrew J. Englande, Jr.

ADOPTION OF AGENDA:

A motion was offered by Mr. Luettich, seconded by Mr. Morgan and unanimously adopted, to adopt the agenda.

**RESOLUTION NO. 06-14-18-01 - APPROVAL OF MAY 17, 2018
BOARD MEETING MINUTES**

On the motion of Mr. Luettich,
Seconded by Mr. Miller, 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 May 17, 2018.

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan
NAYS: None
ABSENT: Mr. Dastugue and Mr. Englande

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Hassinger explained that the success of the organization depends on the people who work at the FPA. Therefore, the Board takes the opportunity each month to recognize a member of the FPA team who is exemplary and dedicated to the FPA's mission. It is people like Tyus Long, who are committed to their job and do excellent work, that make the FPA a success.

Tyus Long was nominated by his fellow team members in Group 313 for Employee of the Month. Mr. Long began his career at the Flood Protection Authority on September 28, 2015. He was very curious and eager to learn as much as he could about the flood protection system and its levees, floodwalls and floodgates, and how the various components of the system are maintained. He learned to use the equipment needed for grass maintenance and, along with his co-workers, how to properly use Herbicide equipment, at which he excelled. Mr. Long can be counted on to be at work every day and always schedule leave in advance when needed. Mr. Long is always asked for by all the foremen in 313 because he is very dependable and trust worthy. He is currently working to obtain his driver license to further his career at the FPA. Mr. Long exemplifies the values of the FPA in his day to day activities and plays an important part in ensuring the integrity of the flood defense system.

Mr. Hassinger thanked Mr. Long for his service and presented a Certificate of Commendation to him.

NOMINATION AND ELECTION OF OFFICERS OF THE BOARD FOR A ONE YEAR TERM EFFECTIVE JULY 1, 2018

The floor was opened for nominations for the office of President. Mr. Luettich offered and Mr. Latiolais seconded the nomination of Lambert J. Hassinger, Jr. There were no further nominations. Mr. Hassinger was elected to fill the office of President by a unanimous vote of the Board.

The floor was opened for nominations for the office of Vice President. Mr. Hassinger offered and Mr. Miller seconded the nomination of Richard A. Luettich, Jr. There were no further nominations. Mr. Luettich was elected to fill the office of Vice President by a unanimous vote of the Board.

The floor was opened for nominations for the office of Secretary. Mr. Miller declined the nomination offered by Mr. Luettich for the office of Secretary. Mr. Miller offered and Mr. Latiolais seconded the nomination of Clay Cosse. There were no further nominations. Mr. Cosse was elected to fill the office of Secretary by a unanimous vote of the Board.

The floor was opened for nominations for the office of Treasurer. Mr. Miller offered and Mr. Luettich seconded the nomination of Mark L. Morgan. There were no further nominations. Mr. Morgan was elected to fill the office of Treasurer by a unanimous vote of the Board.

RESOLUTION NO. 06-14-18-02 - ELECTION OF OFFICERS

“A resolution stating the results of the election of Officers of the Southeast Louisiana Flood Protection Authority-East for a term of one year commencing July 1, 2018.”

WHEREAS, the Board adopted revised Bylaws at a Regular Board Meeting held on December 17, 2009, which provide in part for the designation and election of Officers of the Board; and

WHEREAS, Article IV, Section 1 (Officers and Elections), designates the officers as President, Vice President, Secretary and Treasurer to be elected from among the members of the Board at the regularly scheduled June meeting; and

WHEREAS, Article IV, Section 1 further provides that officers shall assume their duties on July 1st; and

WHEREAS, Article IV, Section 2, provides that officers shall be elected to serve one year terms.

WHEREAS, an election of officers was conducted on June 14, 2018, with nominations for each office duly offered and seconded and a vote conducted thereafter to fill each office.

BE IT HEREBY RESOLVED, that, in accordance with elections held this date, the Officers of the Southeast Louisiana Flood Protection Authority-East shall be as follows for the term commencing July 1, 2018:

President – Lambert J. Hassinger, Jr.

Vice President – Richard A. Luettich, Jr.

Treasurer – Mark L. Morgan

Secretary – Clay A. Cosse

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Mr. Hassinger advised that the Business Council of New Orleans hosted a public education event to discuss the status of the flood defense system. Speakers included Mr. Hassinger, Col. Michael Clancy, Commander-District Engineer, U.S. Army Corps of Engineers (USACE), Ignacio Harrouch, Chief of Operations, Coastal Protection and Restoration Authority (CPRA), and Susan MacClay, Chair, FPA-West. The collaborative effort that takes place on a day-to-day basis to ensure appropriate flood protection for the region was discussed.

Mr. Hassinger explained that at the event Col. Clancy was able to better explain the USACE's minimally acceptable rating of levee systems. Col. Clancy acknowledged that the terminology is confusing and that he did know where the term originated. Col. Clancy explained that the designation of “minimally acceptable” means that the system

is acceptable and that there are day-to-day minor transient conditions that do not affect the capability of the system to perform. The point was stressed that quarterly, semi-annual and annual inspections are performed and that the FPA has people on the system every day. The purpose of the inspection is to identify conditions that need to be addressed. The fact that conditions are identified means that the inspections are a success. The event ended with a question and answer session.

Mr. Luettich added that Mr. Hassinger did a good job of reiterating the FPA's approach of full transparency and that the inspection reports are now being posted on the FPA's website. Mr. Hassinger explained that a statement had been made implying that requests were made of the FPA to produce the USACE annual inspection reports and that the FPA had failed to fulfill the request. However, the FPA did not receive any such requests. Therefore, the reports in their entirety, along with the FPA's responses, were posted on the FPA website. The FPA will post the reports on its website each year going forward.

PUBLIC COMMENTS:

Edward Feinman explained that he has lived along the 17th Street Canal for over fifty years. Several years ago the USACE removed the trees along the toe of the levee and required Mr. Feinman to move back his fence. Therefore, a four to five foot wide section of the levee toe remains under title to him; however, he has no control over the area. He expressed concern about the legality of selling his property in the future, should he chose to do so, since he has title to the area, but no control over it. An additional concern is liability. Should someone get hurt in the unfenced area, Mr. Feinman feared he could potentially be held liable. Mr. Feinman stated that he felt that the Board was violating several State laws by controlling his property, but not purchasing or taking title to the property. He also commented on the lack of maintenance in the section of levee between the floodwall and the water's edge.

Mr. Feinman also expressed concern about whether the 17th Street Canal could handle the increased pumping by Jefferson and Orleans Parishes and their plans for future enhancements to pump even more water into the canal. He pointed out that there has been a five foot drop in the water table in Lakeview. He recommended that the FPA review the relationship between the canal and drainage and that additional coordination take place with the Sewerage and Water Board of New Orleans (S&WB) to determine the future capacity of the 17th Street Canal.

Mr. Feinman pointed out that the USACE completed the Permanent Closures and Pumps (PCCP) project, which will prevent tidal surge from the lake from entering into the 17th Street Canal.

Mr. Hassinger requested that Mr. Feinman contact the FPA's Executive Counsel regarding the property issue. Mr. Feinman explained that he had spoken with the FPA's Executive Counsel in the past and did not have any confidence in the result.

John Riehm advised that he attended Wood Materials' ribbon cutting ceremony on May 9th for the concrete haul road along the river in Harahan. Pierce Wood stated at the

ceremony that he was waiting on a quote for grading the old haul road along the levee and that the work should be accomplished within weeks along with the work on the berm and tree curtain. The work is anticipated to begin on July 9th.

Evelyn Riehm commented on a May 13th Advocate article regarding the old haul road along the levee and the new haul road along the river. The concrete road along the river is about 1,000 feet farther away from nearby Harahan residences than the old dirt road. Wood started using sand pit four after sand pit three filled with water and was closed. Instead of remaining on the concrete haul road, trucks are exiting the concrete road and driving along the sand between pits three and four creating airborne sand. She requested that the FPA look into this situation.

Mr. Hassinger requested that Mrs. Riehm contact the FPA's Chief Administrative Officer regarding this issue.

Mr. Cosse stated that he was asked to read a letter, copy appended to the minutes, from former Commissioner Timothy Doody.

PRESENTATIONS:

None.

COMMITTEE REPORTS:

Finance Committee: Mr. Morgan reported that the Finance Committee met prior to the Board meeting. The Committee considered and discussed the following items:

- Fiscal Year (FY) 2018 budgets and proposed budget revisions.
- The proposed selection of the Times Picayune as the official journal for the FPA, East Jefferson Levee District (EJLD) and Orleans Levee District (O.L.D.) and the St. Bernard Voice as the official journal for the Lake Borgne Basin Levee District (LBBLD).
- The completed Louisiana Compliance Questionnaires for FY 2018.
- Signature authorizations for current Community Development Block Grants.
- A proposed Intergovernmental Agreement between the EJLD and Jefferson Parish for FY 2017 State Homeland Security Grant Program funding in the amount of \$3,316.00 to purchase surface water operations equipment for use by EJLD Law Enforcement.
- Renewal of the Professional Services Agreement with Water Management Communications for FY 2019 in order to continue development and implementation of the Education and Public Outreach Program.
- Report by the Internal Auditor on the LBBLD's use of trustees. The services of the St. Bernard Parish Sheriff's Office had been terminated due to the insufficient benefit received. The service can be reconsidered in the future should the situation change.

Operations Committee: Mr. Miller reported that the Operations Committee met prior to the Board meeting. The Committee discussed and recommended that the Board approve all of the items on the Operation Committee agenda with the exception of the award of a contract for the demolition of the Loft Building, which was deferred since the bid period was extended.

Coastal Advisory Committee: Mr. Kemp advised that the Coastal Advisory Committee had not met since its meeting on May 16th.

Mr. Hassinger addressed committee assignments for the new term commencing on July 1st. He asked that Commissioners advise by email should they wish to serve on a particular committee.

CHIEF ADMINISTRATIVE OFFICER'S REPORT: Derek Boese, Chief Administrative Officer (CAO) provided the highlights of his report:

- Critical information requirements have been developed so that the appropriate chain of command is informed regarding various incidents or situations. The requirements will be communicated to employees via email and the employees' newsletter. Sixty-two resumes were received and are being reviewed for the position of Public Information Director.
- Revised safety policies are being developed. A tractor-train accident (no serious injuries) that occurred on June 12th outside the entrance to the LBBLD shop is under investigation for cause. In the past investigations primarily focused on punitive actions. Investigations now focus primarily on determining the root causes of incidents, determining trends and developing best practices.
- Emergency Operations Center (EOC) upgrades have been completed. FPA staff participated in the USACE Hurricane Exercise conducted on June 5th. The FPA anticipates conducting an internal Hurricane Exercise in late June. Radio check procedures are being finalized.
- In anticipation of Tropical Storm (TS) Alberto, the FPA closed 18 low sill gates along the Industrial Canal and coordinated PCCP operations with the S&WB and CPRA. The new communication plan developed in cooperation with the Port of New Orleans, wherein the Port notifies tenants regarding gate closures, worked smoothly for TS Alberto.
- PCCP – Remote monitoring capabilities have been established between each pump station and the Franklin EOC. The information can be broadcast to CPRA, S&WB and other appropriate entities. A direct line has been established between each PCCP and the respective S&WB pump stations. Seven of the eight permanent PCCP staff positions have been filled. Additional FPA staff mechanics have been familiarized with PCCP operations in order to provide storm support. The FPA is working with the USACE, CPRA and S&WB to adjust and finalize the settings for the automatic storm mode based on the level of each canal.
- Finance - The annual fiscal year financial audit of the FPA begins in July. ADP timekeeping is in place across the FPA. The FPA must select a new investment broker in August since Capital One will no longer provide this service. The Regional

Finance Director will provide recommendations regarding the selection. Purchasing across the FPA has been consolidated. The next phase of payroll consolidation is underway. Grant metrics are under developed in order to make the pursuit of grants more successful.

- Employee Services (HR) – The annual Performance Evaluation process will begin in July. Supervisor training is being conducted this month. The consultant's team has new processes in place for Performance Evaluations and recruiting, and is close to finalizing new processes for hiring, orientation and out processing. Mr. Boese noted that the FPA is very close to being able to advertise and fill the position of HR Director. An additional discussion is needed with Civil Service to attempt to upgrade the HR Director position.
- Bellaire Drive Seepage – The USACE completed placement of the clay blanket and hydro seeding the area. A small amount of seepage is appearing near the street; however, the amount of seepage has been greatly reduced. The FPA's consultant provided an analysis of the USACE's efforts regarding the seepage. The opinion of the FPA is that a drainage system is likely needed. The collaborative effort between the FPA and the USACE is continuing and the USACE is considering the FPA's consultant's findings.
- Technology Subcommittee – Technologies that will be further explored include use of drones, remote monitoring and security enhancements.
- I-STORM – FPA staff met to review the I-STORM draft report. The I-STORM report has not yet been finalized.

Mr. Morgan asked, did the completion of the PCCP relieve the FPA of the obligation to maintain the outfall canal levees? Mr. Boese replied that the question has not yet been answered. At this time the FPA is still responsible for maintaining the levees/floodwalls from the lake to the S&WB pump stations.

Mr. Morgan suggested that department directors be given an opportunity to provide a report to the Board.

Mr. Miller discussed the issue brought up earlier in the meeting about the capacity of 17th Street Canal. The volume of water coming from Jefferson Parish, excluding Pump Station No. 6, is a very minimal amount compared to the total capacity of Jefferson Parish. Therefore, the capacities of the pump stations along the lake, as well as the pump station at the parish line in Kenner, far exceed the capacity going into the 17th Street Canal. In addition, the 17th Street Canal has been improved from Pump Station No. 6 to the lakefront in order to handle the additional flows projected from both Orleans and Jefferson Parishes. The designs for the proposed new pump stations in Jefferson Parish have been reviewed and approved. The 17th Street Canal open flow capacity with the gates open far exceeds the additional projected capacity. The 17th Street Canal PCCP pump station can not only handle the additional flow from Pump Station No. 6, but also with the additional flow from Jefferson Parish. He stated that he was very comfortable that the 17th Street Canal will be stable, safe and capable of handling all of the flows going into the canal.

Mr. Miller further explained that the outfall canals were designed for improvement during the PCCP project. The hydraulics were designed with a maximum flow coming in that the pump station can handle, which is more than the volume that Pump Station No. 6 and the existing pump stations pump into the 17th Street Canal. In addition, there is 1-1/2 feet of freeboard for safety purposes. The models and designs are very safe for the 17th Street Canal.

NEW BUSINESS:

RESOLUTION NO. 06-14-18-03 – RECOGNITION OF G. PAUL KEMP

John Barry, former FPA Board member, stated that the statutory responsibility of the FPA is to protect the territory from overflow. It is not specifically operation and maintenance; it is to keep people safe and dry. The FPA's mission statement was defined as a minimum of 500-year protection. The only way to get there involves the coast. He explained that the Board did not initially have a member with coastal expertise; therefore, when a vacancy came up he recruited Mr. Kemp and recommended that he be appointed by the Governor. He stated that when the Board filed the lawsuit (Southeast Louisiana Flood Protection Authority-East, et al. v. Tennessee Gas Pipeline Co., LLC, et al.), Mr. Kemp came under more pressure than any other member of the Board. He was forced to either leave his job or the FPA Board. He recognized Mr. Kemp for the courage and commitment that he showed at that fairly tense time. He commended Mr. Kemp on his continued work on sediment and the Missouri Basin and urged the Board to support Mr. Kemp's work.

Mr. Barry provided an update on recent coastal restoration developments. A Congressional subcommittee, which includes Garrett Graves, is attempting to craft legislation that increases the federal contribution to coastal restoration and simultaneously requires some share to be paid directly by the industry over and above GOMESA. The proposed legislation may not become law; however, the conversation is of value. In addition, a decision was made last month on a small private landowner case that could have significant implications. Federal Court ruled for the first time that a pipeline company had to restore land. It was only 9.6 acres; however, it will probably cost the company ten to fifteen million dollars. The same set of attorneys that was hired by the Board worked on the case. The attorneys sought an injunction requiring the pipeline company to do the restoration. No payment or fee was received by the attorneys from the award. However, if the ruling survives the Fifth Circuit, there will be many more landowner cases during which the attorneys will be seeking a fee.

Mr. Kemp stated that it had been an honor to work with the members of the Board and FPA staff. He commented that the FPA is a top notch organization and that when he visited other storm surge closures with I-STORM members, he realized that the FPA has a system that measures up to any system around the work in terms of risk reduction. He stressed that the FPA must continually strive for improvement. The FPA cannot just do maintenance, but must always be looking for ways to enhance the system. He commented concerning issues where the Board made a significant difference, such as obtaining armoring on all HSDRRS earthen levees, and the continued search for weak links in the system and attempts to make these areas

stronger. He urged that this work continue and that the FPA continues looking at the next level. He stated that he would try to maintain some contact through the Coastal Advisory Committee. He expressed confidence that the Board will live up to expectations and continue making the region safer. He cautioned that if complacency develops, it would be a sign that a new vision is needed. The FPA must continually be bolstering the system and looking at every detail as the Board is currently doing.

Mr. Luettich expressed his appreciation to Mr. Kemp for his service on the Board. He stated that he has been incredibly impressed by Mr. Kemp's knowledge of the natural systems within which the risk reduction system resides. If the FPA just thinks about levees, floodwalls and floodgates without understanding the system within which they reside, it is doomed for failure. He stated that this has been one of Mr. Kemp's true strengths and that he has learned much from Mr. Kemp over the years that they served together on the Board. He commented on Mr. Kemp's compassion. Mr. Kemp is a scientist, but he is also a compassionate person and brings compassion to science.

On the motion of Mr. Cosse, Mr. Hassinger, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

**“A resolution recognizing the commitment and contributions of
Mr. G. Paul Kemp, Ph.D., to the Southeast Louisiana Flood Protection
Authority-East and to the citizens of Louisiana.”**

WHEREAS, after the devastation resulting from Hurricane Katrina, the Southeast Louisiana Flood Protection Authority-East was created by the Louisiana State Legislature to provide regional flood protection for the Lake Pontchartrain Basin area; and

WHEREAS, due to his outstanding qualifications, expertise and professional experience, Mr. G. Paul Kemp, Ph.D., was appointed to serve on the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East (FPA); and

WHEREAS, Mr. Kemp graduated from Louisiana State University in 1986 with a Ph.D. in Marine Sciences and minor in Geology, and in 1978 with a Masters in Marine Sciences, and Cornell University in 1975 with a B.S. in Natural Resources; and

WHEREAS, Mr. Kemp's over forty years of professional experience and expertise in the field of environmental sciences and geology have provided an invaluable resource for the FPA and its member levee districts during the construction of the over \$14 billion Hurricane and Storm Damage Risk Reduction System; and

WHEREAS, Mr. Kemp's leadership, hard work and devoted service as a member of the Board from August 12, 2011 to June 30, 2018, as Secretary of the FPA from January 21, 2016 to June 30, 2018, as Chair of the Coastal Advisory Committee from December 2, 2011 to June 30, 2018, and as a member of the Operations Committee from October 24, 2016 to June 30, 2018 has resulted in many positive achievements and improvements to the flood protection system; and

WHEREAS, recognizing the importance of the mission of the Southeast Louisiana Flood Protection Authority-East, Mr. Kemp has continuously strived to achieve the best flood protection possible and has worked tirelessly in the service of the citizens of Southeast Louisiana.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Mr. G. Paul Kemp, Ph.D., for his dedication and contribution during his tenure as a member of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East.

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

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-04 - TO DIVEST LAKE BORGNE BASIN LEVEE DISTRICT OF INTERNAL PUMPING AND DRAINAGE FUNCTIONS AND TRANSFER THOSE FUNCTIONS TO ST. BERNARD PARISH

Mr. Latiolais abstained from the discussion and vote on the divestment of LBBLD internal pumping and drainage functions and transfer of those functions to St. Bernard Parish.

Mr. Cosse advised that he met with St. Bernard Parish President Guy McInnis at length. St. Bernard Parish government wants to accept the canals and pump stations; however, there is an issue regarding funding. He asked the origin of the onetime payment stated in the proposed resolution. Mr. Hassinger explained that the onetime payment provided in the resolution represented one-half of the amount budgeted on an annual basis for the operation of the pumps and drainage and one-half of what was identified as deferred capital improvement costs.

Mr. Cosse asked the cost to maintain LBBLD's perimeter system. Mr. Hassinger explained that the maintenance cost for the perimeter system as a whole is in the range of \$20 million. Mr. Luettich pointed out that the cost to maintain LBBLD's perimeter system is approximately \$3.6 million. Mr. Hassinger added that \$3.6 million is 100 percent of the revenues currently collected by the LBBLD.

Mr. Cosse stated that St. Bernard Parish government is earnestly looking at different ways to fund the internal pumping and drainage functions. He stated that he and President McInnis had a problem with the onetime payment and did not think that the onetime payment of \$1.06 million is sufficient. He stated that President McInnis wants to continue to work towards a solution.

Mr. Luettich explained that multiple meetings and on-going discussions have taken place for over a year in an attempt to resolve this issue; however, no progress has been made. It became very clear while putting together the FY 2019 budget that the LBBLD

will become insolvent should action not be taken and that the LBBLD's efforts and funding needed to be prioritized. The proposed resolution essentially provides St. Bernard Parish government one year to determine how to fund the internal pumping and drainage since the FPA is stating that it will continue to own it for the next six months and will provide enough money to pay for the following six months. Basically, it provides a year's worth of funding during the transition, as opposed to just turning over the pumping and drainage responsibilities on July 1, 2018. He added that a better resolution of the issue could be reached between now and January 1st; however, the proposed resolution provides a thoughtful solution that would go into effect on January 1, 2019, should no other resolution of the issue be reached.

Mr. Cosse asked if the one-time payment is a third of the cost for the perimeter system. Mr. Hassinger clarified that it would be close to one-third of what it costs to appropriately operate the perimeter system in the LBBLD.

Mr. Luettich pointed out that the onetime payment would be funded from the LBBLD's fund balance. It would not be coming from the LBBLD's annual millage collection, which matches what is needed to operate and maintain the perimeter system. All internal drainage at this point is being funded from the LBBLD's fund balance, which has been steadily declining. In two years the LBBLD will have a zero fund balance. This action is designed to prevent the LBBLD from having a zero fund balance. He pointed out that one of the LBBLD's millage taxes will expire in two years (2020). If that millage is not renewed or replaced, then the LBBLD will not have enough revenue to fund operation and maintenance of the perimeter system with the current funding formulas. He stressed that an overly rational approach has been taken in dealing with this issue.

Mr. Cosse stated that he disagreed with Mr. Luettich. The FPA governs as a region. St. Bernard Parish has a population of roughly 40,000 people, which accounts for five to six percent of the total population of the region. He stated that the Board cannot expect six percent of the population to pick up 33 percent of the cost.

Mr. Luettich responded that he was not sure that the ratio mentioned by Mr. Cosse was correct. He reiterated that the cost to maintain the entire perimeter system is about \$20 million and that the cost to maintain LBBLD's perimeter system is \$3.6 million, which is about 12 to 15 percent of the cost for the entire system. He advised that funding formulas may change and that an aspect of this action places the FPA in a better position to negotiate a more regional funding formula. Until apples to apples responsibilities are achieved across the parishes, there will be difficulty discussing regionalizing funding and making the approach more equitable.

Mr. Cosse stressed that everyone should pay the same across St. Bernard, Orleans and East Jefferson Parishes.

Mr. Hassinger explained that the suggestion was made earlier that the citizens of Orleans Parish underpay the cost for the maintenance of the perimeter system. The suggestion was also made that the citizens of Orleans Parish should pay 42 percent of the cost of the perimeter defense system. He clarified that the citizens of Orleans Parish currently pay about 60 percent of cost to operate and maintenance the perimeter

defense system. He disagreed with the suggestion that the citizens of Orleans or Jefferson Parishes are not paying enough. He stated that he appreciated the difficulty faced by President McInnis and St. Bernard Parish; however, if the citizens of St. Bernard Parish are paying 15 percent of the cost for the perimeter system, it would be difficult to arrive at a lower figure. The argument has been made that the IHNC Surge Barrier and T-wall that lines the MRGO primarily benefit Orleans and Jefferson Parishes; however, if the Surge Barrier, new Bayou Dupre, Bayou Bienvenue and Caernarvon Complex Structures or the flood defense system that protects St. Bernard Parish were not constructed, then St. Bernard Parish would be left with the Forty Arpent Levee as its primary defense—a nine foot levee compared to a substantial modern defense system that it now enjoys.

Mr. Hassinger added that it is a mistake for people to imply that the part of the perimeter system located in St. Bernard Parish primarily protects Orleans and Jefferson Parishes and that the opposite is true. It is a mistake to minimize the significance of the system in terms of the protection it affords the citizens of St. Bernard Parish. The case was made that because property values are less in St. Bernard Parish and St. Bernard Parish has fewer people, they should pay less and some other measure should be implemented, such as using miles or acres of levee or floodwalls or number of structures. He cautioned that the individuals who were attempting to make this case should be careful about what they are asking because St. Bernard Parish's contribution would increase and not decrease.

Mr. Hassinger explained that with respect to the suggestion that since the FPA has taken responsibility for operating the PCCP, it should also operate the internal pumping system for the LBBLD, there is a distinction because the PCCP at the outfall canals form part of the Hurricane and Storm Damage Risk Reduction System (HSDRRS). Therefore, they are a part of the perimeter defense system. The PCCP are not just pumps; they are closure structures that prevent inundation by the lake into the canals. The idea that the FPA needs to regionalize and become more efficient and act more like a regional authority is like Anheuser-Busch preaching the virtue of abstinence; none of that occurred until the last few years. This is exactly what the FPA has done. The fact that the FPA has become more efficient, centralized and effective as an organization does not mean that the LBBLD can be allowed to go bankrupt. He stressed that the perimeter system, which is the FPA's primary responsibility, must be maintained.

Mr. Kemp stated that in looking where the FPA is headed, the assets located in St. Bernard Parish are probably the focus of the FPA's attention. The FPA has been looking at the internal storage capacity both in the IHNC and Central Wetlands as a method of improving flood defenses beyond the 100-year level. He pointed out that the FPA is bound with restrictions on funding and spending that do not reflect future needs. The FPA has attempted several times to get things done at the Legislature. He urged that time be spent with the Governor before the handoff occurs in order to work through this important issue.

Mr. Miller clarified that between this point and December 31st the FPA would continue operating and maintaining the pumping and drainage system. On January 1, 2019, the pumping and drainage system would be handed over to St. Bernard Parish with

sufficient funding for six months of operation and maintenance, as well as funding for capital improvements. Therefore, the FPA is basically giving a year for a final resolution of the funding to be achieved.

Mr. Luettich reminded everyone that one reason for this action is to place the FPA in a stronger position to potentially engage the Legislature on a more appropriate funding formula for the perimeter system. The pumping and drainage issue has confused and gotten in the way of this achievement. In the longer term, the goal is to have a more equitably funded perimeter system, as well as having St. Bernard Parish Government handle the interior drainage for their parish. Therefore, for the citizens of St. Bernard Parish the goal in the long term is to have a more equitable overall financing of a combination of the interior drainage and the perimeter defense system. He stressed that the action is not just a divesture of the internal pumping and drainage system. The FPA cannot gain any traction on the reconsideration of the perimeter funding formula with the internal pumping and drainage issue in the way.

Mr. Cosse advised that prior to Hurricane Katrina St. Bernard Parish had a dual levee system. It had the nine foot Forty Arpent Levee, a middle ground retention area and a 15-foot levee that failed. St. Bernard Parish had what it thought to be adequate protection. He stated that he was not implying that the citizens of New Orleans and Jefferson Parish are paying too much or not enough. He stated that a formula can be developed to benefit everyone, such as one based on property values. He reiterated that he is only looking for everyone to pay the same and for equity.

Mr. Morgan commented that the FPA has been trying to negotiate the transition of the internal drainage and pumping to St. Bernard Parish for some time. He advised that he was prepared to come to the Board with a much higher financial distribution; however, St. Bernard Parish Government kept asking for more money and the parties could never reach a final resolution that was in the best interest of the FPA. Therefore, the proposed resolution before the Board will transition the internal drainage and pumping, and provide St. Bernard Parish Government with one year to determine a way to operate and maintain their system and/or come forward with a better solution for the FPA to evaluate. The process was taking a lot of energy and focus and going nowhere. Therefore, the proposed resolution puts a plan in place in order to move forward and the internal drainage and pumping will be in the hands of St. Bernard Parish as of January 1, 2019. The FPA can then go back to the Legislature and advise legislators that the FPA is maintaining the perimeter system and a reevaluation is needed regarding how costs are shared and funded.

Mr. Cosse stated that the Legislature created the Flood Protection Authority, and in doing so, combined the three levee districts. He stated that he did not see how the FPA could unload the burden financially on St. Bernard Parish without more than what is currently on the table.

Mr. Hassinger responded that if President McInnis has a number for a little bit more funding, then he should call him. Mr. Cosse responded that he would do so.

Mr. Miller commented that he understood Mr. Cosse's argument, having been involved in Jefferson Parish Public Works, which had multiple drainage, sewerage and water districts each with separate funding, and allocating funding where it was needed became a difficult problem as one district may have had surplus funding and another district needed funding. However, Jefferson Parish Public Works had to deal with this issue since it was not allowed to cross transfer funds. The Legislature has limited to a degree the FPA's ability to allocate funds where needed and made it clear that the FPA cannot spend Orleans Parish tax revenues in Jefferson Parish or Jefferson Parish tax revenues in St. Bernard Parish. However, this is the situation that the FPA must face.

Mr. Kemp stated that the FPA would want to make sure that the negotiating table is expanded for the next phase so that new options can come to light and perhaps State level leadership can help with this issue.

Mr. Hassinger assured the Board that over the next six months the goal is to keep the negotiations open. The Board cannot put the FPA or LBBLD in terms of their obligation to properly manage the perimeter system at risk or in bankruptcy. He clarified that the CPRA has been involved in multiple meetings attempting to help negotiate a solution. Those meetings constitute just a small percentage of the number of meetings overall that have taken place. He stated that he did not want to minimize the position that St. Bernard Parish is in and that he understood the difficulty being faced by St. Bernard Parish. He noted that Windell Curole, General Manager of the South Lafourche Levee District, who is well respected in these matters, put it well when he said that the success of the South Lafourche Levee District is because people have shown the willingness to tax themselves. They have done that and have met with great success enhancing their flood defense system. Taxes have gone up in New Orleans. The FPA tried twice to pass new millages in St. Bernard Parish to cover this cost and failed both times. There is nothing else that the FPA can do at this point. He hoped over the next six months that discussions of possible scenarios will continue and that a solution that is acceptable to everyone can be worked out. The goal is to keep residents of St. Bernard Parish from flooding. Former FPA President Stephen Estopinal said several years ago, the people in St. Bernard Parish are going to experience flooding because there is not enough money generated to maintain the perimeter system to fight against storm surge and maintain the pumps and drainage to protect against rising water from rain events or storms.

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

WHEREAS, pursuant to La. R.S. 38:330.1, the Southeast Louisiana Flood Protection Authority-East ("the Flood Protection Authority") through its board of commissioners, exercises all authority over and has management, oversight, and control of the Orleans Levee District, East Jefferson Levee District and Lake Borgne Basin Levee District; and

WHEREAS, the Flood Protection Authority is authorized under La. R.S. 38:281 et seq., R.S. 38:301, R.S. 38:327, and La. Const. Article VI, Part III to provide for the construction and maintenance of levees, levee drainage, flood protection, and

hurricane flood protection within the territorial jurisdiction of the Flood Protection Authority including on its own behalf or for the areas under its authority; and

WHEREAS, under La. R.S. 38:281 et seq., R.S. 38:301, R.S. 38:327, and La. Const. Article VI, Part III, the construction, maintenance, and care and inspection of levees, within the jurisdiction of the numerous levee districts and levee authorities established by Louisiana law shall devolve on the levee districts and levee authorities and the boards of commissioners of the respective levee districts and levee authorities; and

WHEREAS, unlike the Orleans Levee District and East Jefferson Levee District, the Lake Borgne Basin Levee District currently operates interior drainage pumps and maintains drainage canals in St. Bernard Parish at an annual cost of approximately \$1,385,650; and

WHEREAS, the Flood Protection Authority's primary responsibility is operating and maintaining the perimeter flood defense system, which consists of the Hurricane and Storm Damage Risk Reduction System, Mississippi River Levees and numerous other levees and floodwalls; and

WHEREAS, the portion of that system located in St. Bernard Parish costs approximately \$3.6 million annually to effectively operate and maintain; and

WHEREAS, each year the Flood Protection Authority collects 11.3 mills in St. Bernard Parish property taxes for a total of \$3,627,995, which does not provide sufficient funding to effectively operate and maintain the perimeter flood defense system while also operating the Parish's internal pumping and drainage functions, which include eight pump stations and fifty-six miles of drainage canals; and

WHEREAS, in 2014 and 2015, St. Bernard Parish voters twice rejected millage increases intended to provide the Lake Borgne Basin Levee District with the funding necessary to effectively operate the perimeter flood defense system and perform internal pumping and drainage functions; and

WHEREAS, the Flood Protection Authority cannot continue to effectively operate the perimeter flood defense system while also performing the Parish's internal pumping and drainage functions and, therefore, must divest itself of St. Bernard Parish internal pumping and drainage functions; and

WHEREAS, the other two parishes within the purview of the Flood Protection Authority -- Orleans Parish and Jefferson Parish -- operate their internal pumping and drainage systems with no funding from or management by the Flood Protection Authority; and

WHEREAS, the Flood Protection Authority has, for more than a year, conducted good faith negotiations with St. Bernard Parish to reach a solution by which the Parish would accept responsibility for the Parish's internal pumping and drainage needs; and

WHEREAS, La. R.S. 38:330.2 allows the Flood Protection Authority to divest itself of any internal drainage or pumping responsibilities that would otherwise fall to the responsibility of a parish governing authority; and

WHEREAS, while La. R.S. 38:330.2 does not mandate that the Flood Protection Authority transfer any funds to a parish governing authority when the Authority divests itself of internal pumping and drainage responsibilities, it is in the best interest of the citizens of St. Bernard Parish that the Flood Protection Authority do so in this instance; therefore,

BE IT HEREBY RESOLVED, that the Flood Protection Authority has determined that it cannot continue to effectively operate the perimeter flood defense system while also operating the Parish's internal pumping and drainage functions and, therefore, must divest itself of St. Bernard Parish internal pumping and drainage functions.

BE IT FURTHER RESOLVED, that on January 1, 2019, the Flood Protection Authority shall divest the Lake Borgne Basin Levee District of all pumping and drainage responsibilities, including all pump stations and drainage canals, and transfer those responsibilities to St. Bernard Parish, such that St. Bernard Parish will perform the internal pumping and drainage functions for its citizens, just as Orleans Parish and Jefferson Parish do for their citizens.

BE IT FURTHER RESOLVED, that to assist St. Bernard Parish with this divestiture and transfer, the Flood Protection Authority will, contemporaneous with the divestiture and transfer, make a one-time payment to St. Bernard Parish of \$1,067,825, which is approximately one-half of what the Flood Protection Authority has budgeted in FY 2019 for one year of pumping and drainage operations in St. Bernard Parish, plus one-half of what the Flood Protection Authority has calculated in costs related to deferred capital improvements.

BE IT FURTHER RESOLVED, that the Flood Protection Authority President is authorized to execute all documents necessary to accomplish the divestiture, transfer and payment authorized herein.

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

YEAS: Mr. Hassinger, Mr. Kemp, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: Mr. Cosse

ABSTAINED: Mr. Latiolais

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-05 - SELECTION OF OFFICIAL JOURNAL FOR SLFPA-E, E.J.L.D., O.L.D. AND LBBLD

Mr. Morgan advised that the Finance Committee discussed and recommended the selection of the Times Picayune as the official journal for the FPA, EJLD and O.L.D. and the St. Bernard Voice as the official journal for the LBBLD. FPA staff received proposals from the Times Picayune and the Advocate and determined that the use of the Times Picayune would be the lesser cost. The FPA has utilized the Times Picayune as its official journal for a number of years.

On the motion of Mr. Luettich,

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

WHEREAS, R.S. 43:171 provides that levee districts and other political subdivisions shall have the proceedings of their board and such financial statements required by the legislative auditor published in a newspaper, which shall be selected at the first meeting in June of each year for a term of one year; and

WHEREAS, R.S. 43:171 further provides that the newspaper shall meet certain criteria relative to location and publication; and

WHEREAS, the Times Picayune meets the aforementioned criteria for the Southeast Louisiana Flood Protection Authority-East (FPA), East Jefferson Levee District and Orleans Levee District; and

WHEREAS, the St. Bernard Voice meets the aforementioned criteria for the Lake Borgne Basin Levee District.

BE IT HEREBY RESOLVED, that the Times Picayune is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District for a one year term commencing on July 1, 2018.

BE IT FURTHER RESOLVED, that the St. Bernard Voice is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Lake Borgne Basin Levee District for a one year term commencing on July 1, 2018.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer 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. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-06 - LOUISIANA COMPLIANCE QUESTIONNAIRES

Mr. Morgan explained that the completed Compliance Questionnaires are required as part of the FPA's financial audit for FY 2018.

On the motion of Mr. Luettich,

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

WHEREAS, Section 327.08 of the Louisiana Governmental Audit Guide (the Guide) specifies that the Louisiana Compliance Questionnaire is a required part of any audit of Louisiana; and

WHEREAS, the Guide further specifies that the responses contained in the questionnaire should be reviewed by the governing body and approved in an open meeting.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the representations made by management in the Louisiana Compliance Questionnaires for the Southeast Louisiana Flood Protection Authority-

East (FPA), the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District for the fiscal year ending June 30, 2018.

BE IT FURTHER RESOLVED, that the FPA President, FPA Secretary and FPA Treasurer are authorized to sign the Louisiana Compliance Questionnaires.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-07 - AMENDMENT OF RESOLUTION NO. 06-15-17-06

Mr. Morgan advised that the Finance Committee reviewed both resolutions before the Board and the following proposed resolution. The resolutions are required in order to complete the paperwork and close out the respective grants.

On the motion of Mr. Luettich,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) adopted Resolution No. 09-17-09-07 relative to the State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration; and

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

WHEREAS, Resolution No. 11-17-16-03 authorized an amendment of Section II – Requisition of Funds of Resolution No. 09-17-09-07, part to read as follows:

“**BE IT FURTHER RESOLVED**, that Lambert J. Hassinger, Jr., Mark L. Morgan, and Robert A. Turner, Jr., are hereby authorized to sign checks written on the CDBG account.”

WHEREAS, Resolution No. 06-15-17-06 authorized an amendment of Section II – Requisition of Funds of Resolution No. 09-17-09-07, in part to read as follows:

“**BE IT FURTHER RESOLVED**, that Lambert J. Hassinger, Jr., Mark L. Morgan, Robert A. Turner, Jr., and Derek E. Boese are hereby authorized to sign checks written on the CDBG account.”

WHEREAS, an additional amendment of Resolution No. 09-17-09-07 is required to specify that the previously named check signatories are also designated as Authorized Signatories.

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

“**BE IT FURTHER RESOLVED**, that Lambert J. Hassinger, Jr., Mark L. Morgan, Robert A. Turner, Jr., and Derek E. Boese are hereby proclaimed as Authorized Signatories, authorized to sign checks written on the CDBG account and any and

all documentation related to the Office of Community Development – Disaster Recovery Unit’s Community Development Block Grant funded project *HSDRRS Risk Assessment Planning Study & Operations and Maintenance Plan Redevelopment* - B-06-DG-22-0001 retroactively as of June 1, 2016.”

BE IT FURTHER RESOLVED, that all prior amendments to Section II – Requisition of Funds of Resolution No. 09-17-09-07 relative to CDBG Authorized Signatories are no longer in effect.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-08 - AMENDMENT OF RESOLUTION NO. 12-15-16-04

On the motion of Mr. Luettich,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) adopted Resolution No. 12-15-16-04 relative to the State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration; and

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

WHEREAS, Resolution No. 12-15-16-04 authorized the President or the Regional Director of the Southeast Louisiana Flood Protection Authority-East to sign any and all documents for CDBG award (ILOC #00015); and

WHEREAS, an amendment of Resolution No. 12-15-06-04 is required to include Derek E. Boese as an Authorized Signatory.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East amends Resolution No. 12-15-06-04, in part to read as follows:

“**BE IT FURTHER RESOLVED**, that Lambert J. Hassinger, Jr., Robert A. Turner, Jr., and Derek E. Boese are hereby proclaimed as Authorized Signatories, authorized to sign checks written on the CDBG account and any and all documentation related to the Office of Community Development – Disaster Recovery Unit’s Community Development Block Grant funded project CDBG award (ILOC #00015) retroactively as of June 1, 2016.”

BE IT FURTHER RESOLVED, that all prior amendments to Resolution No. 12-15-06-04 relative to CDBG Authorized Signatories are no longer in effect.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-09 - APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN JEFFERSON PARISH AND EAST JEFFERSON LEVEE DISTRICT FOR FY 2017 STATE HOMELAND SECURITY GRANT PROGRAM FUNDING

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

WHEREAS, Article VII, Sec. 14[C] of the Louisiana Constitution of 1974 provides that for a public purpose, the State and its political subdivisions may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private organization, cooperation, or individuals; and

WHEREAS, La. R.S. 33:1324 permits any parish, municipality, or political subdivision of the State, or any combination thereof, to make agreements between or among themselves for the joint use of funds, facilities, personnel, or property or any combination thereof necessary to accomplish the purposes of the agreement; and

WHEREAS, Jefferson Parish has received Federal grant funds from the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) under FY 2017 State Homeland Security Grant Program; and

WHEREAS, Jefferson Parish agrees to purchase with FY 2017 State Homeland Security Grant Program funding surface water operations equipment such as waterproof water pouches, rescue throw bags, and Type III responder life vests in an amount not to exceed \$3,316.00; and

WHEREAS, East Jefferson Levee District wishes to enter into an Intergovernmental Agreement with Jefferson Parish to receive the aforementioned equipment for use by East Jefferson Levee District Law Enforcement.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves East Jefferson Levee District to enter into an Intergovernmental Agreement with Jefferson Parish to receive FY 2017 State Homeland Security Grant Program funding in the amount of \$3,316.00 to purchase surface water operations equipment.

BE IT FURTHER RESOLVED, that Derek E. Boese is hereby authorized to execute said Intergovernmental Agreement and to sign any and all documents needed as East Jefferson Levee District's Authorized Signatory.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-10 - WATER MANAGEMENT COMMUNICATIONS - EDUCATION AND PUBLIC OUTREACH PROGRAM

Mr. Morgan advised that the Finance Committee discussed the proposed contract with Water Management Communications. The FPA's current contract with said consultant expires on June 30, 2018. The proposed contract extends the services provided by

Water Management Communications for a one year period. The educational program piloted in St. Bernard Parish will be extended into Orleans and East Jefferson Parishes.

Mr. Hassinger explained that Mr. Englande, who was unable to attend today's meeting, asked him to communicate to the Board that he had met with Anne Rheams and discussed the program. Mr. Englande is involved in and highly supports the program, and hoped that the Board approves the contract.

Mr. Boese advised that the contract with Water Management Communications that expires on June 30, 2018, was for a not to exceed amount of \$100,000. The proposed contract is for an amount that is significantly less than the expiring contract because the FPA is in the process of hiring a Public Information Director. Some money is included in the proposed contract for continued support during the transition period and as needed; however, the vast amount of the money is for educational outreach to expand the current program in St. Bernard Parish to Orleans and Jefferson Parishes and for the creation of videos to expand the FPA's educational outreach.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) utilized the services of Water Management Communications for a period commencing on October 24, 2016 through June 30, 2018, for the development and implementation of an Education and Public Outreach Program for the FPA; and

WHEREAS, the Authority desires to continue the development and implementation of the Education and Public Outreach Program and received a Scope of Services for the period July 1, 2018 through June 30, 2019 that includes costs for the services of Water Management Communications, as well as the associated professional services needed for the development and implementation of the program, and to provide on call back up media assistance with a total not-to-exceed amount of \$65,000.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the FPA Chief Administrative Officer to execute a Professional Services Agreement with Water Management Communications with a total not-to-exceed amount of \$65,000 to continue the development and implementation of the Education and Public Outreach Program and to provide on call back up media assistance for the period of July 1, 2018 through June 30, 2019.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-11 – FPA FY 2018 BUDGET REVISIONS

Mr. Morgan explained that the Finance Committee discussed and recommended approval of the proposed revisions to the FY 2018 FPA and O.L.D. budgets. Overall,

the organization is under budget. Revisions are needed to the FPA budget primarily due to the retention of a Human Resources Consultant and to the O.L.D. budget because of the repayment to the State of Louisiana of the debt on a loan.

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

WHEREAS, by Resolution No. 03-16-17-02, the Board approved the budget for the Southeast Louisiana Flood Protection Authority - East (FPA) for Fiscal Year (FY) 2018 to provide for required expenditures for personnel services, contractual and professional services, operating supplies, equipment, annual debt service, and capital projects; and

WHEREAS, it is the responsibility of management to appraise the Board whenever actual expenditures plus other uses of funds are expected to be greater than budgeted or if revenue is expected to fall below budget; and

WHEREAS, actual expenditures plus other uses of funds are projected to be 24% greater than originally budgeted due to the consolidation of payroll and the hiring of a Human Resources (HR) Consulting Firm.

WHEREAS, the following summarized adjustments are determined to reflect the currently projected financial results of the FPA on the latest revenue and expenditure information:

FPA			
AMENDED BUDGET –GENERAL FUND			
FOR THE YEAR ENDED JUNE 30, 2018			
<u>REVENUES:</u>	CURRENT BUDGET JUNE 30, 2018	PROPOSED AMENDED ITEMS	PROPOSED FY 2018 BUDGET
Revenue	\$2,395,742	\$1,018,360	\$3,414,102
Total Revenues	\$2,395,742	\$1,018,360	\$3,414,102
<u>EXPENDITURES</u>			
Personnel services	\$1,800,176	\$751,324	\$2,551,500
Travel	52,200	0	52,200
Contractual services	195,100	0	195,100
Materials and supplies	33,000	0	33,000
Professional services	240,100	215,191	455,291
Cost sharing allocations to affiliates	3,216	125,752	128,968
Machinery and equipment	30,000	0	30,000
Other Charges	6,700	0	6,700
Total Expenditures	\$2,360,492	\$1,092,267	\$3,452,759
 Excess of Revenues Over Expenditures	 \$35,250	 (\$73,907)	 (\$38,657)
 NET CHANGES IN FUND BALANCES	 \$35,250	 (\$73,907)	 (\$38,657)

FUND BAL BEG OF YEAR	\$6,166,724	\$0	\$6,166,724
FUND BALANCE AT END OF YEAR	<u>\$6,201,974</u>		<u>\$6,128,067</u>

BE IT HEREBY RESOLVED, That the revisions to the Fiscal Year 2018 Southeast Louisiana Flood Protection Authority-East General Fund Budget are approved.

The foregoing was submitted to a vote, the vote thereon was as follows:
 YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan
 NAYS: None
 ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-12 - O.L.D. FY 2018 BUDGET REVISIONS

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

WHEREAS, by Resolution No. 03-16-17-04, the Southeast Louisiana Flood Protection Authority-East (FPA) approved the budget for the Orleans Levee District (O.L.D.) for Fiscal Year (FY) 2018 to provide for required expenditures for personnel services, contractual and professional services, operating supplies, equipment, annual debt service, and capital projects; and

WHEREAS, it is the responsibility of management to appraise the Board whenever actual expenditures plus other uses of funds are expected to be greater than budgeted or if revenue is expected to fall below budget; and

WHEREAS, actual expenditures plus other uses of funds are projected to be 15% greater than originally budgeted, subject to a final accounting of the PCCP pump station costs for FY 2018. The increase in other uses of funds is due to the \$19,819,708 debt service payment made in August, 2017; and

WHEREAS, Resolution 02-16-17-05 expressed the Board’s desire to begin repayment of the interest and principal due on the Gulf Zone Bonds and authorized the O.L.D. Executive Director or the FPA President to amend the Cooperative Endeavor Agreement (CEA) in order to process payment of the indebtedness; and

WHEREAS, the CEA was amended on February 24, 2017 and the O.L.D. submitted payment of \$19,819,708.73 to the State of Louisiana Treasury on August 8, 2017; and

WHEREAS, the O.L.D. has identified funding in the amount of \$2 million for escrow for FY 2018 for the required significant, periodic maintenance of the complex structures; and

WHEREAS, the O.L.D. has identified funding in the amount of \$1 million for escrow for FY 2018 for Other Post-Employment Benefits; and

WHEREAS, the following summarized adjustments are determined to reflect the currently projected financial results of the O.L.D. on the latest revenue and expenditure information:

**ORLEANS LEVEE DISTRICT
AMENDED BUDGET –GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2018**

<u>REVENUES:</u>	CURRENT BUDGET JUNE 30, 2018	PROPOSED AMENDED ITEMS	PROPOSED FY 2018 BUDGET
Revenue	\$21,526,996	\$0	\$21,526,996
Total Revenues	\$21,526,996	\$0	\$21,526,996
<u>EXPENDITURES</u>			
Personnel services	12,064,230		12,064,230
Travel	47,800		47,800
Contractual services	2,450,550		2,450,550
Materials and supplies	1,559,150		1,559,150
Professional services	523,000		523,000
Cost sharing allocations to affiliates	1,401,696		1,401,696
Machinery and equipment	1,065,100		1,065,100
Other Charges	832,200		832,200
Total Expenditures	\$19,943,726	\$0	\$19,943,726
<u>OTHER SOURCES (USES)</u>			
Transfer to Debt Service	(883,271)	(6,350,923)	(7,234,194)
Transfer to Other Agencies	0		0
Litigation	(250,000)	0	(250,000)
Total Other Sources (Uses)	(1,133,271)	(6,350,923)	(7,484,194)
NET CHANGES IN FUND BALANCES	\$449,999	(\$6,350,923)	(\$5,900,924)
FUND BAL BEG OF YEAR	\$46,747,560	\$0	\$46,747,560
FUND BALANCE AT END OF YEAR	\$47,197,559	(\$6,350,923)	\$40,846,636

**ORLEANS LEVEE DISTRICT
AMENDED BUDGET –SLIP FUND
FOR THE YEAR ENDED JUNE 30, 2018**

<u>REVENUES:</u>	CURRENT BUDGET JUNE 30, 2018	PROPOSED AMENDED ITEMS	PROPOSED FY 2018 BUDGET
Revenue	\$19,298,000	\$0	\$19,828,000
Total Revenues	\$19,298,000	\$0	\$19,828,000
<u>EXPENDITURES</u>			
Personnel services	\$0	\$0	\$0
Travel	0	0	0
Professional services	7,390,000	0	7,390,000

Contractual Services	20,003,200	0	20,003,200
Materials and Supplies	0	0	0
Cost sharing allocations to affiliates	0	0	0
Machinery and equipment	0	0	0
Other Charges	780,000	0	780,000
Total Expenditures	\$28,173,200	\$0	\$28,173,200
<u>OTHER SOURCES (USES)</u>			
Transfer to Debt Service	(\$1,536,656)	(\$11,048,859)	(\$12,585,515)
Transfer to Other Agencies			
Litigation	(1,796,800)		(1,796,800)
Total Other Sources (Uses)	(3,333,456)	(11,048,859)	(14,382,315)
NET CHANGES IN FUND BALANCES	(12,208,656)	(11,048,859)	(23,257,515)
Fund Balance Beg of Year	61,249,407		61,249,407
FUND BALANCE AT END OF YEAR	\$ 49,040,751		\$37,991,892

BE IT HEREBY RESOLVED, That the revisions to the Fiscal Year 2018 Orleans Levee District General Fund and SLIP Fund Budgets are approved.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

**RESOLUTION NO. 06-14-18-13 –
APPROPRIATION OF TEMPORARY SERVITUDES FROM HARVEY CANAL
HOLDINGS II, LLC FOR LPV-ARM-09 LEVEE ARMORING PROJECT**

Mr. Miller advised that the Operations Committee discussed and recommended approval of the proposed appropriation in order to provide the servitudes required for the levee lift and armoring work to be done by the USACE in New Orleans East.

On the motion of Mr. Luettich,

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

“A resolution providing for the appropriation under the Constitution and Laws of the State of Louisiana of temporary servitudes over Parcels Nos. 7-3, 7-4, 12-1, 12-2, 13-1, and 14-2 from Harvey Canal Holdings II, LLC for the benefit of the Orleans Levee District for the building of levees and other water control structures including the repairing of hurricane protection levees on the alignment approved by the U. S. Army Corps of Engineers.”

WHEREAS, the U.S. Army Corps of Engineers (“Corps”) and the Coastal Protection and Restoration Authority Board (“CPRA Board”) executed the Project Partnership Agreement (“PPA”) for the Lake Pontchartrain and Vicinity, St. Bernard Parish, Louisiana, Hurricane Protection Project (“LPV”) on September 22, 2008. The CPRA Board signed the PPA as Non-Federal Sponsor for LPV; and

WHEREAS, Article III of the PPA requires the CPRA Board to acquire property rights on alignments approved by the Corps that the Corps determines are needed for construction, operation, and maintenance of LPV, and to provide the Corps with authorization for entry thereto; and

WHEREAS, by authorization dated March 19, 2009, CPRA Board Chairman Garret Graves authorized Orleans Levee District (“OLD”) to acquire and grant authorizations for entry to the Corps for property rights required for construction, operation, and maintenance of LPV; and

WHEREAS, by letters dated April 11, 2016, September 19, 2016, February 16, 2017, October 23, 2017, and January 31, 2018, the Corps issued Right of Entry Requests (“ROE Requests”) to the CPRA Board and the Southeast Louisiana Flood Protection Authority-East for the Lake Pontchartrain and Vicinity (LPV), LPV-ARM-09 System Armoring (LPV 111.01, New Orleans Back Levee, CSX Railroad to Michoud Canal Baseline Station 1061+30 to 1341+70), Orleans Parish project (the “Project”). The Project is part of LPV, and the ROE Requests identified the alignment for the Project approved by the Corps; and

WHEREAS, OLD is acquiring the property rights required in the ROE Requests that are outside of its existing right of way. Coastal Protection and Restoration Authority (“CPRA”), the implementation and enforcement arm of the CPRA Board, is paying the acquisition costs for these property rights; and

WHEREAS, the property rights required by the Corps for the Project include a temporary work area servitude over property identified as Parcel Nos. 7-3 and 7-4 and a temporary access servitude over property identified as Parcel Nos. 12-1, 12-2, 13-1, and 14-2 (“Servitudes”). These six parcels are owned by Harvey Canal Holdings II, LLC (“Harvey”); and

WHEREAS, CPRA has provided an independent value estimate, reviewed and approved for credit by the Corps, concluding a market value for the Servitudes of \$1,130.14. OLD offered Harvey this amount on May 11, 2018. Harvey has not accepted this offer, and has offered no evidence to support any valuation higher than the existing independent value estimate; and

WHEREAS, pursuant to La. Const. art. VI, sec. 42, La. C.C. art. 665, and La. R.S. 38:301, the levee districts are authorized to appropriate servitudes necessary for the building of levees and other water control structures on alignments approved by the Corps.

BE IT HEREBY RESOLVED, that the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East approves an action to appropriate a Temporary Work Area Servitude over the following described property on the alignment approved by the Corps, and the same is hereby appropriated in accordance with the provisions of the Constitution and Laws of the State of

Louisiana for the building of levees and other water control structures including the repairing of hurricane protection levees, for the benefit of the Orleans Levee District:

Parcel No. 7-3

One certain parcel of land together with all the buildings and improvements situated wholly or partially thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Orleans Parish, State of Louisiana, Section 37 Township 12 South, Range 13 East, and being more fully shown as Parcel 7-3 on a Right of Way map prepared by PBM Surveying, LLC. Registered Land Surveyor, dated June 1, 2016 and last revised October 7, 2016, LPV-ARM-09 System Armoring, LPV Reach 111.01, sheet 7, attached hereto, and more fully described as follows:

Begin at the Orleans Levee District Baseline station 1061+69.00 having a Northing of 569,219.6106 feet and an Easting of 3,755,561.3266; Thence run along said baseline North 09°31'26" West a distance of 63.90 feet to a point;
Thence leaving said baseline run North 80°26'43" East a distance of 171.10 feet to a point;
Thence run South 09°33'17" East a distance of 108.54 feet to a point;
Thence run South 00°21'04" West a distance of 207.06 feet to a point;
Thence run South 09°33'17" East a distance of 3879.10 feet to a point;
Thence run North 80°26'43" East a distance of 3.63 feet to a point;
Thence run South 09°33'17" East a distance of 60.57 feet to a point;
Thence run along a curve to the right with a radius of 310.00 feet an arc length of 158.68 feet, a chord bearing of South 04°58'20" West and a chord length of 156.95 feet to a point;
Thence run South 07°54'27" East a distance of 175.14 feet to a point;
Thence run South 64°10'52" West a distance of 11894.67 feet to a point;
Thence run North 25°49'08" West a distance of 25.00 feet to a point;
Thence run South 64°06'37" West a distance of 1126.17 feet to a point;
Thence run North 25°53'23" West a distance of 120.00 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run North 25°53'23" West a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 120.00 feet to a point;
Thence run South 25°53'23" East a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run South 25°53'23" East a distance of 119.93 feet to a point;
Thence run South 64°06'48" West a distance of 3297.17 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run South 64°16'27" West a distance of 7077.80 feet to a point;
Thence run North 25°43'04" West a distance of 320.00 feet to a point;
Thence run North 64°16'27" East a distance of 7076.86 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run North 64°06'48" East a distance of 3056.56 feet to the Point of Beginning 7-3 having a Northing of 559,291.6622 feet and an Easting of 3,744,128.4374 feet:

From the Point of Beginning 7-3, run North 09°14'16" East a distance of 119.16 feet to a point;
Thence run North 28°48'45" East a distance of 167.93 feet to a point;
Thence run South 25°15'55" East a distance of 150.81 feet to a point;
Thence run South 09°12'22" West a distance of 53.77 feet to a point;
Thence run South 64°12'36" West a distance of 173.07 feet back to the point of beginning;

Said tract of land contains 0.517 acres or 22,507.95 square feet more or less.

Parcel No. 7-4

One certain parcel of land together with all the buildings and improvements situated wholly or partially thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Orleans Parish, State of Louisiana, Section 37 Township 12 South, Range 13 East, and being more fully shown as Parcel 7-4 on a Right of Way map prepared by PBM Surveying, LLC. Registered Land Surveyor, dated June 1, 2016 and last revised October 7, 2016, LPV-ARM-09 System Armoring, LPV Reach 111.01, sheet 7, attached hereto, and more fully described as follows:

Begin at the Orleans Levee District Baseline station 1061+69.00 having a Northing of 569,219.6106 feet and an Easting of 3,755,561.3266; Thence run along said baseline North 09°31'26" West a distance of 63.90 feet to a point;
Thence leaving said baseline run North 80°26'43" East a distance of 171.10 feet to a point;
Thence run South 09°33'17" East a distance of 108.54 feet to a point;
Thence run South 00°21'04" West a distance of 207.06 feet to a point;
Thence run South 09°33'17" East a distance of 3879.10 feet to a point;
Thence run North 80°26'43" East a distance of 3.63 feet to a point;
Thence run South 09°33'17" East a distance of 60.57 feet to a point;
Thence run along a curve to the right with a radius of 310.00 feet an arc length of 158.68 feet, a chord bearing of South 04°58'20" West and a chord length of 156.95 feet to a point;
Thence run South 07°54'27" East a distance of 175.14 feet to a point;
Thence run South 64°10'52" West a distance of 11894.67 feet to a point;
Thence run North 25°49'08" West a distance of 25.00 feet to a point;
Thence run South 64°06'37" West a distance of 1126.17 feet to a point;
Thence run North 25°53'23" West a distance of 120.00 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run North 25°53'23" West a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 120.00 feet to a point;
Thence run South 25°53'23" East a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;

Thence run South 25°53'23" East a distance of 119.93 feet to a point;
Thence run South 64°06'48" West a distance of 3297.17 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run South 64°16'27" West a distance of 7077.80 feet to a point;
Thence run North 25°43'04" West a distance of 320.00 feet to a point;
Thence run North 64°16'27" East a distance of 7076.86 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run North 64°06'48" East a distance of 2796.50 feet to the Point of Beginning 7-4 having a Northing of 559,177.7816 feet and an Easting of 3,743,894.6321 feet:

From the Point of Beginning 7-4, run North 25°53'48" West a distance of 67.00 feet to a point;

Thence run North 64°06'48" East a distance of 194.26 feet to a point;

Thence run South 25°53'48" East a distance of 67.00 feet to a point;

Thence run South 64°06'48" West a distance of 194.26 feet back to the point of beginning;

Said tract of land contains 0.299 acres or 13,015.35 square feet more or less.

The servitude appropriated hereby as to Parcel Nos. 7-3 and 7-4 is a Temporary Work Area Servitude, which is a temporary and assignable servitude, easement, and right of way in, on, over, and across Parcel Nos. 7-3 and 7-4 for 21 months beginning on August 23, 2019 (the date the previous three-year servitude over these parcels expires), for use by Orleans Levee District and its representatives, agents, contractors, and assignees as a work area, including the right to deposit fill, spoil, and waste material thereon, to move, store, and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Lake Pontchartrain and Vicinity (LPV), LPV-ARM-09 System Armoring (LPV 111.01, New Orleans East Back Levee, CSX Railroad to Michoud Canal Baseline Stations 1061+30 to 1341+70) project (the "Project"), together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right of way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines except as otherwise provided herein.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East approves an action to appropriate a Temporary Access Servitude over the following described property on the alignment approved by the Corps, and the same is hereby appropriated in accordance with the provisions of the Constitution and Laws of the State of Louisiana for the building of levees and other water control structures including the repairing of hurricane protection levees, for the benefit of the Orleans Levee District:

Parcel No. 12-1

One certain parcel of land together with all the buildings and improvements situated wholly or partially thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in, Orleans Parish, State of Louisiana, Section 37, Township 12 South, Range 13 East, and being more fully shown as Parcel 12-1 on a Right of Way map prepared by PBM Surveying, LLC. Registered Land Surveyor, dated June 1, 2016 and last revised October 7, 2016, LPV-ARM-09 System Armoring, LPV Reach 111.01, sheet 12, attached hereto, and more fully described as follows:

Begin at the Orleans Levee District Baseline station 1061+69.00 having a Northing of 569,219.6106 feet and an Easting of 3,755,561.3266; Thence run along said baseline North 09°31'26" West a distance of 63.90 feet to a point;
Thence leaving said baseline run North 80°26'43" East a distance of 171.10 feet to a point;
Thence run South 09°33'17" East a distance of 108.54 feet to a point;
Thence run South 00°21'04" West a distance of 207.06 feet to a point;
Thence run South 09°33'17" East a distance of 3879.10 feet to a point;
Thence run North 80°26'43" East a distance of 3.63 feet to a point;
Thence run South 09°33'17" East a distance of 60.57 feet to a point;
Thence run along a curve to the right with a radius of 310.00 feet an arc length of 158.68 feet, a chord bearing of South 04°58'20" West and a chord length of 156.95 feet to a point;
Thence run South 07°54'27" East a distance of 175.14 feet to a point;
Thence run South 64°10'52" West a distance of 11894.67 feet to a point;
Thence run North 25°49'08" West a distance of 25.00 feet to a point;
Thence run South 64°06'37" West a distance of 1126.17 feet to a point;
Thence run North 25°53'23" West a distance of 120.00 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run North 25°53'23" West a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 120.00 feet to a point;
Thence run South 25°53'23" East a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run South 25°53'23" East a distance of 119.93 feet to a point;
Thence run South 64°06'48" West a distance of 3297.17 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run South 64°16'27" West a distance of 7077.80 feet to a point;
Thence run North 25°43'04" West a distance of 320.00 feet to a point;
Thence run North 64°16'27" East a distance of 7076.86 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run North 64°06'48" East a distance of 3056.56 feet to a point;
Thence run North 09°14'16" East a distance of 119.16 feet to a point;
Thence run North 28°48'45" East a distance of 167.93 feet to a point;
Thence run North 02°07'08" East a distance of 52.26 feet to a point;
Thence run North 25°53'49" West a distance of 906.08 feet to a point;

Thence run North 64°09'26" West a distance of 22.37 feet to the Point of Beginning 12-1 having a Northing of 560,433.4823 feet and an Easting of 3,743,814.5648 feet:

From the Point of Beginning 12-1, run North 64°09'26" West a distance of 157.85 feet to a point;

Thence run North 64°16'47" East a distance of 99.11 feet to a point;

Thence run South 25°15'55" East a distance of 123.65 feet back to the point of beginning;

Said tract of land contains 0.141 acres or 6,127.19 square feet more or less.

The servitude appropriated hereby as to Parcel No. 12-1 is a Temporary Access Servitude, which is a temporary, assignable, and non-exclusive right of access and passage over Parcel No. 12-1 for 21 months beginning on August 23, 2019 (the date the previous three-year servitude over this parcel expires), for use by Orleans Levee District and its representatives, agents, contractors, and assignees for access for the location and construction of the Project; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines except as otherwise provided herein.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East approves an action to appropriate a Temporary Access Servitude over the following described property on the alignment approved by the Corps, and the same is hereby appropriated in accordance with the provisions of the Constitution and Laws of the State of Louisiana for the building of levees and other water control structures including the repairing of hurricane protection levees, for the benefit of the Orleans Levee District:

Parcel No. 12-2

One certain parcel of land together with all the buildings and improvements situated wholly or partially thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in, Orleans Parish, State of Louisiana, Section 37, Township 12 South, Range 13 East, and being more fully shown as Parcel 12-2 on a Right of Way map prepared by PBM Surveying, LLC. Registered Land Surveyor, dated June 1, 2016, Mississippi River Levees, LPV-ARM-09 System Armoring, LPV Reach 111.01, sheets 12 & 15, and more fully described as follows:

Begin at the Orleans Levee District Baseline station 1061+69.00 having a Northing of 569,219.6106 feet and an Easting of 3,755,561.3266; Thence run along said baseline North 09°31'26" West a distance of 63.90 feet to a point; Thence leaving said baseline run North 80°26'43" East a distance of 171.10 feet to a point;

Thence run South 09°33'17" East a distance of 108.54 feet to a point;

Thence run South 00°21'04" West a distance of 207.06 feet to a point;

Thence run South 09°33'17" East a distance of 3879.10 feet to a point;

Thence run North 80°26'43" East a distance of 3.63 feet to a point;

Thence run South 09°33'17" East a distance of 60.57 feet to a point;
Thence run along a curve to the right with a radius of 310.00 feet an arc length of 158.68 feet, a chord bearing of South 04°58'20" West and a chord length of 156.95 feet to a point;
Thence run South 07°54'27" East a distance of 175.14 feet to a point;
Thence run South 64°10'52" West a distance of 11894.67 feet to a point;
Thence run North 25°49'08" West a distance of 25.00 feet to a point;
Thence run South 64°06'37" West a distance of 1126.17 feet to a point;
Thence run North 25°53'23" West a distance of 120.00 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run North 25°53'23" West a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 120.00 feet to a point;
Thence run South 25°53'23" East a distance of 57.50 feet to a point;
Thence run South 64°06'37" West a distance of 30.00 feet to a point;
Thence run South 25°53'23" East a distance of 119.93 feet to a point;
Thence run South 64°06'48" West a distance of 3297.17 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run South 64°16'27" West a distance of 7077.80 feet to a point;
Thence run North 25°43'04" West a distance of 320.00 feet to a point;
Thence run North 64°16'27" East a distance of 7076.86 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run North 64°06'48" East a distance of 3056.56 feet to a point;
Thence run North 09°14'16" East a distance of 119.16 feet to a point;
Thence run North 28°48'45" East a distance of 167.93 feet to a point;
Thence run North 02°07'08" East a distance of 52.26 feet to a point;
Thence run North 25°53'49" West a distance of 906.08 feet to a point;
Thence run North 64°09'26" West a distance of 22.37 feet to a point;
Thence run North 64°09'26" West a distance of 157.85 feet to the Point of Beginning 12-2 having a Northing of 560,502.2900 feet and an Easting of 3,743,672.5000 feet:

From the Point of Beginning 12-2, run South 64°16'47" West a distance of 2746.70 feet to a point;
Thence run South 25°43'04" East a distance of 20.00 feet to a point;
Thence run North 64°16'47" East a distance of 2647.43 feet to a point;
Thence run North 64°16'47" East a distance of 99.11 feet to a point;
Thence North 25°15'55" West a distance of 20.00 feet back to the point of beginning;

Said tract of land contains 1.261 acres or 54,925.95 square feet more or less.

Parcel No. 13-1

One certain parcel of land together with all the buildings and improvements situated wholly or partially thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in, Orleans Parish, State of Louisiana, Section 37, Township 12 South, Range 13 East, and being more fully shown as Parcel 13-1 on a Right of Way map prepared by PBM Surveying, LLC. Registered Land Surveyor, dated February 15,

2018, Mississippi River Levees, LPV-ARM-09 System Armoring, LPV Reach 111.01, sheets 13 & 14, and more fully described as follows:

Begin at the Orleans Levee District Baseline station 1061+69.00 having a Northing of 569,219.6106 feet and an Easting of 3,755,561.3266; Thence run along said baseline North 09°31'26" West a distance of 63.90 feet to a point; Thence leaving said baseline run North 80°26'43" East a distance of 171.10 feet to a point;

Thence run South 09°33'17" East a distance of 108.54 feet to a point;

Thence run South 00°21'04" West a distance of 207.06 feet to a point;

Thence run South 09°33'17" East a distance of 3879.10 feet to a point;

Thence run North 80°26'43" East a distance of 3.63 feet to a point;

Thence run South 09°33'17" East a distance of 60.57 feet to a point;

Thence run along a curve to the right (clockwise & non-tangent) with a radius of 310.00 feet, an arc length of 158.68 feet, with a chord direction of South 04°58'20" West and a chord length of 156.95 feet;

Thence run South 07°54'27" East a distance of 175.14 feet to a point;

Thence run South 25°47'41" East a distance of 185.72 feet to a point;

Thence run South 63°55'10" West a distance of 2688.40 feet to a point;

Thence run North 25°37'01" West a distance of 14.59 feet to a point;

Thence run South 64°11'27" West a distance of 2499.61 feet to a point;

Thence run South 21°41'49" East a distance of 6.11 feet to a point;

Thence run South 64°13'50" West a distance of 2499.52 feet to a point;

Thence run North 26°10'22" West a distance of 25.48 feet to a point;

Thence run South 64°10'23" West a distance of 2499.89 feet to a point;

Thence run South 25°56'39" East a distance of 14.45 feet to a point;

Thence run South 64°03'19" West a distance of 1706.29 feet to a point;

Thence run South 66°03'39" West a distance of 564.38 feet to a point;

Thence run South 64°22'38" West a distance of 529.71 feet to a point;

Thence run South 64°23'03" West a distance of 250.00 feet to a point;

Thence run South 64°22'46" West a distance of 557.68 feet to a point;

Thence run South 64°17'28" West a distance of 1291.84 feet to a point;

Thence run South 21°59'59" West a distance of 193.78 feet to a point;

Thence run South 66°21'52" West a distance of 745.31 feet to a point;

Thence run South 66°21'52" West a distance of 1712.09 feet to a point;

Thence run South 25°53'42" East a distance of 3.82 feet to a point;

Thence run South 64°10'47" West a distance of 301.50 feet to a point;

Thence run South 64°10'47" West a distance of 125.00 feet to a point;

Thence run South 64°10'47" West a distance of 668.30 feet to a point;

Thence run South 64°10'47" West a distance of 1405.59 feet to a point;

Thence run North 35°35'44" West a distance of 5.76 feet to a point;

Thence run South 64°03'41" West a distance of 677.04 feet to a point;

Thence run South 64°03'41" West a distance of 100.00 feet to a point;

Thence run South 64°03'41" West a distance of 1721.79 feet to a point;

Thence run South 26°09'22" East a distance of 5.01 feet to a point;

Thence run South 64°16'41" West a distance of 789.37 feet to a point;

Thence run South 64°16'41" West a distance of 100.00 feet to a point;

Thence run North 25°43'04" West a distance of 258.88 feet to a point;

Thence run South 76°39'34" West a distance of 242.52 feet to a point;
Thence run North 24°37'09" West a distance of 186.46 feet to a point;
Thence run North 24°37'09" West a distance of 80.00 feet to a point;
Thence run North 63°53'06" East a distance of 231.78 feet to a point;
Thence run North 64°16'27" East a distance of 7076.86 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run North 64°06'48" East a distance of 3056.56 feet to a point;
Thence run North 09°14'16" East a distance of 119.16 feet to a point;
Thence run North 28°48'45" East a distance of 167.93 feet to a point;
Thence run North 02°07'08" East a distance of 52.26 feet to a point;
Thence run North 25°53'49" West a distance of 906.08 feet to a point;
Thence run North 64°09'26" West a distance of 22.37 feet to a point;
Thence run North 64°09'26" West a distance of 157.85 feet to a point;
Thence run South 64°16'47" West a distance of 2746.70 feet to the Point of Beginning 13-1 having a Northing of 559,353.3634 feet and an Easting of 3,741,287.3709 feet:

From the Point of Beginning 13-1, run North 64°16'47" East a distance of 1669.94 feet to a point;
Thence run South 04°12'10" East a distance of 21.50 feet to a point;
Thence run South 64°16'47" West a distance of 1662.05 feet to a point;
Thence run North 25°43'04" West a distance of 20.00 feet back to the point of beginning;

Said tract of land contains 0.765 acres or 33,318.43 square feet more or less.

Parcel No. 14-2

One certain parcel of land together with all the buildings and improvements situated wholly or partially thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in, Orleans Parish, State of Louisiana, Section 37, Township 12 South, Range 13 East, and being more fully shown as Parcel 14-2 on a Right of Way map prepared by PBM Surveying, LLC. Registered Land Surveyor, dated February 15, 2018, Mississippi River Levees, LPV-ARM-09 System Armoring, LPV Reach 111.01, sheets 14 & 15, and more fully described as follows:

Begin at the Orleans Levee District Baseline station 1061+69.00 having a Northing of 569,219.6106 feet and an Easting of 3,755,561.3266; Thence run along said baseline North 09°31'26" West a distance of 63.90 feet to a point;
Thence leaving said baseline run North 80°26'43" East a distance of 171.10 feet to a point;
Thence run South 09°33'17" East a distance of 108.54 feet to a point;
Thence run South 00°21'04" West a distance of 207.06 feet to a point;
Thence run South 09°33'17" East a distance of 3879.10 feet to a point;
Thence run North 80°26'43" East a distance of 3.63 feet to a point;
Thence run South 09°33'17" East a distance of 60.57 feet to a point;
Thence run along a curve to the right (clockwise & non-tangent) with a radius of 310.00 feet, an arc length of 158.68 feet, with a chord direction of South 04°58'20" West and a chord length of 156.95 feet;

Thence run South 07°54'27" East a distance of 175.14 feet to a point;
Thence run South 25°47'41" East a distance of 185.72 feet to a point;
Thence run South 63°55'10" West a distance of 2688.40 feet to a point;
Thence run North 25°37'01" West a distance of 14.59 feet to a point;
Thence run South 64°11'27" West a distance of 2499.61 feet to a point;
Thence run South 21°41'49" East a distance of 6.11 feet to a point;
Thence run South 64°13'50" West a distance of 2499.52 feet to a point;
Thence run North 26°10'22" West a distance of 25.48 feet to a point;
Thence run South 64°10'23" West a distance of 2499.89 feet to a point;
Thence run South 25°56'39" East a distance of 14.45 feet to a point;
Thence run South 64°03'19" West a distance of 1706.29 feet to a point;
Thence run South 66°03'39" West a distance of 564.38 feet to a point;
Thence run South 64°22'38" West a distance of 529.71 feet to a point;
Thence run South 64°23'03" West a distance of 250.00 feet to a point;
Thence run South 64°22'46" West a distance of 557.68 feet to a point;
Thence run South 64°17'28" West a distance of 1291.84 feet to a point;
Thence run South 21°59'59" West a distance of 193.78 feet to a point;
Thence run South 66°21'52" West a distance of 745.31 feet to a point;
Thence run South 66°21'52" West a distance of 1712.09 feet to a point;
Thence run South 25°53'42" East a distance of 3.82 feet to a point;
Thence run South 64°10'47" West a distance of 301.50 feet to a point;
Thence run South 64°10'47" West a distance of 125.00 feet to a point;
Thence run South 64°10'47" West a distance of 668.30 feet to a point;
Thence run South 64°10'47" West a distance of 1405.59 feet to a point;
Thence run North 35°35'44" West a distance of 5.76 feet to a point;
Thence run South 64°03'41" West a distance of 677.04 feet to a point;
Thence run South 64°03'41" West a distance of 100.00 feet to a point;
Thence run South 64°03'41" West a distance of 1721.79 feet to a point;
Thence run South 26°09'22" East a distance of 5.01 feet to a point;
Thence run South 64°16'41" West a distance of 789.37 feet to a point;
Thence run South 64°16'41" West a distance of 100.00 feet to a point;
Thence run North 25°43'04" West a distance of 258.88 feet to a point;
Thence run South 76°39'34" West a distance of 242.52 feet to a point;
Thence run North 24°37'09" West a distance of 186.46 feet to a point;
Thence run North 24°37'09" West a distance of 80.00 feet to a point;
Thence run North 63°53'06" East a distance of 231.78 feet to a point;
Thence run North 64°16'27" East a distance of 7076.86 feet to a point;
Thence run North 25°53'12" West a distance of 30.00 feet to a point;
Thence run North 64°06'48" East a distance of 3056.56 feet to a point;
Thence run North 09°14'16" East a distance of 119.16 feet to a point;
Thence run North 28°48'45" East a distance of 167.93 feet to a point;
Thence run North 02°07'08" East a distance of 52.26 feet to a point;
Thence run North 25°53'49" West a distance of 906.08 feet to a point;
Thence run North 64°09'26" West a distance of 22.37 feet to a point;
Thence run North 64°09'26" West a distance of 157.85 feet to a point;
Thence run South 64°16'47" West a distance of 2746.70 feet to a point;
Thence run North 64°16'47" East a distance of 1669.94 feet to a point;

Thence run South 64°16'47" West a distance of 253.93 feet to the Point of Beginning 14-2 having a Northing of 558,518.4493 feet and an Easting of 3,739,554.1198 feet:

From the Point of Beginning 14-2, run South 64°16'47" West a distance of 2512.14 feet to a point;

Thence run North 25°43'04" West a distance of 20.00 feet to a point;

Thence run North 64°16'47" East a distance of 2520.03 feet to a point;

Thence run South 04°12'10" East a distance of 21.50 feet back to the point of beginning;

Said tract of land contains 1.155 acres or 50,323.51 square feet more or less.

The servitude appropriated hereby as to Parcel Nos. 12-2, 13-1, and 14-2 is a Temporary Access Servitude, which is a temporary, assignable, and non-exclusive right of access and passage over Parcel Nos. 12-2, 13-1, and 14-2 for three years beginning on June 23, 2018, for use by Orleans Levee District and its representatives, agents, contractors, and assignees for access for the location and construction of the Project; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines except as otherwise provided herein.

BE IT FURTHER RESOLVED, that (A) this resolution shall be published in the official journal of this Board of Commissioners and in the official journal of the parish where the land is located; (B) a certified copy of this resolution shall be sent to the public records and assessment records owner by certified mail return receipt requested within five days of adoption of this resolution; and (C) a certified copy of this resolution be registered in the conveyance records of the parish where the land is located.

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

BE IT FURTHER RESOLVED, that the Board President and/or the Chief Administrative Officer of the Southeast Louisiana Flood Protection Authority-East is authorized to execute any and all documentation necessary to effectuate appropriation of the above-referenced parcels.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

RESOLUTION NO. 06-14-18-14 - APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTHEAST EAST FLOOD PROTECTION AUTHORITY-EAST, ON BEHALF OF THE ORLEANS LEVEE DISTRICT, THE COASTAL PROTECTION AND RESTORATION AUTHORITY AND THE U.S. ARMY CORPS OF ENGINEERS REGARDING WORK PROVIDED OR PERFORMED PRIOR TO EXECUTION OF A PROJECT PARTNERSHIP AGREEMENT FOR LPV-109.02a

Mr. Miller advised that the Operations Committee discussed and recommended approval of the proposed Memorandum of Agreement. The agreement would allow the O.L.D. to receive credit in the future towards its cost share for the HSDRRS.

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

WHEREAS, the U.S. Army Corps of Engineers (USACE), the Coastal Protection and Restoration Authority (CPRA) and the Southeast Louisiana Flood Protection Authority-East, on behalf of the Orleans Levee District (collectively, the Flood Protection Authority) have agreed that the Flood Protection Authority will be allowed to perform certain work on LPV-109.02a; and

WHEREAS, in exchange for its work performed on LPV-109.02a, the Flood Protection Authority will receive credit for eligible in-kind contributions toward the required non-Federal contribution of funds under the Project Partnership Agreement; and

WHEREAS, Art VII, Sec 14(C) of the Louisiana Constitution of 1974 provides that, for a public purpose, the State and its political subdivisions or political corporations may engage in cooperative endeavors with each other or with any other private association, corporation or individuals; and

WHEREAS, the USACE, CPRA and Flood Protection Authority wish to enter into a Memorandum of Understanding (MOU) for work provided or performed prior to the execution of a Project Partnership Agreement for LPV-109.02a.

BE IT HEREBY RESOLVED, that the Board approves a MOU between the USACE, CPRA and the Flood Protection Authority, and authorizes the Chief Administrative Officer, Derek Boese, to execute said MOU, which sets forth an agreement for work provided or performed prior to the execution of a Project Partnership Agreement for LPV-109.02a.

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

YEAS: Mr. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luetlich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

Motion to approve the award and execution of a contract to the lowest responsive and responsible bidder for the Orleans Levee District Loft Building Demolition Project.

Item was deferred.

RESOLUTION NO. 06-14-18-15 - APPROVAL OF TASK ORDER WITH BURK-KLEINPETER

Mr. Miller explained that the Operations Committee reviewed and recommended approval of the proposed task order with Burk-Kleinpeter, Inc. (BKI). The task order would allow BKI to continue providing services, primarily those rendered by Danny Caluda, to FPA staff working at the PCCP.

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

WHEREAS, in accordance with the Cooperation Endeavor Agreement executed between the Coastal Protection and Restoration Authority, the Southeast Louisiana Flood Protection Authority-East (FPA) and the Sewerage and Water Board of New Orleans, the FPA received responsibility for the operation and maintenance of the Permanent Canal Closures and Pumps (PCCP) effective May 1, 2018; and

WHEREAS, the FPA established eight dedicated staff positions to operate and maintain the PCCP and additional training is needed for the staff to perform said operations and maintenance functions; and

WHEREAS, the FPA entered into an Indefinite Delivery-Indefinite Quantity Contract with Burk-Kleinpeter, Inc. on January 23, 2017 to provide Hydraulic Engineering Services on an as needed basis; and

WHEREAS, Burk-Kleinpeter, Inc. submitted a proposal with a not to exceed amount of \$144,516.00 to provide Operations and Maintenance Training for the three PCCP facilities located at the 17th Street, London and Orleans Avenue Outfall Canals.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the issuance of a task order to Burk-Kleinpeter, Inc. with a not to exceed amount of \$144,516.00 to provide Operations and Maintenance Training for the three PCCP facilities located at the 17th Street, London and Orleans Avenue Outfall Canals.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer is hereby authorized to execute said task order 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. Cosse, Mr. Kemp, Mr. Latiolais, Mr. Luettich, Mr. Miller and Mr. Morgan

NAYS: None

ABSENT: Mr. Dastugue and Mr. Englande

The next regular monthly Board meeting will be held on July 19, 2018 at the Franklin Avenue Administrative Complex.

There was no further business; therefore, the meeting was adjourned at 12:55 p.m.