

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, FEBRUARY 17, 2022**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on February 17, 2022, in the New Orleans Lakefront Airport Terminal Building, Second Floor Conference Room, 6001 Stars and Stripes Boulevard, 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 11:00 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

ADOPTION OF AGENDA:

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

RESOLUTION NO. 02-17-22-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON JANUARY 20, 2022

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on January 20, 2022.

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

EMPLOYEE RECOGNITION AND APPRECIATION:

Mr. Morgan advised that three Levee District Police Officers were selected as Co-Police Officers of the Month; however, they were unable to attend today's meeting. The Board will recognize the three officers at a future Board meeting.

The Board recognized Eric Collins for being selected the FPA Employee of the Month. Mr. Collins was nominated and selected as the FPA Employee of the Month for his positive attitude, work ethic, and team-focused approach. Mr. Collins is a Procurement Analyst I with the Finance Department known for going above and beyond, not only with his own assigned tasks, but stepping up to take on other roles as needed to help his coworkers. Two separate departments nominated Mr. Collins and provided the example of how he assisted another department with getting the necessary Certificates of Insurance that they had been unable to acquire in just two days. His polite and positive demeanor remains even during the most stressful of times, such as working on site during Hurricane Ida. It is not simply what Mr. Collins does for the Flood Protection Authority, but the way in which he carries out tasks that is worthy of recognition, and the FPA thanks him for being both a good team member and a good person.

SAFETY MINUTE:

Kelli Chandler, Regional Director, introduced Martin Eilers, the FPA's new Risk and Project Management Director. Mr. Martin has many years of experience and a long history of working on the flood protection system, mostly recently with PSI.

Mr. Eilers updated the Board on proposed safety measures and goals for the year. He reported that after making an initial assessment, he found that the FPA has some good safety practices in place. He advised that he would like to continue the efforts made over the years and formalize an agencywide uniform safety plan and document some of the FPA's policies. Recent efforts include increasing the visibility of safety personnel by performing more frequent and consistent assessments of work sites and operations, building relationships with all employees, and instilling a culture of safety for the organization. He looked forward to keeping the Board informed regarding the progress being made and providing a safe work environment for FPA employees.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Mr. Morgan commented that the Board has a relatively short agenda and that it may go into Executive Session to discuss Police security issues. He also commented that three Committees met prior to the Board meeting and that things seem to be going in the right direction.

PUBLIC COMMENTS:

Patrick Conaghan, a Police Investigator with the Orleans Levee District Police Department (OLDPD) assigned to the FBI Violent Crime Task Force (Task Force), explained that due to the proposal to reassign the OLDPD Task Force Officers (TFO), he wanted to inform the Board about the value of assigning the Officers to the Task

Force that is received by the Orleans Levee District, security and police work in general. The TFOs' efforts benefit the OLDPD, as well as the FBI and City of New Orleans. He advised that he had highlighted in a report at least ten cases involving Levee District Police Officers that the OLDPD TFOs investigated and had cut warrants and made arrests. He explained that the FBI pays for all overtime for the TFOs. In addition, the FPA can be reimbursed for the TFOs' salaries from the FBI's share program for monies seized. During the past year the TFOs' Task Force squad seized monies well into the six figure range. The FBI keeps 20 percent of seized monies and the remaining 80 percent can be divided for salary reimbursement for the TFOs from other law enforcement entities. He commented that Ms. Chandler was informed about an important cold case homicide that he and TFO Edgar Merida are currently handling for which they are ready to obtain an indictment. The work on a case of this type cannot be done from OLDPD headquarters or the street, but must be done at the FBI offices because much of the information on these cases is on FBI computers. He stated that, in general, the TFOs are doing a good job protecting citizens. The District Attorney had stated that what is needed with the current crime rate is intelligent investigations. Arrests are not enough; investigations must be conducted. With the number of investigations being done by the FBI, a dent can be made in crime.

Edgar Merida, OLDPD Police Investigator assigned to the FBI Task Force, advised that he has been an investigator for 41 years and that TFO Conaghan has been an investigator for 37 years. He stated that he had never had a complaint about his integrity during his career and that he is an honorably discharged, medically retired veteran of the U.S. Marine Corps. He explained that last year the Task Force took 168 guns off the streets of New Orleans. The people who are victimizing the lakefront communities do not live in that area; they live where the TFOs work. The Task Force seized at least two kilos of Fentanyl, which would not be going to school children. The TFOs' efforts do not only benefit the lakefront communities. Recently, the TFOs seized three stolen guns while in the 9th Ward and arrested a man involved in six armed robberies and a shooting. He added that everywhere he looked in New Orleans there is a levee (e.g., Florida Avenue and St. Claude and the Mississippi River). He stated that he had retired twice; therefore, this is not about the money. He enjoys bringing some safety and relief to the citizens of New Orleans. He said that he had to believe that the arrests that the TFOs are making is taking a toll on victimization. Yesterday, the TFOs made seven arrests in a carjacking ring. These individuals were victimizing lakefront residents.

TFO Merida commented that he did not know the reason that he was singled out to be a target of defamatory comments and untruths in a recent letter. He explained that as a Reserve Patrol Sergeant with the East Jefferson Levee District Police Department, he was utilized as an on-duty platoon commander and he supervised full time, paid employees. In addition, he handled the internal affairs investigation involving one of the officers in an unauthorized pursuit. He stressed that he was contributing as much as he could to the Flood Protection Authority. He explained that the TFOs' salaries could have been recouped all along. He further explained that Capt. Brenckle had advised early on that a mistake had been made in the paperwork that was submitted. The TFOs assumed that the mistake was corrected. The monies seized could have easily reimbursed the FPA for the TFOs' salaries, which are not lucrative as alleged in the

defamatory letter. He reiterated that he loves what he is doing and believes that the TFOs are serving the public.

TFO Merida provided an example of the type of assistance that the TFOs provide to the FPA and OLDPD. Due to his top secret clearance, TFO Merida received information from the FBI's CIC (cyber investigation) that an out-of-state outlaw street gang planned on taking over Lakeshore Drive on January 2nd. He immediately notified Capt. Brenckle. TFOs Merida and Conaghan came out on Sunday, January 2nd, to assist the other Police Officers at the choke point that was set up. Upon seeing the police presence, the street gang immediately sent out social media messages for other gang members not to come because the police were out in force.

TFO Merida thanked the Board for their time and added that he looked forward to continuing his service to the people of New Orleans.

Mr. Cosse asked TFO Merida, if the reassignment took place, did he know where he would be assigned. TFO Merida responded that he was told that he would be a Police Officer 2 on the night watch. Police Officer 2 is the lowest rank for a Levee District Police Officer. Mr. Cosse asked was there a lot of activity on the night watch. TFO Merida responded he was not aware of a lot of calls for service on the night watch.

PRESENTATIONS: None.

REPORT BY REGIONAL DIRECTOR:

Kelli Chandler, Regional Director, provided the Regional Director's report:

- Annual Inspections – The U.S. Army Corps of Engineers (USACE) Annual Inspections are underway. The inspection of the East Jefferson Levee District (EJLD) polder Mississippi River Levee (MRL) and Hurricane and Storm Damage Risk Reduction System (HSDRRD) was completed on January 20th and no significant issues were noted. The repair of the foreshore protection and associated erosion was discussed. Inspections of the remaining polders or structures are scheduled as follows, dependent on weather conditions:
 - March 9: Lake Borgne Basin Levee District (LBBLD) MRL/HSDRRS
 - March 17: Orleans Levee District (O.L.D.)-St. Bernard Subbasin
 - March 22: O.L.D. Metro MRL & HSDRRS
 - April 4: Surge Barrier Sector Gate and Barge Gate
 - April 6: Caernarvon and Dupre structures and PS 8 Valve
 - April 11: Old Bayou Bienvenue Sector Gate and VLG
 - April 26: Seabrook Complex
 - May 2-4: PCCP (Permanent Canal Closures and Pumps)
- Diesel Spill Update – Repairs are currently in the maintenance stage. Cleanup crews removed the diesel with absorbent booms from the ponds where it had collected. Crews are mobilizing to install a new pipe for the permanent repair.
- Grant Update – A Port Security Grant Award was received in the amount of \$370,457. The FPA cost share is \$92,614. The funding will be used to increase

security at the PCCP with control access and cameras and for installing cameras along the MRL. The FPA is continuing its pursuit of additional funds. The Coastal Protection and Restoration Authority (CPRA) is reaching out to assist local agencies to secure grant funding.

- PRONTO (Asset Management Software) – Training is on-going and will continue one week each month until PRONTO goes live in June.

Mr. Morgan advised that several audits were initiated last month and that he had informed Commissioners via email. One of the audits was essentially a Human Resources (HR) audit. Due to the confidential information, discussions would essentially not take place until the auditors produce their findings regarding areas that need to be improved or changed. The other audit pertains to Police details and whether the FPA is following State law and regarding the process for paying the Officers.

Mr. Chandler added that the audits are on-going. She advised that the auditors wrapped up interviews this week and would be touching base with her on Friday or the first part of next week to discuss the next steps and regarding additional information to be provided for the police detail audit. She advised that the FPA was also contacted by Louisiana State Civil Service and informed that Civil Service would perform a salary review.

COMMITTEE REPORTS:

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

- Proposed Fiscal Year (FY) 2023 Budget - Issues were noted in the review regarding the effect of supply chain interruptions on the delivery of equipment and project delays due to COVID-19 issues. The budget will receive a final review by the Committee and must be approved by the Board at their March 17th meetings.
- Second Quarter to Actuals FY 2022 Budget – The Committee reviewed the report and Mr. Noel noted that the numbers were pretty much in line.
- Proposed award of a contract to AV Solutions – The Committee recommended that the Board approve the award of the contract for audio/visual equipment for the Franklin Facility Board Room and Emergency Operations Center (EOC) to AV Solutions.
- Proposed extension of the consulting services agreement with Mercury Public Affairs, LLC - The Committee recommended that the Board approve the proposed extension of the agreement.

Operations Committee: Mr. Latiolais reported that the Operations Committee met prior to the Board meeting and received a presentation on the proposed floodwall mural near the intersection of Ursulines Avenue and N. Peters Street by the City of New Orleans and Arts New Orleans partnership with the Canadian Consulate of Dallas. The Committee approved the issuance of a permit by the Engineering Department for the mural.

Coastal Committee: Mr. Joanen advised that the Coastal Committee met prior to the Board meeting and reported the following:

- A needs list is being developed for the entire flood defense system for both the coastal and infrastructure components and efforts are taking place to identify funding opportunities for those needs.
- A discussion took place regarding extending the committee's role and making it a Coastal and Technical Committee. Mr. Joanen advised that he would follow up on the merits of expanding Coastal Committee's role to include both coastal and technical matters.
- A recap of the living shoreline initiatives was provided by Mark Schexnayder, Biologist with Batture, LLC, and Craig Gothreaux, Fish Biologist, Habitat Conservation Division, NOAA.

Legal Committee: Mr. Duplantier advised that there had been no significant developments since the last Legal Committee meeting; therefore, the Legal Committee did not meet this month.

NEW BUSINESS:

RESOLUTION NO. 02-17-22-02 - ACQUISITION OF AV EQUIPMENT FOR THE FRANKLIN COMPLEX BOARD ROOM AND EMERGENCY OPERATIONS CENTER

Mr. Morgan noted that the Finance Committee reviewed and recommended approval of the award of the contract for the audio/visual equipment to AV Solutions.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) requested proposals from audio and video (AV) vendors to fully equip the Board Room and Emergency Operations Center at the Franklin Complex Facility to meet the specific needs of the FPA; and

WHEREAS, after review of the proposals received from three vendors (AV Solutions, Go Media, LLC and Crescent Multimedia Solutions), the FPA asked the vendors to revise the proposals; and

WHEREAS, revised proposals, which included a comparable scope and deliverables, meet the FPA's needs and reflect State of Louisiana contract pricing, were received from two of the vendors, as follows:

AV Solutions - \$278,690.50

Go Media, LLC - \$281,763.59

WHEREAS, funding for the aforementioned work is included in Budget Line Item Nos. BPROJ046 and BPROJ056.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the award of a contract to AV Solutions in the amount of \$278,690.50 for the acquisition and installation of audio and visual equipment for the Franklin Facility Board Room and Emergency Operations Center, and further authorizes the Regional Director, or in her absence the Director of Engineering, to sign any and all documents necessary to accomplish the above.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 02-17-22-03 - EXTENSION OF CONSULTING SERVICES
AGREEMENT WITH MERCURY PUBLIC AFFAIRS, LLC**

Mr. Morgan advised that at the January 20th meeting, the Board discussed consulting services relative to Federal funding opportunities. The Board instructed Ms. Chandler to do the research and provide a recommendation that would be in the FPA's best interest. Ms. Chandler recommended that the FPA enter into an agreement with Mercury Public Affairs, LLC.

On the motion of Mr. Noel,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) currently has a Consulting Services Agreement with Mercury Public Affairs, LLC, to provide consulting services at the Federal level to seek and secure funding for coastal and hurricane risk reduction projects; and

WHEREAS, a Water Resource Development Act (WRDA) bill is expected to be filed in Congress in 2022 that is anticipated to include funding for future levee lifts; and

WHEREAS, the State of Louisiana will receive \$2.6 billion in U.S. Army Corps of Engineers funding from the Infrastructure Investment and Jobs Act (IIJA) and the Extending Funding and Delivering Assistance Act (Supplemental Disaster Relief) to support coastal, water management and hurricane risk reduction projects throughout south Louisiana; and

WHEREAS, additional Federal funding streams are anticipated to become available for coastal and hurricane risk reduction projects; and

WHEREAS, the FPA wishes to take advantage of these opportunities to seek and secure funding for coastal and hurricane risk reduction projects from the aforementioned Federal and other sources.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the extension of the Consulting Services Agreement with Mercury Public Affairs, LLC, through December 31, 2022, at a cost of \$15,000 per month, and authorizes the Regional Director, and in her absence the Director of

Engineering, to execute 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. Arrigo, Mr. Cosse, Mr. Duplantier, Mr. Joanen, Mr. Latiolais,
Mr. Miller, Mr. Noel and Mr. Weysham

NAYS: None

ABSENT: None

EXECUTIVE SESSION:

- 1. Executive Session, pursuant to La. 42:17.A(3), to discuss sensitive security matters relating to the assignment of levee district police personnel to state or federal law enforcement entities or agencies.**

A roll call vote was taken for the Board to go into Executive Session to discuss the item listed on the agenda. Mr. Arrigo, Mr. Cosse, Mr. Duplantier, Mr. Joanen, Mr. Latiolais, Mr. Miller, Mr. Morgan, Mr. Noel and Mr. Weysham voted unanimously to go into Executive Session.

The Board returned to Regular Session. Mr. Morgan stated that Ms. Chandler is the Regional Director and that she is the FPA's primary decision maker. He further advised that Ms. Chandler is the Regional Director and that she is making the decisions that the Board directs her to make, and that anything else was covered in the Executive Session.

The next regular monthly meeting of the Board will be held on March 17, 2022, in the New Orleans Lakefront Airport Terminal Building, Second Floor Conference Room, 6001 Stars and Stripes Boulevard, New Orleans, Louisiana.

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