

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

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on January 21, 2016.

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

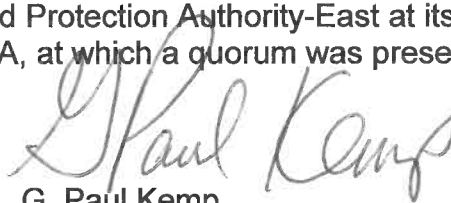
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

.....
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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.



G. Paul Kemp
Secretary

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

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

WHEREAS, the Southeast Louisiana Flood protection Authority – East (SLFPA-E) is the recipient of a Grant under the State of Louisiana Community Development Block Grant (CDBG) in the amount of \$900,000 as a part of a Local Governmental Infrastructure Program; and

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

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

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

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

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

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

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

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

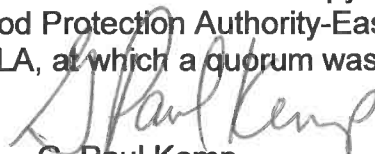
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.


G. Paul Kemp
Secretary

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

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

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

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

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

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

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

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

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

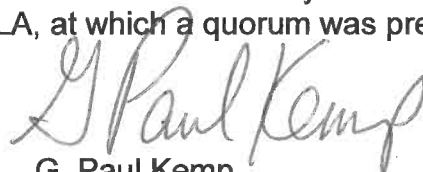
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luetlich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.



G. Paul Kemp
Secretary

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

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East approved the advertisement of a Request for Qualifications (RFQ) for the design of the proposed East Jefferson Levee District (EJLD) Safehouse and Consolidated Facilities based on a needs analysis; and

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

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

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

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

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

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

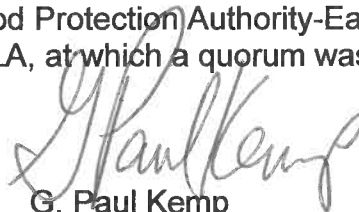
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.



G. Paul Kemp
Secretary

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

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

WHEREAS, the legal services invoices submitted to the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District listed on the spreadsheet entitled "Legal Invoices Approved on February 18, 2016", have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E Executive Counsel, and provided to members of the Legal Committee.

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

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

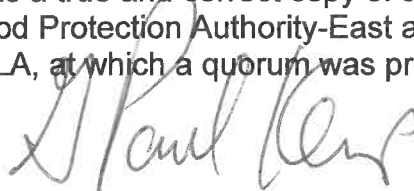
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.



G. Paul Kemp
Secretary

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is hereby authorized to execute the aforementioned amendment and any and all documents necessary to carry out the above.

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

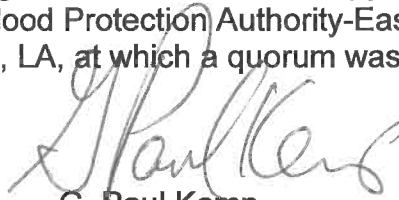
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.



G. Paul Kemp
Secretary

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

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

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

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

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

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves Task Order No. 19 with GCR, Inc. and authorizes the SLFPA-E Regional Director to execute said Task Order and any and all documents necessary to accomplish the above.

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

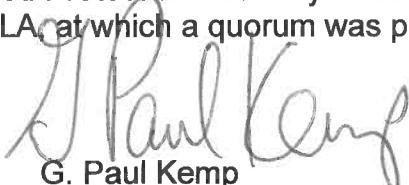
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.


G. Paul Kemp
Secretary

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

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

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

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

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

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

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

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

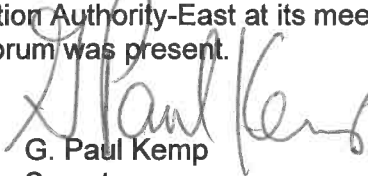
BE IT FURTHER RESOLVED, that the SLFPA-E President or the O.L.D. Executive Director is hereby authorized to execute the aforementioned agreement with the Port of New Orleans, subject to approval by the SLFPA-E General Counsel.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh
NAYS: None
ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.


G. Paul Kemp
Secretary

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

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

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

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

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

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

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

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

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

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

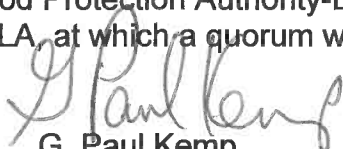
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.


G. Paul Kemp
Secretary

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

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

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

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

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

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

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

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

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

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

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

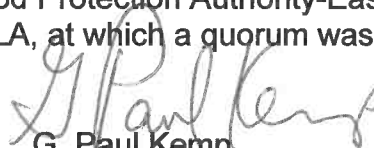
YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh

NAYS: None

ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.


G. Paul Kemp
Secretary

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

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

WHEREAS, Borgne Mouth Realty Company filed suit against the Lake Borgne Basin Levee District in the 34th Judicial District of St. Bernard Parish, Action No. 112-833 (34th JDC); and

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

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

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

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

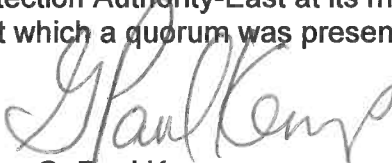
BE IT FURTHER RESOLVED, that the Regional Director of the Southeast Louisiana Flood Protection Authority-East, is authorized to execute any and all documentation to effectuate settlement of the claims against the Lake Borgne Basin Levee District, including but not limited to the authority to execute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

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Kemp, Mr. Luettich and Mr. McHugh
NAYS: None
ABSENT: Mr. Spangler

This resolution was declared adopted this 18th day of February, 2016.

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 on February 18, 2016, held in New Orleans, LA, at which a quorum was present.


G. Paul Kemp
Secretary