

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, JUNE 18, 2020**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on June 18, 2020. Due legal notice of the meeting was sent to each Board member and the news media and posted.

In accordance with Section 2 of the Governor’s Proclamation Number 59 JBE 2020: Renewal of State of Emergency for COVID-19 Extension of Emergency Provisions, the Southeast Louisiana Flood Protection Authority – East held its June board meeting, scheduled for Thursday, June 18, 2020, both physically and virtually, with limited capacity for attendance and observation at the physical meeting location.

Commissioners, FPA leadership, essential staff, media and the public were allowed to participate, space permitting, in the physical meeting held at 6920 Franklin Avenue, New Orleans, La., or virtually, via video conference. The video conference was livestreamed for observation by the public, accessible from the following link:

<https://stream.lifesizecloud.com/extension/2000076559/d7307d29-07a1-4d48-8d55-9318165661e6>

Consistent with La. R.S. 42:14(D), public comments could be submitted via email to comments@floodauthority.org beginning 30 minutes prior to commencement of the meeting and continuing during the conduct of the meeting until the Public Comment item on the published agenda was reached, at which point comments received were read into the record.

Mr. Miller called the meeting to order at 11:00 a.m. and led in the pledge of allegiance. It was noted that all votes during the meeting would be conducted by roll call. Mr. Cosse called the roll and a quorum was present:

PRESENT:

Herbert I. Miller, President
Mark L. Morgan, Vice President
Clay A. Cosse, Secretary
Quentin D. Dastugue, Treasurer
Andrew J. Englande, Jr.
K. Randall Noel (via video conference)
Herbert T. Weysham, III

ABSENT:

Lambert J. Hassinger, Jr.
Jason P. Latiolais

ADOPTION OF AGENDA:

A motion was offered by Mr. Weysham, seconded by Mr. Morgan and unanimously adopted, to adopt the agenda.

RESOLUTION NO. 06-18-20-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON MAY 21, 2020

On the motion of Mr. Morgan,
Seconded by Mr. Dastugue, the following resolution was offered:

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on May 21, 2020.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and
Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Miller announced that the FPA Employee of the Month is Morris Washington, Painter Master, Operations and Maintenance - Facilities, and the FPA Police Employee of the Month is Tyrone Butler, Police Lieutenant A, EJLD Police Department. Mr. Morris and Lt. Butler will be recognized by the Board and presented with Certificates of Commendation for being selected as the Employees of the Month at a future Board meeting.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Dr. Englande, who was participating in his last Board meeting as his term as a FPA Commissioner expires on July 1, 2020, expressed his gratitude for the opportunity to serve as a Commissioner. He stated that the last four years have passed very quickly and that he had come to more fully appreciate the Authority, its mission and its employees. The professionalism, dedication and competence at all levels is inspirational. Many changes have taken place over the last four years—some under very trying conditions. He stated that he was very proud to have been a part of the progress that had been made. He thanked his friends and colleagues for their guidance, support and contributions, which have made all these things possible.

Mr. Miller thanked everyone for their efforts over the past few months. He explained that the Board of Commissioners worked through two on-line Board meetings. On several occasions Commissioners had to communicate outside of meetings to discuss various matters. He thanked the Commissioners for remaining available and participating during these highly unusual times. He stated that it was remarkable what the FPA staff managed to accomplish over the past few months, while the City of New Orleans and Parishes were essentially on lockdown. The majority of the administrative staff had to accomplish the assignments, along with their regular responsibilities, while working at home. He recounted the staff's efforts and accomplishments:

- At the start of the COVID-19 crisis, the Human Resources and Legal staffs were tasked with ensuring that the FPA complied with all directives from the State and local governments regarding employee safety, payroll, quarantining as needed, and various personnel issues. There was a short window to sort out these issues and they did so with amazing speed. As time went on and directives changed, they had to ensure the FPA remained in compliance, with their most important task being to ensure the safety of FPA employees.
- Engineering and Operations staff rewrote the FPA's Emergency Operations Plan finally merging the three separate levee district plans into one unified plan.
- In response to Tropical Storm Cristobal, Maintenance and Operations staffs closed 73 land based floodgates and five sector gates prior to the storm, and manned the three Permanent Canal Closures and Pumps (PCCP) stations, which were all put into service.
- Maintenance and Operations field personnel kept the levees maintained and the control structures operating during the COVID-19 crisis. Procedures were modified so that field personnel could be provided a vehicle that could be taken home to ensure that only one individual would be using it, employees worked staggered schedules to minimize the number of people in pre-shift meetings, and management scrounged to obtain all of the personnel protective equipment (PPE) needed for FPA employees, which was a monumental task during the early days of the crises due to PPE scarcities, and ensured that vehicles, as well as the FPA's facilities, were wiped down daily to prevent or minimize the spread of the coronavirus.
- Information Technology staff was tasked with ensuring that employees could work from home and with setting up the March and May on-line Board meetings, as well as today's meeting.
- Finance Department personnel, mostly working from home, managed to prepare the quarterly budget summaries on time and worked with Finance Committee members to determine the potential impacts of revenue losses due to the lockdown.
- The Public Information office puts significant effort into getting the FPA's story out to the public throughout the year and particularly during storm events, such as Cristobal.
- The Orleans and East Jefferson Levee District Police forces had the extra duties of dealing with the enormous increase of people who took the opportunity to exercise on the lakefront during the COVID-19 crisis, and had to manage crowd sizes along Lakeshore Drive in New Orleans and at the Bonnabel Boat Launch in Jefferson Parish, particularly on holidays such as Mother's Day and Memorial Day. The lack of any adverse news speaks to the professionalism exhibited in handling incidences where groups were in violation of government issued policies regarding the size of gatherings.

Mr. Miller stated that all of the FPA's staff had been remarkable and he commended their performance. He added that one could say that they were simply doing their job; however, that would miss the point, because they were doing these things under extremely difficult circumstances. Some of the FPA's employees were affected by the

virus and the individuals with whom they had come in contact had to be isolated in order to protect the staff. Most of the affected employees have recovered and it appears that the others are on their way to recovery. He stated that all of the FPA's employees acted admirably during the COVID-19 crisis and that their attitude and performance emanates from the top where Derek Boese sits. He explained that all of the staffing schedules, PPE procurement, testing of employees each day when arriving at work, figuring out how to reopen the offices and field operations in accordance with social distancing guidelines, executing the FPA's emergency plans during Cristobal, and other issues that had to be dealt with were all handled by or with significant guidance and input from Mr. Boese.

On behalf of the Board of Commissioners, Mr. Miller presented Mr. Boese with a plaque that read, "Commendation for outstanding leadership, presented to Derek Boese, Chief Administrative Officer of the FPA, and for exceptional management during the COVID-19 crisis."

PUBLIC COMMENTS:

Dawn Hebert, a resident of New Orleans and a member of the Lakefront Management Authority (LMA) Board, stated that she was surprised when driving down Lakeshore Drive last weekend to see that the parking bays were roped off at the shelter house locations to restrict parking. She stated that Lakeshore Drive is for the enjoyment of everyone and asked that the parking restrictions be removed. She added that there were many vehicles parked at the reopened Bonnabel Boat Launch allowing people to enjoy the area; however, the Seabrook Boat Launch was closed and not available to the public. She reiterated her request that Lakeshore Drive be open, without restrictions, so that families can enjoy the lakefront. She stated that she understood the difficulties caused by holidays. She pointed out that City Park, which she understood had no police, and the area along Bayou St. John are open to the public, and added that the lakefront could be monitored by the Orleans Levee District police.

Ms. Hebert also inquired about the unsightly scrap metal stored in an area in the public's view. Mr. Boese advised that the FPA plans to auction the scrap metal in accordance with public law; however, the COVID-19 crisis impeded this process.

Mr. Boese explained that significant issues were experienced along Lakeshore Drive with crowds when the COVID-19 public health emergency was first declared and people were not following the Governor's or the Mayor's orders. Areas along Lakeshore Drive had to be cleared multiple times. After consultation with levee district police personnel and the LMA Chair, a decision was made to close Lakeshore Drive on weekends (Friday evening until Monday morning) while Orleans Parish was in Phase 1. When Orleans Parish went into Phase 2, a week after the rest of the State, the same group was consulted. There were concerns about the size of gatherings and a number of alternatives were considered in order to limit the size of gatherings and remain in compliance with the Governor's and Mayor's orders. The FPA determined the best decision, as Orleans Parish eased into Phase 2, was to block off the parking spaces at the shelters, which are known locations where large numbers of people congregate, and issue guidance allowing access for reservations made through the LMA. The FPA is

continuing to evaluate the best solution for Lakeshore Drive. Greater numbers of people are anticipated on Father's Day. The FPA will continue to monitor Lakeshore Drive and make adjustments going forward to ensure compliance with the Governor's and Mayor's proclamations. He noted that the FPA has kept the City of New Orleans informed relative to Lakeshore Drive.

Ms. Hebert stated that when driving along the lakefront last weekend she did not see large crowds and asked when would the parking restrictions at the shelters be removed. Mr. Boese explained that he would be hesitant to make the decision at this time; however, a majority of the public comments received by the FPA were supportive. Ms. Hebert commented that Lakeshore Drive was illegally closed for 30 years prior to 2014 and that the restrictions do not allow the majority of taxpayers in the City of New Orleans to enjoy the lakefront along Lakeshore Drive. Also, she would be happy to have additional public comments submitted to the FPA.

Mr. Dastugue asked was the Board obligated to follow the Governor's executive orders regarding closures. Michelle White, General Counsel, responded that the Board is expected to comply with the Governor's executive orders. The ramification of the Board's failure to comply is unknown.

Mr. Cosse commented that he would like to see the lakefront and the Seabrook Boat Launch reopened.

Mr. Boese advised that Jefferson Parish, as the manager, makes the decisions for the Bonnabel Boat Launch. He explained that it is difficult to access the Seabrook Boat Launch when Lakeshore Drive is closed; however, levee district police were allowing access for people with boats. Pedestrians and bikers are continuing to use the lakefront. There was an issue last weekend at one of the shelterhouse restricted parking lots because a number of people drove over the curb and the congregation was not in compliance with the Governor's and Mayor's orders. He pointed out that there have been issues in City Park, along Bayou St. John, and at the Bonnabel Boat Launch. The City of New Orleans has been supportive of the FPA's plan throughout the COVID-19 public health emergency. It was noted that City Park has a very small police force.

There were no public comments submitted via email.

NOMINATION AND ELECTION OF OFFICERS OF THE BOARD FOR A ONE-YEAR TERM EFFECTIVE JULY 1, 2020

Mr. Miller opened the floor for nominations for the officers of the Board for a one-year term commencing July 1, 2020. Mr. Morgan offered a motion, which was seconded by Mr. Weysham and unanimously adopted, for all existing officers to remain in office for the one-year term commencing July 1, 2020.

RESOLUTION NO. 06-18-20-02 - ELECTION OF OFFICERS

On the motion of Mr. Morgan,
Seconded by Mr. Weysham, the following resolution was offered:

“A resolution stating the results of the election of Officers of the Southeast Louisiana Flood Protection Authority-East for a term of one year commencing July 1, 2020.”

WHEREAS, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East adopted revised Bylaws at a Regular Board Meeting held on December 17, 2009, which provide in part for the designation and election of Officers of the Board; and

WHEREAS, Article IV, Section 1 (Officers and Elections), designates the officers as President, Vice President, Secretary and Treasurer to be elected from among the members of the Board at the regularly scheduled meeting in June; and

WHEREAS, Article IV, Section 1 further provides that officers shall assume their duties on July 1st; and

WHEREAS, Article IV, Section 2, provides that officers shall be elected to serve one-year terms.

WHEREAS, the election of officers was conducted on June 18, 2020, with nominations for each office duly offered and seconded and a vote conducted thereafter to fill each office.

BE IT HEREBY RESOLVED, that, in accordance with elections held this date, the Officers of the Southeast Louisiana Flood Protection Authority-East shall be as follows for the term commencing July 1, 2020:

President – Herbert I. Miller
Vice President – Mark L. Morgan
Treasurer – Quentin D. Dastugue
Secretary – Clay A. Cosse

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

PRESENTATIONS:

None.

COMMITTEE REPORTS:

Finance Committee: Mr. Dastugue reported that the Finance Committee met prior to the Board meeting and considered the following items:

- Selection of official journal – The Committee recommended that the Board approve the selection of the Advocate for the FPA, East Jefferson Levee District

(EJLD) and Orleans Levee District (O.L.D.) and the St. Bernard Voice for the Lake Borgne Basin Levee District (LBBLD).

- Representations made by management on the Compliance Questionnaires – The Committee recommended that the Board approve the Compliance Questionnaires.
- Proposed Intergovernmental Agreement (IGA) between the Coastal Protection and Restoration Authority (CPRA) Board for the CPRA's commitment of up to \$4 million, payable as reimbursement, for the rehabilitation and repair of pumps within the internal drainage and pumping system presently under the FPA's jurisdiction in St. Bernard Parish – The Committee recommended that the Board approve the IGA.

Operations Committee: Mr. Morgan reported that the Operations Committee met prior to the Board meeting and considered the following items:

- The Committee received a report on TS Cristobal impacts on the East Jefferson foreshore protection erosion mitigation pilot project and the resulting modifications to the test sections.
- Proposed award of contracts for grass cutting services for the O.L.D. and LBBLD – The Committee will recommend that the contracts be awarded to the lowest bidders for each levee district.
- Proposed Change Order No. 2 for the Violet Canal North Realignment – Phase I Project – Staff provided information on the underground obstructions and concrete footings that had to be removed and the additional costs.
- Presentation by Arcadis on the Airport Flood Protection Feasibility Report – Arcadis initially considered 11 alternatives to provide flood protection. The alternatives were narrowed to five and a recommendation was made to move forward with three of the alternatives. Costs will be refined for the three alternatives.

REPORT BY CHIEF ADMINISTRATIVE OFFICER:

Derek Boese, CAO, reviewed the highlights of the CAO's report:

- COVID-19 Impact on Storm Season Preparations:
 - Hurricane Barry proved that under normal conditions all gates can be closed within 60 hours. COVID-19 impacts (wearing masks, one person per vehicle and additional coordination) were expected to increase the timeline by about 12 hours. Therefore, to mitigate the increased timeline, non-essential floodgates were closed on June 1 and 2, thereby decreasing a potential full closure by six hours.
 - Videoconferencing and other capabilities will be utilized for Emergency Operations Center (EOC) operations. Sleep and feeding plans are being changed to accommodate social distancing and allow takeout meals.

- A major concern going forward is the potential of discovering that an employee is asymptomatic during an event with hurricane force winds that require employees to remain sheltered in the FPA safe rooms for a number of hours. The FPA is working to mitigate this situation by contracting testing through one of the local medical facilities that provides COVID-19 results within two hours. If an employee tests positive, he could be sent home and would be able to evacuate.
- TS Cristobal Preparations:
 - Non-essential gates were closed. A total of 73 gates were closed taking the system to an elevation of 7-ft. relative to the land based floodgates. All eight sector gates/complex structures were closed. All three PCCPs were operated. A surge of 7-ft. was experienced at the IHNC Surge Barrier and 4.5-ft. in Lake Pontchartrain. The system performed as designed.
 - Cristobal provided an opportunity for some of the lower level leaders and supervisors to step up and run some of the operations in order to provide multiple levels of staff who are familiar with the operation of the system.
- COVID-19 update:
 - The FPA experienced a total of nine COVID -19 positive cases to-date with seven of the employees returning to work. There have been no new cases since early May.
 - PPEs remain in good shape.
 - Current workforce status: All administrative staff are back in the office except for self-identified high risk individuals. High risk individuals, if possible, will continue working from home. Civil Service policies will be followed for high risk individuals who cannot work from home. The Maintenance staff has been working seven days per week on staggered shifts, but will return to working four ten-hour days (Monday-Thursday) starting on June 22nd with staggered start times so that one group can start or leave prior to the next group. The Operations staff has been working four ten-hour days with staggered start times.
 - Protocols and PPE appear to be working.
- Mississippi River:
 - The river level as of June 18th was 13.7-ft. and dropping. It was projected to drop below minus 11-ft. at the Carrollton Gage about July 3rd.
 - FPA staff continued inspections three times per week during the Phase I Flood Fight. No significant issues were discovered.
- Miscellaneous:
 - Communications are continuing between FPA staff and I-STORM members. The topic of a recent videoconference dealt with adapting storm surge barriers operations in face of the COVID-19 pandemic. The 2020 I-STORM annual conference was canceled due to COVID-19.

- The Franklin Facility warehouse and storm room have undergone significant changes and upgrades.
- FPA staff restarted the Asset Management initiative, which was interrupted by the COVID-19 crisis. The program is in the needs and requirements phase. A report is anticipated in July.
- Everbridge was implemented as the FPA's emergency alert system. It has proven invaluable during both TS Cristobal and the COVID-19 crisis.

NEW BUSINESS:

RESOLUTION NO. 06-18-20-03 - RECOGNITION OF ANDREW J. ENGLANDE, JR., PH.D., P.E., DEE

Mr. Miller stated that he has known Dr. Englande for almost forty years and he has always been a professional and enjoyable to be with at conferences and on other occasions. He added that his respect has only grown for Dr. Englande over the past four years that he has been on the FPA Board and thanked him for his service.

On the motion of Mr. Morgan,
 Seconded by Mr. Cosse, the following resolution was offered:

“A resolution recognizing the commitment and contributions of Andrew J. Englande, Jr., Ph.D., P.E., DEE, to the Southeast Louisiana Flood Protection Authority-East and to the citizens of Louisiana.”

WHEREAS, after the devastation resulting from Hurricane Katrina, the Southeast Louisiana Flood Protection Authority-East was created by the Louisiana State Legislature to provide regional flood protection for the Lake Pontchartrain Basin area; and

WHEREAS, due to his outstanding qualifications, expertise and professional experience, Andrew J. Englande, Jr., Ph.D., P.E., DEE, was appointed to serve on the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East (FPA); and

WHEREAS, Dr. Englande graduated from Vanderbilt University in 1974 with a Ph.D. in Environmental and Water Resources Engineering and from Tulane University with a Masters in Civil Engineering (1969) and a B.S. in Civil Engineering (1967); and

WHEREAS, Dr. Englande is currently Professor Emeritus, Department of Global Environmental Health Sciences, Tulane University School of Public Health and Tropical Medicine, and has published over 150 papers on the water resources and the environmental sciences, and received numerous awards and recognitions for his many achievements, academic accomplishments and generous public service; and

WHEREAS, Dr. Englande's over fifty years of professional experience in the fields of water resources and environmental and civil engineering have provided an invaluable resource for the FPA and its constituent levee districts for the operation and maintenance of the over \$14 billion Hurricane and Storm Damage Risk Reduction System; and

WHEREAS, Dr. Englande's selfless dedication and support as a member of the Flood Protection Authority Board from September 28, 2016 through July 1, 2020, was unwavering even through personal difficulties, and he has been an enthusiastic advocate of the Flood Protection Authority's Public Outreach efforts, and, in particular, the education of the region's youth about flood defense and coastal restoration.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Dr. Andrew J. Englande, Jr., for his dedication and contributions during his tenure as a member of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East and for his devoted service to the citizens of Southeast Louisiana.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Miller, Mr. Morgan, Mr. Noel and
Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

**RESOLUTION NO. 06-18-20-04 - SELECTION OF OFFICIAL JOURNAL FOR
FPA, EJLD, O.L.D. AND LBBLD**

On the motion of Mr. Dastugue,
Seconded by Mr. Morgan, the following resolution was offered:

WHEREAS, R.S. 43:171 provides that levee districts and other political subdivisions shall have the proceedings of their board and such financial statements required by the legislative auditor published in a newspaper, which shall be selected at the first meeting in June of each year for a term of one year; and

WHEREAS, R.S. 43:171 further provides that the newspaper shall meet certain criteria relative to location and publication; and

WHEREAS, The New Orleans Advocate meets the aforementioned criteria for the Southeast Louisiana Flood Protection Authority-East (FPA), East Jefferson Levee District and Orleans Levee District; and

WHEREAS, the St. Bernard Voice meets the aforementioned criteria for the Lake Borgne Basin Levee District.

BE IT HEREBY RESOLVED, that The New Orleans Advocate is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District for a one-year term commencing on July 1, 2020.

BE IT FURTHER RESOLVED, that the St. Bernard Voice is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Lake Borgne Basin Levee District for a one-year term commencing on July 1, 2020.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer, or in his absence the Director of Engineering, is hereby authorized to sign any and all documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

RESOLUTION NO. 06-18-20-05 - LOUISIANA COMPLIANCE QUESTIONNAIRES

Mr. Dastugue advised that the Finance Committee reviewed the responses on the Compliance Questionnaires and recommended Board approval. Mr. Morgan noted that the questionnaires are required each year by the Legislative Auditor to certify that the FPA is operating in compliance with all applicable laws.

On the motion of Mr. Dastugue,
Seconded by Mr. Morgan, the following resolution was offered:

WHEREAS, Section 327.08 of the Louisiana Governmental Audit Guide (the Guide) specifies that the Louisiana Compliance Questionnaire is a required part of any audit of Louisiana; and

WHEREAS, the Guide further specifies that the responses contained in the questionnaire should be reviewed by the governing body and approved in an open meeting.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the representations made by management in the Louisiana Compliance Questionnaires for the Southeast Louisiana Flood Protection Authority-East (FPA), the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District for the fiscal year ending June 30, 2020.

BE IT FURTHER RESOLVED, that the FPA President, FPA Secretary and FPA Treasurer are authorized to sign the Louisiana Compliance Questionnaires.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

RESOLUTION NO. 06-18-20-06 - INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE STATE OF LOUISIANA THROUGH THE COASTAL PROTECTION AND RESTORATION AUTHORITY BOARD AND THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST REGARDING ST. BERNARD PUMP STATION REPAIRS (PO-0185)

On the motion of Mr. Dastugue,
Seconded by Mr. Morgan, the following resolution was offered:

WHEREAS, Article VII, Section 14 of the Louisiana Constitution provides, in part, that “(f)or a public purpose, the state and its political subdivisions . . . may engage in cooperative endeavors with each other . . .”; and

WHEREAS, pursuant to La. R.S. 49:214.5.2(A)(1), the Coastal Protection and Restoration Authority Board (the “CPRA BOARD”) represents the State of Louisiana’s position relative to the protection, conservation, enhancement, and restoration of the coastal area of the state through oversight of integrated coastal protection projects and programs and at La. R.S. 49:214.5.2(A)(7), the CPRA BOARD has the power and authority to enter into any contract with any political subdivision of the state for the study, planning, engineering, design, construction, operation, maintenance, repair, rehabilitation, or replacement of any integrated coastal protection project and to this end, may contract for the acceptance of any grant of money upon the terms and conditions, including any requirement of matching the grants in whole or part, which may be necessary; and

WHEREAS, pursuant to Acts 2006, 1st Ex. Sess., No. 1, §1, eff. Jan. 1, 2007 and LA R.S. 38:330.1 et seq, the Southeast Louisiana Flood Protection Authority – East (“SLFPA-E”), created following Hurricane Katrina, comprised of the East Jefferson Levee District, Orleans Levee District, and Lake Borgne Basin Levee District, has jurisdiction over all levees, hurricane protection, flood control structures and integrated coastal protection projects , with the authority of a political subdivision to enter into agreements with governmental bodies such as the CPRA BOARD for the public welfare, health, safety and good order of the citizens protected by the levees under the jurisdiction and control of SLFPA-E; and

WHEREAS, under La. R.S. 38:281 et seq., R.S. 38:301, and La. Const. Article VI, Part III, the construction, maintenance, and care and inspection of levees, and all other things incidental thereto, within the jurisdiction of the numerous levee districts and levee authorities established by Louisiana law shall devolve on the levee districts and levee authorities and the boards of commissioners of the respective levee districts and levee authorities; and

WHEREAS, the CPRA BOARD and SLFPA-E desire to enter into an Intergovernmental Agreement for the purpose of reducing the risk of flooding in St. Bernard Parish through the rehabilitation and repair of pumps within the coordinated internal drainage and pumping system presently under SLFPA-E’s jurisdiction (“Project” or “Saint Bernard Pump Station Repairs Project”); and

WHEREAS, the Project qualifies as an integrated coastal protection project eligible for funding under Louisiana Constitution Article VII, Sections 9(B), 10.1 and 10.2, and La. R.S. 49:214.5.4(E); and

WHEREAS, upon execution of an Intergovernmental Agreement, the STATE, through CPRA, will provide SLFPA-E a maximum of **\$4,000,000.00** for the Project from state surplus funds, with funding allocated as follows: \$1,148,485 from FY 07 Surplus, \$675,234 from FY 08 Surplus, and \$2,176,281 from FY 09 Surplus. The funding will be provided on a reimbursement basis to the SLFPA-E based upon submittal and approval of invoices and deliverables; and

WHEREAS, this Agreement will be mutually beneficial to the Parties in the furtherance of their respective statutory purposes, duties, and authorities, and each Party expects to receive a public benefit at least equal to the costs of the responsibilities undertaken pursuant hereto; and therefore

BE IT HEREBY RESOLVED, that the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East authorizes Derek E. Boese, Chief Administrative Officer, to execute an Intergovernmental Agreement between SLFPA-E and the STATE OF LOUISIANA through the COASTAL PROTECTION AND RESTORATION AUTHORITY BOARD, as described above.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and Mr. Weysam

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

RESOLUTION NO. 06-18-20-07 - GRASS MAINTENANCE SERVICES

Mr. Morgan advised that the Operations Committee discussed the award of the contracts for grass maintenance services. Five bids were received to provide services for the LBBLD and three bids were received to provide services for the O.L.D. The Committee recommended that the Board approve the award of the contracts as stated in the proposed resolution.

Mr. Cosse inquired about whether Mike Munna submitted a bid to provide the grass maintenance services. Mr. Morgan responded that this question was posed in the Committee meeting and the Committee was informed that Mr. Munna did not submit a bid. Staff had no knowledge as to the reason Mr. Munna did not bid. Mr. Cosse suggested postponing the award of the contracts until the Board's next meeting. He explained that the lowest bids were good prices; however, this came about because of the previous bid of Mr. Munna that saved the FPA tens of thousands of dollars over the past three years. Therefore, Mr. Munna's pricing was exposed and it would be easy for others to underbid him. In addition, Mr. Munna purchased equipment in order to perform the prior years' services. He inquired about the possibility of renewing last year's contract. Kelli Chandler, Regional Finance Director, advised that the services must be rebid every three years. She noted that staff also did not know the reason that Rotolo submitted a bid to provide services for the LBBLD, but not the O.L.D.

Mr. Miller commented that the bids were publically advertised and that staff followed all of the required rules and regulations. Ms. White indicated that there were no irregularities with the bids that were submitted.

There was no further discussion.

On the motion of Mr. Morgan,
Seconded by Mr. Weysham, the following resolution was offered:

WHEREAS, by Resolution No. 02-20-20-02 the Southeast Louisiana Flood Protection Authority-East (FPA) approved the advertisement for bids for Furnishing Labor, Equipment, Materials and Supplies for Grass Cutting levees within the Orleans Levee District (O.L.D.) and Lake Borgne Basin Levee District (LBBLD), as follows:

O.L.D. – Approximately 894 acres consisting of LPV 108 (Paris Road to Southpoint), LPV 109 (Southpoint to I-10), LPV 109 (I-10 to CSX Railroad), LPV 111 (CSX Railroad to Floodgate M-16/Surge Barrier), north side of the GIWW from Paris Road to Cold Storage Facility, and the south side of the GIWW from Floodgate S-1 to Bayou Bienvenue Sector Gate.

LBBLD – Approximately 949 acres consisting of LPV 145 (South side of Bayou Bienvenue to Bayou Dupre), LPV 146 (Bayou Dupre to LA 46), LPV 147 (LA 46 to LA 300), LPV 148.01 (LA 300 to EBI Caernarvon Sector Gate), and LPV 149 (Caernarvon Sector Gate to Hwy. 39 to MRL).

WHEREAS, the bid proposals include weed eating and/or herbicide application under a licensed applicator in all areas; and

WHEREAS, the bid proposals provide a cost breakdown by acreage for each levee segment per cut and the total estimated annual cost for all services; and

WHEREAS, three bids were received for the O.L.D. for a maximum of ten cuts annually with the total estimated annual cost as follows:

Rotolo Consultants- \$147,813.00
Holliday Construction- \$160,920.00
Foret Contracting- \$252,740.00

WHEREAS, five bids were received for the LBBLD for a maximum of six cuts annually with the total estimated annual cost as follows:

Holliday Construction- \$111,492.00
Foret Contracting- \$153,744.00
Mullin Landscape- \$242,160.00
Thigpen Construction- \$327,000.00
Cycle Construction- \$925,000.00

WHEREAS, the aforementioned proposals provide that acreage is not guaranteed and that the overall number of cuts will be based on actual need; and

WHEREAS, the aforementioned bids are for a one-year period, with the option for the respective levee district to renew the contract for up to 36 months with Board approval, provided job performance is satisfactory and costs remain firm; and

WHEREAS, funding for the above services is included in Budget Line Item Account 45200 for the O.L.D. and in Budget Line Item Account 45200 for the LBBLD.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the award of a contract to Rotolo Consultants for Furnishing Labor, Equipment, Materials and Supplies for Grass Cutting Services for approximately 894 acres within the Orleans Levee District with ten maximum cuts per annum at a total annual estimated cost of \$147,813.00, and the award of a contract to Holliday Construction for Furnishing Labor, Equipment, Materials and Supplies for Grass Cutting Services for approximately 949 acres within the Lake Borgne Basin Levee District with six maximum cuts per annum at a total annual estimated cost of \$111,492.00.

BE IT FURTHER RESOLVED, that said contracts shall be for a one-year period with the option for the respective levee district to renew the contract for a period not to exceed 36 months provided job performance is satisfactory and costs remain firm.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer, or in his absence the Director of Engineering, is hereby authorized to execute the aforementioned contracts for Grass Cutting Services.

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

YEAS: Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: Mr. Cosse

ABSENT: Mr. Hassinger and Mr. Latiolais

RESOLUTION NO. 06-18-20-08 - CHANGE ORDER TO CONTRACT FOR VIOLET CANAL NORTH REALIGNMENT – PHASE I PROJECT

Mr. Morgan explained that the Operations Committee discussed the proposed change order to the contract with Cycle Construction. At the Committee meeting, the Director of Engineering, Chris Humphreys, explained the challenges faced by Cycle Construction due to underground obstructions and the need to remove some large concrete pile caps and piles. The consulting engineering firm for the project had advised that the work was properly performed and in accordance with the project requirements. The Committee recommended that the Board approve Change Order No. 2.

On the motion of Mr. Morgan,

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

WHEREAS, by Resolution No. 01-16-20-04 the Southeast Louisiana Flood Protection Authority-East (FPA) approved the execution of a contract with a not to exceed amount of \$870,764 with Cycle Construction for the Violet Canal North Realignment – Phase I Project (LBBLD Project No. 4081222); and

WHEREAS, subsequent to the execution of the Contract, Change Order No. 1, which was a deductive change order in the amount of \$50,000, was issued reducing the total contract amount to \$820,764; and

WHEREAS, Change Order No. 2 to the contract in the amount of \$161,130.06 is needed for the removal of unforeseen obstructions and unsuitable fill encountered within the levee footprint increasing the amount of excavation and replacement embankment required; and

WHEREAS, funding for the project is included in budget line item BPROE010.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East approves Change Order No. 2 in the amount of \$161,130.06 to the Contract with Cycle Construction for the Violet Canal North Realignment – Phase I Project (LBBLD Project No. 4081222), thereby increasing the total contract amount to \$981,894.06.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer, or in his absence the Director of Engineering, is hereby authorized to execute Change Order No. 2 to the Contract with Cycle Construction, and 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. Cosse, Mr. Dastugue, Mr. Englande, Mr. Morgan, Mr. Noel and
Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger and Mr. Latiolais

The next regular monthly Board meeting will be held on July 16, 2020, at the Franklin Avenue Administrative Complex. Mr. Miller noted that the regular monthly Board meetings previously scheduled to be held in East Jefferson and St. Bernard Parishes had to be rescheduled due to the COVID-19 public health emergency.

There was no further business; therefore, the meeting was adjourned at 12:05 p.m.