

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, SEPTEMBER 19, 2019**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on September 19, 2019, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, New Orleans, 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. Morgan called the roll and a quorum was present:

PRESENT:

Herbert I. Miller, President
Mark L. Morgan, Vice President
Clay A. Cosse, Secretary
Quentin D. Dastugue, Treasurer
Lambert J. Hassinger, Jr.
Jason P. Latiolais
K. Randall Noel

ABSENT:

Andrew J. Englande, Jr.
Herbert T. Weysham, III

ADOPTION OF AGENDA:

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

**RESOLUTION NO. 09-19-19-01 - APPROVAL OF AUGUST 15, 2019
BOARD MEETING MINUTES**

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 August 15, 2019.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Latiolais, Mr. Morgan and
Mr. Noel

NAYS: None

ABSENT: Mr. Englande and Mr. Weysham

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Miller explained that the Board was recognizing Sgt. Bedou, who was selected as Police Employee of the Month for June, at this time since he was unable to attend the Board meeting in June because he was on military leave in Germany and in July he was on military duty for Hurricane Barry response.

Alvin J. Bedou Sr. is a Police Sergeant with the Orleans Levee District Police Department (OLDPD) on "A Platoon". Sgt. Bedou was nominated by his colleagues for his professionalism as a law enforcement officer, his leadership, and his dedication to the FPA and the officers he commands. Sgt. Bedou always demonstrates on and off duty the professionalism of the OLDPD. He also serves in the Louisiana Army National Guard serving our country as a Sergeant.

On May 5, 2019, Sgt. Bedou was flagged down while on patrol in the 5400 block of Lakeshore Drive near the Seabrook Boat ramp area and was advised by a frantic citizen about a possible Sexual Battery which had just occurred minutes before he arrived in the area. Sgt. Bedou's swift action in apprehending the suspect led to an immediate identification of the assailant. During this time, he ensured the safety of all witnesses and the victim of this villainous crime. This is a shining example of the type of service the public deserves.

Sgt. Bedou exemplifies the values of the FPA and is an exceptional asset to the FPA, the OLDPD and the public that we serve.

Mr. Miller presented a Certificate of Commendation to Sgt. Bedou and thanked him for his commitment and outstanding service.

Mr. Miller advised that the Board was recognizing Sgt. Gary Lerouge, who was selected as the Police Employee of the Month for August, at this time since he was unable to attend the Board meeting in August. Sgt. Lerouge was nominated by his colleagues for his demonstration of leadership, incredibly positive attitude even in difficult times, teamwork and professionalism.

Gary Lerouge is a Police Sergeant A with the East Jefferson Levee District Police (EJLDPD). Sgt. Lerouge has displayed leadership beyond words during the last couple of months. While dealing with a serious medical diagnosis, he continued to demonstrate his tremendous value to the FPA by working on various projects, including a Port Security Grant and NIMS and AARP training while being on light duty status. After having to be off duty, he is always ready to return to work. His upbeat personality is contagious to all who are around him.

Sgt. Lerouge has invested many hours training to become a NIMS instructor and not only conducts the FPA's in house NIMS training, but does it incredibly well.

Sgt. Lerouge's passion and drive is greatly admired by all those around him and he is well known by his colleagues for his determination, perseverance and positive "can do" attitude. He has shown inner strength second to none and exemplifies the courage,

fortitude and resilience needed to overcome any obstacle. Sgt. Lerouge epitomizes the values of the FPA. He is a tremendous asset to the FPA and the EJLDPD and an incredible example to all FPA team members.

Mr. Miller presented a Certificate of Commendation to Sgt. Lerouge and thanked him for his commitment and outstanding service.

The Board recognized Officer Eddie Freeman as the Police Employee of the Month for September.

Eddie Freeman is a Police Officer 2A with the OLDPD. He was nominated by his colleagues and selected as the Police Officer of the Month for September due to his professionalism as a law enforcement officer and his dedication to duty and service to the public.

On August 27, 2019, Officer Freeman received the Medal of Commendation from New Orleans Police Department (NOPD) Superintendent Shaun Ferguson. Officer Freeman received this prestigious award for his involvement in the arrest of two armed robbery suspects that took place on October 7, 2018. In this case, the Dollar General Store located on Gentilly Boulevard was robbed at gunpoint by two suspects. Officer Freeman responded to assist NOPD Officers and was able to apprehend one of the suspects at Gentilly Boulevard and Chef Menteur Highway. While the suspect attempted to flee, he discarded a black back pack containing \$2,000 in stolen currency, a handgun, gloves, bandana and two hooded sweatshirts.

In another situation, on August 8, 2019, an automobile was stolen from the Lakeview neighborhood, which had been plagued with automobile thefts and burglaries for months on end. On August 21st NOPD Officers observed the stolen vehicle fleeing near Franklin Avenue and Lombard Street and requested the assistance of the OLDPD. NOPD and OLDPD Police Officers were able to locate the vehicle, which had fled to a University of New Orleans parking garage. The perpetrator fled from the vehicle running on foot, and after a multi-jurisdictional search, including a NOPD canine unit, the suspect eluded capture. Hours later, Officer Freeman observed the suspect fitting the description in the 6900 block of Franklin Avenue. Officer Freeman pursued the suspect, who was running on foot, and was able to make a successful apprehension in the 2000 block of Lakeshore Drive. The suspect was wanted in connection with multiple auto burglaries in the New Orleans area.

Officer Freeman has been commended for his exemplary performance and dedication to duty in both of these investigations. Officer Freeman is from Mobile, AL, and retired from the U.S. Coast Guard as a Coast Guard Criminal Investigator. He has 12 years of law enforcement experience, in which the last three have been served with the OLDPD. Officer Freeman is also a Master Electrician.

Officer Freeman is an outstanding example of the OLDPD's professionalism and commitment to the FPA's mission. His willingness to go above and beyond make him a valuable asset to the FPA, the law enforcement community and the public.

Mr. Miller presented a Certificate of Commendation to Officer Freeman and thanked him for his commitment and outstanding service. Police Superintendent Kerry Najolia also presented Officer Freeman with a Certificate of Commendation from the OLDPD for his professionalism as a law enforcement officer and service to the public in these two incidents.

Mr. Miller advised that this month the Board is recognizing dual Employees of the Month. The Board recognized Remington Kreitzer and Joe Bailey as the Employees of the Month for September.

Remington Kreitzer and Joe Bailey are both Mechanics 3 in the East Jefferson Levee District (EJLD) Mechanics Shop. Mr. Kreitzer and Mr. Bailey were nominated and selected because of the phenomenal job they have done under difficult circumstances. Four mechanic positions are assigned to the EJLD Mechanics Shop and currently there are two vacancies. Mr. Kreitzer and Mr. Bailey have done the jobs of four mechanics working on the maintenance fleet, heavy equipment and police fleet, as well as doing service calls on equipment that breaks down while out in the field.

Captain Terry Durnin expressed the EJLD Police Department's sincerest appreciation and thanks for all of the work that Mr. Kreitzer and Mr. Bailey have done for the Department during difficult times. He advised that every morning they ask whether the Police need anything and update him on the status of the EJLDPD's vehicles.

Mr. Kreitzer and Mr. Bailey not only exemplify all of the FPA's core values, but go far beyond with their hard work, dedication and sincerity, and are an inspiration and example to their colleagues. Their hard work and willingness to go above and beyond make them critical to the success of the FPA and its flood protection mission.

Mr. Miller presented Certificates of Commendation to Remington Kreitzer and Joe Bailey and thanked them for their hard work and dedication to the FPA.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Mr. Miller advised that Derek Boese, Chief Administrative Officer, Michelle White, Executive Counsel, and Kelli Chandler, Regional Finance Director, have been working diligently with their counterparts in St. Bernard Parish Government (SBPG) on the turnover of the pumping and drainage system in St. Bernard Parish. The turnover seems to be going very well and very good reports have been received from FPA staff regarding the cooperation received from SBPG.

PUBLIC COMMENTS:

Roy Arrigo stated that in 2006 the restructuring of levee boards took place in part because the Orleans Levee Board in meetings discussed non-flood protection assets, such as Lakefront Airport and the marinas, instead of flood protection. In January, 2007, the FPA Board was sworn in. He stated that he has been attending FPA meetings since 2007 and that the discussions have gone from marinas and airports to discussions about St. Bernard, which have dominated the Board since it was formed.

He stated that in the past few days he had spoken to Guy McInnis, St. Bernard Parish President, and Chip Kline, Coastal Protection and Restoration Authority (CPRA) Chairman, and he feels that a solution is brewing. He stated that President McInnis supports, as a solution to this issue, separating St. Bernard from the Flood Protection Authority. He explained that the FPA was originally created with seven parishes in its jurisdiction and that three parishes have been removed. He stated that Mr. Kline was supportive of this solution with some conditions; i.e., basically, he did not want to see things go back to the way they were. Mr. Arrigo asked that the Board seriously consider seeking, pursuing and supporting legislation in the next Legislative session that would separate St. Bernard from the FPA. He added that he thought this would be good for all parties involved.

COMMITTEE REPORTS:

Finance Committee: Mr. Dastugue reported that the Finance Committee met prior to the Board meeting and considered the two items on its agenda. The Committee decided to hold a Special Finance Committee meeting prior to the next Board meeting to discuss the assessment of millage rates for the Orleans Levee District for calendar year 2020. Finance staff will generate data for the special meeting relative to millage rates, revenues and options for moving forward. The Committee also discussed the proposed Cooperative Endeavor Agreement (CEA) with SBPG for the temporary assignment of employees and recommended that the Board approve the CEA.

Operations Committee: Mr. Morgan reported that the Operations Committee met prior to the Board meeting and considered the two items on its agenda. The Committee discussed the projects for which applications will be submitted for funding from the Capital Outlay Program and recommended that the Board approve the funding requests. The Committee also discussed the bids submitted for the Tree Trimming and Root Pruning Project for Reach 3A of the O.L.D. Lakefront Levee and recommended that the Board approve the award of the contract to Twin Shores Landscape and Construction Services, Inc.

REPORT BY CHIEF ADMINISTRATIVE OFFICER:

Mr. Boese reviewed the highlights of his report:

- High River/Hurricane Preparedness – No significant issues were discovered during the post-high river inspections. FPA staff participated in a U.S. Army Corps of Engineers (USACE) led After Action Review (AAR) on September 12th, along with participants from the FPA-West, CPRA and Pontchartrain Levee District. Participants discussed things that should be sustained, things that could be improved and lessons learned. Sandbags used during Hurricane Barry have been replenished. Preliminary preparations were made for Hurricane Dorian based on early predictions. The FPA is continuing to monitor tropical activity.
- Lake Borgne Basin Levee District (LBBLD) Pump Station turnover to SBPG – The turnover has been positive and is on track to meet or precede the January 1st deadline. Mr. Boese met twice with SBPG CAO Ronald J. Alonzo, Jr. The

two CAO's will continue to meet about every two weeks. Ms. Chandler will meet tomorrow with the SBPG Finance Director. Significant progress has been made concerning property and right-of-way identification, which is over two-thirds complete with no issues anticipated at this time. The FPA's Executive Counsel created a draft CEA, which is being reviewed by SBPG, for the transition of immovable property. The FEMA Projects for LBBLD pump station repairs are scheduled for completion prior to January 1st. FPA and SBPG Human Resource (HR) staff members will meet next week with the seven LBBLD pump station operators to discuss the available options, which include remaining with the FPA in a different role and retiring with the opportunity for employment with SGPG. A deadline will be put in place for the employees' decisions in order to allow sufficient time for SBPG to have staffing in place for the turnover. A motion to approve the proposed CEA for the temporary assignment of employees has been placed under New Business. The FPA budgeted for eight pump station operator positions. Seven are filled and one is vacant. Since the transition will take place soon, the proposed CEA would allow SBPG to hire a person to fill the vacancy and for the FPA to reimburse SBPG for the person's salary and benefits until the transition is completed. The proposed CEA would fill the public safety need and begin the transition. SBPG must create the pump station operator positions with its Personnel Board and obtain approval from the St. Bernard Parish Council prior to hiring personnel.

- Engineering – Submittals in response to the Request for Qualifications for the Airport Floodwall Engineering Study are due tomorrow. The panel to review the submittals is being finalized. Primavera/P6 Project Management is anticipated to go live in October. Engineering staff is currently uploading projects to the software. The current estimate for the repairs to the foreshore erosion along the East Jefferson Lakefront Levee is \$30 million. A request will be submitted for Capital Outlay Program funding in the amount of \$10.5 million for repairs to Reach 1. The FPA is in discussions with the USACE and CPRA regarding design and construction questions related to the foreshore erosion repairs. The repairs will also be a part of the USACE's 2023 study. An effort has been initiated for the development of a programmatic long-term Operations and Maintenance (O&M) cost estimate (at least 50 years out) for the Hurricane and Storm Damage Risk Reduction System (HSDRRS) to assist the FPA with budgeting and planning. The 2011 Rand study of O&M costs did not include a number of issues and changes have taken place since the study was done. The Notification of Construction Completion letter was received from the USACE for the improvements constructed to address the Bellaire Drive seepage issue. The FPA is still waiting for the USACE to finalize and provide potential restrictions for the lots located within the subject area. All of the new Indefinite Delivery-Indefinite Quantity contracts have been executed. The first FPA in-house drone test was done on the Violet Canal project.

- Facilities – The renovation of the Franklin Avenue Complex is nearing completion and staff is anticipated to move into the new offices next week. The Port Security Grant cameras were installed prior to the August 30th deadline. A meeting was held with the Department of Homeland Security and the City of New Orleans concerning standardizing camera requirements. The FPA’s security initiative is continuing to move forward.
- HR/Employee Services – Civil Service personnel toured the FPA’s facilities and operations. The tour proved to be very beneficial providing the Civil Service staff with a better understanding of the organization and the FPA’s mission. The annual performance reviews have been completed and planning reviews will be completed by September 30th. The Maintenance Regional Reorganization was approved by Civil Service and goes into effect on October 7th. Employees were briefed concerning the regionalization concept at the monthly safety meetings. The reorganization allowed the creation of a number of new positions that were needed and will open up opportunities for employees. The first round of Sexual Harassment Training for Supervisors and Levee Inspector training have been completed. Ethics and Sexual Harassment Prevention training must be completed by all employees and Commissioners by December 31st.
- Public Outreach – The FPA is continuing outreach to local stakeholders and organizations. FPA staff conducted a tour for the Assistant Secretary of the Army for Civil Works and representatives from the City of Charleston. A briefing was provided to the Old Kenner Civic Association. Details are being finalized for FPA Engineering staff to brief UNO’s engineering staff at their monthly meeting in October. EJLD Police will hold an Open House for the neighborhood at the new EJLD complex on October 15th. O.L.D. Police will participate in the Night Out Against Crime at their Lake Vista location.

Mr. Miller noted that the FPA’s use of drones resulted from a subcommittee meeting chaired by Mr. Dastugue for the investigation of new technologies. Mr. Boese advised that the FPA currently has two drones. Three FPA employees have been certified as drone operators. The drones are currently being used to provide aerial photos of on-going projects and to help inspect the system. The utilization of drones will be expanded as the FPA becomes more familiar with the technology.

NEW BUSINESS:

Motion to designate the location of the official domicile of the Southeast Louisiana Flood Protection Authority-East at the Franklin Avenue Complex, 6920 Franklin Avenue, New Orleans, Louisiana 70122, effective September 19, 2019.

A motion to relocate the FPA’s official domicile from the Lakefront Airport Terminal to the Franklin Avenue Complex was offered by Mr. Hassinger and seconded by Mr. Morgan for discussion.

Mr. Morgan inquired about official notifications relative to the relocation of the official domicile. Mr. Boese explained that a majority of FPA's administrative activities are already taking place at the Franklin Avenue complex. Mr. Hassinger inquired about the possibility of relocating the FPA's official domicile to the EJLD consolidated facility.

Mr. Hassinger offered a motion to defer the motion on the floor for one month, which was seconded by Mr. Morgan and unanimously adopted.

Mr. Miller requested that Agenda Item XII A.2 relative to the legal services of Burglass and Tankersley be deferred until after the Executive Session. A motion was offered, seconded and unanimously adopted to defer the item as requested.

RESOLUTION NO. 09-19-19-02 - APPROVING A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST, LAKE BORGNE BASIN LEVEE DISTRICT, AND ST. BERNARD PARISH GOVERNMENT

Mr. Miller advised that the FPA budgeted funding for the LBBLD pump station operator positions. The proposed CEA would allow the FPA to reimburse SBPG for the salary and benefits for individuals hired to fill vacancies in these positions during the transition period. Mr. Morgan noted that the Finance Committee recommended that the Board approve the proposed CEA.

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

WHEREAS, pursuant to Article 7, Section 14(C) of the Louisiana Constitution of 1974, and related statutes, the Board may enter into cooperative endeavors with the State of Louisiana, its political subdivisions and corporations, the United States and its agencies, and any public or private corporation, association, or individual with regard to cooperative financing and other economic development activities, the procurement and development of immovable property, joint planning and implementation of public works, the joint use of facilities, joint research and program implementation activities, joint funding initiatives, and other similar activities in support of public education, community development, housing rehabilitation, economic growth, and other public purposes; and

WHEREAS, on July 18, 2019, the Southeast Louisiana Flood Protection Authority – East Board of Commissioners (“Board” or “SLFPAE”) adopted Resolution No. 07-18-19-07 approving the transfer all of interior drainage and pumping responsibilities in St. Bernard Parish (“Parish”) from Lake Borgne Basin Levee District (“LBBLD”) to the Parish, along with all of movable and immovable property necessary and useful to this purpose, while reserving such property rights as are necessary for continuing to perform the primary responsibility of operating and maintaining the perimeter flood defense system; and

WHEREAS, on August 5, 2019, the St. Bernard Parish Council (“Council” or “SBPC”) adopted Resolution No. SBPC #1966-08-19, adopting an agreement to terms of the permanent transfer of all interior drainage and pumping functions from

Lake Borgne Levee District to St. Bernard Parish Government; and

WHEREAS, SLFPAE and SBPC, collectively referred to as “the Parties” herein, agreed, in their respective resolutions, identified above, to effectuate the permanent transfer of interior drainage and pumping in St. Bernard Parish on or before January 1, 2020; and

WHEREAS, the Parties recognize that certain employees of SLFPAE or LBBLD have expertise that would be beneficial to the Parish in performing the interior drainage and pumping responsibility transferred to the Parish hereby; and

WHEREAS, to the extent that any such employee(s) and the Parish are agreeable thereto, the Parish may hire any employee of SLFPAE with expertise regarding interior drainage and pumping in St. Bernard Parish, and SLFPAE and the Parish will use their best efforts to enable the transfer such employee(s) from SLFPAE to the Parish; and

WHEREAS, operation of the interior drainage and pumping responsibilities prior to completion of the transfer from LBBLD to the Parish on or before January 1, 2020, may require the employment of two or more additional persons; and

WHEREAS, recognizing the difficulty which may be encountered by SLFPAE hiring new employees with less than three months before the transfer of interior drainage and pumping responsibilities and as work is underway to arrange for the hiring of SLPAE employees at LBBLD by the Parish, the Parties agree that new employees should be vetted and hired by the Parish; and

WHEREAS, funding for the aforementioned wages are budgeted in the Salaries, Regular line item for LBBLD

WHEREAS, SLFPAE is agreeable to reimbursing the Parish for the wages paid to employees hired by the Parish to work at LBBLD with duties relating to the interior drainage and pumping responsibilities prior to the transfer from LBBLD to the Parish through the completion of the transfer, in accordance with the terms of a Cooperative Endeavor Agreement (“CEA”) to be confected between the Parties, and therefore

BE IT HEREBY RESOLVED, that the Board approves the execution of a CEA providing for the reimbursement of wages for employees hired by St. Bernard Parish to work at LBBLD with duties relating to the interior drainage and pumping responsibilities prior to the transfer from LBBLD to the Parish through the completion of the transfer.

BE IT FURTHER RESOLVED, that the SLFPAE Chief Administrative Officer is hereby authorized to sign the aforementioned CEA with St. Bernard Parish, and any and all other documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Latiolais, Mr. Morgan and
Mr. Noel

NAYS: None

ABSENT: Mr. Englande and Mr. Weysham

Mr. Miller recommended that the four motions for approval of funding requests from the Capital Outlay Program (COP) for FPA, EJLD, LBBLD and O.L.D. projects for Fiscal Year 2020-2021 be taken together. Mr. Morgan requested that a technical correction be made to the draft resolution authorizing the FPA's funding request to insert the words "public safety" and delete the word "mechanic" in the project description. There was no objection to the technical correction. A motion was offered by Mr. Morgan, seconded by Mr. Hassinger and unanimously adopted, to consider the four motions in globo.

Wilma Heaton, Director of Governmental Affairs, explained that the adoption of the resolutions authorizing the funding requests is the first step in the process. Applications along with letters of support from the respective House Representative and Senator must be electronically submitted by November 1st. The FPA's practice has been to obtain letters of support from every legislator in the parish in which a proposed project is located. Mr. Boese advised that the projects for which funding is being requested are unbudgeted and are at the top of the priority list in terms of staff's recommendations. Funding requests have been made in multiple years for some of the projects.

Ms. Heaton advised that there is a reason behind the filing of a funding request for each project. For example, a number of years ago Venetian Isles had its legislator file a bill to exclude it from the O.L.D. since Venetian Isles did not have protection from the Rigolets. In negotiations with the Venetian Isles homeowners, the O.L.D. agreed that it would file an application each year for COP funding. The legislator (House Representative or Senator) has the responsibility of getting the project funded; however, the O.L.D. must file the request in accordance with the agreement made with the community.

A motion was offered by Morgan, seconded by Hassinger and unanimously adopted, to approve the COP funding requests for the FPA, EJLD, LBBLD and O.L.D. in globo.

RESOLUTION NO. 09-19-19-03 - SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the State of Louisiana Capital Outlay Program (COP) funding applications are required to be submitted by November 1, 2019, with a Resolution requesting sponsor funding; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) has projects that require funding from the COP in order to initiate design and/or construction phases of said projects.

BE IT HEREBY RESOLVED, that the FPA by this Resolution formally requests the State of Louisiana COP to fund the following FPA projects for Fiscal Year 2020-2021 in the amounts shown:

**SURGE BARRIER PUBLIC SAFETY AND EDUCATIONAL/VISITORS CENTER
COMPLEX- \$1,250,000**

BE IT FURTHER RESOLVED, that the FPA does hereby certify, in accordance with the State Capital Outlay Act, the following:

1. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
2. All local options for funding for this Capital Outlay request through taxation, special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
3. There is no revenue source for these non-recurring project appropriations.
4. No surplus and/or unobligated funds are available.

BE IT FURTHER RESOLVED, that the FPA is committed to providing a local project match to the extent it is economically able to for the amounts required/recommended and necessary by the State.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer be authorized to sign any and all documents necessary to accomplish the above.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer is hereby authorized and designated to act on behalf of FPA in all matters pertaining to each of the aforementioned projects for which Capital Outlay funds are being requested including requests for State disbursements.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Latiolais, Mr. Morgan and Mr. Noel

NAYS: None

ABSENT: Mr. Englande and Mr. Weysham

RESOLUTION NO. 09-19-19-04 - EAST JEFFERSON LEVEE DISTRICT- CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the State of Louisiana Capital Outlay Program (COP) funding applications are required to be submitted by November 1, 2019, with a Resolution requesting sponsor funding; and

WHEREAS, the East Jefferson Levee District (EJLD) has projects that require funding from the COP in order to initiate planning, design, land acquisition and construction phases of said projects.

BE IT HEREBY RESOLVED, the Southeast Louisiana Flood Protection Authority-East (FPA) on behalf of the EJLD by this Resolution formally requests the State of Louisiana COP to fund the following EJLD projects for Fiscal Year 2020-2021 in the amounts shown:

**JEFFERSON PARISH LAKEFRONT EROSION PROTECTION REPAIRS,
REACH 1 - \$10,500,000**

BE IT FURTHER RESOLVED, that the EJLD does hereby certify, in accordance with the State Capital Outlay Act, the following:

1. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
2. All local options for funding for this Capital Outlay request through taxation, special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
3. There is no revenue source for these non-recurring project appropriations.
4. No surplus and/or unobligated funds are available.

BE IT FURTHER RESOLVED, that the EJLD is committed to providing a local project match to the extent it is economically able for the amounts required/ recommended and necessary by the State.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (FPA) Chief Administrative Officer be authorized to sign any and all documents necessary to accomplish the above.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer is hereby authorized and designated to act on behalf of EJLD in all matters pertaining to each of the aforementioned Projects for which Capital Outlay funds are being requested including requests for State disbursements.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Latiolais, Mr. Morgan and Mr. Noel

NAYS: None

ABSENT: Mr. Englande and Mr. Weysham

RESOLUTION NO. 09-19-19-05 - LAKE BORGNE BASIN LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the State of Louisiana Capital Outlay Project (COP) funding applications are required to be submitted by November 1, 2019, with a Resolution requesting sponsor funding; and

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) has projects that require funding from the COP in order to initiate planning, design, land acquisition and construction phases of said projects.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East on behalf of the LBBLD by this Resolution formally requests the State of Louisiana COP to fund the following LBBLD projects for Fiscal Year 2020-2021 in the amounts shown:

DESIGN AND CONSTRUCT A SAFE-HOUSE FACILITY TO HOUSE LBBLD STAFF DURING A STORM/EMERGENCY EVENT - \$4,000,000

BE IT FURTHER RESOLVED, that the LBBLD does hereby certify, in accordance with the State Capital Outlay Act, the following:

1. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
2. All local options for funding for this Capital Outlay request through taxation, special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
3. There is no revenue source for these non-recurring project appropriations.
4. No surplus and/or unobligated funds are available.

BE IT FURTHER RESOLVED, that the LBBLD is committed to providing a local project match to the extent it is economically able for the amounts required/ recommended and necessary by the State.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (FPA) Chief Administrative Officer be authorized to sign any and all documents necessary to accomplish the above.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer is hereby authorized and designated to act on behalf of LBBLD in all matters pertaining to each of the aforementioned Projects for which Capital Outlay funds are being requested including requests for State disbursements.

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

YEAS: Mr. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Latiolais, Mr. Morgan and Mr. Noel

NAYS: None

ABSENT: Mr. Englande and Mr. Weysham

RESOLUTION NO. 09-19-19-06 - ORLEANS LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the Orleans Levee District (O.L.D) has successfully obtained funding from the State of Louisiana Capital Outlay Program (COP) for the design and construction of several vital projects over the past years; and

WHEREAS, the State of Louisiana COP funding applications are required to be submitted by November 1, 2019, with a Resolution requesting sponsor funding; and

WHEREAS, the O.L.D. has projects that require funding from the COP in order to initiate design and/or construction phases of said projects.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East on behalf of the O.L.D. by this Resolution formally requests the State

WHEREAS, the Southeast Louisiana Flood Protection Authority–East advertised for bids for the Tree Trimming and Root Pruning Project (OLD 27842) for Reach 3A of the Orleans Lakefront Levee between Bayou St. John and London Avenue Canal; and

WHEREAS, bids were opened on August 30, 2019, and two bids were received; and

WHEREAS, the lowest responsive and responsible bid was submitted by Twin Shores Landscape and Construction Services, Inc., in the amount of \$177,925.00; and

WHEREAS, the second bid was submitted by Bayou Tree Service, Inc., in the amount of \$189,300.00; however, the bid by Bayou Tree Service, Inc., was deemed non-responsive as the company failed to acknowledge Addendum No. 3 to the project specifications and failed to provide a corporate resolution as required; and

WHEREAS, budget line item BPROJ 018 Seawall Erosion Phase 4 for \$4,000,000.00 includes this portion of work.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East (FPA) approves the award of a contract to Twin Shores Landscape and Construction Services, Inc., in the amount of \$177,925.00, for the Tree Trimming and Root Pruning Project for Reach 3A of the Orleans Lakefront Levee between Bayou St. John and London Avenue Canal, and authorizes the FPA Chief Administrative Officer, and in his absence the Director of Engineering, to execute said 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. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Latiolais, Mr. Morgan and Mr. Noel

NAYS: None

ABSENT: Mr. Englande and Mr. Weysham

EXECUTIVE SESSION:

1. Update and discussion of “Joseph Robert v State of Louisiana, Orleans Parish, No. 2016-9374”.

A motion was offered by Mr. Morgan, seconded by Mr. Latiolais and unanimously adopted by a roll call vote, for the Board to convene in Executive Session to discuss the item listed on the agenda. The Board convened in Executive Session at 11:50 a.m.

The Board reconvened in regular session at 12:05 p.m. and Mr. Miller called the meeting back to order.

RESOLUTION NO. 09-19-19-08 - LEGAL SERVICES OF BURGLASS & TANKESLEY, LLC – JOSEPH ROBERT V. STATE OF LA

On the motion of Mr. Morgan,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) adopted Resolution No. 11-29-18-08 on November 29, 2018, which was restated and amended by Resolution No. 01-17-19-02, adopted on January 19, 2019, authorizing the retention and employment of Burglass & Tankersley, LLC as special counsel, effective November 19, 2018, for representation in the litigation entitled, “Joseph Robert v State of Louisiana, Orleans Parish, No. 2016-9374”, with the stipulation that the services provided would not exceed \$50,000 without the approval of the Board; and

WHEREAS, by Resolution No. 02-21-19-03, the Board approved an increase of \$50,000 to the not to exceed amount for services rendered for the aforementioned litigation, thereby increasing the not-to-exceed amount to \$100,000; and

WHEREAS, there exists a need to increase the authorized not-to-exceed amount by an additional \$50,000 for said legal representation; and

WHEREAS, the Orleans Levee District has budgeted \$160,00 for legal services.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves an increase of \$50,000 to the authorized not-to-exceed amount, thereby increasing the previous not-to-exceed amount from \$100,000 to \$150,000, for the legal services of Burglass and Tankersley, LLC for representation in the litigation entitled, “Joseph Robert v State of Louisiana, Orleans Parish, No. 2016-9374”.

BE IT FURTHER RESOLVED, that the services provided under the agreement with Burglass & Tankersley, LLC for the aforementioned litigation shall not exceed \$150,000 without further Board approval.

BE IT FURTHER RESOLVED, that the FPA Chief Administrative Officer 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. Cosse, Mr. Dastugue, Mr. Latiolais, Mr. Morgan and Mr. Noel

NAYS: None

ABSTAINED: Mr. Hassinger

ABSENT: Mr. Englande and Mr. Weysham

The next regular monthly meeting of the Board will be held on October 17, 2019 at the Franklin Avenue Administrative Complex.

There was no further business; therefore, the meeting was adjourned at 12:10 p.m.