

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
PUBLIC HEARING
THURSDAY, OCTOBER 17, 2024**

A Public Hearing was held on Thursday, October 17, 2024, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, New Orleans, Louisiana, at 10:00 a.m.

PRESENT:

Clay A. Cosse, President
Roy M. Arrigo, Vice President
Deborah M. Settoon, P.E., Secretary
William A. Settoon, Jr., Treasurer
Roy M. Carubba, P.E.
Thomas G. Fierke
Richard G. Duplantier, Jr.
K. Randall Noel

ABSENT:

Derek N. Rabb

Mr. Cosse 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. Cosse called for public comments. There were no public comments.

There was no discussion.

The public hearing was adjourned at 10:03 a.m.

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST
BOARD MEETING
THURSDAY, OCTOBER 17, 2024**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on October 17, 2024, 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 10:04 a.m. and led the pledge of allegiance. Ms. Settoon called the roll and a quorum was present:

PRESENT:

Clay A. Cosse, President
Roy M. Arrigo, Vice President
Deborah M. Settoon, P.E., Secretary
William A. Settoon, Jr., Treasurer
Roy M. Carubba, P.E.
Thomas G. Fierke
Richard G. Duplantier, Jr.
K. Randall Noel

ABSENT:

Derek N. Rabb

INTRODUCTION AND OATH OF OFFICE FOR NEW BOARD MEMBER:

Mr. Cosse welcomed Commissioner Roy M. Carubba to the Board. Mr. Carubba was appointed to the Board by Governor Jeff Landry on October 9, 2024. The oath of office was administered to Mr. Carubba by Ruby Gethers, Paralegal and Notary.

ADOPTION OF AGENDA:

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

RESOLUTION NO. 10-17-24-01 - APPROVAL OF THE MINUTES OF THE PUBLIC HEARING AND BOARD MEETING HELD ON SEPTEMBER 19, 2024

On the motion of Mr. Duplantier,
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 Public Hearing and Board Meeting held on September 19, 2024.

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

YEAS: Mr. Arrigo, Mr. Carruba, Mr. Duplantier, Mr. Fierke, Mr. Noel,
Ms. Settoon and Mr. Settoon

NAYS: None

ABSENT: Mr. Rabb

EMPLOYEE OF THE QUARTER AWARD:

Mr. Cosse advised that Anthony Mendoza was named the Employee of the Quarter by FPA Directors and read the announcement prepared by staff: “Andy joined our team in April 2023 as a Maintenance Repairer I in the Maintenance Department. Andy consistently demonstrates a strong work ethic and is always eager to assist his teammates in completing their assignments. He communicates effectively with his supervisors, ensuring tasks are done completely, accurately, efficiently and on time. His professionalism and positive attitude are evident in everything he does. Recently, Andy was assigned to assist a team member with a project. Not only did he help complete the project successfully, but he also took the opportunity to teach his coworker a valuable new skill. Thanks to Andy’s leadership and teamwork, the project was completed on schedule and to a high standard. Thank you, Andy, for being a member of our team.”

SAFETY MINUTE:

Ryan Hathaway, Engineer, provided the safety minute on the topic of situational awareness at construction sites. In construction, situational awareness is critical to maintaining a safe working environment and is the first line of defense against accidents. Remaining alert is essential in preventing accidents given the presence of heavy equipment, machinery and multiple trades.

Mr. Hathaway provided tips to enhance situational awareness at a construction site: Know your work area. Familiarize yourself with the site layout and know where excavations, scaffolding and equipment are located. Know your exits and the location of emergency equipment (e.g., fire extinguishers and first aid kits). Observe your surroundings. Be mindful of moving machinery. Always make eye contact with equipment operators. Always wear Personal Protective Equipment (PPE), such as hard hats, reflective vests and steel-toed boots. Communicate effectively. Report hazards immediately (e.g., open excavations with no shoring, no fault protection when workers are on high platforms and weather-related risks). Remain focused on your tasks. Eliminate distractions (e.g., using cell phones) while on site. Plan for emergencies. Know the emergency procedures, evacuation routes and who to contact in the event of an incident. Stay calm under pressure. If something goes wrong, take a moment to assess the situation and respond based on your training.

OPENING COMMENTS BY PRESIDENT AND COMMISSIONERS:

None.

PUBLIC COMMENTS:

None.

PRESENTATIONS:

1. Cybersecurity Training - Special Agent Darryl Belarmino, Federal Bureau of Investigation (FBI) New Orleans Field Office

Special Agent (SA) Darryl Belarmino, Federal Bureau of Investigation (FBI) New Orleans Field Office, provided a presentation on cybersecurity. According to the FBI's online intake site IC3.gov (Internet Crime Complaint Center), public and private reported losses in 2023 totaled \$12.5 billion and an average of 2,412 complaints were received daily. A breakdown of the complaints (types of cybercrime) was shown. Exponentially, the greatest number of complaints in the past five years were phishing and spoofing related. In the past five years (2019 – 2023) 3.79 million complaints were received and losses totaled \$37.4 billion.

SA Belarmino stressed that all cybercrimes whether personal or professional should be documented at IC3.gov. The reported information can be used to identify patterns and threats. If a cybercrime is reported within 24 to 48 hours, the chance of recovery is high. In 2023 the recovery success rate was 71 percent.

SA Belarmino explained that social engineering is the act of tricking someone into divulging information or taking action usually through technology. It can take place online, telephonically or in person. Individuals should be aware of their personal and professional information provided online and to the public. Types of social engineering include:

- Phishing – A fraudulent act of acquiring private and sensitive information, and account usernames and passwords.
- Spear Phishing – A variation on phishing in which hackers send emails to groups of people with specific common characteristics or other identifiers.
- Whaling – Spear Phishing attempt targeting high-ranking or senior people, executives or others in powerful positions or with important-sounding job titles.
- Typosquatting – Domains that look similar to the official email addresses of the organizations they intend to target.

SA Belarmino reviewed ways to identify phishing emails and tips to avoid being a social engineering victim: 1) consider the source, 2) slow down, 3) if it sounds too odd to be true, it probably is, and 4) when in doubt, verify email through other means (e.g., a phone call or visit a trusted website with a HTTPS vs HTTP extension).

SA Belarmino advised that in 2023 reported Business Email Compromise (BEC) complaints totaled 21,489 and exposed losses totaled \$2.9 billion. The following steps were recommended:

- Verifying any changes to wire transactions. Ensure proper protocols are in place. Phone call with a trusted person.
- Monitor suspicious email activity.
- Ensure employee awareness.
- Report issues to IC3.gov.

SA Belarmino explained that ransomware is malware that infects computers, networks or services. The victim's computer is infected with malware, the malware encrypts the victim's data and/or systems making them unreadable, and the actor demands payment to decrypt the files or network. Protections include:

- Focus on awareness and training.
- Keeping patches updated.
- Setting anti-virus and anti-malware to automatic update.
- Managing privileged (administrator) accounts.
- Implementing principle of least privilege.
- Disabling MS Office macro and using Office Viewer software in email.
- Implementing software restriction policies.

SA Belarmino recommended using available resources including CISA (Federal Cybersecurity and Infrastructure Security Agency), FTC (Federal Trade Commission) and FBI IC3.gov, phishing.org and Universities (Berkley Phish Tank).

2. Fiscal Year 2024 end of the year recap for the Lakefront Management Authority (LMA) (Orleans Levee District Non-Flood Protection Assets) by Louis Capo, LMA Executive Director

The Fiscal Year 2024 end of the year recap for the Lakefront Management Authority (Orleans Levee District Non-Flood Protection Assets) will be provided at the November 21, 2024, Board meeting.

REPORT BY REGIONAL DIRECTOR:

Kelli Chandler, Regional Director, provided her report:

- Tropical Outlook – LaNina, which was expected to return by the end of the summer, has not yet returned; therefore, a less active November is anticipated.
- An employee appreciation event was held for Operations and Finance teams.

- Sonar capabilities – Preliminary images from the newly purchased sonar equipment were viewed. The capabilities of the equipment are being explored for the future. Mr. Settoon requested that the Board be provided more in-depth information on sonar and its uses.
- Former East Jefferson Levee District Administrative Facility at Plache Court – After a meeting with the real estate consultant a determination was made that the highest value for the property was the land. The FPA anticipated using a Jefferson Parish general services contract to preclude going through the bid process. Jefferson Parish will provide documentation for the qualification-based process used. The contractors visited the site and will provide quotes next week based on rates established in Jefferson Parish’s general services contracts. Asbestos screening will take place prior to demolition.
- Safety – AEDs (automated external defibrillator) were added at each Permanent Canal Closures and Pumps (PCCP) station and may be added at the complex structures. An FPA employee is attending OSHA (Occupational Safety and Health Administration) Prerequisite Training. Upon completion he will be able to administer OSHA 10 training in-house. The FPA secured a spot in the Smith Defensive Driving Train-the-Trainer program scheduled for November.
- Finance staff participated in a project field trip.

COMMITTEE REPORTS:

Finance Committee: Mr. Settoon advised that the Finance Committee met prior to the Board meeting. The Committee approved the FPA Investment Advisor’s recommendation that \$10 million be transferred from the LAMP (Louisiana Asset Management Pool) account to secure bonds maturing in 2027 and \$10 million from LAMP to secure bonds maturing in 2028. The Committee was advised that the Fiscal Year 2024 Financial Audit was completed with no findings. The audit was submitted to the State of Louisiana. He requested that Wilma Heaton, Director of Governmental Affairs, explained the ad valorem tax millage process.

Ms. Heaton explained that two resolutions were on the Board Agenda. The Board is required by law to adopt the first resolution, which rolls back the ad valorem tax millage rates for the Orleans Levee District (O.L.D). The roll back of the millage rates would result in the O.L.D. collecting the same amount of revenue as last year. The Board could then roll forward or increase the millage rates to collect additional revenues. The two resolutions provide transparency. She pointed out that the Regional Finance Director could provide specifics regarding the potential additional revenues.

Mr. Arrigo pointed out that if the Board rolls forward the millage rates, the rates would still be within the parameters already approved by the voters.

Mr. Settoon expanded on a comment that he made at the September 19 Board meeting about the cost of employees. He pointed out that the cost includes the payroll burden factor (benefits) in addition to salaries. At the September 19 meeting he stated that the

factor was 35 to 40 percent. However, he had asked Ms. Williams to refine the estimate and that the factor is 66 percent. He stated that this is very high compared to other government agencies and private industry. Retirement matching is a little over half the amount and insurance is another quarter. If an FPA employee works a full year at \$20 per hour, he/she would earn \$41,600; however, the cost to the FPA is another \$27,500, for a total of \$69,000.

Denise Williams, Regional Finance Director, explained that total benefits were divided by salaries to arrive at the payroll benefit factor of 66 percent. The FPA typically pays an average of 40 percent to the Louisiana State Employees Retirement System (LASERS) for each employee. Percentages fluctuate between 38 and 35 percent and 40 and 42 percent based on LASERS' accrual rate. Payment to LASERS is mandated. The FPA pays a very high percentage of health insurance premiums, which is mandated. She explained that from a personal standpoint, as an Accountant with two degrees in accounting, the State is not competitive relative to salaries. She stated that, personally, the benefits keep her employed by the State. Otherwise, she could earn a higher salary in the private sector. She pointed out that the FPA's greatest expense is its people, because the FPA's greatest asset is its people.

Mr. Settoon clarified that he was not suggesting that benefits be reduced. He was just pointing out the cost.

Operations Committee: Mr. Fierke reported that due to the lack of a quorum the Operations Committee held an informational meeting on October 10. He advised that prior to the October 10 informational meeting, he and Mr. Settoon met with Chris Humphreys, Director of Engineering, and his staff. Mr. Fierke supported hiring the two firms recommended for FEMA debris disposal services. Two firms are needed to expedite hurricane debris disposal and receive a higher FEMA reimbursement percentage.

Legal Committee: Due to the lack of a quorum, the Legal Committee held an informational meeting on October 14. Kirk Ordoyne, Executive Counsel, provided the following report on the informational meeting:

- The FPA Fleet Motor Vehicle Use Policy was reviewed and minor edits were made.
- The proposed revisions/amendments to the Board's Bylaws were reviewed and edits were recommended. The proposed revisions/amendments will be emailed to the Board at least 20 days prior to the November 21 Board meeting.
- The proposed amendment to the resolution adopted by the Board on February 22, 2024, to retain the Degan law firm was discussed. The Attorney General's Office refused to approve the \$90 per hour paralegal rate and asked that the rate be lowered to \$80 per hour. The AG's Office required the adoption of a new resolution with the revised rate.

Mr. Arrigo stated that he sat in on the Legal Committee's informational meeting and that Mr. Rabb, as Chair, did a very good job reviewing the proposed revisions to the Bylaws

one item at a time. He stated that Mr. Rabb ended up with a good product to present to the Board.

Special Issues Committee: Ms. Settoon advised that the Special Issues Committee did not meet on October 14. The Special Issues Committee's three major tasks are:

1. Development of a Strategic Plan – The Committee is working with the Regional Director and Regional Finance Director to develop monetary forecasts for a 20 to 25-year outlook. The forecasts will be used to support future tax requests or bond issues. The FPA's Investment Advisor recommended using a three percent rate of return on investments over the long term and a four to five percent inflation rate.
2. Attorney General (AG) Opinion request on the use of taxpayer money for a visitors' center – The request was sent to the AG's Office on October 7. The opinion should be received within 30 days.
3. Project Priority Tool – The Committee is seeking a quick tool that can prioritize projects, particularly for discretionary funding. Mr. Humphreys will provide feedback on a proposal.

NEW BUSINESS:

RESOLUTION NO. 10-17-24-02 - ADOPTION OF ORLEANS LEVEE DISTRICT MILLAGE RATES FOR CALENDAR YEAR 2025

The resolution was read in full by Mr. Arrigo. Ms. Heaton advised that the Board is required by law to roll back ad valorem tax millage rates. Mr. Duplantier pointed out that the resolution would keep the Orleans Levee District revenue neutral. A roll call vote was conducted and the Board voted unanimously to adopt the resolution.

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

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

BE IT RESOLVED, by the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, acting as the governing authority of the Orleans Levee District of the Parish of Orleans, Louisiana, in a public meeting held on October 17, 2024, 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 rates be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2025, for the purpose of raising revenue:

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

Section 1. Millage to be levied in 2025. The following millages are adopted and levied for the tax year 2025 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 with the proceeds of .49 Mills to be dedicated and used for the operation and maintenance of the non-revenue producing assets

SECTION 2. Statement of Total Millage to be Levied. A total of 10.79 mills shall be levied in 2025 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 2025.

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. Carubba, Mr. Cosse, Mr. Duplantier, Mr. Fierke, Mr. Noel,
Ms. Settoon and Mr. Settoon

NAYS: None

ABSTAINED: None

ABSENT: Mr. Rabb

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 2025 on all property subject to taxation by the Orleans Levee District.

A motion was offered by Mr. Noel and seconded by Ms. Settoon to 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 2025 on all property subject to taxation by the Orleans Levee District.

The resolution was read in full by Ms. Settoon. Ms. Heaton clarified that six favorable votes were required to adopt the resolution to roll forward the ad valorem tax millage rates.

Mr. Noel advised that he supported the resolution because of decreasing LAMP interest rates and to be consistent with his position on the ad valorem tax resolutions for East Jefferson and St. Bernard Parishes. He explained that property taxes are set in such a way that additional revenues can be collected to pay increased costs.

Mr. Duplantier stated that he did not think that the Board should raise the taxes for Orleans Parish and that Orleans Parish taxpayers are paying their fair share for the Flood Authority. He asked that Commissioners vote against the resolution.

Mr. Cosse concurred with Mr. Duplantier's statement that Orleans Parish taxpayers are paying their fair share.

A roll call vote was conducted. The resolution failed with Mr. Arrigo, Mr. Carubba, Mr. Cosse, Mr. Duplantier, Ms. Settoon and Mr. Settoon voting nay, and Mr. Fierke and Mr. Noel voting yea.

RESOLUTION NO. 10-17-24-03 - A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST ("FPA") EAST TO AMEND AND RESTATE RESOLUTION NO. 02-22-24-08 AUTHORIZING THE RETENTION OF DEGAN, BLANCHARD & NASH LAW OFFICE TO PROVIDE REPRESENTATION AND LEGAL COUNSEL FOR LITIGATION

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East has been named a third-party defendant in the litigation entitled, “Marquette Transportation Company Gulf-Inland, LLC v. The United States of America,” United States District Court for the Eastern District of Louisiana, No. 2:23-CV-02439-WBV-JVM; and

WHEREAS, in accordance with La. R.S. 42:263, the Flood Protection Authority declares that a real necessity exists to engage professional legal services to provide representation and counsel in regards to litigation; and

WHEREAS, Degan, Blanchard and Nash Law Offices shall be compensated at the rate of \$290.00 per hour for attorneys Sidney W. Degan, III and Philip C. Brickman; and \$265.00 per hour for attorney Richard W. Schwerdtfeger which is pursuant to the Louisiana Attorney General’s Maximum Hourly Fee Schedule of February 16, 2024,

Rate	Description
\$350.00 per hour	For attorneys having experience of 10 or more in the practice of law
\$275.00 per hour	For attorneys having experience of 5-10 years in the practice of law
\$225.00 per hour	For attorneys having experience of 3-5 years in the practice of law
\$175.00 per hour	For attorneys having experience of less than 3 years in the practice of law
\$80.00 per hour	For Paralegal Services

WHEREAS, the date and term of the contract commences March 5, 2024 and ending on March 4, 2025. The total of all sums payable under this contract, including fees and reimbursement of expenses, shall not exceed \$100,000.00; and

WHEREAS, the scope of this legal representation involves federal claims, including tort claims; and

WHEREAS, in the event of claims brought in federal court seeking equitable relief, these claims may implicate the interests of the State of Louisiana, and so the Board agrees to provide advance written notice to the Louisiana Attorney General ten (10) business days before the next meeting and an opportunity for the Attorney General to express concerns directly to the Board in writing or in executive session before the Board:

(1) proposes a settlement, accepts a proposed settlement, agrees to a consent decree, or enters any other agreement with any party in any federal action for declaratory or injunctive relief that is going to be or has been filed; or

(2) files any document in any federal case in which (a) declaratory or injunctive relief has been granted against the Board, (b) final judgement dismissing the case has

not been entered, and (c) at least 3 years have passed since any party seeking relief, including the USDOJ in an amicus capacity, filed any document in the case.

Accordingly, the Board authorizes and directs the law firm to provide the required notice to the Attorney General, release such information and documentation as the Attorney General may request in response to the notice, and generally cooperate with the Attorney General in regard to the notice.

WHEREAS, this resolution shall take effect immediately; and

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East, pursuant to R.S. 42:262, does hereby authorize the retention of Degan, Blanchard & Nash Law Office, LLC as counsel to represent the FPA in litigation as needed.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes Executive Counsel to retain the firm of Degan, Blanchard, & Nash Law Firm to represent the FPA on said federal claims, including tort litigation, and that the Regional Director is authorized to execute said contract with Degan, Blanchard & Nash Law Firm.

BE IT FURTHER RESOLVED, that this Resolution and the proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

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

YEAS: Mr. Arrigo, Mr. Carruba, Mr. Duplantier, Mr. Fierke, Mr. Noel,
Ms. Settoon and Mr. Settoon

NAYS: None

ABSENT: Mr. Rabb

Motion to approve the FPA Fleet Motor Vehicle Use Policy.

Mr. Fierke offered a motion, which was seconded by Mr. Noel, to approve the Fleet Motor Vehicle Use Policy. Ms. Chandler explained that the Policy had been discussed in length at the Operations Committee meeting. The changes recommended by the Operations Committee, plus two additional changes received from Ms. Settoon and one change from Kenyetta Sewell, Human Resource Director, were included in the Policy presented to the Board.

Mr. Fierke stated that Appendix C was not included in the Policy. In addition, the Policy was to include a listing by position of the employees who had take-home vehicles along with the rationale for assigning take-home vehicles. The Policy currently gives the Regional Director unfettered discretion on assigning take-home vehicles. In the second bullet under Item 6.11.2, "unauthorized drive" should be corrected to read "unauthorized person drive". Item 6.17.5 refers to "proper ball and hitch assembly"; however, the policy later addresses trailers that do not have ball and hitch assemblies because they are fifth wheel. Therefore, Item 6.17.5 must be broadened.

Ms. Chandler advised that the changes requested by Mr. Fierke would be made and the Policy brought back to the Board on November 21.

Ms. Settoon advised that she had requested that the words “and including” be added to Item 6.5.4, so that it states, “The following Class III violations shall be considered grounds for immediate disciplinary actions up to and including dismissal”.

Mr. Settoon asked what did the asterisk under item 6.11.1 reference. Ms. Chandler advised that the asterisk was used for emphasis and would be removed. Mr. Settoon clarified that an employee cannot use a take-home vehicle for anything but FPA business. He asked what would happen if an employee used a take-home vehicle for personal reasons and had an accident. Ms. Chandler advised that, generally, it is understood that there may be occasions when personal errands are done as part of an employee’s commute from work; however, this should be kept to a minimum. Depending on the severity of the infraction, flexibility is provided through the disciplinary process.

A motion was offered by Mr. Noel, seconded by Mr. Fierke and unanimously adopted to table the FPA Fleet Motor Vehicle Use Policy to the November 21 Board meeting.

RESOLUTION NO. 10-17-24-04 - DISASTER DEBRIS MANAGEMENT IN ACCORDANCE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GUIDELINES (RFQ 2024-004)

Mr. Fierke recommended that the Board approve contracting with DRC Emergency Services, LLC, and CERES Environmental Services, Inc. He explained that the FPA had experience with both firms and that the firms had a proven record of mobilizing quickly.

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

WHEREAS, there is a need to have an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract(s) in place for the Southeast Louisiana Flood Protection Authority-East (FPA) and the levee districts under its jurisdiction to pre-qualify contractors for future competitive bidding for disaster debris management services after a storm or other qualifying event requires subsequent debris management and disposal services; and

WHEREAS, a Request for Qualifications was published in the Times Picayune and the Daily Journal of Commerce to pre-qualify contractors for competitive bidding after a storm or other qualifying event; and

WHEREAS, the firms have been verified as qualified per FEMA guidelines and the proposal process will be conducted in accordance with FEMA requirements.

BE IT HEREBY RESOLVED, that DRC Emergency Services, LLC, and CERES Environmental Services, Inc., be allowed to contract with the Southeast Louisiana

Flood Protection Authority–East to provide a proposal for Disaster Debris Management services.

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

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

YEAS: Mr. Arrigo, Mr. Carruba, Mr. Duplantier, Mr. Fierke, Mr. Noel,
Ms. Settoon and Mr. Settoon

NAYS: None

ABSENT: Mr. Rabb

EXECUTIVE SESSION:

- 1. Update on police matters in anticipation of litigation.**
- 2. Morris Washington**
- 3. Investigative proceeding in compliance with La. RS 42:17.**

A motion was offered by Ms. Settoon, seconded by Mr. Duplantier and unanimously adopted, to meet in Executive Session to discuss the items listed on the agenda. The Board convened in Executive Session.

A motion was offered by Mr. Fierke, seconded by Mr. Noel and unanimously adopted, for the Board to reconvene in regular session. The Board reconvened in regular session and returned to the regular order of business.

Mr. Ordoyne advised that no action was taken on any of the three items listed for discussion in the Executive Session.

NEW BUSINESS ADMINISTRATIVE: Continued

A motion to act on a recommendation from the investigative proceeding as discussed in executive session.

Mr. Arrigo stated that there was no action to be taken on this matter.

The next regular monthly meeting of the Board will be held on November 21, 2024.

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