

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, APRIL 15, 2021**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on April 15, 2021, in the St. Bernard Parish Council Chambers, St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, 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 11:00 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  
K. Randall Noel, Treasurer  
Roy M. Arrigo  
Lambert J. Hassinger, Jr. (left meeting at 12:05 p.m.)  
Eugene J. Joanen, IV  
Jason P. Latiolais  
Herbert T. Weysham, III

**ABSENT:**

None

**INTRODUCTION OF NEW COMMISSIONER & ADMINISTERING OATH OF OFFICE:**

Mr. Miller administered the Oath of Office to Roy Arrigo, who was appointed to the Board by the Governor effective April 2, 2021, and replaces former Commissioner Quentin Dastugue.

**ADOPTION OF AGENDA:**

A motion was offered by Mr. Hassinger, seconded by Mr. Morgan and unanimously adopted, to amend the agenda to defer Agenda Item XIII.A.6 relative to extending contract expiration dates for additional review by General Counsel. A motion was then offered by Mr. Noel, seconded by Mr. Morgan and unanimously adopted, to take in globo Items XIII.A.3, A.4, A.5, B.7, B.8 and B.9, all of which revised prior resolutions adopted by the Board to update FPA staff titles. A motion was offered by Mr. Morgan, seconded by Mr. Arrigo and unanimously adopted, to adopt the amended agenda.

**RESOLUTION NO. 04-15-21-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON MARCH 18, 2021**

On the motion of Mr. Morgan,  
Seconded by Mr. Hassinger, 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 March 18, 2021.

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

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

NAYS: None

ABSENT: None

**EMPLOYEE RECOGNITION AND APPRECIATION:**

Mr. Miller announced that the FPA Employee of the Month is Patrick Yoes, who is a Mechanic 4 assigned to the Mechanic Shop.

Mr. Yoes was nominated by his colleagues and selected as the FPA's Employee of the Month because of his professionalism, teamwork and commitment to the FPA and its mission. Mr. Yoes is a highly proficient and dynamic mechanic. Since he started on August 31, 2020, at the height of the 2020 hurricane season, Mr. Yoes has demonstrated a high degree of responsibility, expertise, and a vast knowledge of gas and diesel engines and hydraulic systems. He is also a highly proficient welder. Mr. Yoes is constantly looking out for his safety and the safety of others. He is never afraid to accept any challenge put before him and faces all tasks with courage and a positive attitude.

During the busy 2020 hurricane season, although he was new at the FPA, Mr. Yoes displayed an excellent example of teamwork. During the many storm responses Mr. Yoes supported the floodgate crews by installing and removing Vulcan barriers, traffic barriers and other obstructions, and assisted the floodgate crews in floodgate closing and opening operations. Mr. Yoes' actions were instrumental in the safe and efficient operation of our flood protection system.

Mr. Yoes exceeded expectations when he successfully replaced the diesel injector pump and the fuel injectors on a John Deere tractor engine, a job that because of its complexity is usually sent to the dealership to be repaired. Mr. Yoes saved the FPA thousands of dollars in labor and transportation costs by performing the repairs in in-house. Similarly, with his knowledge of diesel engines, Mr. Yoes successfully repaired an oil leak and a fuel leak on a Doosan front end loader, another job which without Mr. Yoes' expertise would have had to be done at a dealership. Once again Mr. Yoes saved the FPA thousands of dollars in labor and transportation costs.

Mr. Yoes is an important member of the FPA team and essential to the success of the FPA and its flood protection mission.

The Board congratulated Mr. Yoes for being selected the FPA Employee of the Month. Mr. Yoes was presented with a Certificate of Commendation.

Mr. Miller presented a glass plaque from the Board to Derek Boese, which read, "In Recognition and Grateful Appreciation for Your Commitment, Visionary Guidance and Exceptional Leadership as Chief Administrative Officer". He commented on the guidance and leadership shown by Mr. Boese during the reorganization and throughout the years he had been with the FPA, and stated that Mr. Boese would be missed.

### **OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:**

Mr. Morgan explained that the Operations Committee initiated a Safety Minute in its meetings several months ago. Marvin Brown, Levee Foreman C, provided an excellent Safety Minute presentation at today's Operations Committee meeting. Mr. Morgan stated that Mr. Brown's comments revealed that a culture change is taking place relative to making safety a priority and indicated that the FPA is moving in the right direction. He advised that he requested Kelli Chandler, the newly appointed Regional Director, to reserve a position as a direct report for a safety professional so that all FPA employees are able to go home at the end of each day without experiencing an incident.

Mr. Hassinger stated that several years ago when the FPA decided to make a dramatic shift in the organization and change not only the structure, but the culture, someone was needed to step up and lead the effort, and that Mr. Boese has done this in a spectacular way. He expressed his appreciation to Mr. Boese and his anticipation that Mr. Boese would be a success in his new position. He also stated that he was excited that Kelli Chandler has agreed to step up and take the position of Regional Director. He reminded everyone that there is no status quo and that the organization is either moving forward or falling backwards. He added that Ms. Chandler is perfectly equipped and capable of keeping the organization moving forward and added a reminder to maintain a "responsibility to" and not an "authority over" mindset.

Mr. Boese thanked the Board and the FPA's Directors and employees for their support. He stated that he would miss the people, the mission and the opportunities that he had been given.

### **PUBLIC COMMENTS:**

Alicia Plummer advised that she was representing the New Orleans East Business Association (NOEBA) and herself. Ms. Plummer is the long-time Vice President and Sherman Copelin is the long-time President of NOEBA. Ms. Plummer apologized because she said she came to the meeting thinking that the Board agenda included an item addressing Lakeshore Drive and its opening. She commented on the constant fight to ensure that Lakeshore Drive remains accessible for the residents of New Orleans East. She explained that she understood that traffic flows from the west to Franklin Avenue and that there was no option for the residents of New Orleans East to travel from east to west. She stated that this fight had happened before and that she had to remind everyone of the law on the books authored by former Speaker Pro

Tempore' and State Representative Sherman Copelin designating Lakeshore Drive as a public thoroughfare and directing that it should not be closed except for certain reasons (e.g., hurricanes and other dangerous weather conditions, repairs and construction). She asked that the individuals with authority over Lakeshore Drive follow the law. She added that she is a taxpayer and has the right to travel over Lakeshore Drive and enjoy the beauty of the lakefront just like the privileged people on the west side of Lakeshore Drive.

Dawn Hebert stated that the issue of Lakeshore Drive closures on weekends was raised in 2014 at several Lakefront Management Authority (LMA) meetings and that she was curious as to the reason the issue left the LMA and came to the FPA. She said that it was very disheartening to see that the closures are returning and that the reason being given was safety, adding that Lakeshore Drive had been illegally closed for 30 years. She stated that she and many other residents of New Orleans East enjoy riding along Lakeshore Drive on weekends, even attempting to patronize the restaurants on the West End, and that she finds it unfortunate that this issue has been resurrected, but with additional questionable closures and detours, especially on a State roadway.

Ms. Hebert presented a number of questions about the closures: What City/State Legislative Representatives or community members were involved in the decision regarding the closures? Why are the lane closures always directed from East to West and why are they in place after 7:00 p.m. on weekends when the traffic flow is light? What problems occurred along Lakeshore Drive over the past three weekends, other than tickets, to say that this is a safety issue? What permits were issued for street closures and the placement of barricades and no parking signs over the past possibly three weekends in the lakefront neighborhoods and what funded the purchase of these signs? Why were no press releases listed on the FPA-East website regarding the closures (the last one was the Easter weekend)? She commented that she thought that the restriping project would cause a major traffic jam. She stated that yesterday barricades were placed from Canal Boulevard to Shelter One and that drivers were abutting the barricades and had to make a U-turn and go through the parking lot in order to continue on Lakeshore Drive. She asked how long would this issue go on?

Ms. Hebert further advised that she is a member of the East New Orleans Neighborhood Advisory Commission and that the Commission submitted a resolution in 2014 and would be submitting another resolution on this issue.

Mr. Boese stated that Ms. Hebert brought up a number of issues that would be better addressed in writing.

Craig Berthol, a resident of New Orleans, congratulated Roy Arrigo on his appointment to the FPA Board.

Mr. Boese advised that a number of comments were submitted via email, which is not a standard practice, but is used only for virtual meetings. However, because of the confusion due to the shift from virtual meetings, he requested that, as a one-time occurrence, the comments be read at today's meeting.

The following email comments were read:

Clara Cook - It has been brought to the New Orleans East residents' attention that the Lakeshore Drive entry is closing on east side soon. Please justify why Lakeshore Drive is repeatedly closed at the Seabrook Bridge/east side entry? Why the east residents are always inconvenienced with detours? Why aren't the east residents' taxes reduced with such inconveniences? Why isn't Lakeshore Drive closed at the west end entry, starting before the west end eateries as well as neighborhoods / marina / restaurants? The answers are presumptive, but I would rather your immediate response to all questions if transparency is the desired community goal.

Mallory Turner - There has been a lot of commentary regarding the closure of Lakeshore Drive from the Seabrook Bridge to Elysian Fields. Can someone provide me with some clarity as to why only one side of Lakeshore Drive is being blocked off on the weekends? Thanks in advance for your time.

Mellissa Jenkins - I am a homeowner and a resident of New Orleans East and I live on Curran Boulevard. I would like to see Lakeshore Drive remain open to ALL of the residents and citizens of New Orleans East. We are taxpaying citizens, we are homeowners, and we deserve the right to be able to have it open and not closed, and not have to travel around it and be forced to go a certain other way just because it is blocked off. I live at 6060 Curran Boulevard, New Orleans, LA 70126, and I would like to make my voice heard and my opinion known. Thank you for your consideration and for listening to my concern and my opinion.

Desha Greely, Concerned New Orleans East Resident - Remove the closures on Lakeshore Drive on weekends. Taxpayers of the East would like to enjoy riding along Lakeshore Drive on the weekends from the East to New Orleans East, with no detours, for the beautiful continuous drive. Remove the Levee Board Police redirection of traffic on weekends from the Seabrook Bridge. Open up so that vehicles from the East do not have to detour to Robert E. Lee Boulevard to access Lakeshore Drive. Do not close off all traffic in the direction of the West End. I would like my vehicles to be allowed to drive from the East to the West End on weekends as it should be. This practice should not be the norm as Lakeshore Drive is a State road. Thank you.

Milele Ramsay, Concerned citizen and active voter - I am a taxpayer and resident of New Orleans and the blockage of access to Lakeshore westbound from the Seabrook Bridge is unacceptable. The State Law, authored by former State Rep and Speaker Pro Tempore' Sherman Copelin, declares Lakeshore Drive as a PUBLIC THOROUGHFARE and mandates that it SHALL be open to the PUBLIC except in emergency situations, such as Hurricanes, other unsafe weather events or for repair/construction! It is NOT a Private Street nor is it only for the use of the privileged Property Owners nearest to the roadway! The Executive Director, Wilma Heaton and the Board members should follow the law! This racist and discriminatory practice of trying to keep Black and not-so-privileged Citizens off the Lakefront will not be tolerated. We should not have to detour to West End to gain access, this is unlawful.

Eugene Green - Disclosure: I am a member of the Board of Commissioners of the Lakefront Management Authority, which has jurisdiction over the green spaces and shelters of the lakefront. I am certainly interested in the safety of the citizens of this region who enjoy the taxpayer funded assets of the lakefront of Orleans Parish. Therefore, I am concerned when I see Orleans Levee District (O.L.D.) police vehicles stationed at barricades for significant stretches of time, especially on Sundays. Frankly, it would be better, in my opinion, in terms of safety, for O.L.D. officers to drive in both directions on Lakeshore Drive, reacting to situations as needed, occasionally assisting with the flow of traffic, and observing the activity at parking areas, at shelters, and on the grassy areas. I question the use of O.L.D. signs and barrels to prevent entry by the public into neighborhoods south of the levee along Lakeshore Drive. Who takes the responsibility for placement of these barriers to use on city owned streets? The use of such barricades seemingly presents a public safety problem as it limits access by police, emergency vehicles, and residents alike. If there is truly a focus on citizen safety on days when the public is enjoying the lakefront in larger numbers, then O.L.D. police might patrol the adjoining neighborhoods in larger numbers during these periods. Parking problems on Lakeshore Drive on Sundays especially result from a combination of large numbers of Sunday West End restaurant users, condominium owners using spaces for overflow parking, and citizens who seek to enjoy the lakefront. Therefore, it is counterproductive to limit parking at Shelter #1. The policy of depriving citizens of those many parking places should end. The beautiful Orleans Parish lakefront is for all citizens to enjoy. With additional planning and increased patrols, it may be possible to address concerns without limiting public access to the resources of the lakefront area.

Mr. Morgan stated that based on the comments received, a public statement advising the reasons and justifications for the closures should be developed by the FPA Public Information Director and sent to the individuals providing comment, and that if the FPA needs to improve its procedures, it should do so. Mr. Boese advised that the FPA would respond to everyone.

**PRESENTATIONS:** None.

**COMMITTEE REPORTS:**

**Finance Committee:** Mr. Noel reported that the Finance Committee met today prior to the Board meeting. The Committee reviewed the five items listed on its agenda and recommended that the Board approve the items.

**Operations Committee:** Mr. Morgan reported that the Operations Committee met today prior to the Board meeting and reviewed the nine items listed on its agenda. Comment would be provided at the time that the items are taken up by the Board.

**Coastal Committee:** Mr. Joanen reported that the Coastal Committee met today prior to the Board meeting. He recognized the FPA's Engineering staff, which provided support over the past month and supplied a number of documents in response to the Committee's research request. The Committee discussed the support of the Lake Villa

Pond Project and the New Orleans Land Bridge Project. He noted that Roy Arrigo would be attending future Coastal Committee meetings.

### **REPORT BY CHIEF ADMINISTRATIVE OFFICER:**

Derek Boese, Chief Administrative Officer (CAO), reviewed the highlights of the CAO's report:

- COVID-19 Update: There were no new FPA COVID-19 cases since the last Board meeting. To-date 61% of the FPA staff had been vaccinated (161 employees). Several employees were placed on medical holds. The FPA is continuing to reach out to the 108 individuals who chose not to receive the vaccine to inform them that the opportunity still exists. Executive staff is having on-going discussions regarding the effect on operations in going forward.
- Mississippi River Update: The elevation of the river was 15.1-ft. on April 15th and was anticipated to stay only a short time above 15-ft.. The elevation had been above 11-ft. since March 9<sup>th</sup>. The FPA was continuing to conduct two inspections per week. No issues had been noted during the inspections.
- U.S. Army Corps of Engineers (USACE) Annual Inspections: The inspections were completed for levees and floodwalls and some of the complex structures and had gone well. The inspections for the remaining complex structures were scheduled on April 19 and 27 and for the Permanent Canal Closures and Pumps (PCCP) on May 3 thru 5. Engineering and Operations staff completed the Semi-Annual Report required by the Coastal Protection and Restoration Authority (CPRA) and no significant issues were noted. The IHNC Surge Barrier Barge Gate was exercised on April 15<sup>th</sup>.
- Lake Borgne Basin Levee District Pump Station (PS) Status: The main outages are the two engines that were to be replaced by St. Bernard Parish Government (SBPG) and are the subject of extensive litigation. Two of the four engines under the SBPG contract for repairs were replaced at PS Nos. 1 and 4.
- FPA Engineering staff now have the ability to perform in-house testing to determine whether water found at a levee is from seepage or a water pipe leak.
- Colleen Billiot, Public Information Officer, and the Operations staff are developing training videos to document how the various components of the PCCP and complex structures work for the benefit current and future staff.
- Ms. Billiot and Antwan Harris, Public Information Director, are completing the filming of the FPA's new public service announcement for the upcoming hurricane season.

**NEW BUSINESS:**

**RESOLUTION NO. 04-15-21-02 - LEVYING AND IMPOSING MILLAGE RATES AND ASSESSMENTS FOR THE LAKE BORGNE BASIN LEVEE DISTRICT FOR TAX YEAR 2021**

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The resolution was read in its entirety by Mr. Miller. Mr. Miller called for comments from the public. There were no comments from the public.

Mr. Noel advised that the Finance Committee discussed the certification of the millage rates and recommended that the Board adopt the proposed resolution.

Mr. Morgan asked did tax waivers approved by the Louisiana Legislature apply to ad valorem taxes collected for the Lake Borgne Basin Levee District (LBBLD). Ms. Chandler responded that the LBBLD receives tax revenues from the assessments and collections made by the Assessor for St. Bernard Parish. Michelle White, Executive Counsel, added that the FPA did not have any mechanism for going around waivers approved by the Legislature.

Mr. Cosse called the roll and the following Commissioners voted yea: Mr. Arrigo, Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Latiolais, Mr. Miller, Mr. Morgan, Mr. Noel and Mr. Weysham.

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

**LBBLD TAX RESOLUTION - 2021**

**A RESOLUTION LEVYING AND IMPOSING MILLAGE RATES AND ASSESSMENTS FOR TAX YEAR 2021 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE LAKE BORGNE BASIN LEVEE DISTRICT**

**WHEREAS**, it is necessary for the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, acting as the governing authority of the Lake Borgne Basin Levee District, Louisiana (the "District"), to levy taxes and assessments for the year 2021;

**BE IT RESOLVED** by the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, acting as the governing authority of said District, that:

**SECTION 1. Operation and Maintenance Taxes.** Under the authority of the Constitution and Laws of the State of Louisiana, the following millages for special taxes are hereby levied, assessed and imposed on all the property in the Lake Borgne Basin Levee District, Louisiana (the "District"), for the year 2021, for the respective purposes described below:



2021 Millage Rate	Election Date	Type of Tax	Years Authorized	Purpose
3.99	N/A	Ad Valorem	N/A	Constitutional Tax (LA Constitution Article VI, Section 39)
3.13	Oct. 22, 2011	Ad Valorem	2015-2044	Constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto which tax may be used as security for bonds or other evidences of indebtedness to be used to pay costs of such projects

**SECTION 2. Local or Forced Contribution.** Under the authority of Part II and Sub-Part B of Part VI, Chapter 4, Title 38 of the Louisiana Revised Statutes of 1950, as amended, and specifically pursuant to LSA-R.S. 38:421 (F) and other constitutional and statutory authority supplemental thereto, a local or forced contribution of Sixty and 00/100 Dollars (\$60.00) per mile of railroad lines within the District is hereby levied and assessed for the year 2021, for the purpose of constructing and maintaining levees, levee drainage, and for all other purposes incidental thereto.

**SECTION 3. Collection of Taxes.** The proper administrative officials of the Parish of St. Bernard, State of Louisiana, are hereby empowered, authorized and directed to spread said taxes and assessment, as set forth above, upon the assessment roll of said Parish for the year 2021, and to make the collection of the taxes and assessment imposed for and on behalf of the District according to law, and the taxes and assessment herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

Specifically, the Assessor of the Parish of St. Bernard shall extend said taxes and assessment on said assessment roll as required by law, and the Sheriff and ex officio tax collector of the Parish of St. Bernard shall collect said taxes and assessment in the same manner as state taxes are collected and shall settle therefore with the State Treasurer, as provided by Section 404 of Title 38 of the Louisiana Revised Statutes of 1950, as amended; provided, however the proceeds of any tax levied specifically for payment of general obligation bonds shall be remitted to the District pursuant to the authority of Section 551.9 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

Certified copies of this resolution shall be forwarded to the St. Bernard Parish Assessor and to the St. Bernard Parish Sheriff and ex officio tax collector as complete authority to levy and collect the taxes and assessment herein provided.

**SECTION 4. Publication.** This resolution shall be published one time in the official journal of the District in the manner provided by law.

**SECTION 5. Effective Date.** This resolution shall become effective immediately.

The foregoing resolution was read in full; the roll was called on the adoption thereof, and the vote thereupon was as follows:

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

**NAYS:** None

**ABSENT:** None

**ABSTENTIONS:** None

#### **RESOLUTION NO. 04-15-21-03 - APPROVAL OF UPDATED FPA INVESTMENT POLICY**

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Mr. Miller noted that the updated FPA Investment Policy had been distributed to Board members.

Mr. Noel explained that the Finance Committee reviewed the FPA Investment Policy at its March 18<sup>th</sup> meeting and proposed several adjustments (i.e., allowance for a BBB bond rating, purchases of corporate bonds up to \$500,000 without Board approval, and purchases greater than \$500,000 of corporate bonds with Board approval). The resolution was deferred at the March Board meeting so that Executive Counsel could review the proposed adjustments to the policy. The Finance Committee reviewed the updated policy at today's meeting and recommended Board approval.

Ms. Chandler advised the Board that that she removed herself from access to the FPA's investment accounts and banking accounts relative to making transactions. During the interim, until she is replaced as the Regional Finance Director, she would not make any transactions without Board approval.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) by Resolution No. 03-16-17-06 approved the Investment Policy that was developed for the FPA and the levee districts under its jurisdiction in order to bring consistency to the investment methodologies utilized by the entities; and

**WHEREAS**, updates are needed to the aforementioned Policy; and

**WHEREAS**, the updates were reviewed by the Finance Committee at its meeting held on April 15, 2021.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the updated FPA Investment Policy dated April 15, 2021.

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

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

NAYS: None

ABSENT: None

Mr. Miller read the motions listed on the agenda for Agenda Items XIII.A.3, A.4, A.5, B.7, B.8 and B.9, which were discussed and voted on in globo.

**RESOLUTION NO. 04-15-21-04 - UPDATING DESIGNATED SIGNATORIES FOR BANKING AND FINANCIAL INSTITUTIONS**

On the motion of Mr. Noel,

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) by prior resolution authorized the establishment of accounts at Capital One Bank for the business and operation of the FPA, East Jefferson Levee District (EJLD), Lake Borgne Basin Levee District (LBBLD) and Orleans Levee District (O.L.D.), and dedicated accounts for EJLD and O.L.D. Police Details; and

**WHEREAS**, the Board by Resolution No. 08-15-19-03 updated the designated authorized agents and/or signatories for all Capital One Bank operating and payroll accounts for the FPA, EJLD, O.L.D. and LBBLD, dedicated accounts for EJLD and O.L.D. Police Details, and all Louisiana Asset Management Pool, Inc. (LAMP) account transactions for the FPA and said levee districts; and

**WHEREAS**, the FPA wishes to update the designated agents and/or signatory authorizations provided in Resolution No. 08-15-19-03.

**BE IT HEREBY RESOLVED**, that effective April 30, 2021, the designated agents and/or signatories for all Capital One Bank operating and payroll accounts for the FPA, EJLD, LBBLD and O.L.D., the EJLD and O.L.D Police Detail accounts, and all LAMP account transactions for the FPA, EJLD, O.L.D. and LBBLD, are as follows:

President of the Board  
Treasurer of the Board  
Regional Director  
Director of Engineering  
Director of Risk, Safety, and Facilities

**BE IT FURTHER RESOLVED**, that the FPA Regional Director is hereby authorized to execute any and all documents necessary to accomplish the above.

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Latiolais,

Mr. Morgan, Mr. Noel and Mr. Weysham  
NAYS: None  
ABSENT: None

**RESOLUTION NO. 04-15-21-05 - TO UPDATE FPA POLICIES AND PROCEDURES TO SUBSTITUTE REGIONAL DIRECTOR FOR CHIEF ADMINISTRATIVE OFFICER**

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

**WHEREAS**, by prior resolution the Southeast Louisiana Flood Protection Authority-East (FPA) adopted policies and procedures for the business of the FPA and the levee districts under its jurisdiction (e.g., Purchasing Policy and Employee Handbook); and

**WHEREAS**, effective April 30, 2021, the title Chief Administrative Officer will be retired and its responsibilities transferred to the Regional Director.

**BE IT HEREBY RESOLVED**, that effective April 30, 2021, the Southeast Louisiana Flood Protection Authority-East directs that the title Regional Director be substituted for Chief Administrative Officer in all policies and procedures approved by the Board, including the Employee Handbook, and that all responsibilities previously delegated to the Chief Administrative Officer shall be delegated to the Regional Director.

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

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

NAYS: None  
ABSENT: None

**RESOLUTION NO. 04-15-21-06 - EXECUTION OF GRANT DOCUMENTS ON BEHALF OF THE FPA AND LEVEE DISTRICTS UNDER ITS JURISDICTION**

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

**WHEREAS**, by Act 1 of the First Extraordinary Session of 2006 of the Louisiana Legislature (La. R.S. 38:330.1-13), the Southeast Louisiana Flood Protection Authority-East (FPA) was established and charged with governance over the East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District; and

**WHEREAS**, the FPA and levee districts within its jurisdiction seek financial assistance for essential services, projects and programs from Federal, State and local governmental entities and other resources through grants; and

**WHEREAS**, the authorization of a signatory for the execution of all documents pertaining to grants, including, but not limited to applications, cooperative endeavor

agreements, intergovernmental agreements and financial documents and instruments, is required for the FPA and aforementioned levee districts.

**BE IT HEREBY RESOLVED**, that the Regional Director for the Southeast Louisiana Flood Protection Authority-East is hereby designated effective April 30, 2021, as the authorized signatory for all documents pertaining to Federal, State, local and other grants for the FPA, East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District.

**BE IT FURTHER RESOLVED**, that effective April 30, 2021, Resolution No 11-21-19-05 and any and all prior resolutions providing signatory authorization for the aforementioned documents are null and void.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 04-15-21-07 - AUTHORIZATION OF SLFPA-E REGIONAL DIRECTOR AND/OR DIRECTOR OF ENGINEERING TO INVOKE THE PROVISIONS OF LA RS 38:301(D) AS NEEDED**

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On the motion of Mr. Noel,

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

**WHEREAS**, Section D of Louisiana Revised Statutes 38:301 relative to the construction and maintenance of levees and drainage states, "Levee boards and levee and drainage boards and their authorized agents and employees shall also have the power to enter upon any lands, waters, and premises in the state for the purpose of making such surveys, soundings, drillings, and examinations as they may deem necessary or convenient for carrying out the purposes of this Chapter, which entry shall not be deemed a civil or criminal trespass nor a temporary construction servitude, nor shall it be deemed an entry under any eminent domain proceedings which may be then pending, provided that prior written notice of five days to resident owners and fifteen days to nonresident owners be given to the last record property owner as reflected in the parish assessment rolls. Written notice shall consist in mailing the notice by certified mail to the last known address of the owner as shown in the current assessment records. The levee boards and/or levee and drainage board shall indemnify the property owner for any loss or injury resultant from entry upon the property and shall make reimbursement for any actual damages resulting to lands, waters, and premises as a result of these activities."

**WHEREAS**, from time to time it is necessary for the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) to invoke the provisions of LA RS 38:301 (D) in order to provide rights-of-entry to the U.S. Army Corps of Engineers or its authorized agents to accomplish surveys, drillings and examinations required in connection with the construction of levees and flood protection; and

**WHEREAS**, in order to provide right-of-entry in a timely manner, SLFPA-E wishes to provide authority to its Regional Director and/or Director of Engineering to invoke the provisions of LA RS 38:301(D) on behalf of the SLFPA-E Board.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority - East authorizes the SLFPA-E Regional Director and/or the Director of Engineering to invoke the provisions of LA RS 38:301(D) and to grant right-of-entry to the U.S. Army Corps of Engineers and its authorized agents to accomplish surveys, drillings and examinations as provided in said statute required in connection with the construction of levees and flood protection, provided, however, if a property owner objects to the right-of-entry the Regional Director and/or Director of Engineering may at her/his discretion bring this matter to the Board.

**BE IT FURTHER RESOLVED**, that the SLFPA-E Regional Director and/or Director of Engineering are hereby authorized to sign any and all documents necessary to carry out the above.

**BE IT FURTHER RESOLVED**, that this resolution supersedes all prior resolutions of the Board delegating said authority.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 04-15-21-08 - SERVITUDES, DEEDS, RIGHTS-OF-ENTRY,  
AUTHORIZATIONS FOR AND RIGHTS OF ENTRY, AND RELATED DOCUMENTS  
FOR LPV PROJECTS**

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

**WHEREAS**, the U.S. Army Corps of Engineers (Corps) requires Authorization for and Right of Entry (AFRE) to certain properties on a timely basis for construction of the Lake Pontchartrain and Vicinity Hurricane Protection Project (the LPV project); and

**WHEREAS**, servitudes, other deeds, and rights-of-entry, and related documents, will be necessary to acquire the property rights required for construction of the LPV project; and

**WHEREAS**, in order to obtain the necessary servitudes, deeds, and rights-of-entry and to provide the necessary AFREs to the Corps in a timely manner, the Board of Commissioners of Southeast Louisiana Flood Protection Authority-East (SLFPA-E) wishes to provide authority to its President, Regional Director and/or Director of Engineering with respect to properties within the SFLPA-E's jurisdiction, to negotiate and execute the necessary servitudes, deeds, rights-of-entry, and AFREs

for the LPV projects, and all other documents necessary and appropriate in connection with the foregoing, as required; and

**WHEREAS**, SLFPA-E Counsel or the Office of the Attorney General will review the final form of the servitudes, deeds, rights-of-entry, AFREs, and other documents.

**BE IT HEREBY RESOLVED**, that the Board of Commissioners of SLFPA-E approves and authorizes its President, Regional Director and/or Director of Engineering with respect to properties within the SLFPA-E's jurisdiction, to negotiate and execute on behalf of the Board of Commissioners of SLFPA-E all servitudes, deeds, rights-of-entry, and AFREs for the LPV project, and all other documents necessary and appropriate in connection with the foregoing, as required, upon approval by SLFPA-E Counsel or the Office of the Attorney General; and such servitudes, deeds, rights-of-entry, AFREs, and other documents shall upon such execution be considered as acts of the Board of Commissioners of SLFPA-E.

**BE IT FURTHER RESOLVED**, that this resolution supersedes all prior resolutions of the Board delegating said authority.

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

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

NAYS: None

ABSENT: None

#### **RESOLUTION NO. 04-15-21-09 - REQUIREMENTS FOR ACQUISITION OF REAL PROPERTY, RIGHTS-OF-WAY, SERVITUDES AND OTHER REAL PROPERTY HOLDINGS**

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On the motion of Mr. Noel,

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority- East in the interest of the levee districts under its control must supervise the acquisition of Real Property, Rights-of-Way, Servitudes and other Real Property holdings; and

**WHEREAS**, the Southeast Louisiana Flood Protection Authority- East in the interest of the levee districts under its control must supervise the maintenance of Real Property, Rights-of-Way, Servitudes and other Real Property holdings; and

**WHEREAS**, the knowledge, certainty and permanence of the boundaries and limits of the of Real Property, Rights-of-Way, Servitudes and other Real Property holdings of the levee districts under the control of the Southeast Louisiana Flood Protection Authority- East is paramount to the rights and harmony of the public.

**BE IT HEREBY RESOLVED** that Acquisition of Real Property, Rights-of-Way, Servitudes and other Real Property holdings of the levee districts under the control of the Southeast Louisiana Flood Protection Authority- East shall conform to:

1. All Federal laws, rules and regulations, including but not limited to, Public Law 91-646 (The Uniform Relocation Assistance and Real Property Acquisition

Policies Act of 1970), The United States Code Titles 23, 42 and 49, The Code of Federal Regulations 23 Part 710 and 49 Part 24;

2. All applicable Laws, Statutes and Regulations of the State of Louisiana;

**BE IT FURTHER RESOLVED** that:

1. All surveys of Real Property, Rights-of-Way, Servitudes and other Real Property holdings of the levee districts, both new acquisitions and recovery of existing boundaries, shall be performed under the direction and responsible charge of a Louisiana Registered Professional Land Surveyor;
2. All such surveys and the survey plats thereof shall comply with LAC 46:LXI Chapter 29 "Minimum Standards for Property Boundary Surveys";
3. A Registered Professional Surveyor shall be deemed to have exercised Responsible Charge of a land boundary survey after having physically visited the parcel being surveyed and personally directed the survey personnel during the collection of data OR after having physically visited the parcel being surveyed and reviewed the field notes of that survey in conference with the survey technician that personally directed the collection of data.

No provision of this resolution shall prevent the SLFPA-E Regional Director or Director of Engineering from proceeding with emergency work or emergency projects, provided a report on the emergency work/project is presented at the first regular Board meeting following the initiation of the work.

**BE IT FURTHER RESOLVED**, that this resolution supersedes all prior resolutions of the Board regarding the aforementioned Acquisition of Real Property, Rights-of-Way, Servitudes and other Real Property holdings.

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

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

NAYS: None

ABSENT: None

**Motion to authorize the FPA Regional Director and/or the Director of Engineering, effective April 30, 2021, to approve the extension of a contract expiration date to accomplish the completion of the original tasks, without additional compensation or changing any of the other terms and conditions of the contract.**

The motion was deferred to next month's meeting.

**RESOLUTION NO. 04-15-21-10 - PROCUREMENT OF PROPERTY INSURANCE COVERAGE FOR THE PERMANENT CANAL CLOSURES AND PUMPS**

Mr. Noel advised that the Finance Committee discussed the renewal of the PCCP insurance coverage and recommended that the Board approve the renewal. The premium increased approximately 15 percent. The three percent named storm deductible was retained.



Mr. Morgan commented that when the FPA took over the PCCP about four years ago, a detailed process was used by himself, FPA staff and Arthur J. Gallagher to establish the coverage limits and deductibles after considering the potential risks. Mr. Boese advised that the renewal of the PCCP insurance coverage had been brought back to the Board each year due to the unique nature of the insurance and the structures.

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

**WHEREAS**, a Cooperative Endeavor Agreement (CEA) was entered into effective February 1, 2018 between the Coastal Protection and Restoration Authority, the Southeast Louisiana Flood Protection Authority-East (FPA) and the Sewerage and Water Board of New Orleans, which provides that the FPA would assume responsibility for the operation and maintenance (O&M) of the Permanent Canal Closures and Pumps (PCCP) located at the Orleans, London and 17<sup>th</sup> Street Canals; and

**WHEREAS**, the aforementioned CEA further sets forth the cost share obligations of the S&WB and FPA for the O&M of the PCCP; and

**WHEREAS**, the FPA by Resolution No. 05-21-20-02 authorized procurement of Property Insurance coverage for the PCCP for a one-year period ending on May 4, 2021; and

**WHEREAS**, a quote was provided by Starr Tech through the FPA's Agent of Record, Arthur J. Gallagher, for the renewal of the aforementioned coverage for a one-year period, effective May 4, 2021 and ending on May 4, 2022 at an annual cost of \$356,805 with a Limit of Insurance of \$129,620,000; and

**WHEREAS**, funding for the aforementioned insurance coverage is available in Budget Line Item Account 45400.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Property Insurance for the PCCP for a one-year period, commencing on May 4, 2021 and ending on May 4, 2022, from Starr Tech with a Limit of Insurance of \$129,620,000 at an annual cost of \$356,805.

**BE IT FURTHER RESOLVED**, that the Regional Director is hereby authorized to execute any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: None

## **RESOLUTION NO. 04-15-21-11 - EMERGENCY POWERS**

A motion was offered by Mr. Morgan, seconded by Mr. Hassinger and unanimously adopted, to amend the resolution to change "hurricane" to "tropical event". The resolution was updated to substitute Regional Director for Chief Administrative Officer.

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

**"A resolution to automatically grant emergency powers to the President of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) when a tropical event is within 1,000 miles of New Orleans."**

**WHEREAS**, the Board of Commissioners of the SLFPA-E, as the governing body of the East Jefferson, Lake Borgne Basin and Orleans Levee Districts, desires to automatically grant to the President of its Board certain emergency powers when a tropical event is within 1,000 miles of New Orleans; and

**WHEREAS**, those emergency powers shall include the power to authorize the expenditure or utilization of any levee district assets without prior authorization of the Board; the power to declare a state of emergency for the levee districts and rescind that declaration when it is no longer needed; and the authority to delegate to the Regional Director the power to authorize the expenditure or utilization of the levee districts' assets without prior authorization by the Board.

**BE IT HEREBY RESOLVED**, That the Southeast Louisiana Flood Protection Authority-East (FPA) hereby grants emergency powers to the President of its Board when a tropical event is within 1,000 miles of New Orleans.

**BE IT FURTHER RESOLVED**, That the granting of these powers occurs automatically, and without the need of further instrument or action, upon the occurrence of a tropical event within 1,000 miles of New Orleans.

**BE IT FURTHER RESOLVED**, That said emergency powers granted to the President shall include:

- 1) The power to authorize the expenditure or utilization of any levee district assets without prior authorization of the Board;
- 2) The power to declare a state of emergency for levee districts, as required to implement actions under the emergency operations plans and manuals previously adopted by the FPA and approved by the Board;
- 3) The power to rescind that declaration when it is no longer needed;
- 4) The authority to delegate the power to authorize the expenditure or utilization of the levee districts' assets without prior authorization by the Board, to the Regional Director, when the President determines conditions are such that an impending threat exists and immediate action is required.

**BE IT FURTHER RESOLVED**, That the President's delegation of authority to the Regional Director of the FPA is effective when the President, upon determining that

conditions are such that an impending threat exists and immediate action must be taken, communicates the delegation of authority to the Regional Director, regardless of how said communication occurs or by what means.

**BE IT FURTHER RESOLVED**, that this resolution supersedes all prior resolutions of the Board delegating said emergency powers.

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysam

NAYS: None

ABSENT: None

### **RESOLUTION NO. 04-15-21-12 - EMERGENCY POWERS**

Mr. Miller explained that the resolution before the Board came into play during the past year due to the COVID-19 pandemic and was updated to substitute Regional Director for Chief Administrative Officer.

On the motion of Mr. Morgan,

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

**“A resolution to automatically grant emergency powers to the President of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) when a State of Emergency has been declared by the Governor of Louisiana or the President of the United States that impacts the operations of the SLFPA-E.”**

**WHEREAS**, the Board of Commissioners of the SLFPA-E, as the governing body of the East Jefferson, Lake Borgne Basin and Orleans Levee Districts, desires to automatically grant to the President of its Board certain emergency powers when a State of Emergency has been declared by the Governor of Louisiana or the President of the United States that impacts the operations of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E): and

**WHEREAS**, those emergency powers shall include the power to authorize the expenditure or utilization of any levee district assets without prior authorization of the Board; the power to declare a state of emergency for the levee districts and rescind that declaration when it is no longer needed; the authority to delegate to the Regional Director of the SLFPA-E the power to authorize the expenditure or utilization of the levee districts' assets without prior authorization by the Board; and the authority to take steps necessary to protect the health and safety of the SLFPA-E employees.

**BE IT HEREBY RESOLVED**, That the Southeast Louisiana Flood Protection Authority-East hereby grants emergency powers to the President of its Board when a State of Emergency has been declared by the Governor of Louisiana or the President of the United States that impacts the operations of the SLFPA-E.

**BE IT FURTHER RESOLVED**, That the granting of these powers occurs automatically, and without the need of further instrument or action, upon the occurrence when a State of Emergency has been declared by the Governor of Louisiana or the President of the United States that impacts the operations of the SLFPA-E.

**BE IT FURTHER RESOLVED**, That said emergency powers granted to the President shall include:

- 1) The power to authorize the expenditure or utilization of any SLFPA-E assets without prior authorization of the Board;
- 2) The power to declare a state of emergency for the SLFPA-E, as required to implement actions under the emergency operations plans and manuals previously adopted by the FPA and approved by the Board;
- 3) The power to rescind that declaration when it is no longer needed;
- 4) The authority to delegate the power to authorize the expenditure or utilization of the levee districts' assets without prior authorization by the Board, to the Regional Director of the SLFPA-E, when the President determines conditions are such that an impending threat exists and immediate action is required.
- 5) The power to take steps necessary to protect the health and safety of the SLFPA-E employees.

**BE IT FURTHER RESOLVED**, That the President's delegation of authority to the Regional Director of the SLFPA-E is effective when the President, upon determining that conditions are such that an impending threat exists and immediate action must be taken, communicates the delegation of authority to the Regional Director by whatever means.

**BE IT FURTHER RESOLVED**, That the President notify the other members of the Board of Commissioners of his actions by email, text message, or other written means delivered within 24 hours of taking such action.

**BE IT FURTHER RESOLVED**, that this resolution supersedes all prior resolutions of the Board delegating said emergency powers.

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

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

NAYS: None

ABSENT: None

#### **RESOLUTION NO. 04-15-21-13 - RETENTION OF ROBERT HALF MANAGEMENT SERVICES TO PROVIDE FINANCIAL CONSULTING SUPPORT**

Mr. Noel explained that after he was elected Treasurer, he met with Ms. Chandler to understand the immensity of the FPA's operations and the responsibilities of the Regional Finance Director. He stated that Ms. Chandler would not be able to fulfill the roles of Regional Director and Regional Finance Director at the same time and would

need assistance until a replacement is selected to fill the position of Regional Finance Director. Therefore, there was a discussion regarding retaining Robert Half Management Services to provide at least two individuals on an hourly rate basis with a budget of \$185,000 for a six-month period, commencing May 1<sup>st</sup> and ending October 30<sup>th</sup>, to ensure that the transition takes place in an appropriate manner. During the Finance Committee's discussion, Executive Counsel was asked to ensure that the FPA has the ability to hire the individuals provided through the firm after they receive training. The Finance Committee recommended that the Board approve the retention of Robert Half Management Services.

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

**WHEREAS**, the Regional Finance Director of the Southeast Louisiana Flood Protection Authority-East (FPA) has been appointed to the position of Regional Director replacing and assuming all the duties and responsibilities of the former Chief Administrative Officer; and

**WHEREAS**, the FPA wishes to retain the services of Robert Half Management Services to provide Financial Consulting Support during the upcoming transition period; and

**WHEREAS**, the service of two individuals will be provided under the proposed contract: a comptroller at a rate of \$110 per hour and a Senior Accountant at a rate of \$80 per hour.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the retention of Robert Half Management Services to provide Financial Consulting Support for a period not to exceed six months and at a cost not to exceed \$185,000.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, and in her absence the Director of Engineering, is hereby authorized to execute a contract with Robert Half Management Services as provided herein, and any and all documents necessary to accomplish the above.

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Morgan,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

#### **RESOLUTION NO. 04-15-21-14 - AWARD OF CONTRACT FOR OPERATIONS FACILITY SIGNAGE**

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Mr. Morgan explained that the proposed signage was designed for the PCCP and Complex Structures to assist emergency personnel with finding the facilities.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) received bids on April 7, 2021, for Operations Facility Signage (OLD Project No. O8300016); and

**WHEREAS**, the project includes the construction and installation of a total of eight wayfinding/address signs for the three Permanent Canal Closures and Pumps (PCCP) Stations and five Select Complex Structures, 7-ft. by 3-ft. in area, unlighted, of primarily aluminum and polycarbonate construction, and displaying the FPA Logo along with the address of the site; and

**WHEREAS**, all signs are designed to withstand 150 MPH wind loads and two of the PCCP signs will be designed to withstand wave action; and

**WHEREAS**, the bids were by invitation only, in accordance with R.S. 38:2212(C)(1) where the contract limit was not expected to exceed two hundred fifty thousand dollars (\$250,000.00); and

**WHEREAS**, a total of four (4) bidders were invited to participate in the bidding; and

**WHEREAS**, the bids for the project are as follows:

<b>Bidding Contractors</b>	<b>Total Base Bid Price</b>
Coogan & Coogan, Inc.	\$149,625.00
J.W. Super Signs	\$152,550.00
Binary Signs	\$156,000.00
American Sign	No Response

**WHEREAS**, the lowest responsive and responsible bid was submitted by Coogan & Coogan, Inc., in the amount of \$149,625.00; and

**WHEREAS**, funding for the project is included in FY22 Budget Line Item O8300012.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East authorizes the award of a contract in the amount of \$149,625.00 to Coogan & Coogan, Inc., for the Operations Facility Signage Project.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute the above mentioned contract, 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. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Morgan,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

**RESOLUTION NO. 04-15-21-15 - AWARD OF CONTRACT FOR THE LBBLD PUMP STATION 5 BRIDGE AND STATION REPAIR PROJECT**

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Mr. Morgan explained that the money for the repairs will come from the funds being provided by the CPRA to upgrade and improve the pump stations for safety reasons. The repair project is one of the projects included in the engineering study that determined the highest priority projects. The Operations Committee recommended that the Board approve the award of the contract to Gills Crane and Dozer Service, Inc.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) received bids on April 7, 2021, for the Lake Borgne Basin Levee District (LBBLD) Pump Station 5 Bridge and Station Repairs (LBBLD Project No. L8200026); and

**WHEREAS**, the aforementioned project addresses improvements that are needed and were identified in the August 3, 2020 intergovernmental agreement between the Coastal Protection and Restoration Authority (CPRA) and the FPA; and

**WHEREAS**, the bids were by invitation only, in accordance with R.S. 38:2212(C)(1) where the contract limit was not expected to exceed two hundred fifty thousand dollars (\$250,000.00); and

**WHEREAS**, a total of five (5) bidders were invited to participate in the bidding; and

**WHEREAS**, the bids for the project are as follows:

<b>Bidding Contractors</b>	<b>Total Base Bid Price</b>
Gill's Crane and Dozer Service, Inc.	\$217,500.00
Fleming Construction Company, LLC	\$342,090.00
Kort's Construction Service, Inc.	No Bid
Durr Heavy Construction, LLC	No Response
Kass Bros., Inc.	No Response

**WHEREAS**, the lowest responsive and responsible bid was submitted by Gill's Crane and Dozer Service, Inc., in the amount of \$217,500.00; and

**WHEREAS**, funding for the project is included in FY2022 Budget Line Item L8200022; and

**WHEREAS**, reimbursement for costs associated with the project is provided by the August 3, 2020 intergovernmental agreement between the CPRA and the FPA.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East authorizes the award of a contract in the amount of \$217,500.00 to Gill's Crane and Dozer Service, Inc., for the LBBLD Pump Station 5 Bridge and Station Repairs.

**BE IT HEREBY RESOLVED**, that this resolution certifies that bids were received in compliance with Louisiana Public Bid Law requirements.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute the above mentioned contract, 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. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Morgan,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

**RESOLUTION NO. 04-15-21-16 - AWARD OF CONTRACT FOR THE PCCP  
BULK TANK OFFLOADING SYSTEM**

---

Mr. Morgan explained that he recommended implementation of the proposed project about three years ago. Fuel stored at the PCCP has a limited life span. Offloading fuel for use by other FPA facilities or for other purposes allows refreshment of the PCCP fuel. He noted that the bid submitted by Lou-Con, Inc. was much lower than the other bid. Mr. Morgan abstained from the vote due a past relationship with Lou-Con, Inc.

On the motion of Mr. Morgan,

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) received bids on April 7, 2021, for the Permanent Canal Closures and Pumps (PCCP) Bulk Tank Offloading System (OLD Project No. O8210016); and

**WHEREAS**, bulk fuel storage at the PCCP allows the stations to run at full capacity for a period of roughly five days, with each station having from 80k gallons to 300k of fuel; and

**WHEREAS**, the aforementioned project provides a means to offload fuel from the PCCP stations' bulk storage tanks for use at other facilities with higher demand applications within FPA so that a greater amount of the fuel can be replenished for the PCCP; and

**WHEREAS**, the bids were by invitation only, in accordance with R.S. 38:2212(C)(1) where the contract limit was not expected to exceed two hundred fifty thousand dollars (\$250,000.00); and

**WHEREAS**, a total of five (5) bidders were invited to participate in the bidding; and

**WHEREAS**, the bids for the project are as follows:

<b>Bidding Contractors</b>	<b>Total Base Bid Price</b>
Lou-Con, Inc.	\$195,900.00
Centric Gulf Coast, Inc.	\$325,000.00
ARC Mechanical	No Response
C.T. Traina, Inc.	No Response
Bernhard MCC	No Response



**WHEREAS**, the lowest responsive and responsible bid was submitted by Lou-Con, Inc., in the amount of \$195,900.00; and

**WHEREAS**, funding for the project is included in FY22 Budget Line Item O8210012.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East authorizes the award of a contract in the amount of \$195,900.00 to Lou-Con, Inc., for the PCCP Bulk Tank Offloading System.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute the above mentioned contract, 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. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

ABSTAINED: Mr. Morgan

**RESOLUTION NO. 04-15-21-17 - AWARD OF A CONTRACT FOR THE LANDSIDE RUNOFF CONTROL IMPROVEMENTS – REACHES 2-5 JEFFERSON PARISH LAKEFRONT LEVEE PROJECT**

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Mr. Morgan explained that the Reach 1 Landside Runoff Control Improvements Project was completed. The project for Reaches 2 thru 5 was bid and the lowest bid was submitted by Shavers-Whittle Construction, LLC. He noted that Shavers-Whittle Construction, LLC, performed work in the past for the FPA and has a good reputation. The Operations Committee recommended that the Board approve the award of the contract to Shavers-Whittle Construction, LLC.

On the motion of Mr. Morgan,

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

**WHEREAS**, the Landside Runoff Control Improvements – Reaches 2-5 Jefferson Parish Lakefront Levee Project (EJLD Project No. E2780076) was advertised and four bids were opened on April 8, 2021, as follows:

<b>Bidding Contractors</b>	<b>Total Base Bid Price</b>
Shavers-Whittle Construction, LLC	\$321,416.50
Durr Heavy Construction, LLC	\$325,826.44
River/Road Construction, Inc.	\$384,470.00
Cycle Construction Company, LLC	\$397,012.50

**WHEREAS**, the lowest responsive and responsible bid was submitted by Shavers-Whittle Construction, LLC, in the amount of \$321,416.50; and

**WHEREAS**, the Engineering Estimate for the project is \$355,589.85; and

**WHEREAS**, funding for the project is included in Budget Line Item BPROF003 and BPROF004.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East (FPA) authorizes the award of a contract in the amount of \$321,416.50 to Shavers-Whittle Construction, LLC, for the Landside Runoff Control Improvements – Reaches 2-5 Jefferson Parish Lakefront Levee Project.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute the above mentioned contract with Shavers-Whittle Construction, LLC, 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. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Morgan,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

#### **RESOLUTION NO. 04-15-21-18 - PILOT STUDY FOR A POTENTIAL REPAIR AND RESTORATION PROCEDURE FOR THE NEW ORLEANS LAKEFRONT SEAWALL STEPS**

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Mr. Morgan advised that that the Operations Committee discussed the proposed pilot study. Several pilot studies would be accomplished in order to determine the most effective method for restoring the five miles of seawall steps. Mr. Noel requested that the FPA ensure that the method used for restoring the seawall steps does not end up making the steps slippery. Chris Humphreys, Director of Engineering, responded that staff had taken this issue into consideration and part of the pilot study is the evaluation of the best techniques to address it. Certain areas may have to be dewatered and blasting used to clean the steps. He pointed out that a reusable form system would be developed as part of the pilot study for use along the five miles of lakefront.

On the motion of Mr. Morgan,

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

**WHEREAS**, in 1928, the State of Louisiana authorized the Board of Commissioners of the Orleans Levee District to construct the seawall located along the New Orleans lakefront for flood protection; and

**WHEREAS**, construction took place in the 1930's and when complete, the top of the seawall (level of flood protection) was approximately elevation 9.0; and

**WHEREAS**, the 5.5 miles of seawall dissipates wave action and surge from Lake Pontchartrain providing frontal protection for the Hurricane and Storm Damage Risk Reduction System levee constructed parallel to the seawall, as well as Lakeshore Drive, which serves as a hurricane evacuation route and maintenance corridor; and

**WHEREAS**, the seawall steps are in need of rehabilitation due to the 90+ years of exposure to wave action, settlement and rising lake levels; and

**WHEREAS**, Python Corporation provided a proposal for a Pilot Study to evaluate a potential repair and restoration procedure for the New Orleans Lakefront Seawall Steps at a cost of \$140,000; and

**WHEREAS**, funding for the aforementioned pilot study is included in Budget Line Item BPROJ060.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East (FPA) approves the execution of a contract with Python Corporation for a Pilot Study to evaluate a potential repair and restoration procedure for the New Orleans Lakefront Seawall Steps at a cost of \$140,000.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute said contract with Python Corporation, 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. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Morgan,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

#### **RESOLUTION NO. 04-15-21-19 - INTERGOVERNMENTAL AGREEMENT WITH JEFFERSON PARISH**

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Mr. Morgan advised that the Operations Committee discussed the proposed Intergovernmental Agreement with Jefferson Parish. The FPA must maintain the jetty adjacent to the 17<sup>th</sup> Street PCCP to an elevation of 6-feet. The FPA would be taking advantage of Jefferson Parish's construction of a berm by allowing the jetty's maintenance lift to be accomplished at the same time. The FPA would reimburse Jefferson Parish up to \$100,000 for the work. The agreement also provides for the FPA to provide \$278,500 towards the modeling, engineering and construction of the Lake Villa Pond Hydrologic Enhancement Project.

On the motion of Mr. Morgan,

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) wishes to enter into an Intergovernmental Agreement with Jefferson Parish (PARISH) for the construction of the Lake Villa Pond Hydrologic Enhancement Project and a rip-rap maintenance lift to raise the 17<sup>th</sup> Street Permanent Canal Closure and Pumps (PCCP) Training Berm; and

**WHEREAS**, the aforementioned projects will benefit both the FPA and the PARISH; and

**WHEREAS**, Art. VII, Sec 14(C) of the Louisiana Constitution of 1974 provides that, for a public purpose, the State and its political subdivisions or political corporations

may engage in cooperative endeavors with each other or with any other private association, corporation or individuals; and

**WHEREAS**, La. R.S. 33:1324, the Local Services Law, and R.S. 38:330.2(B) additionally provides that parishes, including the PARISH, and political subdivisions of the State, including the FPA, may agree to engage jointly in the construction, acquisition or improvement of any public project; and

**WHEREAS**, the FPA will provide the PARISH with \$278,500 for the modeling, engineering and construction of the Lake Villa Pond Hydrologic Enhancement Project and 50 percent of the cost, up to \$100,000, for the construction of a maintenance lift to the existing 17<sup>th</sup> Street PCCP Station Training Berm; and

**WHEREAS**, funding for the aforementioned projects is provided in Budget Line Item BPROF012.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the Intergovernmental Agreement (IGA) between the FPA and Jefferson Parish for the construction of the Lake Villa Pond Hydrologic Enhancement Project and a rip-rap maintenance lift to raise the 17<sup>th</sup> Street Permanent Canal Closure and Pumps Training Berm.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute aforementioned IGA.

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Joanen, Mr. Latiolais, Mr. Morgan,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: Mr. Hassinger

The next regular monthly meeting of the Board will be held on May 20, 2021, at the Joseph Yenni Building, Second Floor Council Chambers, 1221 Elmwood Park Boulevard, Jefferson, LA.

There was no further business; therefore, the meeting was adjourned at 12:15 p.m.