

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
PUBLIC HEARING
THURSDAY, AUGUST 20, 2020**

The public hearing was held on Thursday, August 20, 2020, in the Joseph Yenni Building, Second Floor Council Chambers, 1221 Elmwood Park Boulevard, Harahan (Jefferson), Louisiana. The public hearing was called to order at 11:20 a.m.

Pursuant to Article 7, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), a public hearing of the Southeast Louisiana Flood Protection Authority – East on behalf of the East Jefferson Levee District to consider levying additional or increased millage rates without further voter approval or adopting the adjusted millage rates after reassessment and rolling forward to rates not to exceed the prior year’s maximum.

PRESENT:

Herbert I. Miller, President
Mark L. Morgan, Vice President
Clay A. Cosse, Secretary
Lambert J. Hassinger, Jr.
Eugene J. Joanan, IV
K. Randall Noel
Herbert T. Weysham, III

ABSENT:

Quentin D. Dastugue, Treasurer
Jason P. Latiolais

Mr. Miller read the notice setting forth the purpose of the public hearing. He then asked was there anyone from the public who wished to comment. There were no comments from the public. There was no discussion.

The public hearing was adjourned at 11:22 a.m.

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, AUGUST 20, 2020**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on August 20, 2020, in the Joseph Yenni Building, Second Floor Council Chambers, 1221 Elmwood Park Boulevard, Harahan (Jefferson), Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Miller called the meeting to order at 11:23 a.m. and led in the pledge of allegiance. Mr. Cosse called the roll and a quorum was present:

PRESENT:

Herbert I. Miller, President
Mark L. Morgan, Vice President
Clay A. Cosse, Secretary
Lambert J. Hassinger, Jr.
Eugene J. Joanan, IV
K. Randall Noel (left meeting at 12:53 p.m.)
Herbert T. Weysham, III

ABSENT:

Quentin D. Dastugue, Treasurer
Jason P. Latiolais

ADOPTION OF AGENDA:

Mr. Miller requested that the order of the agenda be amended so that the Executive Session is taken up at 11:50 a.m. in order to allow Mr. Latiolais to join the Executive Session via Zoon. A motion was offered by Mr. Hassinger, seconded by Mr. Cosse and unanimously adopted, to adopt the agenda with the requested amendment.

RESOLUTION NO. 08-20-20-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON JULY 16, 2020

On the motion of Mr. Noel,
Seconded by Mr. Morgan, 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 July 16, 2020.

The foregoing was submitted to a vote; the vote thereon was as follows:
YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanan, Mr. Morgan, Mr. Noel and
Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Miller announced that the FPA Employee of the Month is Donald Jerolleman and the Police Employee of the Month is Officer Scott Meunier. Mr. Jerolleman is an Engineer 6 who works in the FPA Engineering Department and Officer Meunier is a Police Officer 3A with the East Jefferson Levee District Police Department. He advised that the individuals who were selected as the Employees of the Month during the last several months will receive their certificates at the next Board meeting held at the FPA Franklin Avenue Facility.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Mr. Miller reminded Board members that they are required to complete the Governmental Ethics and Preventing Sexual Harassment Courses each year. The completion of the courses is required in order for Commissioners to remain active on the Board. The FPA's deadline for completing these courses is September 30th.

PUBLIC COMMENTS:

Roy Arrigo stated that it was a pleasure to see the organization functioning so well. He stated that on August 15, 2020, voters in St. Bernard Parish voted down the referendum for a drainage millage. Their decision was whether they wanted to pay more for their drainage or let someone else pay more. He commented on the two previous failed referendums in St. Bernard Parish. He stated that turning off the faucet is difficult and noted that the FPA is going forward on repairs to the pump stations. He asked that the Board be cognizant of the failure of the referendum when meeting in Executive Session.

Mr. Miller explained that the pump station repairs were proposed under the agreement between the Coastal Protection and Restoration Authority (CPRA), St. Bernard Parish Government and the Flood Protection Authority. The State agreed to provide up to \$4 million of funding. The FPA requested that the State approve it doing the repairs rather than allow the funding to lapse. Therefore, the pump station repairs will not be funded by the FPA or any of the levee districts. Under the agreement, the FPA will pay the cost of the repairs and improvements and will be reimbursed by the State.

PRESENTATIONS:

None.

COMMITTEE REPORTS:

Finance Committee: Due to Mr. Dastugue's absence, Mr. Noel chaired the Finance Committee meeting, which took place prior to the Board meeting. The Committee

received the Regional Finance Director's report and discussed the certification of the East Jefferson Levee District (EJLD) millage rate for calendar year 2020. The Committee, consisting of Mr. Noel, Mr. Morgan and Mr. Hassinger, recommended that the Board roll back the EJLD millage from 4.08 mills to 3.88 mills, but not roll forward the millage rate, which would have allowed the EJLD to collect approximately \$350,000 of additional revenue. Mr. Morgan noted that the Finance Committee also recommended that Finance staff develop ACH procedures for formal approval.

Operations Committee: Chair Morgan reported that the Operations Committee met prior to the Board meeting and reviewed the items listed on its agenda. The recommendation on each item will be provided as the items are taken up by the Board. The Committee also received an outstanding presentation from Sandy West, Human Resources (HR) Director, on the HR Department.

REPORT BY CHIEF ADMINISTRATIVE OFFICER:

Derek Boese, Chief Administrative Officer (CAO), provided the highlights of his report.

- In recognition of the 15-year anniversary of Hurricane Katrina, the CPRA received briefings on August 19th from the directors of a number levee authorities or districts. The U.S. Army Corps of Engineers (USACE) covered a number of physical and engineering improvements made to flood protection in its briefing. The focus of the FPA-East's briefing was the operational and organizational improvements that have been made since Katrina. The CPRA was informed that due to the Board's desires and goals over the past three years, the FPA has achieved the intent of the legislature and people in regionalizing the Authority. The successful complete closure of the flood defense system last year in anticipation of Tropical Storm (TS) Barry was used as an example of the collaboration and teamwork exhibited by the organization. The CPRA was also informed about the FPA's efforts relative to levee lifts, the inspection program and the development of operation and maintenance costs for the system.
- FPA staff is closely monitoring the tropical disturbances in the Gulf. The forecasted tracks of the two tropical disturbances in the Gulf at the time of the meeting were reviewed. The Mississippi River was at an elevation of 5-ft.

NEW BUSINESS:

RESOLUTION NO. 08-20-20-02 - ADOPTION OF EAST JEFFERSON LEVEE DISTRICT MILLAGE RATES FOR CALENDAR YEAR 2020

Mr. Miller read Resolution No. 08-20-20-02 in its entirety. He noted two corrections to the resolution: 1) that the word "red" in the certification be changed to "read", and 2) that the location is now considered Jefferson and not Harahan. Mr. Noel offered a motion to amend the resolution to include the two corrections. The motion was seconded by Mr. Morgan and unanimously adopted.

Mr. Miller asked whether anyone from the public wished to comment. There were no comments from the public.

Mr. Morgan advised that the Finance Committee considered the adoption of the EJLD millage rate. He explained that a number of major projects will be coming up; however, the EJLD has a budget balance and large reserve of \$36 million. Due to the impacts of the COVID-19 pandemic, the Committee recommended that the rolled back rate of 3.88 mills, which would achieve the same revenue collection as last year, be adopted and certified by the Board. Mr. Noel pointed out that the millage rate could be rolled up over the next three years.

A roll call vote was conducted on the adoption of the motion as amended.

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

BE IT RESOLVED, by the Southeast Louisiana Flood Protection Authority – East on behalf of the East Jefferson Levee District of Jefferson Parish, Louisiana, in a public meeting held on Thursday, August 20, 2020, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following **adjusted** millage rate be and it is hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2020, for the purpose of raising revenue:

MILLAGE

Constitutional (General Tax)

3.88 mills

BE IT FURTHER RESOLVED that the Assessor of Jefferson Parish, shall extend upon the assessment roll for the year 2020 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Miller, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSTAINED: None

ABSENT: Mr. Dastugue and Mr. Latiolais

Set forth the adjusted millage rate and roll forward to such increased rate allowed by law, but not to exceed the maximum authorized millage for the prior year, and certify the millage rate to the proper administrative officials of the Parish of Jefferson for the purpose of causing the District's Taxes to be entered on the tax

rolls and collected for the tax year 2020 on all property subject to taxation by the East Jefferson Levee District.

A motion was offered by Mr. Morgan, seconded by Mr. Hassinger and unanimously adopted by a roll call vote, to withdraw Agenda Item No.XII.A.2 (motion to roll up or increase the EJLD millage rate).

RESOLUTION NO. 08-20-20-03 - EXCHANGE OF UNDEVELOPED LOT 272B ON BELLAIRE DRIVE IN ORLEANS PARISH FOR UNDEVELOPED LOT 258/258-A ON BELLAIRE DRIVE

Michelle White, Executive Counsel, explained that after Hurricane Katrina the USACE acquired the subject lots along Bellaire Drive on behalf of the Orleans Levee District (O.L.D.). The lots allowed the access needed by the USACE to perform repairs and conduct other project work. Upon completion of the project work, the USACE issued the Notification of Contract Completion (NCC) and afterwards issued a letter in March, 2020, stating that the USACE no longer needed the property and that the FPA could dispose of the property if it was not needed. Knowing that the USACE's letters would be forthcoming, the FPA committed a portion of the properties in exchange for a property located on Lakeshore Drive in order to settle litigation regarding the Lakeshore Drive property. The lawsuit initiated in 2015 is commonly referred to as the "Revival Development" litigation. Once it was able the FPA completed the settlement of the litigation by exchanging the properties. However, because the FPA agreed to the exchange prior to the completion of the USACE's work and issuance of the March, 2020, letter, it was unsure of the restrictions on the property. The restrictions were laid out in the March, 2020, letter and included the obligation to not obstruct the French drains placed on the property, which basically rendered one of the lots unusable for development. About one dozen lots remained that were contiguous to the exchanged lots. Therefore, the FPA could retain the lot with the French drain to ensure there would be no obstructions and proper maintenance, and an unencumbered lot of the exact same size could be exchanged. The lots to be exchanged are currently assessed at the same value and are the same dimensions. The ability to have full unfettered access to the lot with the French drains for maintenance would be of value to the FPA.

Ms. White advised that she assumed there would be costs associated with the closing; however, the investment company receiving the property agreed to cover the costs. Under the terms of the settlement, the FPA would receive the Lakeshore Drive property, which is located near the O.L.D. Police Headquarters, and the lots to be exchanged were specifically identified. The French drains are located on Lots 258 and 258A.

Mr. Hassinger commented that the litigation was protracted; however, the Revival group has been extremely patient. The FPA was unable to accomplish the transfer for a couple of years because the USACE would not release the property in the event it was needed. Ms. White added that the settlement agreement was signed four years prior to the Act of Exchange.

Mr. Noel asked the nature of the lawsuit. Mr. Hassinger explained that there are a series of religious facilities located along Lakeshore Drive and there was a provision that the property in that strip of land would remain dedicated to religious purposes. However, a piece of the property was sold to a developer (Revival Development) who thought it would be able to develop the property for a home or condominium. The FPA was threatened with litigation by homeowners who were against the violation of the O.L.D. Lakefront property restrictions. The FPA looked for a solution where the purchaser would be able to acquire other property that it could develop or sell so that it would not incur a financial loss. Ms. White further explained that the O.L.D. divested the Lakeshore property to a religious organization who then sold the property to a private developer with a religious name. The developer went to the City and had the restriction on the property removed. At that point, the FPA instituted litigation and pointed out that the restriction should have never been removed. As the litigation wore on, the parties agreed that the developer would be satisfied with an exchange of properties. The FPA could then ensure that the Lakeshore Drive property would only be developed consistent with the restriction (religious purposes) or remain greenspace.

Mr. Joanen advised that the Bellaire Drive property was originally owned by his family and the Lupo family and was sold a few years after Katrina directly to the USACE. The property is located at the 17th Street Canal Floodwall breach. He stated that he received a small amount of the proceeds from the sale.

Ms. White advised that the prior ownership of the property by Mr. Joanen had no bearing on this action because the USACE acquired the property on behalf of the O.L.D. and the O.L.D./FPA had no say in the acquisition or payment for the property.

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

**A RESOLUTION OF THE SOUTHEAST LOUISIANA FLOOD PROTECTION
AUTHORITY-EAST AUTHORIZING THE EXCHANGE OF UNDEVELOPED LOT
272B ON BELLAIRE DRIVE IN ORLEANS PARISH FOR UNDEVELOPED LOT
258/258-A ON BELLAIRE DRIVE IN ORLEANS PARISH**

WHEREAS, the United Army Corps of Engineers (USACE) acquired Lots No. 258 – 279 on Bellaire Drive in Orleans Parish on behalf of Orleans Levee District (OLD) for access and use by the USACE for and during the Lake Pontchartrain and Vicinity (LPV) project work on Bellaire Drive and the 17th Street Canal; and

WHEREAS, in a letter to the Flood Protection Authority dated March 30, 2020, the USACE stated that Lots No. 258 – 279 on Bellaire Drive are no longer required for the operation, maintenance, repair, rehabilitation and replacement (OMRR&R) or construction purposes related to the LPV project and on that basis, USACE did not object to OLD disposing of the property, subject to certain restrictions on the properties to run with the title to the property;

WHEREAS, Lots 258, 258-A, 259, 259-A, 260, 260-A, 261-A, 261-B, 262, 262-A, 263, 263-A, 264, 264-A, 265, 265-A, 265-B, 266, 266-A, 267, 267-A, 268, 268-A,

269, 269-A, 270, 270-A, 271, 271-A on Bellaire Drive were acquired by SOB Investments, LLC from the FPA, on behalf of OLD, in an Act of Exchange recorded in the Conveyance Records of Orleans Parish on July 8, 2020, in satisfaction of a Settlement Agreement entered into on July 8, 2016, resolving litigation captioned *Orleans Levee District v. Revival Development, LLC*, Docket No. 2015-6680, Civil District Court, Parish of Orleans; and

WHEREAS, in conjunction with LPV project work performed by the USACE over which the FPA and OLD have operation and maintenance responsibility, a French drain traverses Lot 258/258-A on Bellaire Drive which the FPA must assure remains free of any obstruction on or near the drain; and

WHEREAS, Lot 272B on Bellaire Drive is an undeveloped lot, identical in size, equivalent in value, that is not so burdened with a French drain and resulting servitude; and

WHEREAS, the exchange of Lot 272B on Bellaire Drive for Lot 258/258-A on Bellaire Drive would result in operations and maintenance efficiencies over the area on which the French drain is located while creating no additional burden.

THEREFORE,

BE IT HEREBY RESOLVED that the Board of Commissioners approves the exchange of Lot 272B on Bellaire Drive in Orleans Parish for Lot 258/258-A on Bellaire Drive in Orleans Parish and authorizes the Chief Administrative Officer to execute any paperwork necessary to effectuate the exchange.

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

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Morgan, Mr. Noel and
Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

EXECUTIVE SESSION:

1. ***Southeast Louisiana Flood Protection Authority – East v. St. Bernard Parish Government, St. Bernard Parish Council, and Guy McInnis, in his official capacity as President of St. Bernard Parish Government, Case 2020-02645, Division D, Sec. 12, Civil District Court for the Parish of Orleans.***

A motion was offered by Mr. Hassinger and seconded by Mr. Morgan for the Board to convene in Executive Session to discuss the item listed on the Agenda. A roll call vote was conducted and the Board unanimously adopted the motion. The Board convened in Executive Session at 11:55 a.m.

The Board reconvened in regular session at 12:45 p.m. and Mr. Miller called the meeting back to order.

NEW BUSINESS: (continued)

RESOLUTION NO. 08-20-20-04 - SALE OF UNDEVELOPED LOTS ON BELLAIRE DRIVE IN ORLEANS PARISH

Ms. White explained that the undeveloped lots identified in the resolution are the properties purchased by the USACE on behalf of the O.L.D. along Bellaire Drive and were remaining after the exchange. A decision was made to dispose of the lots through public sale since they no longer serve a flood protection purpose and would require maintenance. The proceeds from the sales will go to the O.L.D. The lots must be appraised and a minimum value set for each lot. The FPA will use the process used by the Louisiana Office of State Lands to sell the lots, which includes advertisement and utilizes a Sheriff's sale. A small commission must be paid to the Sheriff's Office.

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

A RESOLUTION OF THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST AUTHORIZING THE PUBLIC SALE OF UNDEVELOPED LOTS ON BELLAIRE DRIVE IN ORLEANS PARISH

WHEREAS, the United Army Corps of Engineers (USACE) acquired Lots No. 258 – 279 on Bellaire Drive in Orleans Parish on behalf of Orleans Levee District (OLD) for access and use by the USACE for and during the Lake Pontchartrain and Vicinity (LPV) project work on Bellaire Drive and the 17th Street Canal; and

WHEREAS, in a letter to the Flood Protection Authority dated March 30, 2020, the USACE stated that Lots No. 258 – 279 on Bellaire Drive are no longer required for the operation, maintenance, repair, rehabilitation and replacement (OMRR&R) or construction purposes related to the LPV project and on that basis, USACE did not object to OLD disposing of the property, subject to certain restrictions on the properties to run with the title to the property;

WHEREAS, Orleans Levee District's ownership of Lots 273B, 274, 274A, 275, 275A, 276, 276a, 277, 277A, 278, and 278A on Bellaire Drive and the ongoing expense of maintenance and upkeep do not aid or advance the mission of the levee district, excepting any lot or portion thereof over which it is necessary to retain unobstructed access; and

WHEREAS, in addition to the savings in manpower, resources, and real dollars resulting from discontinued maintenance and upkeep of this property, OLD would also receive the proceeds of the sale of the lots on Bellaire Drive, minus the minor sheriff's expenses and commission relating to conduct of a sheriff's sale.

THEREFORE,

BE IT HEREBY RESOLVED that the Board of Commissioners approves the public sale of all or part of the following: Lot 273B, bearing municipal address 6932 Bellaire Drive, Lot 274, 274A, 275, 275A, bearing municipal address 6940 Bellaire Drive, Lot 276 and 276A, bearing municipal address 6942 Bellaire Drive, Lot 277 and 277A, bearing municipal address 6946 Bellaire Drive, and Lot 278 and 278A, bearing municipal address 6950 Bellaire Drive in Orleans Parish.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the Chief Administrative Officer to take all steps necessary to prepare for and effectuate the sale.

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

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-20-20-05 - AMENDMENT OF TASK ORDER FOR THE EJLD LANDSIDE RUNOFF CONTROL IMPROVEMENTS PROJECT

Mr. Morgan advised that the services of Evans-Graves Engineers, Inc., were used for the first two phases of the EJLD Landside Runoff Control Improvement Project. The improvements are required to mitigate erosion and hydrology problems along the landside of the levee. The Operations Committee recommended that the Board approve the proposed task order, which authorizes the preparation of plans and specifications and bid assistance.

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

WHEREAS, by Resolution No. 08-15-19-04, the Southeast Louisiana Flood Protection Authority-East (FPA) approved an Indefinite Delivery-Indefinite Quantity Contract with Evans-Graves Engineers, Inc. for Civil Engineering services; and

WHEREAS, the FPA issued Task Order No. 30-04-01 to Evans-Graves Engineers, Inc., for the Evaluation and Study Phase (Phase I) of the East Jefferson Levee District (EJLD) Landside Runoff Control Improvements Project with a not to exceed amount of \$9,800; and

WHEREAS, Amendment No. 1 to Task Order No. 30-04-01 increased the scope of work to include Phase II - Coordination of Permitting and Phase III.A - Preparation of Preliminary Plans and Specifications at a not to exceed cost of \$63,880.00; thereby increasing the total amount of Task Order No. 30-04-01 to \$73,680.00; and

WHEREAS, Evans-Graves Engineers, Inc. submitted a proposal dated April 6, 2020, which includes Phase III.B - Prepare Final Plans and Specifications (Bid Packages) (\$52,280) and Phase IV – Support During Bid Process (\$12,800) with a total not to exceed cost of \$65,080; and

WHEREAS, funding for the task order is included in Budget Line Item BPROF004.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the amendment of Task Order No. 30-04-01 with Evans-Graves Engineers, Inc. for the EJLD Landside Runoff Control Improvements Project to include Phase III.B - Prepare Final Plans and Specifications (Bid Packages) and Phase IV – Support During Bid Process at a total not to exceed cost of \$65,080,

thereby increasing the total not to exceed amount of Task Order 30-04-01 to \$138,760.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer, and in his absence the Director of Engineering, is hereby authorized to execute Amendment No. 2 to Task Order 30-03-01, which adds Phase III.B and Phase IV to the scope of work, and any and all other documents necessary to carry out the above.

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

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue and Mr. Latiolais

RESOLUTION NO. 08-20-20-06 - AWARD OF CONTRACT FOR ORLEANS MARINA SEEPAGE REPAIR – PHASE I

Mr. Morgan explained that the low bidder on both Phase I and Phase II of the Orleans Marina Seepage Repair Project was Kort’s Construction Services, Inc. The Operations Committee recommended that one contract be executed for both Phase I and Phase II of the project and that a task order be issued under the contract for each phase.

Chris Humphreys, Director of Engineering, advised that Hard Rock Construction, LLC., withdrew its bid on Phase I since the bid and pricing was based on the award of a contract for both phases.

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

WHEREAS, bids were requested and received for the Orleans Marina Seepage Repair – Phase I Plug Existing 24” RCP Project (O.L.D. Project No. 05060094) on August 17, 2020, as follows:

Bidding Contractors	Total Base Bid Price
Boh Bros. Construction, LLC	\$50,500.00
Kort’s Construction Services, Inc.	\$35,500.00
Wallace C. Drennan, Inc.	\$150,000.00
Hard Rock Construction, LLC (Bid Withdrawn)	\$32,350.00
Cycle Construction, LLC	\$67,750.00

WHEREAS, the lowest responsive and responsible bid was submitted by Kort’s Construction Services, Inc., in the amount of \$35,500.00; and

WHEREAS, funding for the project is included in budget line item BPROJ030.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East (FPA) authorizes the award of a contract in the amount of

\$35,500.00 to Kort’s Construction Services, Inc., for the Orleans Marina Seepage Repair – Phase I Plug Existing 24” RCP Project (O.L.D. Project No. 05060094).

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 contract with Kort’s Construction Services, Inc., 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. Hassinger, Mr. Joanen, Mr. Morgan and Mr. Weysam

NAYS: None

ABSENT: Mr. Dastugue, Mr. Latiolais and Mr. Noel

RESOLUTION NO. 08-20-20-07 - AWARD OF CONTRACT FOR ORLEANS MARINA SEEPAGE REPAIR – PHASE II

Mr. Morgan advised that the Operations Committee recommended that the Board approve the award of the contract for Phase II to Kort’s Construction Services, Inc. He reminded the Board that one contract would be executed for both Phase I and Phase II of the Orleans Marina Seepage Repair Project.

On the motion of Mr. Morgan,

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

WHEREAS, bids were requested and received for the Orleans Marina Seepage Repair – Phase II Install New Existing 24” RCP Project (O.L.D. Project No. 05060096) on August 17, 2020, as follows:

Bidding Contractors	Total Base Bid Price
Boh Bros. Construction, LLC	\$213,491.00
Kort’s Construction Services, Inc.	\$150,861.00
Wallace C. Drennan, Inc.	\$278,750.00
Hard Rock Construction, LLC	\$200,700.50
Cycle Construction, LLC	\$269,372.00

WHEREAS, the lowest responsive and responsible bid was submitted by Kort’s Construction Services, Inc., in the amount of \$150,861.00; and

WHEREAS, Notice to Proceed for the Phase II project will not be issued until at least 10 business days after completion of the Phase I project; and

WHEREAS, bidders have acknowledged that Phase II bids shall be good for a minimum of 60 calendar days; and

WHEREAS, funding for the project is included in budget line item BPROJ030.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East (FPA) authorizes the award of a contract in the amount of \$150,861.00 to Kort’s Construction Services, Inc., for the Orleans Marina Seepage

Repair – Phase II Install New Existing 24” RCP Project (O.L.D. Project No. 05060096).

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 contract with Kort’s Construction Services, Inc., 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. Hassinger, Mr. Joanen, Mr. Morgan and Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue, Mr. Latiolais and Mr. Noel

RESOLUTION NO. 08-20-20-08 - 40 ARPENT LEVEE SYSTEM LEVEE CERTIFICATION – LEVEE INSPECTION AND COMPLETION OF LEVEE CERTIFICATION REPORT

Mr. Morgan explained that the certification of the nonfederal levees has been on-going for a number of years. The certification process for the 40 Arpent Levee System was interrupted due to the requirement to remove several buildings and construct the Violet Canal North Realignment. Tetra Tech has been involved in the certification process since its commencement and has the qualifications to complete the process. The Operations Committee recommended that the Board approve the proposed task order.

On the motion of Mr. Morgan,

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

WHEREAS, the Maxent Levee in New Orleans East and the Forty Arpent Levee in the Lower Ninth Ward and St. Bernard Parish were required to meet certification requirements in order to be accredited by FEMA for the National Flood Insurance Program; and

WHEREAS, by Resolution No. 11-15-12-06, the Southeast Louisiana Flood Protection Authority-East (FPA) approved the execution of the contract with Tetra Tech dated February 8, 2013, to provide the professional engineering services required for the aforementioned non-federal levee certification effort with a not-to-exceed contract value of \$5 million; and

WHEREAS, the Maxent Levee in New Orleans East was subsequently accredited by FEMA for the National Flood Insurance Program; and

WHEREAS, the flood protection alignment on the Violet Canal in the area of the Shrimp and Soap Factories was unacceptable to FEMA and the construction of a new flood protection alignment was required in order for the Forty Arpent Levee to be accredited by FEMA; and

WHEREAS, the Violet Canal North Realignment Phase II Project has been completed and the Violet Canal North Realignment Phase I Project is nearing

completion; therefore, the 40 Arpent Levee Certification effort can recommence;
and

WHEREAS, Tetra Tech submitted a proposal for the 40 Arpent Levee System Levee Certification – Levee Inspection and Completion of Levee Certification Report at a total not to exceed cost of \$149,106; and

WHEREAS, the FPA will issue a Task Order to Tetra Tech for the proposed Levee Inspection and Completion of the Levee Certification Report for the 40 Arpent Levee under the Indefinite Delivery-Indefinite Quantity Contract with Tetra Tech for Civil Engineering Services, which was approved by Resolution No. 08-15-19-04; and

WHEREAS, funding for the proposed task order with Tetra Tech is included in Budget Line Item BIDIQ01.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the issuance of a Task Order to Tetra Tech for the 40 Arpent Levee System Levee Certification – Levee Inspection and Completion of Levee Certification Report at a total not to exceed cost of \$149,106.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer, and in his absence the Director of Engineering, is hereby authorized to execute the aforementioned Task Order with Tetra Tech, and any and all other documents necessary to carry out the above.

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

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Morgan and Mr. Weysam

NAYS: None

ABSENT: Mr. Dastugue, Mr. Latiolais and Mr. Noel

RESOLUTION NO. 08-20-20-09 - APPROVAL TO ADVERTISE AND ISSUE RFQs FOR ID-IQ CONTRACTS FOR GRANT WRITING AND GRANT MANAGEMENT SERVICES

Mr. Morgan explained that the proposed resolution authorizes staff to advertise and issue a Request for Qualifications (RFQ) for grant writing services. Currently, \$500 million of funding has been made available for grants. Fees will only be charged if the grant writer wins a grant. The cost share for the subject grants is 75% - 25% (25% payable by the FPA). This item was reviewed by the Operations Committee and recommended for approval by the Board.

On the motion of Mr. Morgan,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) and levee districts under its jurisdiction are in need of professional services for the purpose of writing grant applications and providing grant management on an as needed basis; and

WHEREAS, said services can be provided through one or more Indefinite Delivery-Indefinite Quantity (ID-IQ) Contracts; and

WHEREAS, the ID-IQ contract(s) will be utilized on an as needed basis with no guarantee of work to the consultants; and

WHEREAS, the selection process for the ID-IQ contract(s) will be governed by the FPA's Purchasing Policy adopted on March 15, 2018.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the advertisement and issuance of Requests for Qualifications for professional Grant Writing and Grant Management Services for the purpose of entering into ID-IQ contracts for services on an as needed basis.

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

YEAS: Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Morgan and Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue, Mr. Latiolais and Mr. Noel

RESOLUTION NO. 08-20-20-10 - ISSUANCE OF TASK ORDER FOR THE REPLACEMENT CATENARY TRASH SCREENS AT LBBLD PUMP STATIONS 1 AND 4

Mr. Morgan advised that the Operations Committee reviewed the proposed task order. The CPRA agreed to provide up to \$4 million of funding for improvements to the pump stations in order to assist with the transition of the internal drainage to St. Bernard Parish Government. The funding for the proposed task order will come from the \$4 million made available by the CPRA. Since Pump Stations 1 and 4 are similar, the design for the replacement of the Catenary Trash Screens will be similar. Pump Station 1 is the more critical of the two pump stations. The Operations Committee recommended that the Board approve the proposed task order with payment of the costs to come from the funding provided by the CPRA.

On the motion of Mr. Cosse,

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

WHEREAS, the catenary trash screens at Lake Borgne Basin Levee District (LBBLD) Pump Stations 1 and 4 are in need of replacement; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) entered into an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with Burk-Kleinpeter, Inc. to provide Civil Engineering Services on an as needed basis; and

WHEREAS, Burk-Kleinpeter, Inc. submitted a proposal for the development and preparation of construction documents and providing bidding assistance for the replacement of the catenary trash screens at LBBLD Pump Stations 1 and 4 at a not-to-exceed amount of \$230,917.13; and

WHEREAS, funding for the aforementioned services is included in budget line item BPROE012.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the issuance of a task order to Burk-Kleinpeter, Inc. with a not to exceed amount of \$230,917.13 for the development and preparation of construction documents and providing bidding assistance for the replacement of the catenary trash screens at LBBLD Pump Stations 1 and 4.

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 task order with Burk-Kleinpeter, Inc., 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. Hassinger, Mr. Joanen, Mr. Morgan and Mr. Weysham

NAYS: None

ABSENT: Mr. Dastugue, Mr. Latiolais and Mr. Noel

The next regular monthly meeting will be held on September 17, 2020.

There was no further business; therefore, the meeting was adjourned at 1:00 p.m.