

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

**RESOLUTION #01-21-10-01 - APPROVAL OF MINUTES**

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on December 17, 2009.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

.....  
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.



George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-02 – LEGAL ACTION**

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the recommendation of Legal Counsel in the litigation entitled "Theodore Lange vs. Orleans Levee District, State of LA, Court of Appeal, First Circuit 2009 CA 1255 consolidated with 2009 CA 1256".

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-03 - AMENDMENT OF RESOLUTION NO. 09-17-09-07**

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

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

**WHEREAS**, Section 1 – Financial Management of Resolution No. 09-17-09-07 designated and authorized Timothy P. Doody, Stephen Estopinal and Robert A. Turner, Jr. to sign "Authorized Signature Card for Request for Payment", and further designated Timothy P. Doody, President, to certify the correctness of the signatures; and

**WHEREAS**, after review of the resolution, Frye Magee, LLC, Grant Administrator, recommended that Section 1 – Financial Management of Resolution No. 09-17-09-07 be amended to authorize Robert A. Turner, Jr. and Glenda Boudreaux to sign "Authorized Signature Card for Request for Payment".

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby amends Section 1 – Financial Management of Resolution No. 09-17-09-07, to read as follows:

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

**"BE IT FURTHER RESOLVED**, that Timothy P. Doody, President, shall certify to the correctness of the signatures; and"

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie  
NAYS: None  
ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

.....  
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-04 - APPROVAL OF COMMUNITY DEVELOPMENT  
BLOCK GRANT PRE-APPLICATION**

**WHEREAS**, the Southeast Louisiana Flood Protection Authority – East has been afforded funding through the Community Development Block Grant – Disaster Recovery Unit to conduct planning and study activities related to flood protection; and

**WHEREAS**, the Southeast Louisiana Flood Protection Authority – East has identified potential projects that are extremely important to the Metropolitan New Orleans areas; and

**WHEREAS**, the Southeast Louisiana Flood Protection Authority – East has prepared a Pre-Application to be submitted to Office of Community Development – Disaster Recovery Unit requesting funds for these projects in the amount of \$900,000.

**BE IT HEREBY RESOLVED** by the Southeast Louisiana Flood Protection Authority – East that the Pre-Application is hereby approved for submittal to the Office of Community Development – Disaster Recovery Unit for planning and study activities in the Metropolitan New Orleans areas.

**BE IT FURTHER RESOLVED** that the President, Timothy Doody, is hereby authorized to execute the Pre-Application for submittal to the Office of Community Development – Disaster Recovery Unit as presented.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

.....  
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-05- AMENDMENT OF ID-IQ CONTRACTS IN  
CONNECTION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM**

**WHEREAS**, the Southeast Louisiana Flood Protection Authority – East has obtained a grant under the State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration; and

**WHEREAS**, it is the intent of the SLFPA-E to utilize the professional engineering consultants previously selected on a competitive basis and contracted on an Indefinite Delivery-Indefinite Quantity (ID-IQ) basis; and

**WHEREAS**, it is necessary to amend the Agreements for Professional Services for compliance with the program regulations when services are provided under the program; and

**WHEREAS**, the amendment to the Agreements for Professional Services will be reviewed by the Counsel to the Authority.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the amendment of the Agreements for Professional Services contracted on an ID-IQ basis for compliance with State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program regulations for when services are provided under said program upon approval by the Counsel to the Authority.

**BE IT FURTHER RESOLVED**, that the SLFPA-E President is hereby authorized to sign the amendments to the aforementioned Agreements for Professional Services.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-06 – EJLD PROPERTY INSURANCE COVERAGE**

**WHEREAS**, Property Insurance Coverage on the three buildings (administrative, maintenance/police and sandbag buildings) owned by the East Jefferson Levee District (ELJD) is due to expire on February 1, 2010; and

**WHEREAS**, a quotation has been received through Arthur J. Gallagher Risk Management Services for the purchase of the aforementioned coverage with Fireman's Fund at an estimated premium of \$14,382.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of Property Insurance Coverage from Fireman's Fund at an estimated premium of \$14,382 through Arthur J. Gallagher Risk Management Services for the period February 1, 2010 through January 1, 2011.

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

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.



George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-07 - BAYOU ST. JOHN SECTOR GATE REPAIRS**

**WHEREAS**, the Bayou St. John Sector Gate requires maintenance and repairs in accordance with a first cycle maintenance program; and

**WHEREAS**, the Bayou St. John Sector Gate Repair Project was advertised and one bid was received from Kostmayer Construction, LLC, in the amount of \$310,710; and

**WHEREAS**, funds for this project are available from the approved FY 2010 Major Maintenance Capital Improvement Budget.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the award of a contract in the amount of \$310,710 to Kostmayer Construction, LLC, and the establishment of a budget in the amount of \$350,000 to include contingencies, for the Bayou St. John Sector Gate Repair Project.

**BE IT FURTHER RESOLVED**, that the O.L.D. Executive Director is hereby authorized to execute a contract in the amount of \$310,710 with Kostmayer Construction, LLC, and to execute any and all documents necessary to accomplish the above.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie  
NAYS: None  
ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-08 - LPV 103.01A.1 BAYOU ST. JOHN SECTOR GATE  
DEWATERING – COMPENSATION TO USACE**

**WHEREAS**, the U.S. Army Corps of Engineers' (USACE) contractor for Project LPV 103.01A1 is dewatering the Bayou St. John Sector Gate in order for the USACE to inspect the structure; and

**WHEREAS**, the USACE has negotiated a rate of \$500 per day for its contractor to keep the structure dewatered in order for the Orleans Levee District (O.L.D.) to perform the first maintenance cycle repairs; and

**WHEREAS**, the O.L.D. maintenance and repair contract provides for a contract time of 45 days; and

**WHEREAS**, the O.L.D. has requested that the USACE allow 75 days for maintaining the structure dewatered in the event that additional repair work is discovered during the inspection.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the execution of an agreement with the USACE for the Orleans Levee District to compensate the USACE for the cost of its contractor keeping the Bayou St. John Sector Gate dewatered at a rate of \$500 per day up to 75 days.

**BE IT FURTHER RESOLVED**, that funds in the amount of \$37,500 be identified in the FY 2010 Special Levee Improvement Fund for this dewatering effort.

**BE IT FURTHER RESOLVED**, that the SLFPA-E President or O.L.D. Executive Director are hereby authorized to execute said agreement 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. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-09**

A resolution providing for the appropriation under the Constitution and Laws of the State of Louisiana of a permanent servitude over Parcel No. 4-2 from Audubon Nature Institute, Inc. and/or its successors in title 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 has determined that certain lands, easements, servitudes and rights-of-way situated in the Parish of Orleans owned by Audubon Nature Institute, Inc. and/or its successors in title are required for the construction of the Lake Pontchartrain and Vicinity, Hurricane Protection Project, Orleans Parish, LPV 109.02a, South Point to CSX Railroad Levee, as shown on COE Map File No. H-8-47066, dated May 5, 2009, Sheet Identification No. R-024; and

**WHEREAS**, the Louisiana Coastal Protection and Restoration Authority as the non-federal sponsor has the responsibility for providing all lands, easements, servitudes and rights-of-way determined by the U. S. Army Corps of Engineers to be required for the construction of the Lake Pontchartrain and Vicinity, Hurricane Protection Project; and

**WHEREAS**, the Orleans Levee District, pursuant to legislation and a delegation and grant of authority by the Louisiana Coastal Protection and Restoration Authority, has the responsibility of acquiring of such lands, easements, servitudes and rights-of-way with funds furnished by the Louisiana Coastal Protection and Restoration Authority;

**Section 1. Be It Resolved**, by the Board of Commissioners for the Southeast Louisiana Flood Protection Authority-East, that a permanent servitude over the following described property on the alignment approved by the U. S. Army Corps of Engineers is hereby appropriated for the benefit of the Orleans Levee District in accordance with the provisions of the Constitution and Laws of the State of Louisiana for the building of levees and other water control structure including the repairing of hurricane protection levees:

**Parcel No. 4-2:**

**One certain parcel of land designated as Lot 25, Irish Bayou Subdivision, Section 8 and Lots 1, 2 and a portion of Lot 3, Irish Bayou Subdivision, Section 9, 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 the Third District, City of New Orleans, Orleans Parish, State of Louisiana, Section 1, Township 11 South, Range 13 East, and being more fully shown as Parcel 4-2 on a Right of Way map prepared by C. Randall Dixon, Krebs, LaSalle, LeMieux Consultants, Inc., Registered Land Surveyor, dated July 24, 2009, LPV 109.02a, South Point to CSX Railroad, New Orleans East Bank Levee, sheet 4 of 15 and is more fully described as follows:**

BEGIN Levee Baseline station 763+20.44, 79.15' right, said point having Louisiana State Plane Coordinates, South Zone of X=3,744,433.46 and Y=593,439.71, said point lies on the west right of way line of U.S. Highway 11; thence S 06°57'19" E a distance of 176.99 feet to a point; thence S 87°05'14" W a distance of 120.30 feet to a point; thence N 06°57'19" W a distance of 168.51 feet to a point; thence S 83°02'41" W a distance of 120.00 feet to the Point of Beginning. The coordinate values, bearings, and distances used herein are referenced to the North American Datum of 1983 (NAD83), Louisiana State Plane Coordinate System, South Zone, U.S. Survey Feet. Said parcel contains 0.476 acres.

**Section 2. Be It Further Resolved,** that (A) this resolution shall be published in the official journal of the Orleans Levee District and in the official journal of the parish where the property is located; (B) a certified copy of this resolution be sent to the public records and assessment records owner by certified mail return receipt within five (5) days of adoption; and (C) a certified copy of this resolution be registered in the conveyance records of the parishes where the property is located and the domicile of this Board.

**Section 3. Be It Further Resolved,** that a copy of Corps of Engineers Map File No. 4-2 referenced above shall be kept on file in the offices of the Orleans Levee District for the review and copying by any affected property owner or any other interested person.

**Section 4. Be It Further Resolved,** that the compensation due the affected owner as determined in accordance with applicable law shall be paid within one year of the date of this resolution.

**Section 5. Be It Further Resolved,** that the employees and contractors of the Orleans Levee District take all necessary or appropriate action, including obtaining appraisals of the property, to carry out the above resolutions.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.



George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-10 - BOHEMIA RIGHT-OF-WAY**

**WHEREAS**, the Orleans Levee District owns certain interests in certain tracts of land in an area of Plaquemines Parish commonly referred to as the Bohemia Spillway; and

**WHEREAS**, Sundown Energy, LP seeks to acquire a road right-of-way over some of the tracts in the Bohemia Spillway owned by the Orleans Levee District specifically, Tracts 10, 13, 14, 18, 19 and 20; and

**WHEREAS**, Counsel to the Authority will review the final form of the right-of-way.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority - East approves and authorizes the execution by the Executive Director of the Orleans Levee District of a road right-of-way with Sundown Energy, LP, upon approval by the Counsel to the Authority.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary

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

**RESOLUTION #01-21-10-11 - SERVITUDES AND RIGHTS-OF-ENTRY  
FOR LPV 148.02**

**WHEREAS**, the U.S. Army Corps of Engineers requires Authorization for Entry to certain properties on a timely basis for the construction of the Lake Pontchartrain and Vicinity Hurricane Protection Project, LPV 148.02; and

**WHEREAS**, servitudes and rights-of-entry will be necessary to acquire the property rights required for the construction of LPV 148.02; and

**WHEREAS**, Counsel to the Authority or the Office of the Attorney General will review the final form of the servitudes and rights-of-entry.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority - East approves and authorizes the execution by the Executive Director of the Lake Borgne Basin Levee District of servitudes and rights-of-entry, as required, with the owners and other interest holders of properties needed for construction of LPV 148.02, upon approval by the Counsel to the Authority or the Office of the Attorney General.

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

YEAS: Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Losonsky

This resolution was declared adopted this 21st day of January, 2010.

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I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of January 21, 2010, held in Metairie, LA, at which a quorum was present.

  
George Losonsky, PhD  
Secretary