

OFFERED BY: MS. A. WILLIAMS  
SECONDED BY: MS. C. DUPLANTIS-PRATHER

**RESOLUTION NO. 18-014**

RESOLUTION TO AUTHORIZE THE PARISH PRESIDENT TO SUBMIT THIS RESOLUTION AND SUPPORTING MATERIALS TO THE CONGRESSIONAL DELEGATION AND GOVERNMENT AGENCIES TO SUPPORT THE IMPROVEMENT AND REAUTHORIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM.

**WHEREAS**, flood insurance is critical to the resilience of Terrebonne Parish as a coastal parish that has withstood many presidentially declared disasters and flooding events and remains at risk of severe weather that will cause flood damages; and

**WHEREAS**, flood insurance has supported the reconstruction of Terrebonne after every event through the individual actions of the residents to get flood insurance coverage; and

**WHEREAS**, flood insurance is currently provided predominantly through the National Flood Insurance Program (NFIP) which will expire January 19, 2018; and

**WHEREAS**, the current House bill could, among other issues, discourage the purchase of flood insurance through higher premiums, greater risk to the community, and the loss of flood insurance that will make it difficult for flooded properties to be sold; and

**WHEREAS**, the Senate is considering a different approach that may increase mitigation opportunities, the value cap for policies, the funding available to subsidize policies for the poor, installment payments, and clarify damage eligible for payment of flood insurance claims, protect policy holders from good faith errors in claims, improve communication, and set a deadline for claims processing among other improvements to the NFIP; and

**WHEREAS**, GNO, Inc. and the Coalition for Sustainable Flood Insurance (CSFI) are working to support these changes representing Louisiana and 279 organizations in 35 states;

**WHEREAS**, there are other improvements not included in the current Senate or House bills as drafted and there is an opportunity for Terrebonne Parish to influence the NFIP reauthorization to reduce costs and the impact of flood events on Terrebonne Parish residents and businesses; and

**WHEREAS**, this worthy objective may be met by authorizing the Parish President to submit this resolution and other materials as warranted to the congressional delegation and government agencies to support these changes proposed by Louisiana Senators Cassidy and Kennedy, the work of CSFI, and the reauthorization of the National Flood Insurance Program;

**NOW, THEREFORE, BE IT RESOLVED** by the Terrebonne Parish Council, (Community Development and Planning Committee) on behalf of the Terrebonne Parish Consolidated Government, that the Parish President is hereby authorized to provide this resolution and other materials to the congressional delegation and agencies as warranted to support our senators and CSFI and to ensure that the National Flood Insurance Program will support our residents by:

1. Defining "primary residences" to include year round rental units to be consistent with the current "any individual" language ensuring the availability of affordable housing and flood insurance.
2. Limiting debt of the program to those expenses that would be eligible in the private sector ensuring that NFIP Policy premiums and surcharges are retained by the NFIP to benefit policy holders and not supporting general FEMA administration or educational programs.
3. Setting a per policy commission for sales based an assumption of time and materials rather than a percentage of the premium to encourage sales of low premium policies in low risk areas.
4. Increasing ICC to \$100,000 separate from the policy limit, expanding eligibility to items eligible under FEMA mitigation programs, and requiring ICC claims to be determined within 30 days.
5. Assuring that the Federal Emergency Management Agency (FEMA) produce and use up-to-date flood maps in flood insurance rate assessments for coastal and inland areas.
6. Requiring that FEMA include local conditions including levees not certified by the U.S. Army Corp of Engineers, vegetation, raised roads and other barriers as part of risk assessment as well as incorporating historical floods in the data to map and model the floodplain.
7. Including disclosure requirements to include the FEMA NFIP yearly report and requiring implementation within 18 months.
8. Enhancing disclosure requirements by requiring substantial damage letters to be recorded.
9. Adopting the FMA definition of repetitive loss for consistency and to match the authority of floodplain managers to require mitigation.
10. Eliminating penalties for making flood insurance claims.
11. Requiring that in all private sales of flood insurance document the seller/agent communicate to the purchaser the lack of access to NFIP funded grant programs and a lack of ICC if applicable.
12. Defining "grandfathering" to include a cap of 5% on yearly rate increases based on the cost of living or evidence-based risk increase to the grandfathered original class.
13. Limiting all rate increases for postfirm properties (unsubsidized) to cost of living or evidence-based increased risk provided to the public for comment, questions and answers.
14. Supporting affordability without relying on high deductibles that creates a vicious cycle of loss.
15. Ending the requirement that catastrophic loss years such as 500-yr floods be included in cost calculations for insurance rates, which are not normally considered in actuarial calculations.
16. Prioritizing compliance with the mandatory flood insurance purchase requirement.
17. Reformulating the NFIP policy to mirror Law and Ordinance coverage under Homeowner Insurance allowing the owner to use the remainder of the flood policy coverage AND Increased Cost of Compliance benefit to meet codes required due to the covered loss.
18. Removing Section 103 from the House bill consolidating affordability actions to the NFIP uniformly rather than requiring every state to handle this difficult issue independently.
19. Supporting the use of replacement cost to determine rates allowing policies for \$500,000 (residential) and \$1,000,000 multi-family /commercial.
20. Including on any Federal Flood Insurance Advisory Committee floodplain managers from various regions representing different landscapes and built environments.
21. Suggesting that a legal opinion may be warranted to review the compliance of any public availability of program information with the Federal Privacy Act of 1974.

**THERE WAS RECORDED:**

YEAS: S. Dryden, C. Duplantis-Prather, D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Troclair, J. Navy, A. Williams, and G. Michel.  
NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this the 8th day of January 2018.

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I, VENITA H. CHAUVIN, Council Clerk of the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Community Development & Planning Committee on January 8, 2018 and subsequently ratified by the Assembled Council in Regular Session on January 10, 2018 at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 11TH DAY OF JANUARY 2018.



VENITA H. CHAUVIN

COUNCIL CLERK

TERREBONNE PARISH COUNCIL