



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpnet.net

#20

Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

Fred Everhardt, Jr.
*Councilmember
District E*

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JUNE 15, 2021 AT THREE O'CLOCK P.M.

On motion of Mr. Everhardt, seconded by Ms. Callais, it was moved to adopt the following resolution.

RESOLUTION SBPC #2144-06-21

A RESOLUTION TO ADOPT AN AGREEMENT TO TERMS OF PERMANENT TRANSFER OF ALL INTERIOR DRAINAGE AND PUMPING FUNCTIONS FOR THE LAKE BORGNE BASIN LEVEE DISTRICT FROM THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST TO ST. BERNARD PARISH GOVERNMENT.

WHEREAS, pursuant to La. R.S. 38:330.1, the Southeast Louisiana Flood Protection Authority – East ("SLFPAE"), through its Board of Commissioners, exercises authority over and has management, oversight, and control of the Lake Board Basin Levee District ("LBBLD"); and,

WHEREAS, SLFPAE through/and LBBLD operate and maintain certain drainage channels (the "Canals") and certain interior drainage pumps (the "Pump Stations") in St. Bernard Parish, and own certain movable and immovable property necessary and useful for these purposes; and,

WHEREAS, St. Bernard Parish Government ("SBPG") operates and maintains certain other drainage channels and drainage facilities in St. Bernard Parish; and,

WHEREAS, pursuant to La. R.S. 33:1236(13), SBPG's responsibilities and authority include constructing and maintaining drainage, drainage ditches, and drainage canals; constructing works and doing all things necessary to effect proper drainage; acquiring property and property rights and expending public funds for such purposes; levying taxes for such purposes; and performing all other acts necessary to fully drain all the land in St. Bernard Parish and to maintain such drainage when established; and,

WHEREAS, SLFPAE and LBBLD desire to transfer all of their interior drainage and pumping responsibilities in St. Bernard Parish to SBPG, along with movable and immovable property necessary and useful to that purpose, while reserving such property and property rights as are necessary and useful to



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performing their primary responsibility of operating and maintaining the perimeter flood defense system surrounding St. Bernard Parish; and,

WHEREAS, there is a public purpose and substantial benefit to SBPG for agreeing to said transfer, and SBPG reasonably expects to receive benefit or value from said transfer that is equivalent to or greater than any consideration it will provide for said transfer; and,

WHEREAS, pursuant to La. Const. Art. VII, Section 14(C) and La. R.S. 33:1324, parishes and political subdivisions of the State may make agreements between themselves, including for the transfer of responsibilities and movable and immovable property, for drainage and other specified public purposes; and,

WHEREAS, SBPG has agreed to the following general terms for transfer of all interior drainage and pumping responsibilities from SLFPAE/LBBLD to SBPG:

- I. SLFPAE and LBBLD shall assign and transfer to SBPG the following drainage canals, subject to such reservations necessary for SLFPAE and LBBLD to continue the operation and maintenance of the perimeter flood defense system:
 - a. West Railroad Ditch;
 - b. East Railroad Ditch;
 - c. Eickes Canal;
 - d. Eickes Canal Extension;
 - e. Guerenger Canal;
 - f. Fortification Canal;
 - g. Chalmette Vista Canal;
 - h. Guichard Canal;
 - i. Blue Bird Lateral Canal and Blue Bird Lateral Canal Extension;
 - j. Florida Walk Canal;
 - k. Forty Arpent Canal;
 - l. De La Ronde Canal;
 - m. Water Works Ditch;
 - n. Corinne Canal;
 - o. Kierr Canal;
 - p. Meraux Canal;
 - q. DeBouchel Canal;
 - r. Lower Docville Canal;
 - s. Violet Ditch;
 - t. Intercepting Canal; and
 - u. Green Avenue Ditch;



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- II. SLFPAE and LBBLD shall assign and transfer to SBPG the following pump stations including their buildings, constructions, improvements, fixtures, and appurtenances, but excluding certain property and reserving certain rights necessary for the exercise of SLFPAE's and LBBLD's continuing duty to operate and maintain the perimeter flood defense system:
 - a. Pump Station No. 1, municipal address 4200-B Jean Lafitte Parkway, Chalmette, LA 70043;
 - b. Pump Station No. 2, municipal address 4201 Jean Lafitte Parkway, Chalmette, LA 70043;
 - c. Pump Station No. 3, municipal address 3700 Bartolo St., Meraux, LA 70075;
 - d. Pump Station No. 4, municipal address 3200 Guerra Dr., Violet, LA 70092;
 - e. Pump Station No. 5, municipal address 7701 E. Judge Perez Dr., Violet, LA 70092;
 - f. Pump Station No. 6, municipal address 4200-A Jean Lafitte Parkway, Chalmette, LA 70043;
 - g. Pump Station No. 7, municipal address 3701 Bartolo St., Meraux, LA 70075; and
 - h. Pump Station No. 8, municipal address 3616 Bayou Road, St. Bernard, LA 70085;
- III. SLFPAE and LBBLD shall assign and transfer to SBPG certain movable equipment and vehicles including but not limited to track loaders, skid steers, backhoes, cutters, trucks, mowers, tractors, excavators, air compressors, and vehicles necessary and useful for interior drainage and pumping operations in St. Bernard Parish;
- IV. Concurrent with the final closing of the contract, SLFPAE shall transfer funds totaling \$4.75 million dollars to SBPG.

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council authorizes the transfer of drainage and pumping responsibilities in St. Bernard Parish to St. Bernard Parish Government on the terms the Coastal Protection and Restoration Authority ("CPRA") has proposed and to which the SLFPAE and LBBLD have agreed to in principle; and

BE IT FURTHER RESOLVED, that the full and permanent transfer of all drainage and pumping operations in St. Bernard Parish, including the transfer of ownership and/or interest in all immovable property, property access rights, physical



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facilities, equipment, and any necessary arrangements for the disposition of personnel, will be completed on or before June 30, 2021; and

BE IT FURTHER RESOLVED, that the Parish President of St. Bernard Parish is authorized to execute any and all documentation necessary to effectuate the transfer of all drainage and pumping operations in St. Bernard Parish.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

DID NOT VOTE: McCloskey

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of June, 2021.

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Special Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 15, 2021.

Witness my hand and the seal
of the Parish of St. Bernard on
the 15th day of July, 2021.


ROXANNE ADAMS
CLERK OF COUNCIL