

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
PUBLIC HEARING  
TO CONSIDER ROLLING FORWARD THE ORLEANS LEVEE DISTRICT’S  
MILLAGE RATES WITHOUT FURTHER VOTER APPROVAL  
THURSDAY, DECEMBER 21, 2023**

The Public Hearing was held on Thursday, December 21, 2023, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, New Orleans, Louisiana, and was called to order at 11:20 a.m.

**PRESENT:**

Clay A. Cosse, President  
Roy M. Arrigo, Vice President  
Thomas G. Fierke, Secretary  
William A. Settoon, Jr., Treasurer  
Richard G. Duplantier, Jr.  
Herbert I. Miller  
K. Randall Noel  
Derek N. Rabb  
Deborah M. Settoon

**ABSENT:** None

As requested by Mr. Cosse, Mr. Arrigo read the notice setting forth the purpose of the public hearing:

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

Mr. Arrigo called for public comments. There were no public comments. There was no discussion.

The public hearing was adjourned at 11:22 a.m.

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, DECEMBER 21, 2023**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on December 21, 2023, 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. Cosse called the meeting to order at 11:23 a.m. and led the pledge of allegiance. Mr. Fierke called the roll and a quorum was present:

**PRESENT:**

Clay A. Cosse, President  
Roy M. Arrigo, Vice President  
Thomas G. Fierke, Secretary  
William A. Settoon, Jr., Treasurer  
Richard G. Duplantier, Jr.  
Herbert I. Miller  
K. Randall Noel  
Derek N. Rabb  
Deborah M. Settoon

**ABSENT:** None

**ADOPTION OF AGENDA:**

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

**RESOLUTION NO. 12-21-23-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON NOVEMBER 16, 2023**

---

On the motion of Mr. Noel,  
Seconded by Mr. Fierke, 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 November 16, 2023.

The foregoing was submitted to a vote; the vote thereon was as follows:  
YEAS: Mr. Arrigo, Mr. Duplantier, Mr. Fierke, Mr. Miller, Mr. Noel, Mr. Rabb,  
Ms. Settoon and Mr. Settoon

NAYS: None  
ABSENT: None

## **SAFETY MINUTE:**

Martin Eilers, Director of Risk and Project Management, advised that the annual Safety and Progress Meeting was held on December 14<sup>th</sup>. He reported that year-to-date there were 41 reported safety incidents with six resulting in Workers Comp claims. This was a 32.7 percent decrease in reported incidents and 50 percent decrease in Workers Comp claims from last year. Analytics are continuously used throughout the year to steer the direction of focus and identify trends and areas of improvement. A deep dive is conducted at the end of each year to determine whether strategic staffing adjustments are needed. A focus on the upcoming year is growing the Safety Department. A number of resumes were received for the two vacant Safety Coordinator positions. The resumes are being reviewed and interviews will be conducted.

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

Mr. Cosse stated that the Board wished to recognize three distinguished employees, Brenda Lewis, Kory Pilet and David Ross, who were selected as the Employees of the Quarter for their contributions to the FPA.

Brenda Lewis is an Administrative Coordinator for the Human Resources Department. Ms. Lewis joined the FPA in June 2023. She has readily taken on assignments and always looks for opportunities to support the HR team. She has excellent customer service skills and has gained the respect and trust of those she supports. One of her most valuable assets is that once she understands what a team member is working on, she anticipates how she can help support the project. Ms. Lewis attends trainings and informational meetings to help her better understand the FPA and HR's mission. Ms. Lewis also took on many of the duties of the Training Specialist while she was on a leave of absence.

Kory Pilet is a GIS Specialist with the Engineering Department. Mr. Pilet joined the FPA in October 2022. This year Mr. Pilet studied and successfully obtained a drone license, led a project to map the location of floodwall slab stabilization and shearing issues, and researched and started the FPA's new effort to develop a "levee view" of the FPA's levee system.

David Ross is a Mechanic 4 with the Orleans Mechanic Shop. Mr. Ross joined the FPA in September 2023 and has emerged as an invaluable team member. Collaborating with his peers, he diligently services and repairs tractors, vehicles, and equipment to the highest standards of workmanship, guaranteeing the safe and efficient operation of the fleet. Mr. Ross's contributions directly align with FPA's mission. Well-maintained equipment is essential for the FPA maintenance crews to effectively safeguard the community from floods.

Mr. Fierke noted that there was insufficient time for the Operations Committee to meet prior to the Board meeting and recommended that future Operations Committee meetings be scheduled on a different date than Board meetings. Mr. Settoon

suggested that all of the Committees meet on the same date with an hour allowed for each meeting.

Mr. Miller stated that he had been on the Board seven years and never saw a problem with Committee meetings being held before the Board meetings; however, there had been times when issues needed to be discussed in more depth. He commented that paying two per diems, instead of one, per month for each Commissioner would be an additional cost to FPA. Ms. Settoon disagreed with Mr. Miller and pointed out that Committee members needed more planning time. She suggested that Committee meetings be held one week prior to Board meetings in order to allow sufficient time for discussion. If items come up during the week between Board and Committee meetings, better planning may be needed.

Wilma Heaton, Director of Governmental Affairs, explained that a number of years ago the FPA began scheduling Committee meetings on the same day as the regular monthly Board meetings because some Commissioners lived outside of Louisiana and had to fly in for meetings. All Commissioners now live within driving distance.

After a brief discussion, Mr. Settoon, Mr. Rabb and Mr. Fierke, Chairs of the Finance, Legal, Operations and Coastal and Technical Committees, respectively, concurred with scheduling Committee meetings one week prior to Board meetings.

### **PUBLIC COMMENTS:**

Anyx Burd, speaking on behalf of Housing NOLA, the Greater New Orleans Housing Alliance and many concerned citizens, urged the Board not to roll forward millage rates. She explained that rising interest rates, insurance costs and the potential for increased property taxes are creating a perfect storm for pushing people out of their homes leading to mass displacement of long-term residents. The issue will inevitably affect home owners and renters alike as landlords begin to pass their rising housing costs onto their tenants through rent increases. Taxpayers can no longer be extorted with living costs rising in every sector. Even a little relief can make a big difference. Now is the time to get ahead of this issue before it spirals out of control. She asked that the Board take all of these factors into consideration and choose to not roll forward the millage rates.

### **PRESENTATIONS:**

#### **1. Special recognition by Commissioner Fierke.**

Mr. Fierke presented a special award (in the nature of a four-foot long bright yellow antique slide rule) to Chris Humphreys, Director of Engineering, for engineering excellence in 2023. Mr. Settoon reminded everyone that Mr. Humphreys was recognized by his peers for engineering excellence in 2023.

## **2. Presentation by Colonel Cullen Jones, Commander and District Engineer, U.S. Army Corps of Engineers New Orleans District, regarding the Permanent Canal Closures and Pumps (PCCP).**

Colonel Cullen Jones, Commander and District Engineer, U.S. Army Corps of Engineers (USACE) New Orleans District, provided an update on the on-going efforts at the Permanent Canal Closures and Pumps (PCCP). The USACE is working alongside the FPA, Coastal Protection and Restoration Authority (CPRA) and USACE contractors to ensure the 35-year design life is delivered.

Col. Jones explained that advanced corrosion was identified earlier this year as the cause of overheating and the shutdown of Pump No. 1 at the London Avenue PCCP. This triggered a two-phased effort: 1) to ensure safe reliability of the PCCP systems for the 2023 hurricane season, and 2) to develop a long-term corrective plan on how the USACE would ensure delivery of the systems with the 35-year design life. Col. Jones said that he and Doug Glazer, Executive Vice President of Kiewit Corporation, provided a similar update on December 13th to the CPRA Board. Mr. Glazer represented the PCCP Joint Venture (JV), which is working with the USACE to conduct the corrective actions. Col. Jones commented on the collaborative effort with the USACE's industry partners, the FPA and CPRA. He noted that Kelli Chandler, Regional Director, has been a phenomenal teammate while working the challenging issues. He pointed out that good momentum was being maintained and that there was a good path forward for delivery.

Col. Jones provided the following information on the on-going effort:

All 17 pumps across the three PCCP structures were inspected, assessed, underwent temporary repairs, if necessary, and determined reliable by June 1st for the 2023 Atlantic Hurricane Season. The temporary repairs included London Avenue PCCP Pump No. 1, which had been down since July of 2021. When a point was reached in the decision matrix that the USACE thought it would not be able to deliver the entire capacity at the London Avenue PCCP, it moved aggressively to execute a temporary pumping plan. The USACE, working with the Navy Supervisor of Salvage and Diving, quickly established a temporary pumping site, which provided an additional 1,000 cfs (cubic feet per second) of pumping, to ensure the London Avenue PCCP would meet capacity. The USACE was able to meet the criteria, prove execution and recently recovered the site. Grass is growing on the site and several additional trees were planted. The USACE now has a playbook in hand that can be utilized, if needed, at any of the PCCP stations while moving forward.

Throughout the 2023 hurricane season, the USACE worked with the FPA, CPRA, USACE's contractors and JV on developing a collaborative solution to move forward while maintaining open transparency on the efforts to-date.

The USACE's multiple Centers of Expertise are working alongside the USACE New Orleans District, FPA, CPRA and the contractors, to address key elements. The team reviewed the JV's conceptual plan and provided comments so that the plan

could be refined. The USACE anticipated receiving the final technical solution on January 1<sup>st</sup>, but would continue moving forward with actions on areas where corrective actions can be conducted.

Efforts to ensure delivery of the PCCP system with the designated 35-year design life include:

- The USACE and JV mobilized at the beginning of December to take corrective action on the basement cracks identified at the London Avenue PCCP. The contractors, USACE Quality Assurance Officers and FPA personnel were on site to identify the cracks, which were anticipated to be repaired by February 1<sup>st</sup>.
- In November the USACE executed a contract to conduct surveys at the PCCP stations and the canals to ensure the structures are settling as required so that operations are not affected.
- Probes were completed on December 4<sup>th</sup> on the two identified sink holes. The USACE was working on the plans and means to execute jet grouting for the repair of the sink holes.
- On November 30<sup>th</sup>, the USACE New Orleans District, working alongside the non-federal sponsor, FPA and the JV, conducted a scope of work to discuss the path forward for Pump No. 1, which the USACE's contractor temporarily repaired. The discussions were going well. On December 18<sup>th</sup>, the USACE mobilized to start looking at dewatering at the 17<sup>th</sup> Street PCCP. To-date, Pump No. 1 has been dewatered and stop logs were being installed at Pump No. 4. The USACE was setting conditions to get into the systems to begin executing long-term corrective actions. Additional resources will be provided at the London Avenue PCCP in order to place stoplogs at Pumps Nos. 2 and 5. This will provide four pump locations where the USACE can start effecting solutions. The USACE, with the corrective action plan in hand by January 1<sup>st</sup>, can begin moving forward. On January 2<sup>nd</sup>, personnel and equipment will be mobilized while stoplogs are put in place so that Pump No. 1 can be removed at the 17<sup>th</sup> Street PCCP in order to conduct corrective actions.
- A two-season effort was envisioned to complete the corrective actions. The goal was to complete corrective actions on five to eight pumps between December 2023 and June 1, 2024. At the same time, the USACE will work with the JV through technical sessions to make certain an assessment plan is implemented to ensure the reliability of the remaining pumps for the 2024 hurricane season. In December 2024 the remaining repairs will be effected.
- About five iterations of the plan were reviewed at the JV roundtables, which were attended by FPA and CPRA representatives. Refinements and comments were provided at each roundtable to ensure all partners were aligned with the long-term corrective action plan that meets the 35-year design life. The USACE was ensuring long lead items were on order (e.g., another set of 1800 cfs stoplogs were order to complement what the JV brought to the table and implement multiple repairs).

Col. Jones stated that communication and transparency is paramount. USACE monthly updates are provided to the Regional Director. There will be an uptick in reporting as corrective actions are implemented.

Ms. Settoon recognized Col. Jones for being forward thinking (e.g., long lead equipment orders), his fresh approach to project management and aggressiveness in attaining schedules.

Ms. Chandler commented that the partnerships, collaborations and relationships have been outstanding and were the key to the success of this effort.

### **3. Presentation on PRONTO Asset Management System and Flowcentric – Kelli Chandler, Regional Director.**

Kelli Chandler, Regional Director, provided the presentation on the PRONTO Asset Management System and Flowcentric. She explained that she was hired by the FPA in October 2016. The regionalization process began in 2017.

Prior to regionalization the FPA/levee districts had:

- Four different charts of accounts
- Four different accounting systems using three different software solutions
- Four different payroll cycles and payrolls including coding
- Four different benefit offerings
- Four purchasing policies
- No comprehensive budgeting process
- Multiple banking relationships
- Decentralized and segregated cash management
- Multiple employee handbooks
- Multiple IT networks
- Duplication of Administrative Departments
- No standard policies and procedures
- Did not have PCCP

Over the next two to three years, processes (e.g., chart of accounts, payroll cycles, coding and benefit offerings) were standardized across the FPA and levee districts. The next step in the regionalization process was the implementation of a comprehensive software system.

In May 2020, Technology Evaluation Centers (TEC) was retained to assist with the process of selecting a comprehensive system. The selection process took about a year. Directors were provided 3,300 different requirements to analyze and rank in importance. The criteria was used to identify the FPA's core needs:

- Comprehensive enterprise asset management system
- Consolidation of eight legacy systems into one solution
- A single accounting software
- Preventive, predictive, and corrective maintenance data
- Monitoring and inspection data (USACE and CPRA reports)
- GIS information
- Reporting
- Business Analytics

A Request for Information (RFI) was developed. A database of enterprise-wide asset management systems was used to evaluate rankings. The RFI was sent to 30 vendors. Six vendors were selected to provide a web demonstration. Three vendors were selected to provide a two-day presentation and demonstration, and then the final candidate was selected.

Ms. Chandler advised that IFS was the FPA's first choice. The FPA did not want to start the implementation process until after hurricane season; however, IFS wanted the FPA to begin paying for the system in advance. There were additional negotiation issues and the FPA realized that the relationship with IFS would not be a good fit. Therefore, PRONTO was selected. PRONTO was cheaper than IFS and staff had a better relationship with the vendor.

PRONTO provides:

- Comprehensive asset management
- Levee inspections documentation
- Forecasting and scheduling preventative maintenance tasks
- Work order creation
- Inventory management
- Warehouse management
- Contract tracking
- General ledger
- Accounts receivable
- Accounts payable
- Fixed assets
- Purchasing
- Quarterly and semi-annual reporting to the CPRA and USACE

PRONTO costs:

- Implementation: \$495,000
- Annual Subscription: \$113,000 (does not include FlowCentric: \$46,740)
- Term is five years beginning September 1, 2021



- Support is provided by a help desk ticket system at a rate of \$180 per hour. Use of the help desk ticket system was decreasing as super users within the agency who know the system well were being utilized for training and resolving issues.

Future PRONTO implementation:

- Contracts module – Currently, Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts are tracked in an Excel spreadsheet. This will shortly be loaded into PRONTO.
- PSA Air - Automation of vendor invoicing will go live in February. Invoices emailed by vendors will be read through OCR and the relevant information loaded into the system.
- Flow Centric – A vendor module that creates a portal for vendors to utilize was placed on hold due to operational difficulties and not being cost effective.

Mr. Rabb suggested, in lieu of the help desk ticket system, negotiating an agreement with PRONTO for support and maintenance. Ms. Chandler responded that the FPA would attempt to negotiate an agreement for a comprehensive support system. Mr. Rabb also suggested using the train-the-trainer concept. Ms. Chandler replied that the FPA was attempting to utilize this concept.

Ms. Settoon inquired about the ID-IQ contracts. Ms. Chandler explained that Requests for Qualifications (RFQ) were issued every three years for certain services. ID-IQ contracts are entered into with the selected firms and task orders are issued, as needed, under the contracts.

Mr. Settoon advised that the presentation was provided at his request. He thanked Ms. Chandler for the presentation.

Mr. Fierke asked what was anticipated to happen at the end of the five-year contract with PRONTO. Ms. Chandler advised that staff is constantly evaluating the system. She anticipated negotiating a renewal of the contract, which would be brought to the Board for approval.

### **REPORT BY REGIONAL DIRECTOR:**

Due to the length of the presentation on PRONTO, no Regional Director's report was provided.

### **COMMITTEE REPORTS:**

**Finance Committee:** Mr. Settoon reported that the Finance Committee met prior to the Board Meeting. The Committee recommended that the Board approve the proposed resolution regarding the reinvestment of \$25 million in new bonds. The Committee also

recommended that the Board roll back, but not roll forward, the Orleans Levee District ad valorem tax millage rates.

**Operations Committee:** Due to time constraints, the Operations Committee meeting was not held as scheduled prior to the Board meeting and the items on the Operations Committee agenda were referred to the Board.

**Legal Committee:** Mr. Rabb reported that the Legal Committee met prior to the Board meeting. The meeting primarily revolved around the Executive Session, which helped Commissioners understand Police policies and procedures, as well as the needs of the Superintendent of Police.

**Coastal and Technical Committee:** The Coastal and Technical Committee did not meet in the month of December.

**NEW BUSINESS:**

**RESOLUTION NO. 12-21-23-02 - ADOPTION OF ORLEANS LEEVE DISTRICT MILLAGE RATES FOR CALENDAR YEAR 2024**

The resolution was read aloud in its entirety by Mr. Arrigo.

Mr. Cosse reminded the Board that under Public Comments, Ms. Anyx Burd, on behalf of Housing NOLA, requested that the Board not roll forward the millage rates for the Orleans Levee District (O.L.D.) ad valorem taxes. He asked for comments from the public. There was no public comment.

There was an inquiry by Mr. Duplantier regarding the accuracy of the rolled back rate for the General (Constitutional) Tax. A brief recess was called in order to determine the correctness of the rate. The Board reconvened in regular session. The General Tax rolled back rate included in the resolution was confirmed as being correct.

Mr. Settoon advised that the Board was acting in accordance with the law by rolling back all of the O.L.D. ad valorem tax millage rates.

There was no further discussion. A roll call vote was conducted on the adoption of the resolution.

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

**RESOLUTION NO. 12-21-23-02 - ADOPTION OF ORLEANS LEEVE DISTRICT MILLAGE RATES FOR CALENDAR YEAR 2024**

**WHEREAS**, the reassessment of property subject to taxation within the geographic boundaries of the Orleans Levee District (the "District"), the portion of Orleans Parish located on the East Bank of the Mississippi River, made during 2023 as

completed for use for tax year 2024, resulted in more assessed valuation than that assessed in 2023; and

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

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

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

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

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

**WHEREAS**, the following millage rates were adopted by the Authority on behalf of the Orleans Levee District and levied on the 2023 tax rolls: General Tax – 5.46 Mills, Maintenance Tax - .75 Mills and Special Levee Improvement Tax – 6.07 Mills, or a total of 12.28 Mills; and

**WHEREAS**, in accordance with the provisions of Article 7, Section 23 (B) of the Louisiana Constitution of 1974, as amended, and La. R. S. 47:1705 B., the following adjusted ad valorem tax millage rates would generate the same collection of ad valorem taxes in 2024 as were collected in the year preceding the reassessment (2023):

General Tax - 4.80 Mills  
Maintenance Tax - .66 Mills  
Special Levee Improvement Tax – 5.33 Mills

**WHEREAS**, the Authority has determined that the following ad valorem tax millage rates must be levied on the 2024 tax rolls on all property subject to taxation by the Orleans Levee District in order to meet the needs of the District:

General Tax – 4.80 Mills  
Maintenance Tax - .66 Mills  
Special Levee Improvement Tax – 5.33 Mills with the proceeds of .49 Mills to be dedicated and used for the operation and maintenance of the non-revenue producing assets

**BE IT HEREBY RESOLVED**, by the Southeast Louisiana Flood Protection Authority – East, acting as the governing authority of the Orleans Levee District, in a public meeting held on December 21, 2023, 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:

**Section 1. Millage to be levied in 2024.** The following millages are adopted and levied for the tax year 2024 on all property subject to taxation within the portion of Orleans Parish located on the East Bank of the Mississippi River by the Orleans Levee District:

General Tax – 4.80 Mills  
Maintenance Tax - .66 Mills  
Special Levee Improvement Tax – 5.33 Mills

**SECTION 2. Statement of Total Millage to be Levied.** A total of 10.79 mills shall be levied in 2024 for the General Tax, the Maintenance Tax and the Special Levee Improvement Tax.

**SECTION 3. Certification of Levy.** The Authority acting for the District hereby certifies the annual levy of the General Tax, the Maintenance Tax and the Special Levee Improvement Tax to the Council of the City of New Orleans for the purpose of causing the three taxes to be entered on the tax rolls of said City and collected by its Finance Department in the manner and under the conditions and with interest and penalties prescribed by law for City taxes; and such monies, the ad valorem taxes including interest and penalties connected therewith, thus collected shall be paid to the District as provided by law for the tax year 2024.

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

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

YEAS: Mr. Arrigo, Mr. Cosse, Mr. Duplantier, Mr. Fierke, Mr. Miller, Mr. Noel,  
Mr. Rabb, Ms. Settoon and Mr. Settoon

NAYS: None

ABSTAINED: None

ABSENT: None

**Set forth the adjusted millage rates and roll forward to such increased rates allowed by law, but not to exceed the maximum authorized millage for the prior year, and certify the millage rates to the proper administrative officials of the City of New Orleans for the purpose of causing the Orleans Levee District's Taxes to be entered on the tax rolls and collected for the tax year 2024 on all property subject to taxation by the Orleans Levee District.**

Mr. Settoon advised that the Finance Committee recommended that the Board not roll forward millage rates.

Ms. Settoon commented that State Representative Stephanie Hilferty recommended that the millage rates not be rolled forward due to the current economic environment (i.e., higher assessments values, increased insurance costs and inflation). Mr. Arrigo noted that a number of emails were received from the public requesting that the Board not roll forward the millage rates.

Mr. Fierke pointed out that the collective decision of the Board to not roll forward the millage rates was a collective decision that the FPA mission would not adversely be affected in the next year. It was also noted that the Board has the option to roll forward the millage rates in any of the next three years.

No one offered a motion to roll forward the O.L.D. ad valorem tax millage rates. Therefore, the Board proceeded to the next item on the agenda.

### **RESOLUTION NO. 12-21-23-03 - INVESTMENT OF BOND PROCEEDS AND LAMP FUNDS IN NEW BONDS**

---

Mr. Noel advised that the Finance Committee recommended that \$25 million be reinvested in new bonds that mature in 2026 with an interest rate in the neighborhood of 4.3 percent as a hedge against potentially dropping interest rates. The \$25 million consists of the proceeds of two \$2.5 million bonds that matured in December and a \$5 million bond that matures in January (totaling \$10 million) and \$15 million from the Louisiana Asset Management Pool (LAMP) account. Ms. Chandler clarified that \$10 million would be from the Orleans Levee District LAMP account and \$5 million from the East Jefferson Levee District LAMP account. Mr. Kernion suggested that an exact interest rate for the new bonds be included in the resolution. Mr. Arrigo pointed out that at the time of the Board meeting, LAMP had a higher interest rate and that the designated money would be invested in bonds with a lower interest rate with the anticipation that the balance would shift in the future. Mr. Settoon stated that the Board could specify a ceiling; however, Mr. Kernion had been a trusted advisor and would not do anything that was not in the FPA's best interest.

Mr. Noel offered a motion, which was seconded by Mr. Fierke and unanimously adopted, to amend the resolution in the fourth WHEREAS paragraph and first RESOLVE paragraph to provide for the investment of \$25 million with a limit of 2026 in maturities and four percent or higher in bonds.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (FPA) by Resolution 04-15-21-02 approved the Updated Investment Policy dated April 15, 2021, which established guidelines for the investment of funds for the FPA and the levee districts under its jurisdiction; and

**WHEREAS**, the FPA's investment portfolio with Edward Jones includes two \$2.5 million bonds that mature in mid-December, 2023, and a \$5 million bond that matures in January, 2024; and

**WHEREAS**, the FPA has significant funds invested in its Louisiana Asset Management Pool (LAMP) account; and

**WHEREAS**, the FPA intends to invest the proceeds of the aforementioned bonds totaling \$10 million and \$15 million from the LAMP account, or a total of \$25 million,

in new bonds, with a limit of 2026 in maturities and four percent or higher in bonds; and

**WHEREAS**, the investment in new bonds shall be in accordance with the FPA's Updated Investment Police; and

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the investment of the aforementioned \$25 million in new bonds, with a limit of 2026 in maturities and four percent or higher in bonds.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in his/her absence the Director of Engineering, is hereby authorized to execute 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. Duplantier, Mr. Fierke, Mr. Miller, Mr. Noel, Mr. Rabb, Ms. Settoon and Mr. Settoon

NAYS: None

ABSENT: None

**RESOLUTION NO. 12-21-23-04 - AWARD OF CONTRACT FOR THE LAKESHORE DRIVE – BAYOU ST. JOHN BRIDGE APPROACHES PROJECT**

Chris Humphreys, Director of Engineering, advised that bids were opened on December 17<sup>th</sup> for the Lakeshore Drive – Bayou St. John Bridge Approaches Project. Three bids were received. The lowest bid in the amount of \$961,735.05 was submitted by Barriere Construction Company, LLC. The asphalt on the bridge approaches will be milled, the exiting subgrade re-compacted and new asphalt laid. FPA staff and the engineering consultant recommended award of the contract to Barriere Construction Company, LLC.

On the motion of Mr. Noel,

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

**WHEREAS**, the Lakeshore Drive – Bayou St. John Bridge Approaches Project (Project No. 02440176) was advertised and three bids were opened and read at the Orleans Levee District on December 17, 2023, as follows:

<b>Bidding Contractors</b>	<b>Total Bid Price</b>
Barriere Construction Company, LLC	\$961,735.05
Cycle Construction Company, LLC	\$1,235,717.75
Boh Bros. Construction Company, LLC	\$1,293,177.50

**WHEREAS**, the lowest responsive and responsible bid was submitted by Barriere Construction Company, LLC, in the amount of \$961,735.05; and

**WHEREAS**, the Engineering Estimate for the base bid project is \$1,057,265.00; and

**WHEREAS**, funding for the project is included in Budget Line Item 30.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East (FPA) authorizes the award of a contract in the amount of \$961,735.05 to Barriere Construction Company, LLC, for the Lakeshore Drive – Bayou St. John Bridge Approaches Project.

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in his/her absence the Director of Engineering, is hereby authorized to execute the above mentioned contract with Barriere Construction Company, LLC, 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. Arrigo, Mr. Duplantier, Mr. Fierke, Mr. Miller, Mr. Noel, Mr. Rabb,  
Ms. Settoon and Mr. Settoon

NAYS: None

ABSENT: None

**Motion to approve the advertisement of a Request for Qualifications (RFQ) for architectural services, including project design and project management, for the International Center for Storm Surge Barrier Research, Public Education and Satellite Maintenance Facility.**

A motion to approve the advertisement of a Request for Qualifications (RFQ) for architectural services, including project design and project management, for the International Center for Storm Surge Barrier Research, Public Education and Satellite Maintenance Facility was offered by Mr. Fierke and seconded by Mr. Rabb.

Mr. Duplantier stated that he was not sure how this item was placed on the agenda. He explained that he and Chris Humphreys, Director of Engineering, had gone to one of the FPA's Indefinite Delivery-Indefinite Quantity (ID-IQ) qualified architectural firms to do an initial plan for the project. They planned to come to the Board once the architect had the initial plan. He stated that he did not know that the FPA needed to place the project out for an RFQ at this point because the FPA had an ID-IQ qualified and approved firm that he and Mr. Humphreys were consulting with to do the project.

Ms. Settoon commented that the cost of the project is about \$8 million. Mr. Duplantier stated that the FPA does not know the cost, which is the reason he and Mr. Humphreys consulted with the architectural firm. Ms. Settoon inquired about the scope of the project. Mr. Humphreys advised that the Board for several years unanimously approved the submittal of the project for Louisiana Capital Outlay Project (COP) funding. The resolution before the Board is consistent with the FPA's COP request. The project consists of a multi-use facility that could be phased construction. The FPA went through the RFQ process and selected three architectural firms for ID-IQ contracts. He stated that Mr. Duplantier pointed out that the ID-IQ contracts in place satisfy the Brooks Act requirements and an RFQ was not needed. In November, Engineering selected Verges Rome Architects and visited with the architect. The architect had a conceptual plan in development that would be presented to the FPA next month. Mr. Noel pointed out that the project would not be built unless the funding was received from an outside source. Mr. Humphreys stated that grant funding would be solicited for the project.

Mr. Duplantier explained that the project had been submitted in the past for COP funding and routinely rejected. He stated that through Senator Vitter's group, he met with their grant consultants. The current conceptual plans are outdated and not what the FPA wants to build. Therefore, he asked Mr. Humphreys to go through the ID-IQ consultants and select one of the approved architects. Mr. Humphreys selected Verges Rome Architects. Verges Rome will develop a more comprehensive plan for the project that includes all three phases of what is needed by the FPA. The plan will be submitted to the Board. At this point, the FPA will go out for a selection and attempt to gather the funds to build the project. He stated that the FPA needed a real price and plan before this could be done, which is what they were having Verges Rome develop.

Ms. Settoon asked about the scope of the project. Mr. Humphreys advised that the project description for the COP request included a 17,000 square foot facility at a cost of approximately \$10 million. Mr. Duplantier explained that the project would include a maintenance facility, which is needed at the site, a safehouse for employees at the IHNC Surge Barrier, a research facility and a visitor's center. The National Oceanic and Atmospheric Administration (NOAA) and the University of New Orleans (UNO) have committed to the placement of research fellows at the facility. The project would be constructed in stages. This was the reason that the FPA needed a better concept about Engineering's needs at the site, the facility's usage and the cost. He stated that the proposed resolution was unnecessary and a little premature at this point.

Mr. Fierke asked Mr. Duplantier how he became involved in the project. Mr. Duplantier explained that he had been involved with the project since he became a Board member. He stated that the project was important and needed to be built. The FPA has had hundreds of people visit the Surge Barrier. Mr. Fierke stated that he understood the need; however, as the Chair of the Operations Committee, he did not know anything about the project. Mr. Duplantier responded that the FPA had been trying to move the project forward for years. Mr. Fierke stated that, had he known, he would have had Mr. Duplantier come to the Operations Committee to discuss the project. Mr. Duplantier responded that he was going to come to the Operations Committee, but he was waiting for Verges Rome to come up with a proposal. Mr. Fierke stated that he would like to issue an RFQ. Mr. Duplantier responded that going out for an RFQ would slow the process. He explained that the work by Verges Rome was to provide the FPA with a design for the budget. It was not a conceptual study. It was a conceptual design with a process on how the project would be built.

Wilma Heaton, Director of Governmental Affairs, quoted Ms. Chandler and stated that partnerships, collaboration and relationships are the key to success. She apologized to Mr. Fierke because she had briefed Mr. Duplantier some time ago about the project and had not been aware that the work was going on. She explained that about seven years ago, the President of the Board at that time met with the third most powerful person in China at the Surge Barrier. The FPA has had people from all over the world visit the surge barrier. Staff has had to bring an ice chest and equipment to the site, and on occasion rented a port-a-let for dignitaries who visited the Surge Barrier. Ms. Heaton explained that she was asked to begin submitting COP requests to fund the project.



However, the COP process requires that the agency attest that it has no means to pay for the project from its funds. The FPA cannot attest to this requirement since the property that the facility would be built on is owned by the Orleans Levee District. Therefore, the COP Program would not be the funding mechanism.

Ms. Heaton further explained that she requested that the proposed resolution be placed on the agenda because she was not aware of the other issues. She stressed that the project qualifies for Federal funding because it is an international center that would be beneficial in many ways. She explained that based on her 27 years of dealing with this type of matter, if an agency does not have a project specific advertisement, that regulation box does not get checked. An ID-IQ contract would not meet this requirement.

Mr. Duplantier stated that he and Mr. Humphreys were trying to get to that point; however, they were not there yet. Ms. Heaton asked Mr. Duplantier was he aware of the voluminous materials that legislators received on the concept and suggested that she and Mr. Duplantier compare notes on the project. Mr. Duplantier stated that he was very aware and that he and Mr. Humphreys met with CPRA representatives two years ago about the project. Ms. Heaton explained that at this time she was working with CPRA because of the number of moving parts involving more than just the building.

Mr. Rabb commented that he understood Mr. Fierke's concern about transparency. Mr. Duplantier reiterated that they were using an ID-IQ qualified architectural firm for a reason—so that they would not have any additional delay. The more delays, the less time they will have to get the project into the hands of the right grant people by March. He stated that the process he and Mr. Humphreys were using qualifies with the Federal Brooks Act.

Mr. Rabb asked Mr. Duplantier was he saying that this particular vendor was a sole source? Mr. Duplantier responded that Verges Rome is one of the pre-approved architectural firms listed on the ID-IQ contract spreadsheet received by the Board each month. He explained that he went to Mr. Humphreys and asked him which of the three pre-approved architectural firms was best suited to develop the conceptual design. Mr. Humphreys further explained that the FPA issued an RFQ to develop a pool of architectural firms selected on a quality basis. This process is used for all of the FPA's consulting engineering services. Task orders are issued under the contracts for work, as needed. It was noted that Verges Rome was listed on the ID-IQ spreadsheet submitted to the Board; however, a task order was not listed for the project.

Mr. Duplantier offered a motion to table the motion to advertise an RFQ until the next meeting so that additional information could be provided to the Operations Committee and the Board. Ms. Settoon asked that the motion to defer include the requirement for the item to go through the Operations Committee. Mr. Duplantier concurred. Mr. Fierke asked would the FPA continue to incur costs. Mr. Duplantier responded that he did not know that the FPA was incurring costs. Mr. Noel seconded the motion to table the item. The motion to table the item until the next meeting was adopted by a majority vote of the Board.

**EXECUTIVE SESSION:**

- 1. Joseph Robert, et. al. versus State of Louisiana, et. al., Court of Appeal, Fourth Circuit, State of Louisiana, No. 2023-CA-0397 – to discuss latest update on the case.**

A motion was offered by Mr. Noel, seconded by Ms. Settoon and unanimously adopted, for the Board to convene in Executive Session to discuss the item listed on the agenda. The Board convened in Executive Session at 12:45 p.m.

A motion was offered by Mr. Fierke, seconded by Mr. Arrigo and unanimously adopted, for the Board to reconvene in regular session. The Board reconvened in regular session at 1:00 p.m.

Mr. Cosse announced that no action was taken by the Board during the Executive Session.

The next regular monthly meeting of the Board will held on January 18, 2024.

There was no further business; therefore, the meeting was adjourned at 1:03 p.m.