

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, OCTOBER 21, 2021**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on October 21, 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. Arrigo 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:

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 T. Weysham, III

ABSENT:

Mark L. Morgan, President
Herbert I. Miller

ADOPTION OF AGENDA:

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

RESOLUTION NO. 10-21-21-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON AUGUST 19, 2021

On the motion of Mr. Weysham,
Seconded by Mr. Cosse, 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 19, 2021.

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

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Arrigo announced that Carol Purcello was named the FPA Employee of the Month (EOM) for October. Ms. Purcello was nominated and selected EOM for her professionalism, drive and determination. She is an Administrative Assistant 4 in East Jefferson Levee District Police Administration. She has lived in her office since Hurricane Ida yet continues to carry out her duties. Despite facing adversity, Ms. Purcello has not missed a beat. She is a loved and respected role model for the rest of the staff in her office.

The Board congratulated Ms. Purcello for being selected the FPA EOM and was presented a Certificate of Commendation.

SAFETY MINUTE:

Rusty Kennedy, Director of Risks, Safety and Facilities, introduced Brian Stropolo, Levee Operations Superintendent, to present the Safety Minute on practices in the field. Mr. Stropolo has been with the FPA for 15 years and has led Maintenance Crews at each of the three levee districts [East Jefferson Levee District (EJLD), Lake Borgne Basin Levee District (LBBLD) and Orleans Levee District (O.L.D.)].

Mr. Stropolo explained that he uses the knowledge and experience gained over the years to help the crews. The landscape within each levee district is different and varies; therefore, each district has specific equipment that suits its needs and works best in that district. For example, O.L.D. crews use Interstaters with cutters on each side and fail mowers with cutters in the rear and must travel on streets and highways to reach their intended work locations. The appropriate safety procedures must be followed for each piece of equipment (e.g., when using side or rear cutters) and while traveling to the intended location and operating on the levees. Typically, three tractors are aligned and must be properly spaced to cut along the levee slope. Crew members driving on the levee crowns must learn how to properly position cutters for grass maintenance. Caution must be exercised coming off a levee because in some locations there is little distance between the levee and private fencing. Crew members must always pay attention and be aware of their surroundings and potential obstacles.

Mr. Stropolo also advised that the maintenance crews conduct safety meetings and review accidents and lessons learned.

Mr. Arrigo thanked Mr. Stropolo his presentation.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Mr. Arrigo advised that as Vice President he would Chair the meeting as President Morgan was out of town. He reminded everyone of the mask mandate in place and the need to social distance. The Board's September meeting had been cancelled because the FPA was in recovery mode after Hurricane Ida; therefore, today's agenda is longer than usual. In the FPA employees' newsletter (In the Levee Loop), President Morgan

had thanked the FPA team for their exemplary job operating the flood protection system during Hurricane Ida, which is the FPA's core function. On behalf of the Board, he thanked the FPA team for their exemplary job protecting the community from flooding during Ida. He advised that he attended the Coastal Protection and Restoration Authority (CPRA) meeting held in Thibodeaux, LA, during which Regional Director Kelli Chandler did a great job presenting the FPA's Hurricane Ida update. He asked, due to the length of the agenda, that members of the public keep their comments to two minutes, and reminded everyone that the purpose of the Public Comment portion of the meeting is to provide an opportunity to the public to comment and not to provide a question and answer session. He also reminded the Commissioners that they are not allowed to engage in discussions of personnel issues in a public meeting.

Mr. Cosse stated that the Flood Protection Authorities were established after Hurricane Katrina by a vote of 81 percent of Louisiana's taxpayers because of the need for regional flood protection and a transparent Board to oversee the \$14 billion flood protection system that would protect approximately one million lives and billions of dollars of property. The statute that created the FPA allowed the Board to establish the qualifications, duties and salary and employ a Regional Director, who serves at the pleasure of the Board. This language is included in the FPA's Bylaws. Although the Bylaws also provide that one of the duties of the President is to act as an appointing authority for all employees, this does not override the statutory responsibility given to the Board for filling the position of Regional Director. In 2007, the Authority established extensive criteria for the Regional Director and advertised the position nationally. In a post-Katrina devastated New Orleans, ten applications were received, reviewed by a selection team who recommended the top three candidates to the Board, and the Board in a public Board meeting voted to select the individual to fill the position. In March of 2017, the Authority began an extensive process of regionalization and the positions of Chief Administrative Officer and Director of Engineering were created having equal authority as seen in the organization chart presented to the Board at its monthly meeting. After 2017, the Chief Administrative Officer (CAO) was repositioned to the top of the organizational chart and, in reality, the CAO had morphed into the position of Regional Director. In March of 2021, the Board's President sent an email to the Commissioners advising that the CAO had taken another position and was resigning effective May 2nd. He went on to state that the Board would discuss how to proceed with selecting a replacement in executive session at the March 18th regular monthly Board meeting and that the Board members should be prepared to discuss whether to promote from within or advertise for that position. The item was not placed on the agenda and no discussion took place at that meeting; however, later that day the FPA sent out a press release announcing that the CAO would be stepping down effective April 30th, and that the selection process would begin immediately. One day later, March 19th, the FPA sent out a press release announcing that the President of the Board had appointed a Regional Director. The appointment of the chief executive over a multi-billion-dollar flood defense system protecting almost one million taxpayers was made without public discussion, without transparency and without a vote of the Board.

Mr. Duplantier stated that he appreciated Commissioner Cosse' analysis; however, as Chairman of the Legal Committee, he looked at both the statute and the Bylaws and

thought the process was correctly applied. The Bylaws require the Board to set the qualifications and decide whether or not to have a Regional Director. Once the Regional Director position is created and the qualifications are set, the Bylaws and the statute actually state that the President shall have the appointing authority, and under the law, just as he did with Mr. Boese (former CAO), the President acted as the Appointing Authority properly in selecting the new Regional Director. Ms. Chandler took the job in May and has done a tremendous job since then, and no comment or issue has been raised at any Board meeting since Ms. Chandler was appointed. As the Board knows, Mr. Morgan reaffirmed his commitment to Ms. Chandler as the Regional Director. He reiterated that he thought that the process was proper.

Mr. Arrigo reminded the Commissioners that an item had been included on the agenda for the discussion regarding the advertisement and transparent process for the position of Regional Director.

PUBLIC COMMENTS:

Terry Durnin, EJLD Police Captain, stated that he has been with the EJLD Police Department for twenty years and has been the EJLD Police Commander for four years. He stated that few times in someone's life you are actually given an opportunity to make an impactful statement to a large group of people. Throughout his career he was sent to classes and schools to better understand one word – leadership. He has come to find that you don't learn about leadership by sitting in a class. You learn by doing and watching. Every class he attended had a different definition on what a leader was and what leadership meant. His personal take was that a leader is someone who will be followed by others even when they have nothing to gain personally or professionally. He asked that Kelli Chandler stand up and stated that she is a leader. He said over the last few weeks he has been honored to sit in on the Directors' meetings and that seeing an intelligent, forward thinking group in one room has been a motivator for him personally and professionally. Ms. Chandler has met with both agencies, held weekly Captains' meetings and challenged them to become more and do more. She is engaging and wants to better understand what they do. She honestly cares for the agency and the employees that she leads. He stated that in his opinion Kelli Chandler has shown great resolve during these tumultuous times and her leadership during Ida was unquestioned. Under Ms. Chandler's leadership both police agencies are moving forward in a tremendously better direction and would continue to do so if given the chance. He stated that the bottom line is that we need to take the politics out of all this and get back to what we are and that our mission is flood control. He stated that Ms. Chandler is a leader, he is on board with her leadership, and that he thought that a lot of other people were as well.

Jose Prado, Lake Oaks Civic Association, advised that a rumor has been going around the neighborhood that some of the resources of the Orleans Levee District Police Department (OLDPD) were being deployed to areas other than their normal geographic area and that the patrols of the lakefront neighborhoods were being deemphasized. He asked for a response as to whether or not the rumor was true so that he could follow up.

Mr. Arrigo responded that he did not know the answer.

Mr. Prado asked, if the rumor was true, why was this issue not a part of the Board agenda and the reason why the residents were not notified. He expressed grave opposition to the OLDPD resources being deployed elsewhere. He pointed out that there are security issues in the Lake Oaks Subdivision such as the ones due to construction (e.g., traffic lights on two different streets were not working and the City refused to fix the traffic lights until the construction was completed).

Mr. Cosse advised interested residents that he would ask this question during the Regional Director's Report should they wish to remain for that portion of the meeting.

Ray Landeche, Lakeshore Property Owners Association Board, stated that Reach 3A of the Lakefront Seawall Erosion Control Project is wrapping up and the park will soon be open to the public. He stated that three years ago when the project was authorized, as a resident of Lakeshore Subdivision, he made it clear to the Board that he thought the FPA under supplied parking for the beautiful 3,000-linear foot park behind Lake Terrace Subdivision. There is only parking space for every 60 feet of lakefront; therefore, when the park is opened, the public cannot use it. The park behind the Lakeshore and Lake Vista Subdivisions is over-crowded every weekend because there is one parking spot to every eight to nine linear feet of lakefront. He stated that he is tired of his neighborhood being overrun by the public and the FPA under developing the remainder of the lakefront to the east. He applauded the FPA finally re-opening this asset to the public, but he did not think that Lake Terrace Park is a private park for nine estate homes.

Sallie Arnout, Lake Oaks Civic Association, stated that she would like to add to Mr. Prado's comments. She stated that she was a life-long resident of Lake Oaks Subdivision and that the lakefront subdivisions had been afforded the pleasure of being served by the OLDPD. With the uptick of violent crime in the City and the difficulty in having the New Orleans Police Department (NOPD) respond due to its lack of resources, lakefront residents rely heavily on the OLDPD for response to traffic accidents and minor crimes (e.g., vehicle break ins). Therefore, if OLDPD resources are moved to another area, the residents will be left out in the cold. She asked that the Board keep this in mind.

Tom Fierke commented that it is best to have public transparency. A recent article in the Advocate indicated that there wasn't much transparency in the selection of the Regional Director trying to avoid a personnel issue. After Hurricane Katrina, the Levee Board came under severe criticism and it took five or more years for it to be vindicated and the U.S. Army Corps of Engineers (USACE) blamed. He stressed the importance of transparency and accountability. He suggested, based on his experience with insurance policies, that the FPA's insurance policy be reviewed relative to employees driving FPA vehicles and out of state violations.

Ashley Haspel, President of the Lake Terrace Property Owners Association, stated that she respectfully disagreed with Mr. Landeche and explained that the public is able to park on the other side of the London Avenue Canal where there are no homes and walk

over to the park. She said that she also heard the rumor about OLDPD officers being taken off street patrols and only patrolling levees. R.S. 38:330.8 states that sufficient funds shall be allocated for purposes of maintaining an Orleans Levee District Police force to be made up of not less than 24 police officers who shall provide security for Lakeshore Drive and other flood assets located within the jurisdiction of the O.L.D. All four lakefront subdivisions have public parks that belong to the O.L.D. and are managed by the Lakefront Management Authority (LMA). Therefore, in theory, OLDPD officers need to be driving through the neighborhoods to protect the O.L.D. assets located in those neighborhoods.

Phalon Cornist, President of the Lake Oaks Civic Association, advised that he was in agreement with Mr. Prado, Ms. Arnoult and Ms. Haspel. He pointed out that a strong group of people were present who represented the residents of all four lakefront subdivisions. He commented on the symbiotic relationship between the FPA/OLDPD and the residents and explained that OLDPD protection is needed due to the increased criminal activity in the Lake Oaks neighborhood. Criminals who live in the general area attack Lake Oaks residents first and then eventually migrate to the Lake Terrace, Lake Vista, Lakeshore and Lakeview areas. The Lake Oaks area has seen a significant reduction in crime due to the OLDPD; however, recently OLDPD officers have been pulled from the lakefront neighborhoods and allocated elsewhere. Cameras located in the lakefront neighborhoods, particularly Lakeshore Subdivision, were used to obtain confirmation, and significant diminishing of OLDPD resources was noted in these areas. He related a recent family medical emergency and explained that, typically, 911 is called and an OLDPD officer responds and provides assistance. However, in this incident, due to the redeployment issue, he had to wait for 30 minutes for an ambulance to arrive to receive assistance and the NOPD 3rd District provided no response. He explained that there have been complaints from other neighborhood residents about theft and in one incident an individual was almost mugged in front of his home and the 3rd District responded two to three hours later. OLDPD officers always responded within five minutes of a call. He stressed that the residents need this protection. Mr. Cornist explained that he represented all four lakefront subdivisions since he brought the neighborhoods together on this issue and that they stand in unison relative to their need for the OLDPD for protection and community policing. He explained that the residents have come to know the individual officers and that a relationship of mutual protection has developed. He reiterated that he stands with the OLDPD officers and asked that the Board investigate this issue and rectify it.

Mr. Duplantier advised that he is the New Orleans representative on the Board and resides in Lakeview. He stated that he wanted to be responsive to New Orleans and provided his email address to the residents and welcomed comments.

Mr. Arrigo thanked the members of the public for their participation.

PRESENTATIONS: None.

REPORT BY REGIONAL DIRECTOR:

Kelli Chandler, Regional Director, advised that she sent out extensive information during and after Hurricane Ida to Board members. She thanked the FPA employees for their efforts and sacrifice during and after Ida and reviewed some of the challenges. Ida's path shifted from Texas to Southeast Louisiana and the hurricane rapidly intensified. The FPA experienced struggles communicating with its partners and with the timing in setting up the Emergency Operations Center (EOC). Some of the FPA's floodgates had been removed for repair and had to be replaced. Partially due to Covid-19 issues, only one flagger was available and FPA crews had to wait to close the railroad floodgates. Challenges were experienced coordinating with the Department of Transportation and Development (DOTD) relative to the closure of highway floodgates. Due to the lack of sufficient time for issuing evacuation orders, the FPA tried to keep the floodgates crossing evacuation routes open as long as possible while ensuring the system would be closed before the storm arrived. Nine key FPA employees were out during Ida due to Covid-19 issues creating additional challenges. The last land based floodgate was closed slightly after midnight on Saturday and the Seabrook Complex was closed Sunday morning just before the storm's arrival. At the time of the meeting, the FPA was still in recovery mode and debris removal was taking place.

Ms. Chandler stated that she appreciated the comments from the public and pointed out that the keyword was "rumors". She stated that this was exactly what was taking place. No resources had been diverted from the lakefront neighborhoods and no directives had been issued to not patrol these neighborhoods. As it has done for years, the police have been assisting with the patrolling of levees because the officers are another set of eyes and report issues they see to the Maintenance Department. The Maintenance Department is very grateful to have another set of eyes to help identify scour holes or issues that need to be addressed. She reiterated that there had been no diversion of resources from these neighborhoods. She advised that since the last Board meeting an all hands meeting was conducted that was very productive and the FPA is working to improve communications between management, administration and the Levee District Police Officers. Quarterly rank meetings were established and every other quarter combined rank meetings with both districts will be held. A cross training program is being established so that EJLD and O.L.D. officers will be familiar with the flood defense system and can respond in any area of the system. Regular meetings will be held with the council that is being established to meet with officers in order to give them the opportunity to voice their concerns and to ensure proper communications and proper response to concerns.

Ms. Chandler advised that staff is unable to implement the resolution adopted at the August Board meeting concerning police details the way that it was passed. Some of the provisions of the resolution provide for a payroll deduction; however, the reserve officers are not on the payroll. An EJLDPD officer and OLDPD officer, who have experience administrating details at the FPA and other agencies, have been identified to take on this responsibility and spearhead the challenge of doing the police detail administration. In the meantime, due to the difficulty in collecting the two-dollar administrative fee, the fee has been waived for most details until such time as the administration of the details has been worked out and the program can be started. She commented that she was excited about the great things that are ahead.

Mr. Cosse stated that the resolution adopted by the Board in August concerning police details included the procurement of software and that his understanding was that the software had not been purchased.

Ms. Chandler responded that the software was not purchased because the Captains did not care for the software; therefore, the FPA is exploring the avenues that the Captains want to take and they will choose how they want to administer details. The two officers identified to administer details have already started.

Mr. Cosse stated that he had known the Superintendent of Police for six years as a loyal, dedicated employee, respected by his peers, who acted very professionally and loved his job, and all of a sudden he resigned. He asked that Ms. Chandler share the reason the Superintendent of Police resigned. Ms. Chandler responded that her understanding was that she was not allowed to speak about personnel matters in a Board meeting and that she would be glad to speak to Mr. Cosse off-line. Mr. Cosse stated that the Superintendent of Police resigned because he was threatened with termination, which would have ruined his career. Mr. Arrigo interjected that the Board could not talk about personnel issues. Mr. Cosse pointed out that the Superintendent of Police no longer worked for the FPA because he resigned. Mr. Arrigo stated that this was still a personnel issue. Mr. Cosse responded that he did not think the former Superintendent of Police would mind. Michelle White, Executive Counsel, advised that the Board could not discuss personnel issues in the public forum whether it's about a current or former employee.

Mr. Joanen asked could the Board discuss the topic in general without names. Ms. White asked, to what end; if the discussion is so specific that it's all but the name, a Board member still cannot subvert the purpose of the meeting. Mr. Joanen clarified that he was talking about process and procedures and not anything specific on current issues and that he would submit his questions to Ms. White. He stated that he would like to see a record of the changes since the edicts that were set out in 2007 to the present because he saw things that conflict.

PUBLIC COMMENTS: (continued)

Mr. Arrigo apologized for not calling upon Constance Vennis earlier in the meeting; however, his comment card had been misplaced. He asked that Mr. Vennis provide his comments to the Board.

Constantine Vennis, Lake Terrace Crime Prevention District, stated that one of the most important things for his neighborhood is a good relationship with the OLDPD and the Board, and that the neighborhood back the OLDPD and Board in time of need. When the residents found out that former Police Superintendent Kerry Najolia resigned, it was a red flag. He stated that he has since learned that the OLDPD has good people who would not be moving; therefore, it is important that those people in the OLDPD continue to have a presence on the lakefront. He explained that after Hurricane Katrina, the Orleans Levee District was broken into the flood and non-flood divisions and that there

was an attempt to do away with the OLDPD. All the neighborhoods gathered together and had all of their legislators, with the exception of three who later lost reelection, send a certain amount of funds to the Non-Flood Assets Division. At that point a neighborhood campaign was conducted to renew the O.L.D.'s millage and part of the agreement to renew the millage was that OLDPD officers would continue to patrol the levees and interior parks. He pointed out that levees are located to the left, right and north of the subdivisions. The FPA is receiving funding from the millage renewal because of the promise that was made. He commented that there is always something going on in political entities, but the neighborhoods do not want to be left behind and left out of the loop. As long as OLDPD officers continue to patrol and the FPA continues to be a good partner, the neighborhoods will partner with the FPA. However, if the residents find out that these are not rumors, the issues will be addressed more forcefully. He stated that the residents came as a friend and hope that the FPA can be taken at its word and that the patrols are not being changed and the OLDPD officers are respected and treated as they should be treated. He stated that the OLDPD officers have been good to the neighborhoods and without them everything breaks down.

COMMITTEE REPORTS:

Finance Committee: Mr. Noel reported that the Finance Committee met prior to the Board meeting and reviewed the first quarter Budget to Actuals. He noted that one of the line items moved \$4.5 million to St. Bernard Parish Government in accordance with the FPA's agreement for turning over the LBBLD pumping and drainage system. The Committee also discussed the proposed two-year additional extension of two State mineral leases due to Covid-19 issues and Hurricane Ida. Mr. Noel advised that he had an extensive discussion yesterday via telephone conference with Gallagher Insurance, the Board's agent of record, to review all of the FPA's coverages and discuss renewals. He assured the Board that all policies are being reviewed to attempt to reduce premiums and ensure that there are no gaps in coverage. He also advised that he would be participating in interviews for filling the position of Regional Finance Director.

Operations Committee: Mr. Latiolais reported that the Operations Committee met prior to the Board meeting and reviewed the items listed on its agenda, which included task order requests, selection of firms for Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts, requests for Louisiana Capital Outlay Program funding, and a change order for Reach 3 of the Lakefront Erosion Control Project.

Coastal Committee: Mr. Joanen advised that the Coastal Committee did not meet in October. He commented on the momentum of funding of associated entities and the impacts of Hurricane Ida on the surrounding areas. Mr. Arrigo commented on the October 20th CPRA meeting, which included a review of the levee districts affected by Ida. He noted that many of the systems were challenged, overtopped and damaged. The Hurricane and Storm Damage Risk Reduction System (HSDRRS) within the FPA-East's jurisdiction was the only system that remained resilient and did not need repairs. Ms. Chandler added that the resiliency of the marsh creation projects during Ida were also reviewed. Mr. Joanen anticipated doing a look ahead for 2022 at the Committee's next meeting.

Legal Committee: Mr. Duplantier advised that the Legal Committee was unable to meet due to the lack of a quorum; however, an informational discussion was held.

NEW BUSINESS:

Discussion regarding the advertisement and transparent process for the position of Regional Director of SLFPA-E.

Mr. Cosse stated that the sudden departure of the FPA's Regional Director (CAO) at the beginning of storm season seemed to put the FPA at some risk; however, after speaking with two former, highly respected, qualified department heads with decades of experience with the FPA's flood protection system, he was assured that there was no need to immediately fill that position. The FPA's employees are and have been more than capable of dealing with storms. They know what buttons to press and when to press them. They have had plenty of practice. Regarding the (former) President's hasty, underhanded appointment of the FPA's Regional Director, in 2007 the Authority adopted a clear cut process for filling the position in question. The Board's predecessors adopted three resolutions, copies of which were presented to the Board. In accordance with Revised Statute (RS) 38:330.4, the first resolution details how to advertise, the second calls for review of the applicants and the third authorizes the selection and appoints the individual. The (former) President had no authority to make that hire. He ignored guidelines set forth by the Authority. He filled the position with a person with zero experience, who did not meet a single qualification, and then set a salary of \$170,000. He illegally polled Commissioners and violated the Open Meetings Law. Mr. Cosse stated that for these reasons, the (former) President should resign, and, if he does not do so, he should be removed by the Governor.

Mr. Cosse continued stating that the Board meets once a month and that there are also several key positions that need to be filled: Human Resources Director, Director of Finance, Superintendent of Police and Internal Auditor. He explained that he had been advised by experts that with the amount of money that flows through this organization and all of its moving parts, it is imperative that the FPA have an Internal Auditor who answers to the Board and not the President. In the past, the FPA had an Internal Auditor; however, he did not know the reason the position was not currently filled.

Mr. Cosse offered a motion, which was seconded by Mr. Joanen, to amend the agenda to introduce a resolution that would provide for the Board to advertise these positions with Civil Service for no less than thirty days. The amendment of the agenda to add an item would require a unanimous vote of the Board members. He explained that Civil Service requires the advertisement of a position for a minimum of five days. In the past, in order to fill a position with a certain individual and reduce the number of applicants, the FPA has had Civil Service advertise for only five days starting on a Thursday and ending on a Monday; therefore, he requested that the advertisement be for not less than 30 days.

Mr. Arrigo requested public comments on the amendment of the agenda.

Mr. Duplantier stated that the current President and immediate past President were not present. He stated that the ambush to try to put this on the agenda without notice to either is unfortunate and he requested that the discussion be tabled until the current President and immediate past President, who appointed the Regional Director, properly in his opinion, are present.

Mr. Cosse called for a point of order. He explained that his motion had nothing to do with the President or immediate past President. He clarified that his motion was about filling vacant positions, and if nothing was done at this meeting, it would be another thirty days before anything could be done.

Ms. Chandler advised that the FPA had been advertising these positions for several weeks.

Mr. Duplantier pointed out that the FPA's Human Resource (HR) Director Sandy West was still in her position and present at the meeting. He stated that Ms. West would be acting as the HR Director until November 15th; therefore, it was not accurate to say that the FPA does not have a HR Director. Ms. West willingly and thankfully gave the FPA plenty of time to find the proper replacement for her and she is doing her job advertising these positions. He stated that the Board does not need to amend the agenda because this process is already being done.

Mr. Joanen advised that he had a question about the process. He stated that he does not find out about some things usually until the day before, and it would be great if, at least amongst the Board members and key staff, there was discussion about these important items. Mr. Duplantier pointed out that the Board is not allowed such discussions. Mr. Joanen stated that since the Board is not allowed to discuss anything unless it is in open forum, it should have longer Board meetings to cover these discussions so that members do not feel inadequate coming into the meetings. He explained that he is a non-resident and that his focus is in the sciences; however, he reports to the Governor, who appointed him to the Board, and wants to make sure he is doing his job, but he feels compelled to vote on things that he does not always understand. He asked how could he become more educated on the details on items that come up within the organization. Mr. Duplantier responded that Commissioners can meet individually with staff, which is what he has done when he has had issues such as legal committee issues. The Public Meetings Law does not allow Commissioners as a group to meet. The process under the Bylaws provides for items to be placed on the agenda seven days in advance.

Mr. Joanen reiterated that he felt inadequate as a Board member not knowing what was going on and that he supported anything that would create more transparency.

Mr. Arrigo asked Ms. White if there was anything preventing the Board from acting on the motion to amend the agenda to include the advertisement of the positions as stated by Mr. Cosse with the President and immediate former President not being present.

Ms. White responded that there is not; however, the first order of business is put the motion to amend the agenda to a vote.

Mr. Cosse clarified that the motion to amend the agenda was to include an item regarding the vacant positions for HR Director, Finance Director, Superintendent of Police and Internal Auditor. He stated that it is important to proceed with this in light of recent revelations.

Ms. Chandler stated that the HR Director position was currently out for advertisement. Interviews would be conducted for the Finance Director position later in the day. The FPA has not advertised the position of Internal Auditor. She explained that the FPA has not had an Internal Auditor in probably four years and that the position is not in the budget; however, she was not opposed to adding it. Ms. Chandler stated that the reason the Superintendent of Police had not yet been advertised was because she wanted to have an opportunity to have the police officers get to know her and for her to know them and understand how they function and show her support for them. The position would definitely be advertised; however, she wanted an opportunity to build her relationship with them and have them as part of the administrative executive team.

Mr. Joanen advised that he wanted to see the written criteria for each of the four positions and to know that the Board is following its Bylaws.

Mr. Arrigo advised that should the Board adopt the motion to amend the agenda, it would be able to proceed with this discussion.

A roll call vote was conducted and the motion to amend the agenda to add an item failed with Commissioners Cosse and Joanen voting yea, and Commissioners Duplantier, Latiolais, Noel and Weysham voting nay.

Mr. Cosse explained that certain positions are advertised for only five days to make it easier to get certain people into those positions. If the Board wanted to get qualified people, which was what he was attempting to do, then Civil Service should advertise the positions for no less than thirty days and the Board could then see the type of applicants who are interested.

Mr. Duplantier stated that two of the positions were advertised for more than four or five days. The job descriptions are in exacting detail and are available to the Board and the public. He stated that he was not sure that Civil Service even applied because the positions are unclassified. However, the positions are being advertised for a lengthy period of time and the FPA is coming up with the right people. He stated that the Board cannot get involved, and that it is not the job of the Board to get involved in the day-to-day operations of the FPA. He stated that what happened in 2007 has no relevance and that the Bylaws were not adopted until 2009. What was set out in 2007 is irrelevant to the Board's discussion. The Bylaws vested in the President significant executive authority, including the right to hire the Regional Director. He stated that he thought that Mr. Miller did what he thought was right in the process that he used, following the qualifications that were set out by this Board, and then Mr. Morgan, as the new

President, affirmed the decision of Mr. Miller. He stated that he thought the Board needed to let the President act according to the Bylaws. What the Bylaws state and the statute states is that the Board creates the position and the President selects and appoints. The Board needs to respect that process. The Board heard from a senior member of the staff about how good of a decision that it was and the Board needs to respect that decision. There is no reason for the Board to question the process at this stage. If the Board needs to hire someone later, maybe it will do something different.

Mr. Arrigo stated that his understanding was that most of the Board members were asked did they want to go outside the agency or did they want to hire from within the agency. He stated that the choice should not be from inside or outside the agency. Best practices call for collecting resumes and candidates. People inside the agency have advantages because they already know the organization. Then the best candidate should be selected. This is not what happened.

Mr. Duplantier stated that he disagreed that the best candidate was not selected and that there is also a process for overturning the decision of the President. If a Board member does not like the decision of the President, there is a process for overturning that decision and no one has done this because the right decision was made.

Mr. Joanen explained that his issue was not with whether or not the right decision was made. He stated that prior to the Board meeting that was held in St. Bernard, he said to Mr. Miller that he would like to speak with him in Executive Session because he did not understand and had more questions than answers. He advised that he would like to see every change to the Bylaws since 2007 /2009 and the justification, and that he would like to be educated on how the Board arrived at where it is now. For example, he was under the impression that Engineering and the CAO should both report directly to the Board, and that he looked at the two positions as coequal so that there are checks and balances when it comes to engineering. In fact, after Katrina in 2007, some pretty stringent engineering requirements were set up for the initial Regional Director. He understood that in 2007 the flood protection system was being rebuilt, and that the FPA now has a built system, so the Board would not necessarily need the CAO to be an engineer. However, he believed that checks and balances are needed with fundamental engineering, which should not have anything to do with anything but engineering and safety. In regards to the roles as they come up, he expressed concern that there is not enough participation of the entire Board and how it institutes its Bylaws. He said that if he has no say in this, that the Board should tell him this. Mr. Arrigo stated that he thought that the avenue to do this starts with the Legal Committee and that he thought some adjustments need to be made.

Mr. Joanen explained that, being new to the Board, he did not want to question Mr. Miller because he had been on the Board for some time. However, he found it irregular that the decision happened so quickly without taking a pause to at least educate the Board on what was going to be done.

Mr. Duplantier stated that the reason he wanted Mr. Miller to be at the meeting was so that he could discuss this matter. Mr. Joanen explained that he sat with Mr. Miller for an

hour or more and still was not satisfied with the answers he received in response to his questions.

Mr. Arrigo interjected that the Board had already voted and that it needed to continue with the agenda.

Mr. Cosse stated that he would first like to respond to Mr. Duplantier's comments. He asked Ms. Chandler did the FPA advertise for the HR Director and Director of Finance. Ms. Chandler responded, yes. Mr. Cosse asked how many applicants applied thus far for the positions. Ms. West estimated that about 30 applicants applied for each position and stated she would find out the exact number of applicants and advise the Board.

RESOLUTION NO. 10-21-21-02 - EXTENSION OF STATE AGENCY MINERAL LEASE NOS. 21700 AND 21701 BETWEEN ORLEANS LEVEE DISTRICT AND MARTIN ENERGY LLC, ET AL

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

WHEREAS, on December 14, 2016, the Louisiana State Mineral and Energy Board, on behalf of Orleans Levee District, as lessor, granted to and in favor of K-Exploration Co., as lessee, those certain Leases for Oil, Gas and Other Liquid or Gaseous Minerals, being State Agency Lease Nos. 21700 and 21701, said leases being recorded among the records of Plaquemines Parish, Louisiana, in Conveyance Book 1372, at Pages 1 and 16, under File Number 2017-00000066 and 2017-00000067, on January 4, 2017, respectively, and as amended by *Lease Extension and Amendment – State Agency Lease No. 21700 and 21701*, executed by the Orleans Levee District on November 19, 2019, recorded among the records of Plaquemine Parish, Louisiana, in Conveyance Book 1419, at Pages 882 and 895, under File Number 2020-00000269 and 2020-00000270, on January 27, 2020, respectively; and

WHEREAS, said State Agency Lease Nos. 21700 and 21701 are now owned of record by Martin Energy, LLC, et al; and

WHEREAS, the Primary Terms, as recited in Paragraphs 2 of said State Agency Lease Nos. 21700 and 21701, were extended from three (3) years to five (5) years by Resolution No. 10-17-2019-02; and

WHEREAS, Martin Energy, LLC, et al, has requested the Orleans Levee District grant an additional two-year extension of the Primary Terms of said State Agency Lease Nos. 21700 and 21701, and the Orleans Levee District has determined same to be in its best interest.

BE IT HEREBY RESOLVED, for and in consideration of the rental payments due annually under the terms of said State Agency Lease Nos. 21700 and 21701, respectively, the Southeast Louisiana Flood Protection Authority – East (FPA) approves the further extension of the Primary Term of each lease, as recited in

Paragraphs 2 of said State Agency Lease Nos. 21700 and 21701, from the original three (3) year term, to the current five (5) year term, to the requested seven (7) year term for each lease, and authorizes the FPA Regional Director to execute said documents 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. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Noel and Mr. Weysam

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-03 - CONTRACT AWARD FOR FRANKLIN AVENUE SAFEHOUSE IMPROVEMENTS PROJECT

Mr. Latiolais advised that the Operations Committee reviewed and recommended approval of the proposed award of the contract for the Franklin Avenue Safehouse Improvements Project to Industrial & Mechanical Contractors, Inc. Three bids were received.

On the motion of Mr. Latiolais,

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

WHEREAS, the SLFPA-East Franklin Avenue Facility Safehouse Improvements Project (Project No. O3000096) was advertised and three bids were opened and read at the Orleans Levee District on August 12, 2021, as follows:

Bidding Contractors	Total Bid Price
Industrial & Mechanical Contractors Inc.	\$434,700.00
Arc Mechanical Contractors, Inc.	\$464,900.00
D.L. Daigle Construction	\$594,000.00

WHEREAS, the lowest responsive and responsible bid was submitted by Industrial & Mechanical Contractors, Inc., in the amount of \$434,700.00; and

WHEREAS, the Engineering Estimate for the base bid project is \$550,000.00; and

WHEREAS, funding for the project is included in Budget Line Item BPROj056.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East (FPA) authorizes the award of a contract in the amount of \$434,700.00 to Industrial & Mechanical Contractors, Inc. for the SLFPA-East Franklin Avenue Safehouse Improvements Project.

BE IT FURTHER RESOLVED, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute the above mentioned contract with Industrial & Mechanical Contractors, Inc., and any and all other documents necessary to accomplish the above.

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

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-04 - APPROVAL OF TASK ORDER WITH DRC EMERGENCY SERVICES, LLC, FOR HURRICANE IDA DISASTER DEBRIS MANAGEMENT AND DISPOSAL SERVICES

Mr. Latiolais advised that the Operations Committee received a presentation on the disaster debris removal and disposal process. The proposed resolution approves a task order for the removal/disposal of debris along the flood protection system. The next proposed resolution provides for monitoring the debris removal/disposal. If the not-to-exceed amount of the task order is exceeded, staff will come back to the Board to approve the additional funding.

On the motion of Mr. Latiolais,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) advertised and issued a Request for Qualifications in order to pre-qualify contractors for competitive bidding to provide Disaster Debris Management and Disposal Services after a storm or other qualifying event for the FPA and the three levee districts under its jurisdiction; and

WHEREAS, by Resolution No. 06-20-19-10, the FPA approved the pre-qualification of three contractors, in accordance with FEMA guidelines, for competitive bidding to provide the aforementioned services, and authorized the execution of an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with the pre-qualified contractors; and

WHEREAS, the FPA is in need of Disaster Debris Management and Disposal Services due to the significant amount of debris resulting from Hurricane Ida; and

WHEREAS, a proposal was received from DRC Emergency Services, LLC, to provide Hurricane Ida Disaster Debris Management and Disposal Services in an amount not to exceed \$4,000,000.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the execution of a Task Order with DRC Emergency Services, LLC, for Hurricane Ida Disaster Debris Management and Disposal Services in an amount not to exceed \$4,000,000, and authorizes the Regional Director, or in her absence the Director of Engineering, to execute said Task Order.

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

YEAS: Mr. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Noel and Mr. Weysham

NAYS: Mr. Cosse

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-05 - APPROVAL OF TASK ORDER WITH WITT O'BRIEN'S, LLC, FOR HURRICANE IDA DISASTER DEBRIS MANAGEMENT MONITORING

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) advertised and issued a Request for Qualifications in order to pre-qualify contractors for competitive bidding for Monitoring Disaster Debris Management after a storm or other qualifying event for the FPA and the three levee districts under its jurisdiction; and

WHEREAS, by Resolution No. 06-20-19-11, the FPA approved the pre-qualification of three contractors, in accordance with FEMA guidelines, for competitive bidding to provide the aforementioned services, and authorized the execution of an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with the pre-qualified contractors; and

WHEREAS, the FPA is in need of services for Monitoring Disaster Debris Management due to the significant amount of debris resulting from Hurricane Ida; and

WHEREAS, a proposal was received from Witt O'Brien's, LLC, for Hurricane Ida Disaster Debris Management Monitoring in an amount not to exceed \$250,000.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the execution of a Task Order with Witt O'Brien's, LLC, for Hurricane Ida Disaster Debris Management Monitoring in an amount not to exceed \$250,000, and authorizes the Regional Director, or in her absence the Director of Engineering, to execute said Task Order.

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

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-06 - ID-IQ CONTRACTS FOR CONSTRUCTION MATERIALS TESTING AND INSPECTION SERVICES

Mr. Latiolais explained that the proposed resolution authorizes the execution of ID-IQ contracts with the selected firms for providing Materials Testing and Inspection Services. The contracts will have a three-year term and a not-to-exceed value of \$300,000 over the course of the three years. The team that reviewed the proposals consisted of four FPA staff members and one Commissioner.

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

WHEREAS, by Resolution No. 06-17-21-07, the Southeast Louisiana Flood Protection Authority-East (FPA) authorized the advertisement and issuance of Requests for Qualifications for professional Construction Materials Testing and Inspection Services for the purpose of entering into Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts for services on an as needed basis; and

WHEREAS, the Statements of Qualifications submitted in response to the RFQs were reviewed and competitively rated by a selection team, and the selection team provided its recommendation of Consultants for the purpose of entering into ID-IQ Contracts with said Consultants; and

WHEREAS, the aforementioned ID-IQ Contracts shall have a total not-to-exceed value of \$300,000.00 and shall be for a term of three years with no renewal options.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the recommendation of the selection team and selects the following firms for the purpose of entering into ID-IQ Contracts with said Consultants for Construction Materials Testing and Inspection Services:

Professional Services Industries, Inc.

Gulf South Engineering and Testing, Inc.

The Beta Group Engineering and Construction Services, LLC

BE IT FURTHER RESOLVED, that the FPA Regional Director, and in her absence the Director of Engineering, is authorized to negotiate the ID-IQ Contracts with the approved Consultants and to execute the final ID-IQ Contracts with said Consultants.

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

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-07 - ID-IQ CONTRACTS FOR ARCHITECTURAL / MECHANICAL / ELECTRICAL / AND OTHER FACILITY SUPPORT SERVICES

Mr. Latiolais explained that the proposed resolution authorizes the execution of ID-IQ contracts with the selected firms for providing Support Services (Architectural / Mechanical / Electrical / and Other Facility Services). He advised that he was a member of the team that reviewed the proposals submitted by about 11 architectural and engineering firms. The team recommended the three firms listed in the resolution. The contracts will have a three-year term and a not-to-exceed value of \$500,000.

On the motion of Mr. Latiolais,

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

WHEREAS, by Resolution No. 06-17-21-06, the Southeast Louisiana Flood Protection Authority-East (FPA) authorized the advertisement and issuance of

Requests for Qualifications for professional Support Services (Architectural / Mechanical / Electrical / and Other Facility Services) for the purpose of entering into ID-IQ contracts for services on an as needed basis; and

WHEREAS, the Statements of Qualifications submitted in response to the RFQs were reviewed and competitively rated by a selection team, and the selection team provided its recommendation of Consultants for the purpose of entering into ID-IQ Contracts with said Consultants; and

WHEREAS, the aforementioned ID-IQ Contracts shall have a total not-to-exceed value of \$500,000.00 and shall be for a term of three years with no renewal options.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the recommendation of the selection team and selects the following firms for the purpose of entering into ID-IQ Contracts with said Consultants for Support Services (Architectural / Mechanical / Electrical / and Other Facility Services):

Meyer Engineers, LTD.

Verges Rome Architects

NY Associates, Inc.

BE IT FURTHER RESOLVED, that the FPA Regional Director, and in her absence the Director of Engineering, is authorized to negotiate the ID-IQ Contracts with the approved Consultants and to execute the final ID-IQ Contracts with said Consultants.

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

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-08 - APPROVAL OF CONTRACTS WITH PRE-QUALIFIED CONTRACTORS TO PROVIDE OPERATION AND/OR MAINTENANCE REPAIRS OF FLOOD CONTROL STRUCTURES OWNED AND OPERATED BY THE FPA PRIOR TO AND AFTER A STORM OR OTHER QUALIFYING EVENT, IN ACCORDANCE WITH FEMA GUIDELINES, ON A TASK ORDER BASIS

Mr. Latiolais abstained from the discussion and vote on the resolution before the Board.

Mr. Duplantier explained that the resolution before the Board pre-qualifies contractors who can provide Operation and/or Maintenance work for the FPA on an as needed. The contractors included in the resolution were vetted and reviewed by the review team.

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

WHEREAS, by Resolution No. 07-15-21-04, the Southeast Louisiana Flood Protection Authority-East (FPA) authorized the issuance and advertisement of Requests for Qualifications (RFQ) 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; and

WHEREAS, RFQ No. 2021-001 (SLFPA-E Structure Maintenance and Operations) was subsequently advertised and two firms submitted RFQ packages, which were reviewed and scored in accordance with the criteria in the RFQ by a team consisting of four FPA staff members and one FPA Commissioner; and

WHEREAS, Cycle Construction Co., LLC, and Boh Bros. Construction Co., LLC, met all of the criteria of the RFQ and have been verified as qualified, in accordance with FEMA guidelines; and

WHEREAS, a contract is needed with said contractors, which would allow future competitive bidding prior to and after a storm or other qualifying event for providing operation and/or maintenance repairs of flood control structures owned and operated by the FPA on a task order basis; and

WHEREAS, the aforementioned contracts will be for an initial term of one year with two one-year renewal options.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the execution of a Contract with Cycle Construction Co., LLC, and Boh Bros. Construction Co., LLC, to allow said contractors to participate in future competitive bidding prior to and after a storm or other qualifying event for providing operation and/or maintenance repairs of flood control structures owned and operated by the FPA, 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 authorized to execute the aforementioned contracts, and any and all documents necessary to accomplish the above.

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

YEAS: Mr. Cosse, Mr. Duplantier, Mr. Joanen, Mr. Noel and Mr. Weysham

NAYS: None

ABSTAINED: Mr. Latiolais

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-09 - SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST CAPITAL OUTLAY PROGRAM FUNDING REQUEST

Mr. Latiolais explained that the Operations Committee reviewed the four proposed resolutions requesting Capital Outlay Program (COP) funding for the FPA, EJLD, LBBLD and O.L.D.

Chris Humphreys, Director of Engineering, reviewed the projects for which COP funding would be requested:

FPA - Phase I – International Center for Storm Surge and Climate Change Research and Public Education – The resolution before the Board reflected only the design portion of the project in the amount of \$1,250,000. Mr. Humphreys recommended that the project also include construction, which would increase the requested amount to \$4,257,000. He anticipated that the addition of the climate research component would increase interest in the project (e.g., NOAA and UNO).

FPA -Terrorism Prevention and Emergency Response Command Center, Security Cameras and Perimeter Fencing - \$2,200,000. The project includes a significant amount of fencing, as well as cameras and high-water vehicles.

EJLD - Jefferson Parish Lakefront Erosion Protection Repairs, Reach 1 - \$10,500,000. The rock along the levee foreshore has settled allowing erosion behind the rock.

LBBLD - Design and Construct a Safe-House Facility to House LBBLD Staff During a Storm/Emergency Event - \$4,000,000. The construction of a safe-house for LBBLD personnel is even more urgently needed since the turnover of the pump stations, some of which included safe housing, to St. Bernard Parish Government.

O.L.D. - Bayou St. John Water Management Improvements - \$875,000. The proposed project includes studies and construction to allow the Bayou St. John Sector Gate to remain open for longer periods of time. This would be a continuation of the recommendations included in the Water Management Plan developed by FPA consultant Burk-Kleinpeter, Inc.

Wilma Heaton, Director of Governmental Affairs, explained that the Louisiana State Legislature adopted House Bill 2 providing for over \$2 billion of Capital Outlay Funding and that the State has an annual bonding capacity of about \$200 million. Therefore, there is small likelihood of receiving the requested COP funding for the projects; however, the Board's support of these projects needs to be stated in the resolutions in order to leverage the projects for other funding opportunities. Mr. Arrigo added that when other grant funding is sought for a project, the first question is, did the FPA apply first for Louisiana COP funding.

Mr. Humphreys advised that Federal funding is being sought through the BRIC (Building Resilient Infrastructure and Communities) program for the LBBLD Safehouse and the Storm Surge and Climate Change Research and Public Education Center. Mr. Kennedy further advised that the FPA applied for Federal Port Security Grant funding for Access Control (security) at the Permanent Canal Closure and Pumps (PCCP) and for additional cameras throughout the flood protection system to assist with damage assessment after a storm. The FPA was awarded just under \$400,000 and the FPA's obligation is 25 percent of this amount.

Mr. Joanen explained that he was participating as much as possible in Infraguard and recently sent President Morgan an email regarding FPA participation. Information on future Federal opportunities will be transmitted to Ms. Chandler, Mr. Kennedy and Roman Dody, IT Director. He explained that representatives in Infraguard are traditionally from law enforcement; however, he would like to represent the FPA, as much as possible outside of law enforcement, at Infraguard meetings.

A motion was offered by Mr. Duplantier, seconded by Mr. Joanen and unanimously adopted, to amend the proposed resolution for the FPA's COP funding request to change the amount of the requested funding for Phase I of the International Center for Storm Surge and Climate Change Research and Public Education to \$4,257,000.

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

WHEREAS, the State of Louisiana Capital Outlay Program (COP) funding applications are required to be submitted by November 1, 2021, 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 2022-2023 in the amounts shown:

A. PHASE I – INTERNATIONAL CENTER FOR STORM SURGE AND CLIMATE CHANGE RESEARCH AND PUBLIC EDUCATION - \$4,257,000

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

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 Regional Director or Director of Engineering be authorized to sign any and all documents necessary to accomplish the above.

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-10 - EAST JEFFERSON LEVEE DISTRICT- CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the State of Louisiana Capital Outlay Program (COP) funding applications are required to be submitted by November 1, 2021, 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 2022-2023 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) Regional Director or Director of Engineering be authorized to sign any and all documents necessary to accomplish the above.

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-11 - LAKE BORGNE BASIN LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the State of Louisiana Capital Outlay Project (COP) funding applications are required to be submitted by November 1, 2021, 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 2022-2023 in the amounts shown:

DESIGN AND CONSTRUCT A SAFE-HOUSE FACILITY TO HOUSE LBBLD STAFF DURING A STORM/EMERGENCY EVENT	\$4,000,000
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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) Regional Director or Director of Engineering be authorized to sign any and all documents necessary to accomplish the above.

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-12 - ORLEANS LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

On the motion of Mr. Weysham,
Seconded by Mr. Duplantier, 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, 2021, 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 2022-2023 in the amounts shown:

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

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) Regional Director or Director of Engineering be authorized to sign any and all documents necessary to accomplish the above.

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

RESOLUTION NO. 10-21-21-13 - CHANGE ORDER TO THE CONTRACT FOR LAKESHORE DRIVE IMPROVEMENTS SEAWALL AREA EROSION CONTROL PAVING PROJECT REACH 3A

Mr. Latiolais explained that the project is concluding and the additional electrical and earthwork requested by staff needed to be included in the contract through a Change Order. The Operations Committee recommended approval of the Change Order.

On the motion of Mr. Latiolais,

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

WHEREAS, by Resolution No. 03-19-20-01, the Southeast Louisiana Flood Protection Authority-East (FPA) authorized the award of a contract in the amount of \$10,495,752.60 to Kort's Construction Services, Inc., for the Lakeshore Drive Improvements Seawall Area Erosion Control Paving Project Reach 3A (O.L.D. Project No. 27862); and

WHEREAS, by Resolution No. 05-20-21-07, the FPA approved a Change Order to the aforementioned contract in an amount up to \$115,000.00 to provide an additional row of TRM behind the originally scoped single row of TRM in order to mitigate future damages during storm events; and

WHEREAS, the FPA Engineering and Maintenance staff requested that additional electrical and earthwork protection items be included in the contract's scope of work in order to mitigate future storm damage and to facilitate ongoing maintenance of the electrical systems; and

WHEREAS, a Change Order is needed in the amount of \$47,076.75 in order to include the additional electrical and earthwork protection items in the contract; and

WHEREAS, funding for the project is included in Budget Line Item BPROJ018.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority–East approves a Change Order to the contract with Kort’s Construction Services, Inc., in the amount of \$47,076.75 for the inclusion of additional electrical and earthwork protection items in the contract for the Lakeshore Drive Improvements Seawall Area Erosion Control Paving Project Reach 3A (O.L.D. Project No. 27862).

BE IT FURTHER RESOLVED, that the FPA Regional Director, or in her absence the Director of Engineering, is hereby authorized to execute the aforementioned Change Order, and any and all other documents necessary to accomplish the above.

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

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

NAYS: None

ABSENT: Mr. Morgan and Mr. Miller

The next regular monthly meeting of the Board will be held on November 18, 2021.

Ms. West advised that the FPA advertised the position of HR Director through Civil Service and received 20 applications, and through Indeed and received 46 applications; therefore, there was a total of 66 applicants for the HR Director position. She pointed out to the members of the Board that she is at the FPA until November 15th. She stated that she gave Ms. Chandler her resignation with about eight weeks’ notice, instead of the customary 30 days’ notice for someone in her position, and that she offered to assist Ms. Chandler in the transition.

Mr. Arrigo apologized to Ms. West if she was offended. Ms. West stated that she was offended and felt attacked and treated with hostility by a few people on the Board and that she had no idea of the reason for this. She stated that she has been in this business for 30 plus years and has never been treated with such aggression for no good reason and that it was unfair.

Mr. Duplantier told Ms. West that the Board was sorry to see her go and wished her the best of luck in her new job.

There was no further business; therefore, the meeting was adjourned at 12:40 p.m.