

OFFICIAL PROCEEDINGS
ST. MARY LEVEE DISTRICT
REGULAR MEETING

SEPTEMBER 13, 2018
MORGAN CITY, LOUISIANA

The St. Mary Levee District (“SMLD”) met on this date with, President William Hidalgo, Sr., presiding and the following board members present: J.P. Hebert, Norris Crappell, James Vidos, Will Terry, Alton Broussard, Barry Broussard, Kenny Arceneaux, and with Luther Smith absent.

Also present: Tim Matte, St. Mary Levee District Executive Director; Michael Brocato, Operations Manager of St. Mary Levee District; Bill Bourgeois; Jeff Pena & Nicole Cutforth, APTIM; Kevin O’Gorman, T. Baker Smith; Darrell Pontiff, CPRA; and members of the public and media.

Mr. Broussard moved to dispense with the reading and to approve the Aug 9th special & regular meeting minutes. After a second by Mr. Hebert, the motion carried unanimously.

Mr. B. Broussard presented the payables report, which Mr. Crappell moved to approve. Following Mr. Hebert’s second, the motion carried unanimously.

Mr. Matte presented the Statement of Revenues by sources and Summary of Expenditures of the St. Mary Levee District.

Mr. Tim Matte reported the Bayou Choupique project continues to move forward. Mr. Matte stated the ROW process is still ongoing with the property owners and all permits are in place.

Mr. Matte reported that the Yokely Levee project has been initiated. Mr. Matte stated that the contractors have started degrassing the area and have dirt coming in.

Kevin O’Gorman with T. Baker Smith reported that they are waiting for the on the final balancing change order for the Siracusaville section of the Morgan City Levee Construction and Improvements Project. Mr. O’Gorman reported the contractors continue with the seeding on the Lake End Park to Justa Street portion of the project. Mr. O’Gorman stated the contractors are working on the punch list items on the LA 70 portion of the project. Mr. O’Gorman reported his office is waiting for the pipe inspection results on the drainage pipe on the levee for the Justa Street project.

Mr. Jeff Pena with APTIM reported his office has received the 408 permission from the USACOE for the Bayou Chene Project. Mr. Pena stated that all mitigation has been purchased for the project and the USACOE is finalizing the decision document within the next 30 days and then will issue the permit.

Mr. Pena reported their office has submitted the permit extension request for the Bayou Teche project which is set to expire September 2018. Mr. Pena stated that the ROW coordination is still ongoing and the landowner is reviewing the ROW request. Mr. Pena also reported 50% design is in process and expected to be submitted before the next meeting. Mr. Pena stated that the DOTD agreement for the Statewide Flood Control program is ready for SMLD’s approval. Mr. Arceneaux moved to authorize Mr. Hidalgo to sign above mentioned agreement. After a second by Mr. Terry the motion passed unanimously.

Mr. Matte reported that construction on the North Bend Phase B project has begun. Mr. Matte stated SMLD has received the real estate information to begin negotiation for acquiring the real estate right of ways for the project.

Mr. Matte reported that SMLD has met with Mayor Grizzaffi with the City of Morgan City, on plans for handling the grass cutting on the new levee along the Lakefront.

Mr. Matte reported on the annual Low Water Inspection that was held on Aug 23. Mr. Matte stated at the meeting SMLD learned of the South-Central Louisiana study by USACOE and SMLD will be involved in the effort. This effort will encompass the area west of the

Charenton Canal. Mr. Matte also reported CRPA is initiating the planning for the 2023 Master Plan and has asked himself to participate.

Mr. B. Broussard moved to expand the agenda and add item 11 G. Discussion and any action on authorization for entry for levee repairs by the USACOE. After a second by Mr. Crappell the motion passed unanimously.

Mr. Crappell moved to authorized Mr. Hidalgo to sign a resolution retaining a municipal advisor and underwriter on the Limited Tax Revenue Bonds for the Bayou Teche Project. After a second by Mr. A. Broussard, the motion carried unanimously.

The following resolution was offered by Mr. Norris Crappell and seconded by Mr. Alton Broussard:

RESOLUTION

A resolution providing for the employment of investment banker/underwriter and Municipal Advisor in connection with the issuance by St. Mary Levee District of its not exceeding \$16,000,000 of Limited Tax Revenue Bonds.

WHEREAS, pursuant to the provisions of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and a resolution adopted on August 9, 2018 by the Board of Commissioners of St. Mary Levee District (the AGoverning Authority@), acting as the governing authority of St. Mary Levee District (the "Issuer"), issuing not exceeding \$16,000,000 of Limited Tax Revenue Bonds (the ABonds@); and

WHEREAS, in connection with the issuance of the Bonds it is also necessary that the Issuer provide for employment of an investment banker/underwriter and municipal advisor.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of St. Mary Levee District, acting as the governing authority of the Issuer, that:

SECTION 1. The foregoing WHEREAS clauses are adopted as if fully set forth herein.

SECTION 2. Raymond James and Associates, Inc., of New Orleans, Louisiana is hereby appointed as investment banker/underwriter in connection with the said Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of said Bonds and contingent upon the issuance of said Bonds; provided that no compensation shall be due to said investment banker/underwriter unless said Bonds are sold and delivered.

SECTION 3. The Issuer hereby retains Government Consultants, Inc., a Mississippi Corporation, to act as its Municipal Advisor (AMA@) pursuant to the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the rules promulgated thereunder by the Securities and Exchange Commission. The Issuer hereby acknowledges that it is represented by the MA and will rely upon the advice of the MA with respect to the Bonds. The fee to be paid the MA shall be payable solely from the proceeds of the Bonds when and if issued, and the amount thereof shall be subject to the approval of the State Bond Commission. The Chairman is hereby authorized and directed to execute an appropriate contract with the MA, if required.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Wilson Terry, Junius Hebert, Jr., James Vidos, Kenny Arceneaux, Jr.,
William Hidalgo, Barry Broussard, Norris Crappell, Alton Broussard

NAYS: None

ABSENT: Luther Smith

And the resolution was declared adopted on this, the 13th day of September, 2018.

Mr. Terry moved to authorize SMLD to lease a storage site for additional limestone from the USACOE. After a second by Mr. Arceneaux, the motion carried unanimously.

Mr. Crappell moved to authorize Mr. Gerard Bourgeois to move forward to appropriate right of ways for the Town of Baldwin's Bayou Choupique levee project. After a second by Mr. Vidos, the motion carried unanimously.

**TO APPROPRIATE RIPARIAN LAND FOR
CONSTRUCTION AND/OR MAINTENANCE OF
LEVEES AND/OR DRAINAGE PURPOSES**

WHEREAS, the ST. MARY LEVEE DISTRICT has been granted by the Louisiana Legislature certain rights, powers, and duties, including but not limited to establishing, constructing, operating, or maintaining flood control works, as they relate to

hurricane protection, tidewater flooding, saltwater intrusion, and conservation, in addition to all other rights, powers and duties provided by law, and

WHEREAS, the ST. MARY LEVEE DISTRICT desires to improve, construct, and/or maintain flood control works and/or levees, levee drainage, and those matters incidental thereto, including any mitigation associated with the Bayou Choupique Project, and any matters authorized by the provisions of LA R.S. 38:301, et seq., on riparian property of Emma D. Johnson, Jolivet Leontine (Estate), Leon Comb (Estate), Hebert Management & Land Co., LLC., as permitted by the Louisiana Department of Natural Resources and the U.S. Army Corp of Engineers, and as depicted on maps prepared by Miller Engineers and identified on Exhibit "A", and

WHEREAS, the construction and/or maintenance of flood control works and/or levees, levee drainage, and those matters incidental thereto, including any mitigation associated with said project, and any matters authorized by the provisions of LA R.S. 38:301 et seq., will require a permanent levee servitude over certain riparian properties located in Sections 15, 55, 71 and 73, T14S-R9E, St. Mary Parish, Louisiana, Southwestern Land District and adjacent to Bayou Choupique, said servitude being more fully described on the attached Exhibit "A", and

WHEREAS, the ST. MARY LEVEE DISTRICT is authorized by Louisiana Civil Code Article 665 and LA R.S. 38:301 et seq and all other applicable Louisiana Laws, to appropriate a permanent levee servitude over riparian properties for purposes of construction and/or maintenance of flood control works and/or levees, levee drainage, and those matters incidental thereto, including any mitigation associated with said project, and any matters authorized by the provisions of LA R.S. 38:301 et seq., and

WHEREAS, it is necessary for construction and/or maintenance of flood control works and/or levees, levee drainage, and those matters incidental thereto, including any mitigation associated with said project, and any matters authorized by the provisions of LA R.S. 38:301, et seq., for purposes of flood protection to appropriate these properties;

NOW, THEREFORE BE IT RESOLVED that the ST. MARY LEVEE DISTRICT Board of Commissioners, in connection with the Bayou Choupique Project, hereby appropriates a permanent levee servitude for all purposes authorized by law including the purpose of construction and/or maintenance of flood control works and/or levees, levee drainage, and those matters incidental thereto, including any mitigation associated with said project and any matters authorized by the provisions of LA R.S. 38:301 et seq, on, under, over, through, and across, the property more fully described on Exhibits "A" and "B" attached hereto and made a part hereof, less an except those interests of ownership in certain tracts of land contained within the described servitude area which have been legally acquired by consent and recorded in the St. Mary Parish Clerk of Court's office.

WHEREUPON, the motion was put to a vote and the vote thereon was as follows:

YEAS: William Hidalgo, Sr., Barry Broussard, James Vidos, Andrew Mancuso, Luther Smith, JP Hebert, Norris Crappell and Will Terry.

NAYS: None

ABSENT AND NOT VOTING: None

ADOPTED AND APPROVED by the St. Mary Levee District convened on this 13th day of September, 2018.

Mr. Arceneaux moved to authorize the purchase of replacement computers for the office. After a second by Mr. Crappell, the motion carried unanimously.

Mr. Hebert moved to authorize Mr. Hidalgo to sign the right of entry for levee repairs agreement by the USACOE to makes repairs on the Franklin Canal right of ways. After a second by Mr. Vidos, the motion carried unanimously.

Mr. Hidalgo asked for further comments and did not receive any. Mr. Terry moved for adjournment, which was seconded by Mr. Crappell and carried unanimously.

Attest:

Barry A. Broussard, Secretary
St. Mary Levee District