

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

RESOLUTION #02-08-07-001 Agenda

“A resolution to approve and accept the agenda, as amended, for the Board Meeting of February 8, 2007.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

RESOLUTION #02-08-07-002 Minutes

“A resolution to approve and accept the minutes for the Board Meeting of January 10, 2007 and the minutes for the Board Meeting of January 26, 2007.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 8th day of February, 2007
New Orleans, LA 70122

On motion of Mr. Doody

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

RESOLUTION #02-08-07-003 - Travel for Authority Business Authorized

Whereas, R.S. 38:330.1 L. provides that each member of the Southeast Louisiana Flood Protection Authority – East (“the Authority”) shall receive “a per diem equal to the rate allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United States Code for its official domicile during their attendance at meetings of that body. In addition to the per diem, each member shall be paid a mileage allowance for going to and from meetings and for other travel authorized by the board [the Authority] equal to the rate established as the standard mileage rate for business travel for purposes of Section 162(a) of Title 26 of the United States Code.”

Whereas, members of the Authority have been, and it is apparent that in the future they will be, frequently required to attend meetings of committees of the Authority and with legal counsel regarding legal matters related to assets and liabilities of the levee districts within the jurisdiction of the Authority and the operations of the Authority as well as meetings with federal, state and local elected and appointed officials and with employees of the levee districts within the jurisdiction of the Authority;

Whereas, most of Authority related business involves travel to locations in the State of Louisiana, sometimes from outside of the State of Louisiana by two of the members of the authority;

Whereas, travel by the members of the Authority often involves significant mileage because of the distance or the frequency of the need for travel, or both;

Whereas, no means of transportation is provided to the members of the Authority for such travel; now therefore be it

Resolved:

1. That each member of the Southeast Louisiana Flood Protection Authority (“the Authority”), shall be paid a mileage allowance for travel going to and from their residence or customary place of business to special and regular meetings of the Authority equal to the rate established as the standard mileage rate for business travel and for purposes of Section 162(a) of Title 26 of the United States Code in addition to the per diem equal to the rate allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United States Code for its official domicile during their attendance at the special and regular meetings of the Authority.

2. That the travel of each member of the Authority going to and from their residence or customary place of business to participate in the following Authority business activities within the State Louisiana is hereby authorized without further action by the Authority:

- a) Meetings of committees of the Authority;
- b) Meetings with federal, state or local elected or appointed officials;
- c) Meetings with employees of levee districts within the jurisdiction of the Authority;
- d) Meetings with legal counsel regarding legal matters related to assets and liabilities of the levee districts within the jurisdiction of the Authority or related to the operations of the Authority;
- e) Conduction of Authority business at the domicile or branch office of the Authority ; and

f) Levee School sessions;

3. That each member of the Authority shall be paid a mileage allowance equal to the rate established as the standard mileage rate for business travel and for purposes of Section 162(a) of Title 26 of the United States Code for travel going to and from their residence or customary place of business to participate in the Authority business activities within the State Louisiana related business for which travel was authorized in paragraph number 2. above; and

4. That appropriate expense reports be submitted detailing expenses incurred, including receipts for other travel expensed and purpose of the incurred expenses; and

5. That specific authorization for payment by the Authority of mileage and travel expenses for Authority business activities not listed in paragraph number 2. above shall be required and may be made retroactively under appropriate circumstances.

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 8th day of February, 2007
New Orleans, LA 70122

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

RESOLUTION #02-08-07-004 - SLFPA-E Scheduling Regular Monthly Meetings

“A resolution authorizing the scheduling of the Southeast Louisiana Flood Protection Authority-East Regular Board Meeting on the 3rd Thursday of every month beginning at 9:30 a.m.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**

NAYS: None

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.-----

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

On motion of Mr. Doody

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

RESOLUTION #02-08-07-005 Support Only for Full Federal Funding for Flood Control Projects and Opposition to Reallocation Of Federal Funding for Flood Control Projects

Whereas, the Southeast Louisiana Flood Protection Authority-East ("the Authority-East") has been advised that the Administration of United States President George W. Bush is requesting that the United States Congress reallocate \$1.3 billion of federal funds appropriated in the 4th FY06 Supplemental Act (PL109-234, June 15, 2006) to activities authorized and funded in the 3rd FY06 Supplemental Act (PL 109-148, December 30, 2005) for flood control projects within the jurisdiction of the Authority-East to fund flood control projects outside of the jurisdiction of the Authority-East ; and

Whereas, the \$1.3 billion of federal funds at issue were appropriated in 2005 for projects that are crucial to flood control for the protection of hundreds of thousands of residents in the Authority-East jurisdiction, *i.e.*, approximately six (6) categories of vital ongoing flood control projects for repairs of failed levees and floodwalls as well as obviously needed improvements to the flood control system in the Southeast Louisiana Flood Protection Authority-East jurisdiction, including levee armoring and building permanent pumping stations at Lake Pontchartrain;

Whereas, the funded projects in the Authority-East jurisdiction would bring the hurricane protection system merely to pre Katrina authorized levels, promised by the Congress immediately following hurricane Betsy in 1965 and not to Hurricane 5 protection; and

Whereas, at a bare minimum, the hurricane protection system for Southeast Louisiana must provide protection for a 100 year event, not just pre Katrina authorized levels; and;

Whereas, based on the information made available to the Board of the Authority-East, the projects in the Authority-East are underfunded or will be underfunded at the time of construction; and

Whereas, historically federal flood control projects in Southeast Louisiana have been underfunded and have not been completed as projected; and

Whereas, reallocation of money from these urgently needed flood control projects in the jurisdiction of the Authority-East will not resolve budget shortfalls for federal flood protection projects on either the east or west banks of the Mississippi River in Southeast Louisiana; and

Whereas, the only equitable solution to the underfunding of federal flood control projects outside the jurisdiction of the Authority-East is additional appropriations for full funding for all federal flood control projects in Southeast Louisiana including additional funding for the projects now known, based on information made available to the Board of the Authority-East, to be underfunded; now therefore be it

Resolved,

That the Southeast Louisiana Flood Protection Authority-East is strenuously opposed to reallocation of any federal funds from any flood control projects in Southeast Louisiana that are presently funded, whether underfunded or not; and

That the Southeast Louisiana Flood Protection Authority – East vigorously urges the United States President and Congress to allocate all additional funds required to complete all federal flood control projects on the east and west descending banks of the Mississippi River to provide a minimum 100 year protection to Southeast Louisiana, and at the same time grant greater flexibility to the United States Army Corps of Engineers in performing the federal flood control projects in the jurisdiction of the Authority-East bank.

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

**YEAS: Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**

NAYS: Mr. Barnes

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

**RESOLUTION #02-08-07-006 - East Jefferson Levee District
Auto Liability and Physical Damage**

“A resolution to accept the proposal for auto liability and physical damage insurance presented to the East Jefferson Levee District by Redland Insurance Company for coverage to be effective February 1, 2007 with an annual premium of \$209,152.00.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

RESOLUTION #02-08-07-007 - Property Insurance Coverage - EJLD

“A resolution to accept the proposal for property insurance on the three buildings owned by the East Jefferson Levee District presented by Chubb Custom Insurance Company and Louisiana Citizens Insurance Company to be effective February 1, 2007 with an estimated annual premium of \$11,650.75.”

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 8th day of February, 2007
New Orleans, LA 70122

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

RESOLUTION #02-08-07-008 - Accident and Health Insurance Coverage - EJLD

“A resolution to accept the accident and health insurance coverage for East Jefferson Levee District Reserve Officers as presented to the East Jefferson Levee District by Ace Insurance Company which provides Accidental Death and Disability with a limit of \$10,000.00, Medical Expense with a limit of \$25,000.00 with an annual aggregate limit of \$250,000.00 effective March 6, 2007 with an estimated annual premium of \$2,000.00.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**

NAYS: None

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

RESOLUTION #02-08-07-009 – OLD Life Insurance Coverage Extension

“A resolution to approve a one month extension of the current life insurance coverage for employees and retirees of the Orleans Levee District at the current rate with Guardian Life Insurance for the month of March, 2007, during which time competitive bids will be received, and reviewed and acted upon at the next meeting of the SLFPA-E.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**

NAYS: None

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

RESOLUTION #02-08-07-010 - Orleans Levee District – Cooperative Endeavor Agreement with USACE

“A resolution authorizing the President of SLFPA East to execute any and all documents related to new Cooperative Endeavor Agreements with USACE, after review and approval by SLFPA-East counsel and DOTD, including but not limited to authorization to temporarily place fill in contemplation of future projects within the jurisdiction of the Orleans Levee District, and future 100 year level projects.”

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 8th day of February, 2007
New Orleans, LA 70122

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

RESOLUTION #02-08-07-011 - Orleans Levee District Comptroller

**“A resolution authorizing the President
of SLFPA East to hire a Comptroller for
the Orleans Levee District..”**

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

**RESOLUTION #02-08-07- 012 - Special Meeting - Lake Borgne Basin Levee
District Issues**

“A resolution authorizing Southeast Louisiana Flood Protection Authority-East to hold a Special Meeting on February 28, 2007 to address Lake Borgne Basin Levee District issues.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.-----

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

**RESOLUTION #02-08-07-013 - Agreement for the Lake Borgne Basin Levee
District and Southeast Louisiana Flood Protection
Authority-East Replacement of Immovable Equipment**

“A resolution authorizing the Memorandum of Agreement for the Southeast Louisiana Flood Protection Authority-East and the Lake Borgne Basin Levee District for the replacement of 3 items of equipment (Exhibit A), that were damaged beyond repair in the aftermath of Hurricane Katrina. The U.S. Army Corps of Engineers will replace said equipment subject to obtaining this agreement from the Levee District provided said equipment/machinery is declared to be immovable”.

WHEREAS, a Declaration of Immobilization (Exhibit B) will be signed by the President, Thomas Jackson, of the Southeast Louisiana Flood Protection Authority-East declaring said equipment to be immovable and will not be transferred or removed without prior written approval from the U.S. Army Corps of Engineers”.

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

STATE OF LOUISIANA

PARISH OF ST. BERNARD

MEMORANDUM OF AGREEMENT

BE IT KNOWN, that on the _____ day of _____, 2007,

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the Parish and State aforesaid, and the undersigned competent witnesses, in whose presence this act is passed and executed this day in my office, personally came and appeared:

The Board of Commissioners of the SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY EAST on behalf of the Lake Borne Basin Levee District, as represented by its President, Thomas L. Jackson, referred to hereinafter as "the Levee District"

Who declared and agreed that:

1. The Levee District is the owner of properties situated in St. Bernard Parish, Louisiana, described in Exhibit "A" attached hereto and made a part hereof.
2. The Levee District had owned certain equipment and machinery that were integral and necessary for the operation and maintenance of the non-Federal flood control works within St. Bernard Parish, but the equipment and machinery were destroyed in the aftermath of Hurricane Katrina. The equipment and machinery were essential to the removal of debris from the trash racks at certain pump stations described in the aforesaid Exhibit "A", thus preventing a build-up of debris in the pump intake basins.
3. By "Project Information Report, PL 84-99, Rehabilitation of Damaged Flood Control Works, Non-Federal Pump Stations, St. Bernard Parish, Louisiana", dated January 2006, approved on January 22, 2006 by the Deputy Division Commander, Mississippi Valley Division, the U. S. Army Corps of Engineers identified three items of equipment or machinery, as follows, that were damaged beyond repair in the aftermath of Hurricane Katrina, and that were essential to the rehabilitation of certain non-Federal pump stations that formed a part of the non-Federal flood control works in St. Bernard Parish, Louisiana. After examining several alternatives, the U. S. Army Corps of Engineers determined that the preferred and most cost effective alternative was to replace the said equipment at each of the said pump stations, subject to obtaining certain agreements from the Levee District.
4. In support of the commitment of the U.S. Army Corps of Engineers to repair and rehabilitate the non-Federal flood control works and based on representations from the Levee District that certain equipment and machinery are integral to the operation and maintenance of the non-Federal flood control works, the U.S. Army Corps of Engineers will provide equipment and machinery to replace those items that have been destroyed, provided that the Levee District agrees to declare and retain the replacement equipment

and machinery as immovable property that is a part of an appurtenant the respective property to which each said item of replacement equipment is assigned.

5. After the purchase of such equipment and machinery by the U. S. Army Corps of Engineers, but prior to delivery of said equipment to the designated Levee District properties, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority East on behalf of the Lake Borne Basin Levee District shall sign a Declaration of Immobilization, pursuant to Louisiana Civil Code Article 467, as amended by 1978 La. Acts 728, in accordance with the form set forth in Exhibit B, attached to and made a part hereof, declaring that each such item of equipment or machinery shall be deemed to be a component part of the Levee District immovable property to which said equipment and machinery is assigned; that the machinery and equipment will remain immovable property and that the machinery and equipment will not be transferred or removed from the assigned property without prior written approval from the District Engineer, New Orleans District, New Orleans District, U.S. Army Corps of Engineers, or his authorized designee.

6. This Memorandum of Agreement may be executed in counterparts and all such counterparts shall be construed together and shall constitute one instrument. The provisions hereof shall be binding on all parties who join herein, whether or not this instrument is signed by all parties having an interest in the matters set forth herein.

THUS DONE, SIGNED AND PASSED, in multiple originals, in my office at _____, Louisiana, on _____ herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said Southeast Louisiana Flood Protection Authority East and me, Notary, after reading of the whole.

WITNESSES:

SOUTHEAST LOUISIANA FLOOD
PROTECTION AUTHORITY EAST
on behalf of the Lake Borne Basin Levee
District

Thomas L. Jackson
President

NOTARY PUBLIC

EXHIBIT "A"
Attached to and Made a Part of that
Memorandum of Agreement by the
Southeast Louisiana Flood Protection Authority East
on behalf of the
Lake Borgne Basin Levee District
Dated the ____ day of _____, 2007

LIST OF PUMP STATION PROPERTIES DESIGNATED FOR
PLACEMENT OF CERTAIN EQUIPMENT/MACHINERY
DECLARED TO BE AN IMMOVABLE BY DECLARATION

- I. Pump Stations No. 6 and Pump Station No. 1
4200A and 4200B Jean Lafitte Parkway
Chalmette, Louisiana 70043
Said pumping stations being situated in Section 34 and 35, Township 12
South, Range 12 East, St. Bernard Parish, Louisiana

- II. Pump Station No. 7
3701 Bartolo Drive
Meraux, Louisiana 70075
Said pump station being situated in Section 2, Township 13 South, Range 13
East, St. Bernard Parish, Louisiana

- III. Pump Station No. 8
3616 Bayou Road
St. Bernard, Louisiana 70075
Said pump station being situated in Section 79, Township 14 South, Range
14 East, St. Bernard Parish, Louisiana

EXHIBIT "B"

STATE OF LOUISIANA

PARISH OF ST. BERNARD

DECLARATION OF IMMOBILIZATION

BE IT KNOWN, that on the _____ day of _____, 2007,

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the Parish and State aforesaid, and the undersigned competent witnesses, in whose presence this act is passed and executed this day in my office, personally came and appeared:

The Board of Commissioners of the Southeast Louisiana Flood Protection Authority East on behalf of the Lake Borne Basin Levee District, as represented by its President, Thomas L. Jackson, referred to hereinafter as "the Levee District"

Who declared that:

1. The Levee District is the owner of properties situated in St. Bernard Parish, Louisiana, described in Exhibit "A" attached hereto and made a part hereof.
2. The Levee District had owned certain equipment and machinery that were integral and necessary for the operation and maintenance of the non-Federal flood control works within St. Bernard Parish, but the equipment and machinery were destroyed in the aftermath of Hurricane Katrina. In support of the commitment of the U.S. Army Corps of Engineers to repair and rehabilitate the non-Federal flood control works and based on representations from the Levee District that certain equipment and machinery are integral to the operation and maintenance of the non-Federal flood control works, the U.S. Army Corps of Engineers would be willing to provide equipment and machinery to replace those items that have been destroyed, provided that the Levee District agrees to declare and retain the replacement equipment and machinery as immovable property that is a part of an appurtenant the respective property to which each said item of replacement equipment is assigned, as described and identified in Exhibit B.
3. For the service and improvement of each of the aforesaid properties upon which there is a building used as a pump station, the Levee District has placed certain machinery or equipment, as identified in Exhibit B, on properties designated in Exhibit A.
4. The Levee District does hereby declare, pursuant to Louisiana Civil Code Article 467, as amended by 1978 La. Acts 728, that the above identified machinery and equipment are deemed to be component parts of the aforesaid properties.
5. The Levee District further declares that the machinery and equipment will remain immovable property and that the machinery and equipment will not be transferred or removed from the property assigned in Exhibit B, without prior written approval from the

District Engineer, New Orleans District, U.S. Army Corps of Engineers, or his authorized designee.

THUS DONE, SIGNED AND PASSED, in multiple originals, in my office at _____, Louisiana, on _____ herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said Southeast Louisiana Flood Protection Authority East on behalf of the Lake Borne Basin Levee District and me, Notary, after reading of the whole.

WITNESSES:

SOUTHEAST LOUISIANA FLOOD
PROTECTION AUTHORITY EAST
on behalf of the Lake Borne Basin Levee
District

Thomas L. Jackson
President

NOTARY PUBLIC

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

RESOLUTION #02-08-07-014 – SLFPA-E Engagement of Frank Milanese, Esq.

“A resolution authorizing the engagement of Frank Milanese, Esq., on behalf of the Southeast Louisiana Flood Protection Authority-East to represent its interests in the matter of the Belle of Orleans, USDC SDAL-06-0017 and CDC 06-283, subject to the approval of the Attorney General’s Office.”

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Losonsky
Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**

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

**RESOLUTION #02-08-07-015 – Settlement Negotiations in the matter of Fried v.
Orleans Levee District**

“A resolution authorizing the trial counsel of Gordon, Arata to enter into settlement negotiations and to settle with the plaintiffs in the matter of Fried v. Orleans Levee District, CDC-03-19794, up to the amount recommended by Gordon Arata in Executive Session, and the President to sign any and all documents necessary to effect the settlement.”

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

**YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. McKee,
Mr. Pineda and Mr. Wittie**

NAYS: None

ABSENT: Mr. Losonsky

Motion carried.

This resolution was declared adopted this 8th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 8th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 8th day of February, 2007
New Orleans, LA 70122**