

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
PUBLIC HEARING  
THURSDAY, JULY 15, 2021**

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

The Public Hearing was held on Thursday, July 15, 2021, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, Louisiana, and was called to order at 11:15 a.m.

**PRESENT:**

Mark L. Morgan, President  
Roy M. Arrigo, Vice President  
Clay A. Cosse, Secretary  
K. Randall Noel, Treasurer  
Richard G. Duplantier, Jr.  
Eugene J. Joanen, IV  
Jason P. Latiolais  
Herbert I. Miller  
Herbert T. Weysham, III

**ABSENT:**

None

Mr. Morgan read the notice setting forth the purpose of the public hearing. He then called for public comments.

Carol Byram stated that she is a resident of Orleans Parish where the skyrocketing property taxes keep rising, and that now, surprisingly, the FPA is considering another increase for future work. She was thankful that a second option had been mentioned (i.e., sufficient tax revenues could be generated with the existing millage rates), and was apparently met with agreement by the Finance Committee. She explained that several years ago a newspaper article listed that year’s revenue from the three parishes: East Jefferson -\$9 million, St. Bernard - less than \$2 million and Orleans - \$37 million. Apparently, \$44 million of tax revenue is expected this year from Orleans Parish. So not only is an increase unnecessary because there is sufficient existing revenue, but there is also a significant surplus every year. She questioned the reason for Orleans Parish taxpayers having to pay two-thirds of the FPA’s administrative and other expenses. In the past this information had been used to quietly and sometimes unfairly pass certain expenses on to Orleans Parish. She asked, as she stated she had done many times in the past but to no avail, that before the Board considers raising Orleans

Parish's millage rates again that the FPA conduct a fair, honest and thorough accounting of exactly how and where Orleans Parish revenues have been used. She added that this should not be too much to ask and that it is long overdue.

Mr. Morgan informed the Board that the FPA received an emailed letter from Eugene Green, who was unable to be at the meeting because he was held up en route to New Orleans. Mr. Green essentially asked that the Board roll back the millage rates and more aggressively pursue Federal funding for projects.

There were no further comments from the public and there was no discussion.

The public hearing was adjourned at 11:20 a.m.

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

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on July 15, 2021, 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. Morgan called the meeting to order at 11:20 a.m. and led in the pledge of allegiance. Mr. Cosse called the roll and a quorum was present:

**PRESENT:**

Mark L. Morgan, President  
Roy M. Arrigo, Vice President  
Clay A. Cosse, Secretary  
K. Randall Noel, Treasurer  
Richard G. Duplantier, Jr.  
Eugene J. Joanen, IV  
Jason P. Latiolais  
Herbert I. Miller  
Herbert T. Weysham, III

**ABSENT:**

None

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

Mr. Morgan introduced Richard J. Duplantier, Jr., who was appointed by Governor John Bel Edwards to serve on the FPA Board effective July 2, 2021. The oath of office was administered to Mr. Duplantier by Mr. Miller.

**ADOPTION OF AGENDA:**

The agenda was amended to remove Agenda Item XIII.B.2 on the proposed appropriation of a temporary servitude in St. Bernard Parish. The Board was advised that the U.S. Army Corps of Engineers (USACE) no longer needed the temporary servitude. A motion was offered by Mr. Noel, seconded by Mr. Miller and unanimously adopted, to adopt the amended agenda.

**RESOLUTION NO. 07-15-21-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON JUNE 17, 2021**

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On the motion of Mr. Latiolais,  
Seconded by Mr. Joanen, 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 June 17, 2021.

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Miller,  
Mr. Noel and Mr. Weysam

NAYS: None

ABSENT: None

### **EMPLOYEE RECOGNITION AND APPRECIATION:**

Mr. Morgan explained that the Board recognizes an employee each month whose work performance is outstanding. He announced that the FPA Employee of the Month for July is Carlos Collier. Mr. Collier is a Maintenance Repairer 2 in Operations and Maintenance / Floodgates.

Mr. Collier was nominated by his colleagues and selected as the FPA Employee of the Month due to his professionalism, his commitment to teamwork, and his demonstration of the FPA's values. Mr. Collier does an excellent job in the field on the floodgates. He completes all the work assignments for each day in a timely manner. He fills out maintenance and vehicle log sheets and makes notes on any problems that need to be addressed on the floodgates. Mr. Collier always volunteers to work overtime. He was called out to work for a couple of high tide events over the past month and showed up with a smile and ready to work. He does whatever he is asked by his superiors with an excellent attitude, he motivates and treats his coworkers with dignity and respect, and he is a team player. Mr. Collier's outstanding performance is an important contribution to the success of the FPA and its flood protection mission, and the FPA is fortunate to have Mr. Collier on its team.

Mr. Collier was presented a Certificate of Commendation for being the FPA Employee of the Month and was congratulated by the members of the Board.

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

Mr. Morgan thanked everyone for their presence at the well-attended Board meeting. He also thanked Colleen Billiot and Glenda Boudreaux for their assistance in editing the messages for the Levee Loop and FPA newsletters. He noted that several Committee meetings were held prior to the Board meeting that included good discussions.

### **PUBLIC COMMENTS:**

Tom Fierke, a resident of Orleans Parish and Slidell, advised that there are inconsistencies in how Orleans Levee District Police Department (OLDPD) details are

requested and depends on who is doing the request. He stated that there should be no inconsistencies in how details are requested and paid.

Police Officer Lacey Gerhold explained that she has been with the FPA since 2017, initially as a Reserve Sergeant volunteering her time. She accepted a full time position in 2020 as an OLDPD Officer because she believes the Department (East Jefferson Levee District and Orleans Levee District) is a great department with many benefits. She commented that she is nearing completion of her Bachelor's Degree in Public Administration and is scheduled for her first public speaking course.

Officer Gerhold thanked the Board for listening to her concerns, which reflect the concerns of many of the officers in the Department, and that she was at today's meeting to represent the officers and express their dismay over the proposed outsourcing of the detail system. The officers do not want to repeat the experience of the New Orleans Police Department (NOPD) and Orleans Parish Sheriff's Office (OPSO) when they outsourced off-duty details. A change from the current system to the proposed system will result in the loss of jobs with no apparent benefit for the switch. The fallout witnessed as a result of outsourcing details, includes, but is not limited to:

- Increased hourly detail rates forced upon businesses. Typically, there is an additional fee of 14 percent, which is deducted from the officer's pay or up-charged to the business. In certain situations, where organizations are unable to absorb this additional cost, the fee is totally absorbed by the officer's hourly rate.
- The officers develop a rapport within the community and personally interact with the public while working special events, neighborhood patrols and retail outlet details. These details would be jeopardized. In conversations, the representatives of these private organizations demonstrated their lack of support as it relates to scheduling and payment of officers through an unknown private company. This translates to reduced protection for the community that all of the officers took an oath to protect and serve.

Officer Gerhold further explained, many of the officers rely on this additional income to support their families. Privatization of the detail system would jeopardize OLDPD and EJLDPD Officers' personal and financial obligations. An old cliché is "if it's not broken, don't fix it." She asked, what is the goal of the proposed outsourcing of details? Another old cliché is "for every problem, there is a solution". She asked, would the proposed solution cause problems? She explained that the officers are not opposed to change. The officers supplement their salaries with off-duty details because they are some of the lowest paid employees of the FPA. She asked the Board to consider brainstorming all options to achieve a goal that serves both the FPA and the officers before drafting and implementing any policy changes. She thanked the Board for their time and for their consideration of the concerns of the officers that represent the FPA day in and day out.

Kelli Chandler, Regional Director, stated that she would like to respond to the concerns expressed and provide information to the Board. She stated that she would have provided this information to the officers had they requested a meeting, rather than

expressing their concerns publically. Details are outside income that the officers earn outside of their normal tour of duty. Historically, details, especially for the OLDPD, were scheduled and managed by the levee district police department. Unaware to the FPA, the OLDPD had its own checking account and had set up a not-for-profit. When Chief Kerry Najolia, Superintendent of Police, started working for the FPA, he asked that Finance take over the billing and payment for the details, which was done. The Finance Department has one system that is used for paying details and another system for regular payroll. She explained that when the FPA deducts taxes from the details and submits the taxes to the IRS, it does not know how to combine the two 941 forms (Employer's Quarterly Federal Tax Return) because they are coming from the same employer ID number. In addition, the FPA has not asked employees working police details to carry their own insurance, as it would any other contractor. The FPA requires every contractor to carry a minimum amount of insurance in order to limit the FPA's liability related to details or anything else that is done. The IRS began refunding the tax withholdings to the FPA, and, after being on the phone with the IRS, an outside consultant was hired to help navigate tax reporting for the details with the IRS. Workers Comp picked up the additional salary and is charging additional insurance premiums.

Ms. Chandler advised that she did not recommend that detail rates be raised with the outsourcing and that Finance had not even had any such conversation with any of the vendors. The FPA currently charges a two-dollar administrative fee that she had agreed to waive and offset the fee that is going to be charged by the outside agency. The two-dollar per hour fee that is currently charged does not cover the cost of administering details. In addition, there are about seven or eight officers that are responsible for scheduling details, most of which still do not go through Finance. She stated that there are lots of details that are done independently with levee district vehicles, uniforms, ammunition and gas, and the costs of those details are not covered.

Ms. Chandler further advised that the benefit to the officers is that they not only get insurance and their families are covered, but the vendors, which are currently not covered, and the agency are covered. This greatly reduces the liability of the agency from something that could potentially happen during a detail. She stated that the FPA has had officers who have had wrecks or issues while working details and they come to the FPA for payment. The point of outsourcing details is to help the officers by providing them greater insurance, providing the vendor insurance and having a standardized system where details are assigned and there is no favoritism. It is a benefit for the officers because they get greater coverage, it is a benefit for the vendors because they are protected and it allows the FPA to promote details. She stated a reference check was called yesterday by the Finance team for one of the solutions that is being considered, and she asked, as she has done on every reference check that she has called, "had details been lost as a result of the change", and every response was, "no; they gained details because sister agencies that they work with see how great the system is and how easy it is and they get on board as well". If an officer works a detail with other agencies, the insurance coverage includes those officers, even though they are not OLDPD/EJLDPD officers. She reiterated that the point of outsourcing details is to help protect the officers and the agency and allow the officers to continue making additional money.

Mr. Cosse asked, didn't privatization fail in Orleans and Jefferson?

Ms. Chandler responded that the change is not to privatize details. It is just having an outsourced person do the administration for billing, payment and issuing 1099s. It is better for the employees for tax purposes because they would receive a 1099 rather than a W-2 and insurance would be provided. Otherwise, the FPA would need the officers to provide insurance, just like a contractor, in order to protect the FPA.

Sgt. Noel Sanders (OLDPD) stated that he understood what Ms. Chandler was saying; however, outsourcing details failed in OPSO, Jefferson Parish and various other agencies. The OLDPD received details because OPSO lost details due to outsourcing. He advised that a meeting was requested by email a couple of months ago and Ms. Chandler responded that when Chief Najolia returned from leave, they would have the meeting; however, the meeting did not occur.

Ms. Chandler responded that she did not receive the request by email for a meeting; however, they met last week. Sgt. Sanders explained that the meeting last week was on a different issue and did not have anything to do with details.

Mr. Miller stated that neither the Board nor the administration has cut any opportunity for the officers to provide this type of service to organizations and agencies, nor do they plan to change the ability for the officers to do detail work. What is being studied by the police officers, not internally by staff, is the various proposals that other agencies have put forth. He stated that his understanding is that at least one of those proposals includes a provision that pays more based on the experience of the officer, rather than a flat rate for everyone. He stated that he had not been involved in any great detail with those discussions, but was simply aware that they are going on. He asked that the officers present give their fellow officers who are reviewing this an opportunity to complete it and come back to the Board with a recommendation before the Board takes any action. He commented that the training provided to OLDPD and EJLDPD officers in many ways exceeds the requirements that some of the local communities give to their officers (e.g., qualifications on firearms). He reiterated his request that the officers present provide their fellow officers an opportunity to complete their study and added that they may come to the Board and recommend no change or something in the end that all of the officers favor over the current process.

Ms. Chandler stated that there have been multiple meetings with the Captains, the detail coordinators and Chief Najolia on what the FPA is trying to accomplish. She added that Chief Najolia supports the outsourcing of details and requested his input.

Sgt. Sanders noted that officers already receive 1099 forms from various organizations where they work details.

Officer Gerhold advised that one particular uptown detail (a security district) that she works carries its own independent insurance coverage. A levee district officer was

involved in an incident and the security district provided him with an attorney when he needed one.

Officer Warren Kimball commented that the problem seemed to be a lack of communication and that all of the parties need to come together to find a solution. He asked that the Board, Ms. Chandler, Chief Najolia and the officers get together to get this done.

Sgt. Sanders stated that he had explained to Ms. Chandler that he wanted to work together as a team and that he wants to be used as an asset. The Board recognizes levee district police officers each month for their accomplishments. In addition, the officers are being recognized by the FBI, NOPD and JPSO because they are providing service to the public and at the same time they are trying to take care of each other. He reiterated his request that everyone work together.

Kerry Najolia, FPA Police Superintendent, explained that he would take responsibility for not doing as good a job as could have been done with communications. There have been numerous meetings with Ms. Chandler, Finance staff and the officers responsible for the details. He stated that he supported levee district officers working details and that he would do everything he possibly could to enhance communication. He assured everyone that visitors and the public appreciate the presence of the officers in the areas that they are policing and that the department will continue trying to accomplish that goal. He said that he understood from his perspective that there are advantages and disadvantages in either system. Currently, the process has been narrowed down to a vendor that seems to be the most comprehensive and in the best interest of all parties. As soon as Ms. Chandler has the opportunity to obtain specific numbers regarding the hourly rate that would be charged by the vendor, and the FPA can confirm that the vendor's insurance policies are good in the State of Louisiana, they were planning to have a meeting with everyone involved. He said that he was unaware that the officers would be attending today's meeting and that he would do a better job with communications on important issues. He stated that he understood that details are an extremely important component of policing for the levee district officers.

Mr. Morgan requested that the officers give the FPA a month or two to better communicate and get things right. If the officers are still unhappy with the situation, they are welcome to come back to the Board anytime.

Wilma Heaton, Director of Governmental Affairs and Chair of the Lakefront Management Authority (LMA), explained that for twenty years the Orleans Levee District/FPA was told that levee district police officers could not receive supplemental pay because they are under Louisiana State Civil Service. However, with 100 percent support from the Board, the FPA was able to obtain supplemental pay for the OLDPD and EJLDPD officers because she met with the Director of LA State Civil Service and explained the unique situation. Therefore, Civil Service did not oppose the legislation that achieved supplemental pay. She pointed out that there is another elephant in the room that needed to be addressed. The officers are having to work 70 or 80 hours a week because their base pay is so low. She noted that this is not the fault of the Board

or HR; it is because of State Civil Service rules. She explained that because of recent feedback she did a preliminary market analysis on the levee district police. She committed to putting in whatever extra time was needed to work on the numbers so that a comprehensive plan could be brought to Civil Service. She added that she testified as Chair of the LMA Board before the Civil Service Commission on certain issues and it went a long way in achieving Civil Service's support. She reiterated that the issue, which is more than just details, can be handled.

Mr. Arrigo stated that the problem is clearly one of communications and that those on both sides of the issue are good and well intentioned. He asked that both sides get together and share their issues and concerns so that the issues can be worked out.

Mr. Joanen stated that this discussion has been an education because he did not know about the issues and concerns or the reason that the officers had to augment their salaries. He stated that it was the Board's job to help facilitate a solution. He pointed out the question that should be asked is, "how does NOPD, JPSO and other agencies handle details", and to find out what does and does not work. He commented about meeting with representatives of the officers who handle details so that everyone can be heard and the issues can be worked out, potentially, prior to the next Board meeting. He said that he would also like to be educated about the failure of the current process.

Ms. Chandler advised that a discussion with the FPA's Executive Counsel, Michelle White, would be beneficial.

Mr. Joanen noted that there needs to be a way to compensate the FPA for what it provides, and that there may be a need to periodically revisit the issue and retool it.

Sgt. Sanders stated that the officers have seen the horror stories experienced by other agencies and that is their concern. He added that he uses the income from the details to pay for his daughter's school tuition.

Mr. Joanen commented that the officers should not have unknowns regarding details adding to pressures and reiterated the need to work out a solution to the issue.

## **PRESENTATIONS:**

### **Update on Non-Flood Protection Assets by Lakefront Management Authority.**

Wilma Heaton, the FPA representative on the LMA Board, acknowledged the LMA Commissioners who were present: David Francis, LMA Vice Chair, Thomas Fierke, LMA Secretary, Bob Romero and Stanley Brien. She drew the Board's attention to the presentation slide that listed the LMA Board of Commissioners, who serve as volunteers and reside in New Orleans and in the community, as well as the various elected officials and entities that they represent. She introduced Louis Capo, LMA Executive Director, who provided the presentation.

Mr. Capo provided information on his background. He has a Bachelor's degree in Accounting and is a certified fraud examiner and certified internal auditor. He was employed by the Orleans Levee District (O.L.D.) in 1996 and served in the position of Internal Auditor, where he remained until 2006, with an interruption in 1998-1999 to assume project management for the Y2K computer conversion. In 2006, he was appointed Director of Real Estate and Recreation by the outgoing Orleans Levee Board and served as Executive Director of the O.L.D. non-flood protection assets until November, 2014. At that point he returned to the FPA to serve as the Internal Auditor for several years, and in late 2018 returned to the LMA to serve as Executive Director.

Mr. Capo advised that the LMA currently has 35 employees, which includes 14 employees located at the Airport (9 are firemen who work 24/7), 7 maintenance employees (includes a director and office coordinator), and 3 finance employees (accounts payable, accounts receivable and a supervisor) who administer approximately 900 leases. In early 2021, all but three LMA employees received COVID-19 vaccines (two of the three employees previously had COVID-19). The LMA follows all CDC guidelines.

Mr. Capo provided information on the properties managed by the LMA:

- Lake Vista Community Center (LVCC) – 15-unit office complex with full occupancy. Current market rent \$17/sq. ft. One space is occupied rent-free by the O.L.D. Police Reserves. The building's roof is currently being replaced.
- New Basin Canal (NBC) properties – All leases are brown or triple net, long-term leases with the exception of two new leases. The properties include two boatyard facilities: Sintes and Schubert's.
- Lakefront Airport – All available hangars are leased. All Terminal building office spaces are leased, except one space for which a lease is under negotiation. Terminal building current market rate – first floor \$31/sq. ft. and second floor \$30/sq. ft.
- Orleans Marina (protected marina) – Currently, 86 percent occupancy. A number of slips are leased to transient boaters. 33 new slips are coming on line.
- South Shore Harbor (reopened in 2009) – Currently, 52 percent occupancy. A developer invested about \$6 million, which included construction of the former PT-305 covered slip and a small building that is now used as the Harbormaster Building, at the former Bally Casino site; however, the lease subsequently terminated.
- Lakefront Shelterhouses – Current rate \$500/day. Rentals have increased since COVID-19 protocols relaxed.
- Lakefront Subdivision Restrictions – The O.L.D. Lakefront Development included approximately 2,500 residential sites. The O.L.D. obligated itself to review new construction and renovations plans for compliance with the subdivision building restrictions. A letter of no objection is required before a property owner obtains a City Building Permit. Historically, plans were reviewed in-house; however, due to limited resources, the LMA must contract for plan reviews.

Bruce Martin, Director of Aviation, reviewed several current Airport projects:

- Fuel Farm Assessment and Capital Plan – The fuel farm was built in 1988.
- Runway 9/27 Decommissioning – Several safety issues have been passed down from the previous administration and the means and methods to solve the issues are being pursued. FAA granted a little over \$1 million for the project.
- Tank T102 Regular Maintenance (located at fuel farm) – One tank is being removed each year over a three-year period (2020, 2021 and 2022).
- 18/36L – The runway milling and overlay project (about \$8 million) was recently completed.
- Airport Drainage – The southern portion of the Airport drains into the City’s drainage system. The valve located at the Airport is closed when a storm approaches, closing off the Airport and causing flooding. Airport staff is working with the FAA to re-route the drainage and to build a pump station on the Airport. FAA indicated its willingness to commit between \$14 million and \$20 million for the project. The design of the project is commencing.
- Hurricane Zeta Damage – To-date the Airport has paid approximately \$813,000 towards the insurance deductible. Two roofs are currently being replaced.

Mr. Capo reviewed the Fiscal Year ending June 30, 2021 financials:

<b>LMA Revenues/Expenses</b>		
<b>Actual</b>	<b>Budget</b>	<b>Over/(Under)</b>
\$7,635,816	\$8,421,119	(\$785,302)
\$7,914,208	\$8,421,119	\$506,911

Overall LMA deficit for FY 2021 (\$278,391) due to:

- \$217,000 less in Ad Valorem tax than budgeted.
- \$107,000 less in Earned Interest than budgeted.
- \$277,729 less in Fuel Flowage Fees than budgeted.
- \$161,635 less in Atrium and Sales Participation Revenue than budgeted (Airport Restaurant due to COVID-19).

<b>Lease Revenues</b>			
	<b>Actual</b>	<b>Budget</b>	<b>Over/(Under)</b>
LVCC	\$247,457	\$253,550	(\$6,093)
Orleans Marina	\$1,423,405	\$1,399,730	\$23,675
South Shore Harbor	\$811,452	\$966,808	(\$155,356)
Lakefront Airport	\$2,166,170	\$2,621,377	(\$455,207)
New Basin Canal	\$1,106,764	\$1,041,237	\$65,527

Mr. Morgan inquired about the non-flood protection assets' financial future. Mr. Capo explained that Airport operations have increased this year. The Airport had 62,000 operations in FY 2019, and FY 2021 operations are projected to be 64,000. Fuel sales are steadily increasing: FY 2019 - 2,900,000 gallons (fees about \$726,000); FY 2020 – 1.4 million gallons (fees increased \$352,000); and FY 2021 – 1.6 million gallons (fees increased \$397,000). Local festivals are anticipated to return in the fall, which will increase operations. He pointed out that the LMA is scheduled to pay \$100,000 to the FPA on July 1<sup>st</sup> and that a meeting may be needed with FPA staff regarding submitting several partial payments in lieu of a lump sum payment. Mr. Morgan requested that Ms. Chandler and Ms. White work with Mr. Capo on this issue and review the MOU to determine whether any revisions are needed. Mr. Capo pointed out that the MOU provides that the FPA is responsible for insurance deductibles. The Airport is approaching the one-million-dollar mark per occurrence on the deductible due to Hurricane Zeta.

Mr. Morgan noted that the FPA committed to providing a share of the funding for flood protection for Lakefront Airport. He asked that LMA staff ensure that the design of the pump station fits into the plan for flood protection.

### **COMMITTEE REPORTS:**

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

- O.L.D. Millage Certification – The roll back/roll forward of ad valorem tax rates was discussed. The Committee recommended that the rates be rolled back and certified at the current rate amounts.
- Human Resources (HR) Department presentation.
- The contract with Pronto Solutions for the Asset Management Software was discussed and the Committee recommended its ratification. The selection of IFS or Proto was previously approved subject to negotiations. Contracting with Proto would save the FPA a significant amount of money.

**Operations Committee:** Mr. Latiolais reported that the Operations Committee met prior to the Board meeting. An update was provided by the Regional Director on the Lakeshore Drive closure triggers. The Director of Engineering provided an update on the sink hole located at the 7500 block of Lakeshore Drive and its repair. Information was also provided on the proposed advertisement and issuance of a Request for Qualifications (RFQ) for the pre and post-event operation and/or maintenance repairs of the flood control structures. He explained that at the Committee meeting Mr. Miller brought up the discussion of Board Agenda Item XIII.A.3 regarding the FPA's position on the non-flood assets and advised that the Committee did not recommend that the Board approve this item.

**Coastal Committee:** No meeting was held during the month of July.

**Legal Committee:** No meeting was held during the month of July.

**Human Resources Committee:** The HR Committee met prior to the Board meeting and discussed Legislative issues.

**REPORT BY REGIONAL DIRECTOR:**

Kelli Chandler, Regional Director, explained that she wanted to use this opportunity for various Directors to provide information on their departments and activities; therefore, a presentation was provided on the Information Technology (IT) Department. As part of her report, Ms. Chandler advised that the New Orleans area received 50 inches of rain thus far in 2021. In 2020, a record breaking year, 71 inches of rain was received. She pointed out that the rain has hampered FPA projects and grass maintenance. Maintenance personnel have been working overtime and on weekends attempting to catch up on grass maintenance. She noted that the sink hole that developed on June 25<sup>th</sup> was repaired using a sandy clay mixture. A permanent repair will be made after hurricane season. The repair of Floodgate W-33, which was damaged by a train derailment, is nearing completion.

Roman Dody, IT Director, introduced the IT team members: Darryl White (35 years of experience), Kevin Kazmierczak (29 years of experience), Roman Dody (21 years of experience) and Calvin Williams (10 years of experience). These four technology professionals have over 95 years of combined experience in small, medium and large enterprise installations, user support numbers ranging between 25 – 80,000 users, and industry experience in the public, private, local government and university sectors.

The IT team's area of experience includes the following:

- User Support
- System Engineering & Administration
- Network Engineering & Administration
- Data Center Operations
- Business Continuity Planning
- IP Telephony Design & Support
- Audio Visual Design & Support
- Website Development
- Database Administration
- Security Policy and Enforcement

The IT Department's mission and vision are as follows:

- *The mission of Information Technology is to build a resilient technology infrastructure, while encouraging, educating and empowering staff to meet their objectives, in a secure and cost effective manner.*
- *Our vision is to create an environment where staff have secure access to technology resources and information, and to provide an infrastructure that compliments and supports the goals of the Flood Protection Authority.*

The IT team engages the various FPA business units in order to understand their business needs, identify appropriate technology and bring efficiencies.

The IT team identified the following inefficiencies and accomplished the corresponding efficiencies to address the needs:

Inefficiency - Distributed (Decentralized) Business Model

- Duplication of effort
- Lack of standards across the FPA
- Higher procurement & operational cost
- The absence of a unified vision

Efficiency - Centralized "Enterprise" Business Model

- Consolidated data center management
- Network and infrastructure operation management
- IT procurement reviews and standards
- Agency wide IT strategy and planning

Mr. Dody identified only a portion of the IT team's technical accomplishments over the past four years:

- Active Directory Migration
- Email Migration
- Data Center Refresh (Franklin, East Jefferson)
- Data Circuit Upgrades (Orleans, East Jefferson, Lake Borgne)
- E-signature capabilities
- Video Conferencing capabilities
- Upgrade Computing resources (laptops, tablets, mobile devices)
- Permit software onboarding
- Communication upgrades (Radios, Satellite Phones)
- Agency wide firewall upgrade
- Business Continuity Planning

The IT team plays a critical role in all facility construction and renovations, including:

- Facility onboarding (EJ Safe house, Lake Vista and OLDPD Station)
- Franklin facility renovation - Ongoing
- Computing and communication resources PCCP (17<sup>th</sup>, Orleans, London)
- Access Controls (Franklin, East Jefferson, Lake Borgne facilities and OLDPD Station. Future project - PCCP)
- 100Mbps Internet Circuit – Surge Barrier – Project Ongoing

The IT team also solicits and participates in information sharing with external business partners on the local, state and federal level and from the private sector, including:

- InfraGard
- DHS-Cybersecurity Infrastructure & Security Agency (CISA)
- Federal Bureau of Investigations
- Louisiana State Analytical Fusion Exchange (LA-SAFE)
- Universal Data Incorporated (UDI) – Managed Service Provider

- Restech Information Services – Managed Service Provider
- Novacoast – Managed Security Service Provider
- Louisiana Information Technology Symposium

IT team initiative highlights:

### **Education**

***Cybersecurity Awareness Curriculum*** – Developed by the IT Department in conjunction with the HR Department. The focus is on developing information security habits and procedures that protect information and computing resources.

***iSpring Solutions*** - Allows users to create computer-based training courses, including quizzes, dialog simulations, screencasts, video lectures, and other interactive learning materials.

### **Security**

***Unified Security Camera Solution*** – An agreement was finalized with AT&T Integrated Solutions to configure and deploy Video Management Software (VMS) developed by ***Hitachi***. IT staff partnered with Rusty Kennedy, Director of Safety and Facilities, on the initiative to implement the solution for the organization.

Mr. Morgan thanked Mr. Humphreys for stepping up and responding to the media and public attention generated by the sink hole.

Mr. Cosse stated that the EJLDPD and OLDPD officers have historically worked details and asked the reason for the current issues.

Ms. Chandler responded that the current issues are because two groups of employees work details (i.e., police reserves and regular police employees). She asked the Board to keep in mind that most of the details do not go through Finance. They are done independently and Finance has no knowledge of them. However, relative to the ones that do go through Finance, the employees cannot be treated as contractors. An individual is either an employee or a contractor. There are rules that govern when an individual is an employee and when he/she is a contractor. Finance has had for two years to go back and re-amend its 941s and to actually take all of the information out of one system and manually load it into another system. This is done every other week when the details are run because of the problems with the IRS. That snowballed into several incidents where there were injuries or damages to vehicles that occurred while working details; therefore, when Workers Comp did its audit, it started picking up on this and showed the FPA that it had a lot of exposure because there is a grey area between police work versus, for example, an employee being injured by falling and hitting his toe. She said that Executive Counsel can speak to this issue. Ms. Chandler stated that, additionally, the FPA began looking at the number of incidents and the FPA's exposure. One of the things that was looked at, in general, was the FPA's exposure. Because the FPA does not require officers to carry insurance, the agency is exposed should a incident occur even if the officer is potentially covered by a vendor.

Mr. Joanen noted the potential exposure when the FPA is unaware of details being worked.

Ms. White advised that she, Ms. Chandler, in her previous role, and Derek Boese, the former Chief Administrative Officer, tried to move to a system where Finance was aware of all details, but just have not gotten this accomplished. She stated that the FPA has exposure whether or not Finance is aware of a detail. One officer mentioned that a security district was paying for the defense of a particular case; however, the entity was sued as well. Therefore, the FPA still has legal costs associated with defending the case. One of the claims is inadequate training. Also, a police vehicle could be involved in an accident while the officer is working a private detail. She stated that even if the FPA was successful in getting all of the details into the system that it coordinates and manages, it makes the IRS issue that much larger. The reason the outsourcing option was explored was because it became unyielding having Finance trying to manage it.

Mr. Joanen commented that the firm that the details are outsourced to would still report back to the FPA and the FPA would get sued and have its assets exposed. Ms. White replied, except for some shifting of the liability to the third party vendor. Ms. Chandler advised that the vendor would provide general liability and workers comp coverage, and because they are employees of that agency, they are able to provide that level of insurance, which protects the officers, their families, the FPA and the vendor.

Mr. Cosse commented that knowing when officers are on details seems to be something that can be corrected.

Ms. Chandler responded that Finance has struggled getting officers to tell them when they work details. Finance has for years been in a battle because officers did not notify Finance that they were working a detail. The FPA has even had instances where an officer worked a detail while he was on duty and committed payroll fraud. Finance is trying to put in a system that would be fair and equitable to all the officers and provide insurance protection. Currently, Finance does not pay the officers until the FPA is paid; the FPA does not float the money except for the Airport. These outside resources would pay officers immediately, whether or not they have been paid. Officers would get paid faster, have better insurance coverage, be able to communicate with each other while working details, and details can be structured any way that the FPA wants. The FPA can specify who can work details, how it is scheduled out and will have complete control over it, and have someone else provide the coverage.

Ms. White added that the FPA can customize the details; for example, if it is important to the relationship, a detail coordinator can be maintained to interface with a detail vendor. The FPA can customize how much the FPA relies on the outside resource and how much remains in house. It is a way to regularize what right now is a little out of hand, purely from a liability standpoint, not knowing the FPA's exposure.

Chief Najolia advised that an investigation took place on the individual officer who was working a detail while on duty, and the officer was terminated, charged, pled guilty and did diversion. This was the one incident that occurred in the many details worked by the

officers. He explained that he was hired by the FPA in May, 2017. In June, 2017, he received a phone call from the Legislative Auditor indicating that they wanted to audit a check book dealing with the police department. At first, he referred the Auditor to the Finance Department; however, the Auditor told him that the check book was at the OLDPD. It was at that time that he discovered the officers were working a business out of the police department as far as details, which was not necessarily uncommon in the 1980's, but not common in 2017 when he became Chief. He immediately seized the checkbook, acknowledged it to the Board's President and Executive Director, and requested that Louis Capo, who was the FPA's Internal Auditor at the time, conduct a full audit. Chief Najolia stated that at that time he told the District Commander that an audit was being conducted and that if there were any criminal discrepancies associated with the checkbook, he would put people in jail. He said that based on this situation, he went to the FPA President and Executive Director and for control purposes requested that the details be funneled through the FPA Finance Department. Complete support was received from the President and Executive Director.

Chief Najolia explained that every detail worked within the jurisdiction of the EJLD, O.L.D. or Lake Borgne Basin Levee District is documented and the OLDPD and EJLDPD have complete records of the officers who are, in fact, working details and when they work. Having these detailed records, which go back to the very beginning, was the reason the OLDPD was able to prove its case for the District Attorney's Office.

Chief Najolia advised that he is not opposed to what is in the best interest of the entity, as far as police details and the best way to organize them. The Police Department (OLDPD and EJLDP) has control over details. The Finance Department does not have control over payment of the details. He explained that there was a situation where he wanted, as the Police Chief, to have all details funneled through Finance. When he tried to do this, Finance started making specific decisions; for example, details handled on an occasional basis should be handled by the Police Department, and details that were worked regularly would be the responsibility of Finance (mainly details such as Louis Armstrong International Airport and Lake Vista) and Finance would make the payments. There are specific entities for which details are worked 24/7, which were taken by Finance under its control and staff did the best that it could do.

Chief Najolia further explained that the FPA had been issuing 1099's to officers. After Finance took control of the details, at some point in time a decision was made to start taking taxes out of the detail pay, and this is when things started to unravel.

Chief Najolia stated that the police officers depend on these details. Details do not only affect the police officers, but are a service to taxpayers who fund the FPA and the businesses that these taxpayers patronize. He said that he was open to what is in the best interest; however, he did not want the Board to believe that the issues were about whether or not police control was in place, which would be improper and incorrect information. This effort is to assist Finance and the FPA in developing a protocol that would be acceptable and work out for all parties. He reiterated that he takes responsibility for not communicating this information as thoroughly as it should have

been communicated to the officers, and pledged to fix the communications issue. He said that he was here to assist in resolving these issues.

Mr. Joanen asked Chief Najolia, in his leadership role, how cumbersome is the management of details. Chief Najolia responded that it is not a problem from the Police Department's standpoint. Officers are held accountable. Details must go thru an approval process. Detail requests go to the detail directors, and, if there are any issues, the requests go to him. He explained that he established the current process and takes full responsibility if there are any errors in the Police Department's system. The OLDPD and EJLDPD work well with NOPD, Jefferson Parish Sheriff's Office (JPSO) and other agencies in the area. The rules, regulations, policies and procedures for OLDPD/EJLDPD details are consistent with their law enforcement partners on a local level. OLDPD/EJLDPD officers who work details are no more exposed than JPSO, NOPD, State Police and other officers who work details. The officers understand the issues from a liability standpoint. The best thing that could be done is to come together, communicate and work towards a resolution. He said that he was not opposed to the officers having Workers Comp or other insurance.

Ms. Chandler explained that other things that were looked at were the amount of time spent by staff scheduling and coordinating details and efficiencies. She stated that when Finance started looking at solutions, she met every step of the way with all of the detail coordinators and Chief Najolia. They heard the demonstrations from all the potential solutions. Multiple meetings were held. These individuals were involved from the beginning and participated in the demonstrations to evaluate the options. EJLDPD has about 25 officers and OLDPD has about 35 officers, plus reserve officers.

Mr. Miller thanked Ms. Chandler and Ms. White for their efforts in the transfer of the pumping and drainage system to St. Bernard Parish Government (SBPG). The agreement was signed on July 1<sup>st</sup> and the employees who wished to do so were transferred to SBPG. Two employees who chose to remain with the FPA are under contract to SBPG.

Ms. White reported that all of the motions for dismissal of the SBPG litigation were unopposed and filed on July 7<sup>th</sup>.

**NEW BUSINESS:**

**RESOLUTION NO. 07-15-21-02 - ADOPTION OF ORLEANS LEVEE DISTRICT MILLAGE RATES FOR CALENDAR YEAR 2022**

Mr. Morgan read the resolution in its entirety. He clarified that the resolution before the Board would allow the O.L.D. to collect the same amount of tax revenues that it did last year. Mr. Duplantier, the Orleans Parish representative, supported the resolution. A roll call vote was conducted and the resolution was adopted by a unanimous vote.

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

**WHEREAS**, the reassessment of property subject to taxation within the geographic boundaries of the Orleans Levee District (the “District”), the portion of Orleans Parish located on the East Bank of the Mississippi River, made during 2019 as completed for use for tax year 2020 resulted in more assessed valuation than that assessed in 2019; and

**WHEREAS**, the following ad valorem taxes are levied by the Southeast Louisiana Flood Protection Authority-East (the “Authority”) acting as the governing authority of the Orleans Levee District:

The “**General Tax**” authorized by Article 6 Section 39 (A) of the Louisiana Constitution.

The “**Maintenance Tax**” authorized by the Special Election of March 5, 1974 and imposed by the District’s Resolution No. 1-081899.

The “**Special Levee Improvement Tax**” authorized by the Special Election of November 6, 2012.

**WHEREAS**, the Proposition for the November 6, 2012 Special Election for the extension and rededication of the Special Levee Improvement Tax specified that the revenues or proceeds of 0.61 of the 6.07 Mills shall be dedicated and used for the operation and maintenance of the non-revenue producing assets not directly related to drainage or flood protection of the Lakefront Management Authority; and

**WHEREAS**, the following millage rates were adopted by the Authority on behalf of the Orleans Levee District and levied on the 2019 tax rolls: General Tax – 5.46 Mills, Maintenance Tax - .75 Mills and Special Levee Improvement Tax – 6.07 Mills, or a total of 12.28 Mills; and

**WHEREAS**, in accordance with the provisions of Article 7, Section 23 (B) of the Louisiana Constitution of 1974, as amended, and La. R. S. 47:1705 B., the following adjusted ad valorem tax millage rates would generate the same collection of ad valorem taxes in 2022 as were collected in the year preceding the reassessment (2019):

General Tax - 4.97 Mills  
Maintenance Tax - .68 Mills  
Special Levee Improvement Tax – 5.53 Mills

**WHEREAS**, the Authority has determined that the following ad valorem tax millage rates must be levied on the 2022 tax rolls on all property subject to taxation by the Orleans Levee District in order to meet the needs of the District:

General Tax – 4.97 Mills  
Maintenance Tax - .68 Mills  
Special Levee Improvement Tax – 5.53 Mills with the proceeds of .49 Mills to be dedicated and used for the operation and maintenance of the non-revenue producing assets

**BE IT HEREBY RESOLVED**, by the Southeast Louisiana Flood Protection Authority – East, acting as the governing authority of the Orleans Levee District, that:

**Section 1. Millage to be levied in 2022.** The following millages are adopted and levied for the tax year 2022 on all property subject to taxation within the portion of Orleans Parish located on the East Bank of the Mississippi River by the Orleans Levee District:

General Tax – 4.97 Mills  
Maintenance Tax - .68 Mills  
Special Levee Improvement Tax – 5.53 Mills

**SECTION 2. Statement of Total Millage to be Levied.** A total of 11.18 mills shall be levied in 2022 for the General Tax, the Maintenance Tax and the Special Levee Improvement Tax.

**SECTION 3. Certification of Levy.** The Authority acting for the District hereby certifies the annual levy of the General Tax, the Maintenance Tax and the Special Levee Improvement Tax to the Council of the City of New Orleans for the purpose of causing the three taxes to be entered on the tax rolls of said City and collected by its Finance Department in the manner and under the conditions and with interest and penalties prescribed by law for City taxes; and such monies, the ad valorem taxes including interest and penalties connected therewith, thus collected shall be paid to the District as provided by law for the tax year 2022.

**SECTION 4. Further Actions.** The President of the Authority or Regional Director for the Authority is and they are hereby authorized and empowered to execute any and all documents necessary to accomplish the above purposes.

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Miller, Mr. Noel and Mr. Weysam

NAYS: None

ABSTAINED: None

ABSENT: None

**Set forth the adjusted millage rates and roll forward to such increased rates allowed by law, but not to exceed the maximum authorized millage for the prior year, and certify the millage rates to the proper administrative officials of the City of New Orleans for the purpose of causing the Orleans Levee District's Taxes to be entered on the tax rolls and collected for the tax year 2022 on all property subject to taxation by the Orleans Levee District.**

The Board did not consider the roll forward of O.L.D. millage rates.

**Motion to adopt a resolution setting forth the Flood Protection Authority's position relative to the non-flood protection assets owned by the Orleans Levee District and managed by the Lakefront Management Authority.**

Mr. Latiolais explained that the proposed resolution was discussed by the Operations Committee and that the members of the Committee voted to recommend that the Board not adopt the resolution.

Mr. Miller explained that there are a number of issues with the proposed resolution. Basically, the first part of the resolution covers the Board not selling any of the assets. He stated that he was not aware of any assets that the Board is proposing to sell at this point and, certainly, when something does come forward that would be considered, it would have to come to the Board. Therefore, the first part of the resolution is actually trying to tie the hands of the Board and future Boards by saying that it is not going to sell any assets and it is not the Board's intent. He stated that he certainly thinks it is the Board's intent not to sell the assets, but he did not think this needs to be stated in a resolution where it would tie up the Board.

Mr. Miller continued to explain that the bigger concern is the transfer of Lakeshore Drive to the Lakefront Management Authority (LMA). It would require the levee district police to continue patrolling the area and be responsible for its safety. During an emergency declared by the Governor, this would not be an issue and it would be within the FPA's authority to close the lakefront. However, there are other times when issues may occur that involve safety (e.g., traffic accidents and criminal activity) when Lakeshore Drive would need to be closed, and the OLDPD needs to be completely and independently in charge of that operation without the need of calling anyone else. Also, the FPA may need to clean up debris and take care of other issues after a storm event. The LMA has funding issues and does not have the equipment, expertise or personnel to continuously clean up the lakefront after storms. The LMA would look to the FPA for funding to provide these services that are currently provided under the FPA's authority. Therefore, for all of these reasons, and just the idea of having a combined control of Lakeshore Drive, the transfer would not work out and there would be problems. He said that he presented this information to the Operations Committee and the Committee voted unanimously not to support the resolution.

Mr. Arrigo explained that he requested that the resolution be placed on the agenda. It is a simple resolution with the intent of addressing the issues coming from the Louisiana Legislature. The resolution basically does two things. First, it states that it is not the Board's intention to sell any of its assets. The purpose of the resolution is to give the Board something of substance (i.e., a document) to address the issue. It also provides that once the roadway improvements project is completed, Lakeshore Drive would be transferred to the LMA so that the FPA could focus on its mission of flood protection. The unanimous decision of the Operations Committee to not recommend that the resolution be adopted was done in a vacuum, as he did not attend the Operations Committee meeting since he did not see the resolution on its agenda. Therefore, the Operations Committee only heard the downside of the issues.

Mr. Duplantier stated that the proposed resolution appeared on the Board agenda without any pre-discussion with any other Commissioners or being put on the Operations Committee agenda, which was improper in his opinion. The resolution needed to go to a committee first and the matter should have been discussed with the

Commissioners before the resolution was prepared and submitted. More importantly, the substance of the resolution is a problem. The Senate adopted a bill (resolution) during the past Legislative session that states if the Board is going to sell anything, it needs to go to the Legislature and tell them about the proposed sale. Therefore, the Board cannot do this without the oversight that they would like. So, for the Board to adopt some resolution that might tie its hands is not a good idea, because the Commissioners want to keep the option open to the Board, and the resolution is basically stating that the Board is never going to consider it. He stated that this is a bad idea and sets a bad precedent. As for Lakeshore Drive, it is not a non-flood protection asset. It is a flood protection asset and is connected to the flood protection assets. The Board saw that the LMA is operating at a deficit; therefore, it cannot turn over Lakeshore Drive to an entity that is already operating at a deficit and where it has \$2 million in contracts for the maintenance of Lakeshore Drive. Procedurally, this is defective and substantively it is wrong.

Mr. Miller explained that when he saw the proposed resolution on the Board's agenda, he looked to see if it was on the Operations Committee Agenda and staff indicated that it could be covered under the item for Lakeshore Drive. This is the reason that the proposed resolution was brought up in the Operations Committee meeting since it is an operations issue.

Mr. Arrigo explained that his resolution is on an agenda and there is opportunity for those on both sides of the issue to discuss it now. However, if it was going to be discussed in the Operations Committee, it should have been on the Operations Committee agenda. Regarding Lakeshore Drive as an asset, whether flood or non-flood protection, all of the levee district assets in Orleans Parish are owned by the Orleans Levee District/FPA and the LMA merely manages the non-flood protection assets.

Mr. Duplantier stated that he did not consider Lakeshore Drive to necessarily be completely a non-flood protection asset and that it is a mixture of the two, and as a result, the FPA needs to keep control of it. The FPA should not transfer its responsibility to the LMA, either operationally or financially.

Mr. Morgan stated that on one side the FPA wants to focus on flood protection and on the other side there are traffic issues. An item on the establishment of triggers for closing Lakeshore Drive came before the Operations Committee. He hoped it would get to the point where traffic on Lakeshore Drive can be managed and pointed out that it could be addressed further if additional controls are needed. This is the reason that the triggers for closing Lakeshore Drive was on the Operations Committee agenda and the resolution subsequently followed.

Mr. Joanen commented that he was not sure how the Board should respond to the State on the issue from a political or policy standpoint.

Mr. Duplantier stated that the issue has been raised operationally with Lakeshore Drive and that the Board is addressing the concerns that have been raised and will

communicate this effectively to the community and to the Senator. The issues about Lakeshore Drive were limited to certain closure issues and the Board has an understanding of that issue and how to move forward.

Mr. Cosse pointed out that the proposed transfer of Lakeshore Drive would take place after the \$2 million of construction was completed. In addition, he did not know how Lakeshore Drive is not a non-flood protection asset.

Mr. Miller explained that when maintenance must be done on the levee or seawall along Lakeshore Drive, the equipment must be driven along Lakeshore Drive. Before and after a storm, whether or not it is a declared emergency, the FPA must be able to access Lakeshore Drive. The FPA decides when it gets shut off because there is water on the road. All of these things are related to flood control.

Mr. Cosse pointed out that Lakeshore Drive is not the only street used by the FPA to service levees. Streets are used all across the three parishes. Mr. Arrigo pointed out that there was nothing in the resolution that would prevent any of the things mentioned by Mr. Miller from happening.

Mr. Joanen agreed with Mr. Miller from the perspective that Lakeshore Drive is at the toe of the levee system. He pointed out the number of calls that the LMA receives just on lakefront subdivision plan reviews. The FPA must quantify what the LMA is capable of doing and what it is not capable of doing. Maintaining this type of roadway is probably one of those things that is more in the FPA's purview than that of the LMA.

Mr. Morgan stated that whether or not the resolution is adopted, the FPA needs to take control and establish communication procedures, proper traffic controls and an operational plan. After the construction project, if the FPA wants to transfer the operational plan to the LMA, then it can be considered.

A motion was offered by Mr. Joanen and seconded by Mr. Latiolais to adopt a resolution setting forth the FPA's position relative to the non-flood protection assets owned by the O.L.D. and managed by the LMA. The resolution failed with Mr. Arrigo and Mr. Cosse voting yea, and Mr. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Miller, Mr. Noel and Mr. Weysham voting nay.

#### **RESOLUTION NO. 07-15-21-03 - AUTHORIZATION TO RATIFY THE AGREEMENT WITH PRONTO SOLUTIONS TO PROVIDE ASSET MANAGEMENT SOFTWARE**

Mr. Noel advised that the proposed ratification of the agreement with Pronto Solutions was discussed by the Finance Committee and the Committee recommended that the Board ratify the agreement. Two entities, IFS and Pronto Solutions, were previously approved and the Board agreed to allow staff to move forward with the negotiations. The negotiations with IFS did not go particularly well. Proto Solutions was less costly and negotiations went very well. Therefore, staff requested that the agreement with Proto Solutions be ratified.

Ms. Chandler explained that the budget approved by the Board included approximately \$800,000 for the project. When the proposed vendors were narrowed to two, IFS was the leading candidate; however, it was more expensive. Staff wanted the ability to continue negotiations, and if negotiations with IFS were not successful, go to the second vendor. She stated that she thought staff had the ability to proceed with one of the two vendors as long as the cost was within the budgeted amount. Therefore, the agreement was executed. Upon review of the resolution, she realized that the Board needed to at least be made aware that Pronto Solutions was selected at 60 percent of the cost of IFS.

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

**WHEREAS**, the implementation of an asset management software in the tracking of the assets of the Southeast Louisiana Flood Protection Authority-East (FPA) would allow for the centralized tracking of important details in real time, which would be useful and beneficial to the Southeast Louisiana Flood Protection Authority-East and the levee districts within its jurisdiction; and

**WHEREAS**, consistent with the presentation made by the Safety, Security and Facilities Director to the Finance Committee at the committee meeting on February 18, 2021, evaluation of multiple asset management software vendor candidates has resulted in the identification of two vendors from whom final proposals were requested; and

**WHEREAS**, final proposals were reviewed, with each vendor providing any supplemental information needed to inform the content of a proposed contract

**WHEREAS**; the Board of Commissioners approved \$800,000 for software and implementation cost in the FY 2022 budget; and

**WHEREAS**, it is advantageous to the Southeast Louisiana Flood Protection Authority-East to select Pronto Solutions to provide asset management software, as an annual subscription, and the implementation of same.

**BE IT HEREBY RESOLVED**, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East ratifies the agreement with Pronto Solutions to provide asset management software and related services.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 07-15-21-04 - TO AUTHORIZE ADVERTISEMENT FOR PRE AND POST EVENT FLOOD CONTROL STRUCTURE OPERATION AND/OR MAINTENANCE REPAIRS IN ACCORDANCE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA”) GUIDELINES**

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Mr. Latiolais advised that the proposed RFQ was discussed and recommended for approval by the Operations Committee. Currently, the FPA has only one contractor to call upon prior to and after tropical storms/hurricanes for operation and/or maintenance repairs of the flood control structures. The proposed resolution would allow staff to seek qualifications for additional contractors to provide these emergency services.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority–East (FPA) wishes to pre-qualify contractors for future competitive bidding prior to and after a storm or other qualifying event that requires subsequent operation and/or maintenance repairs of flood control structures owned and operated by FPA.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East authorizes the issuance and advertisement of Requests for Qualifications for operation and/or maintenance repairs of flood control structures owned and operated by the FPA in order to pre-qualify contractors to provide said services prior to and after a storm or other qualifying event in accordance with FEMA Guidelines on a Task Order basis.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in her absence the Director of Engineering, 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. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Miller,  
Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: None

The next regular monthly meeting of the Board will be held on August 19, 2021, at the Franklin Avenue Administrative Complex.

There was no further business; therefore, the meeting was adjourned at 1:25 p.m.