

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, SEPTEMBER 17, 2020**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on September 17, 2020, 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. Cosse called the roll and a quorum was present:

**PRESENT:**

Herbert I. Miller, President  
Mark L. Morgan, Vice President  
Quentin D. Dastugue, Treasurer  
Clay A. Cosse, Secretary (arrived 11:05 a.m.)  
Lambert J. Hassinger, Jr.  
Eugene J. Joanen, IV (arrived 11:15 a.m.)  
Jason P. Latiolais  
K. Randall Noel  
Herbert T. Weysham, III

**ABSENT:**

None

**ADOPTION OF AGENDA:**

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

**RESOLUTION NO. 09-17-20-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON AUGUST 20, 2020**

On the motion of Mr. Morgan,  
Seconded by Mr. Noel, 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 20, 2020.

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

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

NAYS: None

ABSENT: Mr. Joanen

## **EMPLOYEE RECOGNITION AND APPRECIATION:**

Derek Boese, Chief Administrative Officer, advised that due to the FPA's preparations and activities related to the recent tropical storms, the employee recognition has been deferred for this month.

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

Mr. Miller thanked the staff for all of their efforts relative to Hurricane Sally and for the great job that was done.

Mr. Miller explained that today's meeting was initially scheduled to be held in St. Bernard Parish; however, because staff was unsure of the potential impacts of Hurricane Sally on St. Bernard Parish, the meeting was relocated to the FPA's Franklin Avenue Facility. The FPA will determine whether the October or November Board meeting can be held in St. Bernard Parish.

## **PUBLIC COMMENTS:**

Roy Arrigo thanked the staff, especially the floodgate crews, for their efforts during the recent tropical storms. He pointed out that the drainage tax in the recent unsuccessful referendum in St. Bernard Parish would have been offset by another tax of equal value that was ending. Therefore, had the voters of St. Bernard Parish passed the drainage tax, their taxes would not have changed overall. The failure of the referendum actually lowered taxes in St. Bernard Parish. In addition, during discussions relative to payment of costs for the hurricane protection system, St. Bernard representatives have always said that St. Bernard Parish protects Orleans and Jefferson Parishes during storms. However, with Hurricanes Laura and Sally, St. Bernard Parish experienced greater risks and Orleans and Jefferson Parishes experienced minimal risks. He stated that the reality is that St. Bernard Parish does not protect Orleans and Jefferson Parishes.

Mr. Miller pointed out that the levees in St. Bernard Parish are contingent with the levees in the Lower Ninth Ward of New Orleans; therefore, there is a commonality at that point. As far as the comments regarding protecting Jefferson and Orleans Parishes, that point can be argued and there would have to be a very severe flood in St. Bernard Parish. St. Bernard Parish does experience the brunt of a storm initially as it moves up the lake; however, the surge level decreases. The FPA is sorry that the tax referendum for drainage in St. Bernard Parish failed; however, the decision to go to the voters again to attempt to pass a drainage tax is up to St. Bernard Parish Government.

**PRESENTATIONS:** None.

## **COMMITTEE REPORTS:**

**Finance Committee:** Mr. Dastugue reported that the Committee met prior to the Board meeting and discussed four items:

- Certification of the ad valorem tax millage rates for the Lake Borgne Basin Levee District (LBBLD) – The Committee adopted a motion by a three to one vote to recommend that the Board adopt and certify the adjusted millage rates.
- Revisions to the LBBLD Fiscal Year (FY) 2020 Budget – The Committee recommended that the Board approve the budget revisions.
- Procedures for Electronic Vendor Payments – The Committee recommended that the Board approve the procedures.
- Review of final budget to actuals for FY 2020. It was noted that the report presented to the Committee was prepared using the new report writing software package. Kelli Chandler, Finance Director, advised that the overall FY 2020 Budget was about \$17 million under budget [\$7 million was for a transfer to the U.S. Army Corps of Engineers (USACE) that was originally budgeted in FY 2020, but was made prior to the end of FY 2019, and the remainder relates to the timing of projects].

**Operations Committee:** Mr. Morgan reported that the Operations Committee met prior to the Board meeting and discussed the Louisiana Capital Outlay Program (COP) Funding Requests for the FPA and levee districts. The Committee recommended that the Board adopt the resolutions requesting COP Funding for the projects stated in the resolutions. The Committee also discussed the issuance of two task orders and the recommendations would be provided as the items are taken up by the Board.

**REPORT BY CHIEF ADMINISTRATIVE OFFICER:** Mr. Boese reviewed the highlights of his report:

- Storm Activity – The FPA responded to three recent tropical storms/hurricanes:

**MARCO/LAURA:**

Closed 69 Gates  
 All major structures closed  
 Operated London PCCP

**SALLY:**

Closed 94 Gates  
 Including all evacuation routes  
 All major structures closed  
 Closed all 3 PCCP Station Gates

Staff successfully incorporated some of the lessons learned from Marco and Laura into its operations for Sally.

- Coastal Protection and Restoration Authority (CPRA) ADCIRC model runs – CPRA engaged LSU and UNC – Chapel Hill to produce via their supercomputers ADCIRC model runs throughout a tropical storm/hurricane. The ADCIRC model runs have proven to be very beneficial in assisting with predictions. An ADCIRC model run projecting water levels in the surge at different locations throughout the system is typically received three to four hours after a National Weather Service prediction is issued. Examples of the ADCIRC model runs for the IHNC Surge Barrier were reviewed.

- Windy.com has also proven to be a very beneficial tool for staff during tropical storms/hurricanes. FPA staff makes assessments relative to timing and identification of structures to be closed based on considerations using several tools, including the National Weather Service predictions, ADCIRC model runs, Windy.com and other data.
- Staff is continuing its monitoring of weather activity in the Gulf and preparing for potential future storm events.
- Some leakage was discovered during Marco/Laura at the Caernarvon Gate. Emergency procurement actions were approved; however, the work could not be accomplished until after the passage of Sally. On Sunday, September 13<sup>th</sup>, divers placed Visqueen at the gap at the bottom of the gate. The gap, which is located on one side of the gate, is approximately 20 feet long and one-quarter inch high and was sealed with Visqueen and sandbags. There is no longer a leakage issue with the temporary fix in place. Staff is in discussions with the USACE relative to potential adjustments in order to provide a long term solution.
- The Hurricane and Storm Damage Risk Reduction System (HSDRRS) functioned as designed during all three storm events.

Mr. Miller thanked staff for their efforts to protect the public and keep the Board informed. Mr. Boese recognized staff for their efforts, especially the operations and maintenance crews who must open and close the system while complying with COVID-19 protocols.

**NEW BUSINESS:**

**RESOLUTION NO. 09-17-20-02 – LEVYING AND IMPOSING LBBLD TAX MILLAGE**

Mr. Miller read aloud the resolution in its entirety. He asked whether there was anyone in the public who wished to comment. There was no public comment. There was no discussion on the motion. A roll call vote was conducted on the adoption of the resolution.

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

**LBBLD TAX RESOLUTION - 2020**

**A RESOLUTION LEVYING AND IMPOSING MILLAGE RATES AND ASSESSMENTS FOR TAX YEAR 2020 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 2020;

**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 2020, for the respective purposes described below:

<b>2020 Millage Rate</b>	<b>Election Date</b>	<b>Type of Tax</b>	<b>Years Authorized</b>	<b>Purpose</b>
3.99	N/A	Ad Valorem	N/A	Constitutional Tax (LA Constitution Article VI, Section 39)
4.45	Oct. 17, 2009	Ad Valorem	2011-2020	Constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto
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 2020, 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 2020, 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. Cosse, Mr. Hassinger, Mr. Joanen, Mr. Latiolais, Mr. Morgan, Mr. Noel and Mr. Weysham

**NAYS:** Mr. Dastugue

**ABSENT:** None

**ABSTENTIONS:** Mr. Miller

## **RESOLUTION NO. 09-17-20-03 - APPROVAL OF LBBLD FY 2020 BUDGET REVISIONS**

Mr. Morgan advised that the revisions include the transfer \$3.6 million of the BP Oil Spill settlement monies, which increased the ending fund balance. Mr. Miller noted that the FPA had agreed to provide this \$3.6 million to St. Bernard Parish upon transfer of the pumping and drainage system, which is currently in litigation. The resolution adopted by the Board provides that any expenses incurred by the FPA above and beyond the point when the transfer should have occurred would be deducted from the final settlement offer.

Mr. Morgan further advised that there was an increase of about one million dollars in ad valorem tax revenues due to the expiration of tax exemptions on some industrial properties; however, a deficit of about \$700,000 remained. Ms. Chandler noted that a deficit of \$2+ million was initially projected. The revisions also include additional FEMA revenues and additional project costs. Mr. Miller clarified that the resolution before the Board included the \$3.6 million transfer.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed the operating results to date for the Lake Borgne Basin Levee District Operating Budget for Fiscal Year ending June 30, 2020 and as necessary to comply with applicable state law, which requires that budgets be changed to reflect new expectations; and

**WHEREAS**, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2020:

**LAKE BORGNE BASIN LEVEE DISTRICT  
 TWELVE MONTHS ENDING JUNE 30, 2020 BUDGETS**

	<b>ADOPTED BUDGET GENERAL FUND</b>	<b>ADOPTED CAPITAL PROJECTS</b>	<b>PROPOSED AMENDMENTS</b>	<b>PROPOSED AMENDED BUDGET</b>
<b>REVENUES</b>				
Tax Revenue	\$3,700,000	0	\$965,400	\$4,665,400
Intergovernmental Revenue	175,000	0	1,549,100	1,724,100
Interest Income	16,400	0	0	16,400
Misc Revenue	4,300	0	90,600	94,900
<b>Total Revenue</b>	<b>\$3,895,700</b>	<b>0</b>	<b>\$2,605,100</b>	<b>\$6,500,800</b>
<b>EXPENSES</b>				
Personnel Services	\$1,703,500	0	0	\$1,703,500
Travel and Training	0	0	0	0
Professional Services	168,100	0	71,100	239,200
Contractual Services	1,243,800	0	0	1,243,800
Materials and Supplies	321,200	0	0	321,200
Cost Allocations	987,200	0	0	987,200
Other Charges	122,000	0	0	122,000
Machinery and Equipment	74,000	0	0	74,000
MMCI Services	0	1,115,000	741,600	1,856,600
<b>Total Expenses</b>	<b>\$4,619,800</b>	<b>\$1,115,000</b>	<b>\$812,700</b>	<b>\$6,547,500</b>
<b>Income Before Other Sources (Uses)</b>	<b>(\$724,100)</b>	<b>(\$1,115,000)</b>	<b>\$1,792,400</b>	<b>(\$46,700)</b>
Litigation & Ins	(\$25,000)	\$0	\$0	(\$25,000)
Net Transfers	(\$923,500)	\$0	\$3,600,000	\$2,676,500
<b>CHANGES IN FUND BALANCES</b>	<b>(\$1,672,600)</b>	<b>(\$1,115,000)</b>	<b>\$5,392,400</b>	<b>\$2,604,800</b>

<b>FUND BALANCES, BEGINNING OF YEAR</b>	<b>6,851,337</b>	<b>0</b>	<b>(\$2,634,526)</b>	<b>\$4,216,811</b>
<b>ESCROW MAINTENANCE</b>	<b>0</b>	<b>(370,000)</b>	<b>0</b>	<b>(370,000)</b>
<b>FUND BALANCES AT END OF YEAR</b>	<b>\$5,178,737</b>	<b>(\$1,485,000)</b>	<b>\$2,757,874</b>	<b>\$6,451,611</b>

**BE IT HEREBY RESOLVED**, that the revisions to the Lake Borgne Basin Levee District Operating Budget for the Fiscal Year Ending June 30, 2020 are approved.

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

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

NAYS: Mr. Dastugue

ABSENT: None

**RESOLUTION NO. 09-17-20-04 - APPROVAL OF PROCEDURES FOR ELECTRONIC VENDOR PAYMENTS**

Mr. Morgan explained that electronic (ACH) payments to vendors are increasing; therefore, official Board approved procedures are needed. The procedures were prepared by staff and reviewed by the Finance Committee. The procedures are conservative and include sufficient controls to ensure accuracy. Mr. Miller noted that the procedures include significant checks and balances.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) by resolution authorizes the establishment of accounts at banking and other financial institutions, as needed, for the business and operation of the FPA and levee districts under its jurisdiction; and

**WHEREAS**, there is a need to establish procedures for the processing Electronic Vendor Payments and authorization for approval of said payments; and

**WHEREAS**, the FPA by resolution of the Board designates authorized signatories for account transactions at said banking and financial institutions; and

**WHEREAS**, the authorized signers for Electronic Vendor Payments shall be the authorized signatories as designated by resolution of the Board for said banking and financial institutions.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the Procedures for Electronic Vendor Payments dated September 17, 2020.

The foregoing was submitted to a vote; the vote thereon was as follows:  
YEAS: Mr. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysham  
NAYS: None  
ABSENT: None

**RESOLUTION NO. 09-17-20-05 - SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST CAPITAL OUTLAY PROGRAM FUNDING REQUEST**

Mr. Morgan advised that four resolutions are before the Board with Capital Outlay Project (COP) Funding Requests for the FPA, East Jefferson Levee District (EJLD), Lake Borgne Basin Levee District (LBBLD), and Orleans Levee District (O.L.D.). Should COP funding be approved by the Legislature, the FPA or levee district would have to provide the cost share funds.

Mr. Latiolais inquired about the availability of levee district funding for the proposed projects. Ms. Chandler advised that staff is in the process of fine tuning the study of projected HSDRRS maintenance costs in order to set up reserves to fund some of the larger costs, such as levee lifts and foreshore protection. In addition, the O.L.D.'s cost share for pre-Katrina work on the hurricane protection system is anticipated to be settled soon and the levee district will owe about \$10 million.

Mr. Dastugue inquired about the funding request for the Surge Barrier Visitors Center. Mr. Hassinger explained that the cost of the Center depends on the scope of the project and whether a maintenance component can be included with the Center. A preliminary concept was developed similar to the educational centers at other surge barriers located internationally. Chris Humphreys, Director of Engineering, advised that the funding request is for both design and construction of the Visitors Center.

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

**WHEREAS**, the State of Louisiana Capital Outlay Program (COP) funding applications are required to be submitted by November 1, 2020, 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 2021-2022 in the amounts shown:

**A. TERRORISM PREVENTION AND EMERGENCY RESPONSE COMMAND CENTER, SECURITY CAMERAS AND PERIMETER FENCING - \$2,200,000**

**B. 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. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysam

NAYS: None

ABSENT: None

**RESOLUTION NO. 09-17-20-06 - EAST JEFFERSON LEVEE DISTRICT-  
CAPITAL OUTLAY PROGRAM FUNDING REQUEST**

Mr. Latiolais inquired about budgeting for projects that are a priority. Mr. Humphreys advised that the projects can be prioritized and that the Jefferson Parish Lakefront Erosion Protection Repairs would be the top priority. Staff is working with the USACE in an attempt to have the Jefferson Parish Lakefront Erosion Protection Repairs included in the USACE's General Reevaluation Report and ultimately receive federal funding; however, this may be years away. Since the erosion protection repairs will be very costly, the FPA is currently doing pilot studies in an attempt to find options to implement the repairs. The requested COP funding is for Reach 1 only, which is about 1.9 miles of the 5.4 miles of levee requiring the erosion protection repairs.

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, 2020, 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 2021-2022 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. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: None

**RESOLUTION NO. 09-17-20-07 - LAKE BORGNE BASIN LEVEE DISTRICT  
CAPITAL OUTLAY PROGRAM FUNDING REQUEST**

Mr. Morgan explained that LBBLD employees who remain on duty during a tropical storm/hurricane are currently housed in the St. Bernard Parish Civic Center; however, it would be more advantageous to house LBBLD employees at a levee district facility from which they could respond more quickly and appropriately. The proposed safe house would house 20 individuals during a storm event.

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

**WHEREAS**, the State of Louisiana Capital Outlay Project (COP) funding applications are required to be submitted by November 1, 2020, 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 2021-2022 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. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: None

**RESOLUTION NO. 09-17-20-08 - ORLEANS LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST**

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Mr. Dastugue asked about the proposed Highway 90 Land Bridge project. Mr. Humphreys responded that the Highway 90 Land Bridge is a natural land bridge between Orleans and St. Tammany Parishes that crosses Lake Catherine. The proposed shoreline protection project would make the land bridge, which deflects surge entering the lake, more resilient and benefit every parish bordering Lake Pontchartrain.

On the motion of Mr. Hassinger,  
Seconded by Mr. Morgan, 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, 2020, 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 of Louisiana COP to fund the following O.L.D. projects for Fiscal Year 2021-2022 in the amounts shown:

**A. Bayou St. John Water Management Improvements - \$875,000**

**B. Highway 90 Land Bridge - \$5,000,000**

**BE IT FURTHER RESOLVED**, that the O.L.D. 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 O.L.D. 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 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 O.L.D. 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. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: None

**RESOLUTION NO. 09-17-20-09 - AMENDMENT NO. 1 TO TASK ORDER 30-07-01  
ISSUED TO LINFIELD, HUNTER AND JUNIUS, INC. FOR THE ORLEANS MARINA  
BULKHEAD ASSESSMENT**

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Mr. Humphreys explained that the scope of work in the original task order issued to Linfield, Hunter and Junius included an assessment and the design of the repairs once the causes of the sinkholes, erosion and ponding were determined. The FPA does not typically award Engineering Services During Construction and Construction Inspection Services until after the construction contract is awarded. Mr. Miller added that the engineer that developed the design is typically awarded the Engineering During Construction and Inspection Services to prevent any misinterpretation of the plans.

Mr. Humphreys further explained that the broken 24-inch drain line is located about 13 feet below grade. The project is unique due to the depth of the drain line. He recommended that the task order with Linfield, Hunter and Junius be amended to include the Engineering During Construction and Inspection Services because of the firm's familiarity with the project. Mr. Morgan pointed out that the Board awarded a contract at its last meeting to Kort's Construction Services, Inc., for the construction work.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) issued Task Order No. 30-07-01 with a not-to-exceed (NTE) amount of \$87,784.74 to Linfield Hunter and Junius, Inc., under the current Civil Engineering Services Indefinite Delivery-Indefinite Quantity Contract with said firm for the Orleans Marina Bulkhead Assessment; and

**WHEREAS**, the scope of work for Task Order No. 30-07-01 included the preparation of design plans and specifications for repair of the drain lines contributing to the sinkholes in the Marina parking lot; and

**WHEREAS**, the FPA, by Resolutions Nos. 08-20-20-06 and 08-20-20-07, awarded a contract to Kort's Construction Services, Inc., for the Orleans Marina Seepage Repair – Phase I Plug Existing 24" RCP Project at a cost of \$35,500.00 and Phase II Install New Existing 24" RCP Project at a cost of \$150,861.00; and

**WHEREAS**, Linfield, Hunter and Junius, Inc., submitted a proposal to provide Engineering Services During Construction at a NTE amount of \$36,170.15 and

Construction Inspection Services at a NTE amount of \$46,350.00 for the Phase I and Phase II Orleans Marina Seepage Repair Projects; and

**WHEREAS**, there is a need to amend Task Order No. 30-07-01 to include Engineering Services During Construction and Construction Inspection Services at a total NTE amount of \$82,520.15, which increases the total NTE amount of said task order to \$170,304.89; and

**WHEREAS**, funding for the aforementioned services is included in Budget Line Item No. BIDIQ01.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the issuance of Amendment No. 1 to Task Order 30-07-01 with Linfield, Hunter and Junius, Inc. to include Engineering Services During Construction and Construction Inspection Services at a total not-to-exceed amount of \$82,520.15 for the Orleans Marina Seepage Repair Phase I and II Projects, thereby increasing the total not-to-exceed amount of said task order to \$170,304.89.

**BE IT FURTHER RESOLVED**, that the FPA Chief Administrative Officer, or in his absence the Director of Engineering, is hereby authorized to execute Amendment No. 1 to Task Order 30-07-01 and any and all other documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 09-17-20-10 - ISSUANCE OF TASK ORDER TO HNTB FOR GIWW SURGE BARRIER REPLACEMENT OF TRIPPING DOLPHINS**

Mr. Morgan offered a motion, which was seconded by Mr. Hassinger and unanimously adopted, to amend the resolution to substitute the words "lump sum amount" in lieu of "not to exceed amount".

Mr. Noel asked the reason the USACE is not responsible for this work as an aid to navigation. Gerry Gillen, Operations Director, explained that USACE representatives advised that the tripping dolphins were a feature for the project when constructing the barrier wall at the sector gate; therefore, the FPA is responsible for the OMRR&R (Operation, Maintenance, Repair, Replacement and Rehabilitation). Initially, the USACE's hired labor forces constructed the tripping dolphins, which were to be removed at the end of the project; however, the maritime industry objected saying that the tripping dolphins were needed and the dolphins remained in place. The FPA plans to make the dolphins more robust. The engineer's construction estimate is \$2.3 million. A prototype was developed and a preliminary estimate is being obtained. The cost of construction of the prototype for the West Closure Complex was \$500,000 per dolphin. Mr. Morgan pointed out that the construction cost would also depend on factors such as depth and velocities.

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

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

**WHEREAS**, ten tripping dolphins that are used by the maritime industry to safely move barges through the GIWW Surge Barrier east closure sector gate during high velocity waterway events must be replaced; and

**WHEREAS**, HNTB submitted a proposal to provide Schematic Design, Design and Construction Documents at a lump sum amount of \$113,107.24 and Bidding Assistance at a lump sum amount of \$9,425.60 for the replacement of the ten tripping dolphins; and

**WHEREAS**, funding for the aforementioned services is included in Budget Line Item No. BPROJ054.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the issuance of a task order to HNTB with a total lump sum amount of \$122,532.84 to provide Schematic Design, Design and Construction Documents and Bidding Assistance for the replacement of ten tripping dolphins at the GIWW Surge Barrier east closure gate.

**BE IT FURTHER RESOLVED**, that the FPA Chief Administrative Officer, and in his absence the Director of Engineering, is hereby authorized to execute said task order with HNTB and 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. Cosse, Mr. Dastugue, Mr. Hassinger, Mr. Joanen, Mr. Latiolais,  
Mr. Morgan, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: None

The next regular month Board meeting will be held on October 15, 2020.

There was no further business; therefore, the meeting was adjourned at 12:00 noon.