

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
PUBLIC HEARING
THURSDAY, MAY 19, 2022**

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

The Public Hearing was held on Thursday, May 19, 2022, in the Joseph Yenni Building, Second Floor Council Chambers, 1221 Elmwood Park Blvd., Jefferson, Louisiana. Mr. Morgan called the hearing to order at 11:00 a.m.

PRESENT:

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

ABSENT:

Clay A. Cosse, Secretary
Jason P. Latiolais

Mr. Morgan advised that the purpose of the public hearing was relative to the Board’s consideration of rolling forward the East Jefferson Levee District’s millage rate. The Board’s vote on the millage rate would take place at the Board Meeting immediately following the Public Hearing. He asked was there anyone from the public who wished to comment. There were no comments from the public and there was no discussion.

The public hearing was adjourned at 11:05 a.m.

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
WEDNESDAY, MAY 19, 2022**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on May 19, 2022, in the Joseph Yenni Building, Second Floor Council Chambers, 1221 Elmwood Park Blvd., Jefferson, 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 11:05 a.m. and led in the pledge of allegiance. The roll was called 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
Herbert I. Miller
Herbert T. Weysham, III

ABSENT:

Jason P. Latiolais

ADOPTION OF AGENDA:

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

RESOLUTION NO. 05-19-22-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON APRIL 20, 2022

On the motion of Mr. Arrigo,
Seconded by Mr. Weysham, 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 April 20, 2022.

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

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

NAYS: None

ABSENT: Mr. Cosse and Mr. Latiolais

EMPLOYEE RECOGNITION AND APPRECIATION:

There were no employee recognitions.

SAFETY MINUTE:

Officer Chuck Badon, Police Officer 2A in the Orleans Levee District Police Department, provided an overview of the drivers' training program provided to East Jefferson and Orleans Levee District Police Officers. The course focuses on traction, which must be maintained throughout the course, otherwise the driver to some degree has lost control of his vehicle. The NAPD program is a demanding, low speed, high stress course during which officers are put through five events. The three-day course includes:

Day 1 – Classroom instruction on vehicle mechanics. Training on a 10-foot road track that includes instruction on shuffle steering.

Day 2 – Classroom instruction on levels of competency and defensive driving techniques, as well as discussions on types of pursuits and violators, Newton's three laws of motion and their effect on vehicle operation and movement. Track training with a greater level of proficiency.

Day 3 – Classroom instruction on reading the road, hydroplaning and accident avoidance techniques. Track qualification. Two of the five events are timed.

Officers go through the training program every three years. An additional two-day course is provided on driving SUVs. Finding a location for the course is challenging due to the need for a training track. A track was set up at the airport; however, problems arose and training was interrupted due to COVID. The New Orleans Police Department (NOPD) track is used when available.

Mr. Morgan pointed out that vehicle accidents are the leading cause of Workers' Compensation claims; therefore, defensive driving training is important.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

Mr. Morgan advised that an update on Legislative activities would be provided under Opening Comments. He stated that he was requested to appoint a representative to the Lakefront Management Authority (LMA) Board, effective August 15th, and that he, Kelli Chandler, Regional Director, and Mr. Duplantier came up with a recommendation to send to the Governor's Office. He announced that Michelle White is leaving the FPA; however, she has volunteered to serve on the LMA Board for the next four years. Ms. White knows the FPA organization and its goals and objectives, and would not be overcome by a conflict of interest should an item come before the LMA Board that the FPA would not necessarily support and can do what is right for both organizations. He stated that he would send a letter to the Governor today appointing Ms. White as the FPA's representative to the LMA Board, effective August 15, 2022, for a four-year term.

Mr. Morgan stated that updates would be provided under the Regional Director's Report by David Vitter, the FPA's Washington, DC, legislative consultant, and on an issue with one of the Permanent Canal Closures and Pumps (PCCP) station pumps. Public comments would be received on each update or report as they are presented.

Wilma Heaton, Director of Governmental Affairs, presented an update on the 2022 Regular Legislative Session. Packets were distributed that included an updated tracking report, which was also provided to the Board via email, along with information which is provided upon request to Legislators and their staffs.

Ms. Heaton advised that two priority bills were scheduled to be considered by the House Transportation Committee on Monday, May 23rd. The first bill was House Bill (HB) 519 filed by Representative Raymond Garofalo, who had filed similar bills over the past several years. The second bill was Senate Bill (SB) 458 filed by Senator Jimmy Harris. A meeting that included Sen. Harris, Ms. Heaton, Mr. Duplantier, Ms. Chandler, Mr. Morgan and Nathalie Simon, Governmental Affairs Director for the Nominating Committee, was held and amendments were discussed with Sen. Harris. The Re-engrossed version of SB 458 includes all of the FPA's requests and the bill was unanimously passed by the Senate 37-0. SB 458 allows current Board members to complete their appointed terms; however, going forward, instead of having one Commissioner from each parish under the FPA's jurisdiction, the Board's membership would include three members from Orleans Parish, two members from Jefferson Parish and one member from St. Bernard Parish. In the future, six members of the Board would represent the FPA's area of jurisdiction and its tax base. This issue had been discussed for a number of years.

Mr. Morgan stated that he was told that even though the Nominating Committee submitted its nominations to fill the vacancies when his and Mr. Joanen's appointments expire on July 1st, the Governor was not going to appoint anyone until later. He asked would he and Mr. Joanen continue to serve on the Board until the appointments are made. Ms. Heaton responded that legislation was passed to amend the initial legislation that established the FPA Board. She said that she had not been officially informed; however, she was aware that the Nominating Committee met and submitted names to the Governor. The Regular Legislative Session ends on June 6th. The Governor may be waiting to find out whether SB 458 is passed by the Legislature. She further advised regarding the FPA representative on the LMA Board that the statute was changed to provide that the letter be submitted to the President of the Senate.

Mr. Morgan asked did the \$38 billion budget approved by the Legislature include anything that could impact the FPA. Ms. Heaton explained that the legislative bill has not yet been signed and that it is still being reviewed.

Ms. Heaton also advised that Senator Connick filed SB 465 at the request of the Coastal Protection and Restoration Authority (CPRA). When the Flood Protection Authorities were established, applications were submitted to the Secretary of State and then forwarded to the Nominating Committee. The process of advertising, receiving

applications and forwarding the applications to the Nominating Committee was later delegated by the Governor's Office of Coastal Activities to the CPRA. SB 465, which was passed by the Senate, heard in the House Committee, and is currently on the floor of the House, is administrative and makes the Regional Directors of the Flood Protection Authorities responsible for advertising vacancies, receiving applications and forwarding the applications to the Nominating Committee. President Morgan, Ms. Chandler, and their counterparts on the FPA-West Board had no issue with the administrative change.

PUBLIC COMMENTS: None

PRESENTATIONS: None

REPORT BY REGIONAL DIRECTOR:

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

- The Annual Inspections were completed and no substantive issues, other than the issue with the PCCP pump, was found.
- In preparation for storm season staff has been participating in tabletop exercises and all of the floodgates have been exercised.
- High River inspections have taken place twice per week since March 5th. The River is predicted to remain above 11-ft. at the Carrollton gage through May 30th.
- The I-STORM team from the Netherlands visited New Orleans several weeks ago. FPA staff and the I-STORM team traveled to Terrebonne Parish to view the barge gate and discuss challenges. FPA staff will attend the annual I-STORM meeting on June 7-11 (in the Netherlands).

Ms. Chandler advised that David Vitter with Mercury / Bold Strategies was present to provide an update on the 2022 WRDA bill.

Mr. Vitter advised that he and his team represent the FPA with regards to Federal governmental relations. Congress routinely tries to pass Water Resource and Development Act (WRDA) bill every two years with the next bill scheduled for consideration and passage this year. The FPA's top legislative priority consists of two provisions that it is trying to have included in WRDA 2022. The first provision would push out the sunset that expires in 2024 on work to maintain and raise the levees to account for subsidence. A version of the provision was placed in both the House and Senate WRDA bills that were developed and passed out of the respective Committees. The House version extends the sunset to 2026; therefore, future extensions would be necessary. The Senate version extends the sunset to 2034. The bills will be tracked and an attempt made to get the best version of the provision in the final WRDA bill.

Mr. Vitter advised that the second priority provision is to get the U.S. Army Corps of Engineers (USACE) to look at potentially raising the protection level from 100-year to

200-year for the Hurricane and Storm Damage Risk Reduction System (HSDRRS). This would be a vast improvement in protection that USACE experts state could be done at relatively low costs. Doubling the level of protection at a cost of tens of millions of dollars is a very attractive cost-benefit ratio. A version of the provision is provided in both the House and Senate bills and passed out of the respective Committees. The House version is better and an attempt will be made to include it in the final WRDA bill. He provided copies of the House and Senate versions of the provisions to the Board.

Mr. Vitter anticipated that the House and Senate WRDA bills would pass out of their respective bodies before the August recess. The two bills would then be reconciled to produce a final version, which must be passed by the House and Senate probably after the election, but before the end of the year.

Mr. Vitter explained that his team is working on grant opportunities and that meetings are held by teleconference at least every other week. Opportunities have been identified and are being pursued. The latest opportunity is a Port Security Program Grant that was highlighted by the team; however, thus far a need has not been identified that fits the program. Should a need be identified for the program, immediate action is needed since applications are due in a couple of weeks. He stated that his team is regularly identifying good grant opportunities and pursuing those opportunities.

Mr. Joanen asked about the \$1.2 billion for Lake Pontchartrain & Vicinity in the Senate version of the provisions and the cost for increasing protection to the 200-year level. Mr. Vitter responded that the \$1.2 billion is an increase from the current level and is a placeholder in the Senate bill to try to get a study of the 200-year level. He said that he did not know off the top of his head the current estimate to increase protection to the 200-year level. The House version of the provision includes the wording "200-year" level and is the preferable version. CPRA suggested the Senate language and a discussion will be held with CPRA to clarify the reason for the suggested language.

Chris Humphreys, Director of Engineering, explained that he did not have the 2021 Reauthorization Report; however, the 2019 version of the Reauthorization Report provided the 200-year option and at that point the cost was \$2.6 billion for the 100-year level and \$2.8 billion for the 200-year level (or a nine percent increase in cost to bring the level of protection from 100-year to 200-year). Mr. Vitter commented that it is a marginal cost increase for a huge increase in protection. Mr. Miller added that the draft report showed that both the 100-year and 200-year protection had a good benefit to cost ratio above one and were both economically feasible. The USACE New Orleans District did not offer opposition to the 200-year level; however, the USACE is limited to the language in the current authorization. He asked had there been any comment from the Administration regarding this issue. Mr. Vitter responded that he did not know of any comment; however, the House and Senate Committees would have reached out to the USACE and the Administration.

Mr. Morgan asked for an update on Flood Protection for the New Orleans Lakefront Airport. Mr. Vitter replied that his team is continuing its pursuit of Flood Protection for

the Airport through the appropriation process. He did not have an immediate update; however, (House Whip) Congressman Scalise's and Senator Kennedy's offices are very involved. Senator Kennedy is a member of the Appropriations Committee. He reiterated that he did not have a new update; however, the Congressmen and their staffs are very aware of this need and are working on it.

Mr. Joanen stated that before he leaves the Board he would provide Mr. Vitter with a report, which would first be submitted to the Board, Regional Director and Director of Engineering, that includes a needs list for the organization. Mr. Vitter commented that the report would be helpful to him and the Board.

Ms. Heaton advised regarding Flood Protection for Lakefront Airport that she received a call yesterday from Congressman Carter's Office. Mr. Vitter stated that he would follow up with Congressman Carter's office.

Ms. Chandler provided an update on the London Avenue Canal PCCP pump issue. The London Avenue Canal PCCP has four 1,800 cfs pumps and two 900 cfs pumps. One of the 1,800 cfs pumps is down and offline. The FPA has been eliminating possible reasons for the failure. The pump is a redundant pump and even with the pump being down the FPA still has the ability to match the Sewerage and Water Board of New Orleans' (SWBNO) pumping without any problem. She thanked the USACE and CPRA for partnering with the FPA to try to identify and resolve the issue. The USACE is working with the contractor to dewater and remove the pump in order to determine the cause. A more formal process is being used for communications between the FPA and the SWBNO and includes discussions on pumping and determining which stations feed the London Avenue Canal. Constant communication will be maintained regarding pumping. Aggressive measures will be taken to pump the London Avenue Canal down and to actively manage the water level in the canal. In accordance with the USACE's guidance, if necessary, the London Avenue Canal can be pumped down to a limit of -1 foot in order to provide a basin for water. The London Avenue Canal water elevation limit is +8 feet. The FPA will be in constant communications with all of its partners.

Ms. Chandler explained that a bearing in the pump is spinning and overheating causing the pump to stop. The FPA has a spare bearing at its Franklin Facility; however, staff should determine the cause for the bearing spinning to ensure that the issue is isolated and not systemic. She reiterated that in the meantime the London Avenue Canal PCCP has adequate pumping capacity. Discussions have been held with SWBNO staff about actively mitigating the impacts should another pump go down.

Mr. Arrigo commented that the PCCP pumps are only operated in the event of a hurricane surge in Lake Pontchartrain and not for routine rain events.

Mr. Noel asked how long would the pump be down. Ms. Chandler responded that it would depend on what is found when the pump is examined; however, having an extra bearing will speed the process. The contract for the pump is being fast-tracked. She advised that USACE and CPRA representatives were present to respond to questions.

Mr. Morgan explained that from the administrative standpoint, two weeks ago there was a question about who would take the lead, and it was determined that the USACE would take the lead on the contract. The FPA will provide oversight and assistance where necessary. Reimbursement will be made at a later date.

Mr. Miller commented, as a former Public Works Director for Jefferson Parish, which had multiple large pump stations, that the stations are typically designed with redundancy so that if a major pump is down, there is still full capacity. Pump failures occur from time to time. An investigation should be made to determine the exact cause so that a part is not replaced only to have another failure occur. He reiterated that the PCCP pumps are only used when the lake level is high and are normally bypassed through gravity flow from the canal into the lake.

Mr. Morgan thanked Ms. Chandler, Mr. Humphreys, the USACE and CPRA for their efforts. He stated that his understanding was that the issue was first discovered because the pump was overheating during a practice run; therefore, it became apparent a few months ago that the FPA would have to do something to fix it. There are many open ended questions that must be addressed to resolve the issue. He stated that public safety and security is the FPA's number one responsibility and that the FPA feels very comfortable that there will not be any adverse damages as a result and the repair will be made as fast as possible.

Ms. Chandler advised that the FPA will continue its practice of running the PCCP pumps monthly. There had been no other issues with any of the pumps to-date.

COMMITTEE REPORTS:

Finance Committee: Mr. Noel reported that the Finance Committee met prior to the Board meeting and reviewed the quarterly budget to actuals. The biggest issues were supply chain disruptions, increasing fuel and steel prices, and delays in receiving equipment. The Committee also discussed the certification of the East Jefferson Levee District's (EJLD) millage rate and recommended that the Board certify the current millage rate for calendar year 2022.

Operations Committee: Mr. Duplantier chaired the Operations Committee meeting held prior to the Board meeting due to Mr. Latiolais' absence. He reported that the Committee discussed the following items:

- The Committee recommended that the Board approve the updated 2022 Comprehensive Emergency Management Plan (CEMP). The CEMP was revised to update contact information and to clarify some provisions in the plan. No substantive or significant changes were made.
- The Committee recommended that the Board approve the advertisement and issuance of Request for Qualifications (RFQ) for Indefinite Delivery-Indefinite Quantity (ID-IQ) Contracts for as needed engineering consultant services.

- The Committee discussed new changes to FEMA’s National Flood Insurance Program (NFIP) and the impacts to the rates for Louisiana citizens. The FPA is being proactive and working with the FPA-West to ensure that the actuarial calculations include the HSDRRS so that ratings within the system are appropriate and the public’s insurance costs can be kept down. This issue will be monitored.

Coastal Committee: Mr. Joanen advised that the Coastal Committee did not meet this month. He invited everyone to attend the Coastal Conference being held today from 2 p.m. to 5 p.m. Speakers include representatives from the North Shore, NOAA, Jefferson Parish, CPRA and U.S. Fish and Wildlife Services. The Conference will be recorded and streamed.

Legal Committee: Mr. Duplantier reported that the Legal Committee did not meet this month. He advised that the current Executive Counsel, Michelle White, will be leaving the FPA and that she would be missed. Ms. White has been a very effective counsel for the FPA. He stated that he is working with Kenyetta Sewell, HR Director, to develop an advertisement for the position. Because there is no one in house to promote, the FPA will work with the Attorney General (AG) to identify someone who can be appointed solely on an interim basis, which will probably be for a period of about six months, while the FPA advertises for the position. He said that he discussed the interim appointment with Mr. Morgan. The FPA will get someone who has worked with the FPA and Ms. White will work with the AG’s office. He reiterated that the FPA will advertise the position and get someone who can step into the role and who has worked with these issues.

Mr. Morgan explained that since Mr. Duplantier is an attorney and the FPA is working to fill the position of Executive Counsel, he asked Mr. Duplantier to take the lead on vetting potential candidates for the Legal Committee to interview and follow up with a recommendation to the Board. He stated that the Board appreciated Ms. White’s time and efforts and volunteering to serve on the LMA Board for the next few years.

NEW BUSINESS:

RESOLUTION NO. 05-19-22-02 - ADOPTION OF EAST JEFFERSON LEVEE DISTRICT MILLAGE RATE FOR CALENDAR YEAR 2022

Mr. Morgan read aloud the resolution in its entirety. He explained that the adoption of this resolution would allow the EJLD’s current millage rate to continue for 2022. Should the FPA decide to increase the EJLD tax revenues, it has one more opportunity to roll forward the rate (2023). The Finance Committee recommended that the current rate be continued for 2022. Mr. Cosse conducted a roll call vote.

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

BE IT RESOLVED, by the Southeast Louisiana Flood Protection Authority – East on behalf of the East Jefferson Levee District of Jefferson Parish, Louisiana, in a public meeting held on Thursday, May 19, 2022 which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following adjusted millage rate be and it is hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2022, for the purpose of raising revenue:

Adjusted Rate

Constitutional (General Tax) 3.88 mills

BE IT FURTHER RESOLVED that the Assessor of Jefferson Parish, shall extend upon the assessment roll for the year 2022 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

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

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

NAYS: None

ABSTAINED: None

ABSENT: Mr. Latiolais

Set forth the adjusted millage rate and roll forward to such increased rate allowed by law, but not to exceed the maximum authorized millage for the prior year (2019), and certify the millage rate to the proper administrative officials of the Parish of Jefferson for the purpose of causing the District's Taxes to be entered on the tax rolls and collected for the tax year 2022 on all property subject to taxation by the East Jefferson Levee District.

Mr. Miller offered a motion to cancel Agenda Item XIII.A.2, which would roll forward the EJLD millage rate. There was no objection.

RESOLUTION NO. 05-19-22-03 - AMENDMENT OF BYLAWS

Mr. Duplantier explained that he submitted this amendment to Board members last week. It requires that four executive level positions be approved by a majority vote of the Board. He advised that he did not receive any comments after the last Board meeting. The process will be followed for the new Executive Counsel.

Mr. Morgan added that the President would be the appointing authority for everyone and would make a recommendation to the full Board for the positions of Regional Director, Director of Engineering, Executive Counsel and Administrative Assistant.

Mr. Duplantier added that the amendment also deletes Tangipahoa and St. Tammany from the FPA jurisdiction. Mr. Morgan pointed out that SB 458 filed by Senator Harris also removes Tangipahoa from the FPA's jurisdiction. He referred to recent issues and stated that the amendment should resolve any future issues.

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

WHEREAS, at the Regular Board Meeting held on December 17, 2009, the Southeast Louisiana Flood Protection Authority-East adopted revised Bylaws; and

WHEREAS, it is the intent of the Board to amend **ARTICLE I DEFINITIONS** Section (4), to delete St. Tammany Levee District and Tangipahoa Levee District, and to read as follows:

(4) "Southeast Louisiana Flood Protection Authority-East" or "Authority" means the regional flood protection authority established as a political subdivision of the State and levee district which includes the territories, lands and all properties thereon situated, not exempt from taxation, as provided by law of the following levee districts and parishes: East Jefferson Levee District, Lake Borgne Basin Levee District, and Orleans Levee District."

WHEREAS, it is the intent of the Board to amend **ARTICLE IV OFFICERS**, Section 3.1 (Duties of the President) (f) to read as follows:

(f) "To act as appointing authority for all employees of the Authority, subject to the provisions of Article VI Section 5 below."

WHEREAS, it is the intent of the Board to amend **ARTICLE VI EMPLOYEES** in its entirety to read as follows:

ARTICLE VI - EMPLOYEES

The Authority may employ such employees as it deems necessary for proper functioning of the Authority and/or the levee districts within its jurisdiction, according to law.

§1. ADMINISTRATIVE ASSISTANT TO THE BOARD

The Board may hire an Administrative Assistant to assist the Board in the execution of its duties and with any clerical or administrative tasks and duties as are usually incumbent upon a person in such a position.

At the direction of the Secretary, the Administrative Assistant shall: (1) maintain at the principal office, minutes of all meetings of the Board, including the time and place of the meetings, the names of those present, and the proceedings thereof; (2) keep a membership register showing the names and addresses of the Commissioners; (3) give notice of the meetings of the Board; (4) assist in preparation of minutes, resolutions, and any other matters related to duties of Secretary to the Board; (5) poll Commissioners prior to each regular meeting to establish that a quorum will be present; and (6) keep a list showing the names and address of the members of the Committees of the Board.

The Board may establish the duties and qualifications of the Administrative Assistant in addition to any established by the State of Louisiana.

§2. COUNSEL TO AUTHORITY

1. The state attorney general and his assistants shall advise and provide counsel to the Board in any and all matters when called upon to do so.
2. The Board may hire one or more attorneys to represent it and offer advice and assistance of a legal nature.

The Board may establish the duties and qualifications of the Counsel to Authority in addition to any established by the State of Louisiana.

§3. ENGINEERS

The Board may hire one or more Engineers as it deems appropriate and set the salary or compensation of each.

The Board may establish the duties and qualifications of the Engineers in addition to any established by the State of Louisiana.

§4. REGIONAL DIRECTOR

The Board may hire a Regional Director who shall serve at the pleasure of the Board.

In addition to the qualifications and duties prescribed by law, the Board shall fix the qualifications, duties, and salary of the Regional Director. The Board may establish the duties and qualifications of the Regional Director in addition to any established by the State of Louisiana.

§5. Appointment of Executive Staff

The President shall retain the authority to hire all unclassified employees without approval of the Board except for the Administrative Assistant, Executive Counsel, Director of Engineering and Regional Director.

Should the position of Administrative Assistant, Executive Counsel, Director of Engineering, and/or Regional Director become vacant, the President may appoint an interim in-house employee to fill the position until a permanent appointment is approved by the Board. For the permanent position, the Board shall determine in a public meeting whether to advertise the vacancy or to fill it with in-house personnel. The President shall recommend an individual for selection and hiring of a permanent Administrative Assistant, Executive Counsel, Director of Engineering or Regional Director along with a recommended salary, with the permanent appointment and salary subject to a majority vote of the Board.

§6. The Administrative Assistant, Executive Counsel, Director of Engineering and/or Regional Director can only be terminated with a majority vote of the Board.

Annual salary adjustments for Executive Counsel, Director of Engineering and/or Regional Director shall require Board approval.

WHEREAS, written notice of the intent to amend the Board's Bylaws, as required in Article X – Amendment of Bylaws, was provided on April 29, 2022.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East adopts the aforementioned amendments to the Bylaws.

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

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

NAYS: None

ABSTAINED: Mr. Joanen

ABSENT: Mr. Latiolais

RESOLUTION NO. 05-19-22-04 - APPROVAL OF 2022 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Mr. Duplantier advised that the revisions to the CEMP primarily consist of emergency contact updates. All Board members were given the opportunity to review the CEMP in advance. The Operations Committee recommended that the Board approve the CEMP.

Mr. Morgan explained that Chris Humphreys, Director of Engineering, received comments from Board members, which were incorporated into the CEMP. He added that Ms. Chandler was in charge of everything on every spot.

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

WHEREAS, LA R.S. 38:319, mandates that the Board of Commissioners of each Levee District prepare a written procedures manual to be used during periods of emergency to facilitate the immediate and orderly actions of each board during an emergency; and

WHEREAS, in compliance with the aforementioned statute, the Southeast Louisiana Flood Protection Authority-East (FPA) staff prepared the 2022 Comprehensive Emergency Management Plan (CEMP).

BE IT HEREBY RESOLVED, that the FPA adopts the 2022 Comprehensive Emergency Management Plan, and authorizes all actions under said Plan.

BE IT FURTHER RESOLVED, that the Board adopts the 2022 CEMP as a document that will be utilized to provide guidance for responding to emergencies and operating the Hurricane Storm Surge Risk Reduction System and Mississippi River Levee System at their optimum capacity as and when necessary.

BE IT FURTHER RESOLVED, that the Board recognizes that as with any document of this magnitude, changes may be necessary to improve its functionality and these changes will be incorporated as necessary.

BE IT FURTHER RESOLVED, that the FPA Regional Director, or in his/her absence the Director of Engineering, is hereby authorized to sign any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Latiolais

**RESOLUTION NO. 05-19-22-05 - APPROVAL TO ADVERTISE AND ISSUE RFQs
FOR ID-IQ CONTRACTS FOR GEOTECHNICAL, CIVIL ENGINEERING AND
SURVEYING SERVICES**

Mr. Duplantier explained that the current ID-IQ contracts for these services expire at the end of October and that the Operations Committee recommended that the Board approve the advertisement and issuance of RFQs for new contracts. Mr. Morgan inquired about consultants for the PCCP pumps. Mr. Humphreys responded that the PCCP pumps can be emphasized in the RFQ for Civil Engineering Services. He added that should be Board wish to advertise and issue an RFQ for other engineering disciplines, it can do so at any time. Mr. Miller commented that there are multiple local Civil Engineering consultants with major pump experience; therefore, finding Civil Engineering consultants with pump expertise would not be a problem. Mr. Morgan added that Mr. Humphreys will assign selection teams that include one Board member.

On the motion of Mr. Mr. Duplantier,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (FPA) and levee districts under its jurisdiction are in need of Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts for professional Geotechnical Engineering Services, Civil Engineering Services and Surveying Services on an as needed basis; and

WHEREAS, the FPA's current ID-IQ contracts for said services will expire on October 31, 2021; and

WHEREAS, the ID-IQ contracts will be utilized on an as needed basis with no guarantee of work to the consultants; and

WHEREAS, the selection process for the ID-IQ contracts will be governed by the FPA's Purchasing Policy adopted on May 20, 2021.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the advertisement and issuance of Requests for Qualifications for professional Geotechnical Engineering Services, Civil Engineering Services and Surveying Services for the purpose of entering into ID-IQ contracts for services on an as needed basis.

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

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

NAYS: None

ABSENT: Mr. Latiolais

Mr. Cosse requested that Resolution No. 05-19-22-04 (CEMP) be corrected to read "his/her absence" in the last paragraph. There was no objection.

Ms. Chandler advised that a ceremony led by the USACE will take place on May 27th at 9:00 a.m. at the IHNC-Lake Borgne Surge Barrier for the official turnover of the HSDRRS to the East and West Authorities. The ceremony is by invitation only due to limited space and parking. The USACE will send out the invitations.

Mr. Morgan advised that there was a possibility that the Board would have a Special Board Meeting prior to the next Regular Monthly Board meeting. He stated that he would advise the subject of the Special Board Meeting if and when it can be established that a quorum of the Board can meet.

The next Regular Monthly Meeting of the Board will be held on June 16, 2022, in the New Orleans Lakefront Airport Conference Room.

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