

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, JUNE 20, 2024**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) was held on June 20, 2024, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, New Orleans, Louisiana, after due legal notice of the meeting was posted and sent to each Board member and the news media.

Mr. Cosse called the meeting to order at 10:05 a.m. and led the pledge of allegiance. He then called the roll and a quorum was present:

**PRESENT:**

Clay A. Cosse, President  
Roy M. Arrigo, Vice President  
Thomas G. Fierke, Secretary (arrived after Approval of Minutes)  
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. Miller, seconded by Mr. Duplantier and unanimously adopted, to approve the agenda.

**RESOLUTION NO. 06-20-24-01 - APPROVAL OF THE MINUTES OF THE BOARD MEETING HELD ON MAY 16, 2024**

---

On the motion of Ms. Settoon,  
Seconded by Mr. Settoon, 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 May 16, 2024.

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

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

NAYS: None

ABSENT: Mr. Fierke

## **PRESENTATIONS:**

### **1. Update on the status of the Permanent Canal Closures and Pumps (PCCP) Pumps and the East Jefferson Lakefront Levee Foreshore Protection – Colonel Cullen A. Jones, P.E., PMP, 65<sup>th</sup> Commander & District Engineer, New Orleans District, U.S. Army Corps of Engineers**

---

Colonel Cullen A. Jones, P.E., PMP, 65<sup>th</sup> Commander & District Engineer, New Orleans District, U.S. Army Corps of Engineers (USACE), provided an update on several on-going efforts. He explained that the journey to achieve the 35-year design life for the Permanent Canal Closures and Pumps (PCCP) pumps would not have been possible without the continued collaboration and coordination with the FPA and the Coastal Protection and Restoration Authority (CPRA). Team members like Kelli Chandler, Regional Director, and Chris Humphreys, Director of Engineering, enabled the USACE to achieve the current level of success and maintain momentum to ensure the commitment to deliver the pumps as designed is honored.

Col. Jones reported that as of June 20 all 17 pumps were available for the 2024 hurricane season. This includes the four pumps repaired during the current repair season. The pump manufacturer, Patterson Pumps, advised that all of the pumps will be fit to fight this hurricane season. The four pumps were completely disassembled and the components were transported for blasting, recoating and repair. There was a comprehensive replacement of critical items going from carbon steel components to stainless steel components. The installation of a Cathodic protection system was started to provide a triple layer of defense. Updated protective coatings were used. The pumps were reassembled. After conducting both dry and wet testing, the pumps were turned back over to the FPA for utilization for the 2024 hurricane season.

Col. Jones commented on the massive working curve that included fighting through supply chain issues and reaching a settlement agreement with the Joint Venture (JV) relative to the repair of the remaining pumps across a multi-year process. He advised that he and Doug Glaser, Senior Executive President and Board member for Kiewit Corporation, recently provided an update to the CPRA. Mr. Glaser has oversight of the effort on behalf of the JV. The JV has shown a commitment to working alongside the USACE and State of Louisiana to deliver the design life.

Col. Jones advised that in accordance with the recommendation and direction from the FPA Board, no repairs will be executed on the pumps during hurricane season. Therefore, the pumps will be available at any time for utilization. Repairs will continue on the peripheries (e.g., basement cracks, sink holes and climber screens). Patterson Pumps will continue production of stainless steel components so that all parts for the pump repairs will be on hand when the long term corrective actions on the remaining pumps are aggressively continued on December 1. Col. Jones commented that he appreciated Ms. Chandler's focus on quality. In addition, the review of the JV's Cathodic protection system was being finalized. The USACE was considering the installation of temporary rectifiers during the off season. He stressed that the periphery

repairs would not hinder the operation of the systems. At least one mobile site for contractors will be maintained at the 17<sup>th</sup> Street PCCP until it is no longer needed. The USACE will be ready and staged to start executing additional pump repairs on December 1. The additional 1,800 cfs set of bulkheads ordered by the USACE will be delivered on site and available on December 1.

Col. Jones explained that the JV was considering potential plans to repair up to 13 pumps next season. He reiterated that this is a multi-year process. However, with guidance from the FPA and CPRA, the USACE will consider the potential for implementing the JV's proposed schedule. Regular, routine updates will be provided to the FPA and CPRA throughout the hurricane season as preparations are made for the large scale corrective actions starting on December 1.

Mr. Noel asked how many pumps had been repaired and the estimated repair time for a pump. Col. Jones replied that to-date long term corrective action was taken on four pumps (two at the 17<sup>th</sup> Street PCCP and two at the London Avenue PCCP). The USACE and JV ascertained that once a pump is opened up, the repairs can be made in three to four weeks. Repetition will increase efficiency. The delivery of parts had been a limiting factor. The goal going into the next repair season is to have the parts on hand and staged. The pumps can then go thru the process of disassembly, recoating, replacement of parts, reassembly, and dry and wet testing.

Mr. Rabb asked for additional information about the limited work to be performed during hurricane season. Col. Jones explained that work will be limited to identified deficiencies, such as basement cracks, sink holes and climber screens, that can be executed during hurricane season, but not impact the ability for the FPA to operate the pumps at any time. The basement crack repairs were anticipated to be completed by December 2024. The JV identified five sink hole locations across the three PCCP structures. The JV is developing a plan to fill the holes and do re-grouting at these locations. Relative to the climber screens, the JV is developing its solution set to deal with the intrusion of water into the oiling systems.

Mr. Rabb inquired about the JV's proposed repair schedule. Col. Jones advised that the USACE was developing a plan to continue the large scale corrective action (i.e., recoating pumps, replacing carbon steel components with stainless steel, and installing a Cathodic protection system). The JV anticipates executing an aggressive repair schedule. However, the USACE is planning for a multi-year process (potentially two more repair seasons) to ensure a quality product and the 35-year design life are achieved.

Mr. Settoon asked about the recoating and replacement of parts. Col. Jones responded that some of the carbon steel components are being blast cleaned (sandblasted) to the bare metal and recoated with both zinc primer and appropriate levels of coal tar epoxy corrosive protective coating. Some of the components, such as the lower diffuser bearing housing, were identified to be completely replaced with stainless steel. The USACE, working alongside the Cathodic Protection and Corrosion Prevention Technical Center of Expertise, identified multiple areas where additional resilience features can be

added (i.e., additional stainless steel components to ensure the 35-year design life). The USACE is recoating some carbon steel components to appropriate levels of thickness and protection, and replacing other elements completely with stainless steel to achieve a very robust level of corrosion resistance. In addition, an Impressed Current Cathodic Protection System will be installed to provide belts and suspenders.

Ms. Settoon asked were there still areas with dissimilar metals and was there better isolation. Col. Jones responded that all of the areas with dissimilar metals were cleaned and recoated (re-epoxied).

Mr. Miller thanked Colonel Jones and the USACE for always being professional and willing to work with the FPA.

Col. Jones provided an update on the East Jefferson Lakefront Foreshore Protection. The foreshore protection received significant damage during Hurricanes Zeta and Ida. The erosion has not reached the wave berm. The levee still provides risk reduction from a storm with a one percent annual exceedance probability. In 2023 the USACE MVN (New Orleans District) received funds to begin the design of the repair. The survey data was received in early 2024. The 95 percent Plans and Specifications were being reviewed by the FPA, CPRA and USACE. The USACE anticipated awarding the contract for the project in the first quarter of 2025. Under the Flood Control and Coastal Emergency Rehabilitation Program, the USACE developed a damage assessment report. If required, the USACE would conduct emergency repairs (rock placement in specific areas) while the long term solution is developed.

Col. Jones updated the Board on two additional issues:

- LPV-149 Highway 39 Road Closure Gate Trolley Beam Anchor Failure – The repairs were anticipated to be completed by Hurricane Season 2025. In the interim, if necessary, the FPA has a plan in place and heavy equipment on standby to close the gates.
- LPV-111 Levee Slough – In March 2024 a joint inspection was conducted with the FPA. The USACE Engineering Division's repair recommendation was expected in June. Upon receipt of the recommendation, the USACE will determine whether the repairs are Operation and Maintenance (O&M) or a potential deficiency. The USACE and FPA are monitoring the situation.

Ms. Settoon commended Col. Jones and Mr. Humphreys for their efforts on the East Jefferson Levee Foreshore Protection. She stated that she appreciated the quick attention and backup data.

Col. Jones thanked the Board for the opportunity to provide the update. Mr. Cosse thanked Col. Jones and his staff for their efforts.

## **SAFETY MINUTE:**

Steven Durr, Facility Maintenance Manager A for Group 311, provided the safety minute. He explained that Group 311 takes safety seriously. Safety briefings are conducted each morning. Briefings include a review of Personal Protection Equipment (PPE) and various subjects (e.g., awareness of surroundings and tool safety).

Mr. Fierke brought to staff's attention the fact that a number of medications can enhance an individual's propensity for heat stroke. Martin Eilers, Director of Risk and Project Management, explained that when dealing with extreme heat, the FPA implements work-rest schedules for employees who work in the field and monitors their hydration. He added that he would incorporate the information provided by Mr. Fierke.

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

Mr. Cosse advised that he would yield his time to Jay Lapeyre, Chair of the Nominating Committee for the Flood Protection Authority-East and West.

Mr. Lapeyre stated that it was uplifting to hear Col. Jones speak about the quality of the USACE's relationship with the FPA. He thanked the Commissioners for their passion, commitment and interest in regional flood protection. He commented on the FPA's work over the years, which has been fundamental in not only providing flood protection, but informing the public so that they can invest in their community. He stated that he wanted to discuss the importance and opportunity for the Board to position itself for the future. Seventeen years ago, flood protection was separated from the non-flood protection assets and, as best as possible, from politics. An independent Nominating Committee was created with a level of commitment and diligence to assess each candidate for the FPA Board. Each Commissioner was the subject of significant discussion in public meetings and with individuals behind the scenes. Each Commissioner received favorable votes by Nominating Committee members based on his/her integrity, intelligence, initiative and commitment to flood protection. The process has worked. The Nominating Committee has been effective in improving flood protection and has continued to grow, learn and consistently make progress.

Mr. Lapeyre explained that because of the distance from Hurricane Katrina and the FPA's success the public's attention has diminished. In addition, the Governor has indicated that he is not interested in the history of the system and the processes. The Governor vetoed the Nominating Committee's immensely qualified candidate (Norma Jean Mattei, P.E., PhD). If public reports are correct relative to the recent legislative session, the Governor has clear interests in controlling appointment processes and chairmanships. The Nominating Committee was not provided any reason for not moving forward with Dr. Mattei's nomination. This puts the Nominating Committee in a position of not knowing what to do at this point. It negates the function of the Nominating Committee. Mr. Lapeyre stated that he did not know how the Committee would do its work or exactly where the future would go.

Mr. Lapeyre stated that implications are it will be on the Commissioners to figure out how to position the Board for the kinds of governance going forward and how to think about the future. Commissioners and staff will change; however, flood protection remains mission critical for the community to survive and flourish. The commitment to keep out politics and work exclusively on what is in the best interest of flood protection, without compromises due to egos or distractions, will be on the Commissioners. This involves setting examples, transparency and building trust over time. He stated that he did not know whether there would be Nominating Committee oversight with real power or authority in the future. The Nominating Committee has worked hard to support the FPA, ensure it receives the truth on issues and assist in facing difficulties and challenges.

Mr. Lapeyre pointed out that the Commissioners received fiduciary training. However, they must think more deeply about excellence in government, their roles as Commissioners, the roles of the President and Committee Chairs, and transparency. The Board needs to ensure that staff has a clear understanding of what they need to do, what excellence looks like, accountability, and planning and performance assessments. He stated that this can be built in phases over time and offered to be a resource to the Board in this effort. He reminded everyone about Hurricane Katrina and pointed out that the community trusts that the FPA Board is on watch.

Mr. Fierke asked Mr. Lapeyre when would his term end. Mr. Lapeyre advised that he had been a member of the Nominating Committee for 17 years and that his term ended at the end of 2025. He explained that he had been eager to obtain direction; however, he had not had any direct conversations with the Governor. He had no advice or direction on what the Committee should do differently or how it should behave in a way that would be appropriate to its mission that is different from what it had been doing. Mr. Fierke thanked Mr. Lapeyre for his service.

Mr. Lapeyre commented on the need for Commissioners to recognize their role as Board members. One way to do this is to clarify the Board's expectations of staff. There are times when the Board may need to be involved in the details of staff's work. However, on many occasions the Board needs to let the staff do the work and then be in a position to be fully informed and understand what needs to be done. The Commissioners have real expertise and the tendency is to say, "I can do this better". However, this undermines the ability for the kind of excellence and ownership that it takes for staff to build what it needs to build.

Ms. Settoon inquired about filling the vacancy that will occur on the Board as of July 2. Mr. Lapeyre responded that he did not know what the process would be at this point. Mr. Duplantier pointed out that under the statute the Regional Director is responsible for collecting the applications and submitting them to the Nominating Committee. Ms. Chandler advised that once a vacancy occurs, a link is placed on the FPA's website for applications. The vacancy will be advertised. Applications will be collected and submitted to the Nominating Committee.

**PUBLIC COMMENTS:** None

## **EMPLOYEE PRESENTATIONS - EMPLOYEE OF THE QUARTER:**

Mr. Cosse announced that Mike Mai was selected as the FPA Employee of the Quarter. Mr. Mai has been with the agency since April 2014. He is a Maintenance Repairer 2 with the Orleans Levee District Complex Structures group. Mr. Mai received two nominations for Employee of the Quarter, one from his supervisor Charlie Canzoneri and one from a co-worker Audrianna Bluthgen. Ms. Bluthgen said, "I had a blow out on the work truck as we were leaving late from the structure to return to the yard. Mr. Mai stayed with me while Mr. Canzoneri went back to the yard to get a jack. Although Mr. Mai could have left me there alone, he told me that we are a team, and we will stay together. Mr. Mai helped me change the tire and we all went back to the yard together. Mr. Mai never complained."

## **REPORT BY REGIONAL DIRECTOR:**

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

- Mississippi River – The river was still above 11-ft.; therefore, the Phase I Flood Fight continued with inspections held twice each week. The river was expected to drop below 11-ft. in several days.
- The FPA was notified that Workers Comp Dividends in the amount of \$511,000 would be received.
- The Legislative Auditor issued a Request for Proposals for conducting the FPA's fiscal year financial audit. Three responses were received.
- The year-end storeroom inventory will take place on June 28.
- Performance Evaluation Refresher training was being conducted for supervisors and employees. Civil Service is changing the timing of performance evaluations. Historically, evaluations were conducted in July with the pay increase going into effect in July of the next year. Evaluations will be conducted on a calendar year basis beginning in January 2025. A performance evaluation will be conducted at the end of December and the pay increase will take effect in July. Future planning sessions will take place in January.

## **COMMITTEE REPORTS:**

**Finance Committee:** Mr. Settoon reported that the Finance Committee met prior to the Board meeting. The Committee received a report from the Regional Finance Director. The Committee was informed that the Regional Finance Director and two Finance staff members recently completed training on FEMA grants and reimbursements. He advised that over the course of the last month he reviewed an update on the FPA's accounts payables. He reported that the bills were being paid and there were no long overdue payments. The Committee also reviewed and recommended that the Board approve the selection of the official journals and the completed Louisiana Compliance Questionnaires.

**Operations Committee:** The Operations Committee did not meet in the month of June; therefore, there was no report.

**Legal Committee:** The Legal Committee did not meet in the month of June; therefore, there was no report. Mr. Rabb advised he and Kirk Ordoyne, Executive Counsel, had several conversations regarding the Executive Session on the Williams vs. Biggs case.

**Coastal and Technical Committee:** The Coastal and Technical Committee did not meet in the month of June; therefore, there was no report.

**NEW BUSINESS:**

**RESOLUTION NO. 06-20-24-02 - "A RESOLUTION RECOGNIZING THE COMMITMENT AND CONTRIBUTIONS OF HERBERT I. MILLER TO THE FLOOD PROTECTION AUTHORITY AND TO THE CITIZENS OF SOUTHEAST LOUISIANA."**

Mr. Miller stated that it had been an honor and privilege to serve as a Commissioner representing Jefferson Parish for the past two terms. It had also been a pleasure to watch the growth and maturity of the organization during that time. He explained that when he was appointed to the Board the organization was undergoing significant changes. Following legislative action after Hurricane Katrina, the three distinct levee districts were suddenly overseen by a common board of commissioners. Each district had its own salary structure, Human Resource (HR) Department, Finance Department, rules and financial packages. Through the leadership of then-President Joe Hassinger, the organization began the process of developing uniform pay scales, common personnel rules and a unified financial management system. Today, the three previously disjointed organizations share a common goal of protecting the community with uniform procedures and practices across all the districts.

Mr. Miller stated that he had the opportunity to serve as the President of the Board for two terms. During that time, the FPA began the successful process of getting authorization for the USACE to study the potential for funding a 200-year level of flood protection for the region. The FPA-East is the only area in the United States where the USACE is permitted to conduct this study. The professionalism, enthusiasm and the spirit of the organization today is a tribute to the men and women who work for it. Commissioners set policy and oversee budgets. It is the employees who do the work to keep the community safe. He said that he was proud to have played a small part in the growth of the organization. He wished the Commissioners and staff good health and continued success.

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

**WHEREAS**, after the devastation resulting from Hurricane Katrina, the Southeast Louisiana Flood Protection Authority-East (Flood Protection Authority-East) was created by the Louisiana State Legislature to provide regional flood protection for the Lake Pontchartrain Basin area; and



**WHEREAS**, due to his outstanding qualifications, expertise and experience, Governor John Bel Edwards appointed Herbert I. Miller to serve as a member of the Flood Protection Authority-East Board effective September 28, 2016, and reappointed Mr. Miller to serve a second term as a member of the Board ending on July 1, 2024; and

**WHEREAS**, Mr. Miller received his B.S. in Civil Engineering and Masters of Science in Sanitary Engineering from the Georgia Institute of Technology; and

**WHEREAS**, Mr. Miller's professional experience includes 19 years in Jefferson Parish Government including three years as Director of Sewerage, eight years as Technical Advisor to the Parish President and eight years as Public Works Director, as well as 24 years as a consulting engineer in the water resources field; and

**WHEREAS**, prior to his retirement, Mr. Miller served as the Quality Assurance/Quality Control (QA/QC) lead for hydrology and hydraulics under contract to the U.S. Army Corps of Engineers for the Permanent Canal Closures and Pumps; and

**WHEREAS**, Mr. Miller brought a great amount of professional expertise and experience to the Board and to the management and operation of the critical \$14 billion Hurricane and Storm Damage Risk Reduction System, which protects the lives and property of the citizens of the Greater New Orleans region; and

**WHEREAS**, Mr. Miller's leadership, hard work and service as a member of the Board from September 28, 2016, to July 1, 2024; as President of the Board from July 1, 2019, to June 30, 2021; as Chair of the Operations Committee from January 17, 2017, to June 30, 2019; as a member of the Operations Committee from October 16, 2016, to January 16, 2017, and from July 6, 2021, to July 1, 2024; and as a member of the Finance Committee from July 1, 2018, to July 14, 2019, resulted in many positive achievements.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its deepest gratitude and appreciation to Herbert I. Miller, for his dedication and contributions during his tenure as a member of its Board of Commissioners and for his devoted service to the citizens of Southeast Louisiana.

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

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

NAYS: None

ABSENT: None

### **RESOLUTION NO. 06-20-24-03 - LOUISIANA COMPLIANCE QUESTIONNAIRES**

Mr. Settoon advised that the Finance Committee recommended that the Board approve the completed Louisiana Compliance Questionnaires.

On the motion of Mr. Fierke,

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

**WHEREAS**, the Louisiana Compliance Questionnaire is a required part of a financial audit of Louisiana state and local government agencies; and

**WHEREAS**, the completed and signed questionnaire must be presented to and adopted by the governing body of the organization by means of a formal resolution in an open meeting; and

**WHEREAS**, the completed and signed questionnaire and a copy of the resolution must be given to the auditor at the beginning of the audit; and

**WHEREAS**, Louisiana Compliance Questionnaires have been completed by management for the Southeast Louisiana Flood Protection Authority-East (FPA), the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District for the fiscal year ending June 30, 2024, and provided to the Board of Commissioners for review.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East adopts the Louisiana Compliance Questionnaires for the Southeast Louisiana Flood Protection Authority-East (FPA), the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District for the fiscal year ending June 30, 2024.

**BE IT FURTHER RESOLVED**, that the FPA President, FPA Secretary and FPA Treasurer are authorized to sign the aforementioned Louisiana Compliance Questionnaires for the fiscal year ending June 30, 2024.

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. 06-20-24-04 - SELECTION OF OFFICIAL JOURNAL FOR FPA, EJLD, O.L.D. AND LBBLD**

Mr. Settoon advised that the Finance Committee recommended that the Board approve the selection of the official journals as stated in the proposed resolution.

Mr. Fierke commented that he had a history of voting against this item. He questioned whether the proceedings of the FPA meetings were published. Glenda Boudreaux, Administrative Program Director, advised that in accordance with instructions received from the Assistant Attorney General assigned to the Board when the FPA was established, the proceedings, consisting of the Board resolutions and items of discussion needed to be published. The FPA's proceedings are included in the Advocate's Journal, which is published on Wednesdays.

On the motion of Mr. Noel,

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

**WHEREAS**, R.S. 43:171 provides that levee districts and other political subdivisions shall have the proceedings of their board and such financial statements required by the legislative auditor published in a newspaper, which shall be selected at the first meeting in June of each year for a term of one year; and

**WHEREAS**, R.S. 43:171 further provides that the newspaper shall meet certain criteria relative to location and publication; and

**WHEREAS**, the New Orleans Advocate meets the aforementioned criteria for the Southeast Louisiana Flood Protection Authority-East (FPA), East Jefferson Levee District and Orleans Levee District; and

**WHEREAS**, the St. Bernard Voice meets the aforementioned criteria for the Lake Borgne Basin Levee District.

**BE IT HEREBY RESOLVED**, that the New Orleans Advocate is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District for a one-year term commencing on July 1, 2024.

**BE IT FURTHER RESOLVED**, that the St. Bernard Voice is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Lake Borgne Basin Levee District for a one-year term commencing on July 1, 2024.

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

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

NAYS: Mr. Fierke

ABSENT: None

#### **RESOLUTION NO. 06-20-24-05 - AWARD OF CONTRACT FOR ORLEANS MARINA SEEPAGE REPAIRS PARKING LOT RESURFACE**

Mr. Settoon asked was the parking lot resurfacing separated from the repair of the wall. Mr. Humphreys explained that the parking lot resurfacing had been included in the wall repair project, but was postponed in order to monitor for additional sink holes. The situation was monitored for almost a year and no additional sink holes appeared. Mr. Fierke pointed out that the bids were well under the Engineer's estimate. Mr. Humphreys advised that he would discuss the estimate with the FPA's consultant. Mr. Settoon complimented Mr. Humphreys on the strategy of postponing the parking lot resurfacing to monitor for potential additional sink holes. Mr. Humphreys noted that this was suggested by staff.

On the motion of Mr. Fierke,

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

**WHEREAS**, the Orleans Marina Seepage Repairs Parking Lot Resurface Project (Project No. O5060116) was advertised and five bids were opened and read at the Orleans Levee District on May 22, 2024, as follows:

<b>Bidding Contractors</b>	<b>Total Bid Price</b>
Donahoe Construction	\$246,900.00
TEH Enterprise, LLC	\$250,000.00
Barriere Construction Co., LLC	\$262,690.00
Durr Heavy Construction, LLC	\$318,000.00
Cycle Construction	\$389,640.00

**WHEREAS**, the lowest responsive and responsible bid was submitted by Donahoe Construction in the amount of \$246,900.00; and

**WHEREAS**, the Engineering Estimate for the base bid project is \$437,805; and

**WHEREAS**, funding for the project is included in Budget Line Item 31.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East (FPA) authorizes the award of a contract in the amount of \$246,900.00 to Donahoe Construction for the Orleans Marina Seepage Repairs Parking Lot Resurface 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 Donahoe Construction, 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

Mr. Cosse informed the Board that Wilma Heaton, Director of Governmental Affairs, received a letter from Governor Jeff Landry and asked that the letter be entered into the record.

Ms. Heaton advised that the letter was mailed, but had not yet been received, probably due to the June 19 holiday. She read the letter (digital version) from Governor Landry:

“I have selected the individual below to serve as Chair on the Southeast Louisiana Flood Protection Authority-East, as follows:

Clay A. Cosse

(address)

Appointed as Chair: 06/18/2024

Term as Chair: Pleasure (of the Governor)

Seat: Appointed by the Governor; Chair

Appointed by the Governor R.S. 42:4

For Louisiana,

Jeff Landry, Governor”

Ms. Heaton provided a copy of the letter along with a copy of R.S. 42.4 to the Commissioners. She explained, relative to the term of office for the Chair (President), that he/she serves at the pleasure of the Governor.

**EXECUTIVE SESSION:**

1. Jevin Williams vs. Daniel Biggs, et. al., United States District Court Eastern District of Louisiana, Civil Action, No. 21-333 C/W 21/334
2. Annual Performance Review of Ms. Kelli Chandler as the Regional Director of SLFPA-E.

A motion was offered by Ms. Settoon, seconded by Mr. Rabb and unanimously adopted, for the Board to meet in Executive Session to discuss the items listed on the agenda. The Board convened in Executive Session at 11:05 a.m.

A motion was offered by Mr. Arrigo, seconded by Mr. Settoon, and unanimously adopted for the Board to reconvene in regular session (12:09 a.m.).

**NEW BUSINESS: (continued)**

**RESOLUTION NO. 06-20-24-06 - A RESOLUTION TO ACCEPT EXECUTIVE COUNSEL'S SETTLEMENT RECOMMENDATION IN THE LITIGATION CAPTIONED, "JEVIN WILLIAMS VS. DANIEL BIGGS, ET. AL., UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA, CIVIL ACTION, NO. 21-333 C/W 21-334", AND TO AUTHORIZE THE EXECUTION OF ALL SETTLEMENT, AND ANY OTHER DOCUMENTS, NECESSARY TO PERFECT THE SETTLEMENT OF THIS MATTER**

---

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority - East is a named defendant in the litigation captioned "Jevin Williams vs. Daniel Biggs, et. al., United States District Court Eastern District of Louisiana, Civil Action, No. 21-333 C/W 21-334"; and

**WHEREAS**, mediation was conducted which resulted in a settlement recommendation; and

**WHEREAS**, the advice offered by legal counsel in Executive Session was given due consideration by the Board.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves and agrees to proceed with the settlement of the litigation captioned, "Jevin Williams vs. Daniel Biggs, et. al., United States District Court Eastern District of Louisiana, Civil Action, No. 21-333 C/W 21-334".

**BE IT FURTHER RESOLVED**, that the FPA Regional Director, or in his/her absence the Director of Engineering, is hereby authorized to execute all settlement, and any other documents, necessary to perfect the settlement of the aforementioned matter.

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

### **NOMINATION AND ELECTION OF OFFICERS OF THE BOARD FOR A ONE-YEAR TERM EFFECTIVE JULY 1, 2024**

Mr. Cosse called for nominations for the office of Vice President. Mr. Duplantier nominated Mr. Arrigo and Mr. Settoon seconded the nomination. There were no further nominations and Mr. Arrigo was elected Vice President by a unanimous vote.

Mr. Cosse called for nominations for the office of Treasurer. Ms. Settoon nominated Mr. Settoon and Mr. Arrigo seconded the nomination. There were no further nominations and Mr. Settoon was elected Treasurer by a unanimous vote.

Mr. Cosse called for nominations for the office of Secretary. Mr. Miller nominated Ms. Settoon and Mr. Cosse seconded the nomination. There were no further nominations and Ms. Settoon was elected Secretary by a unanimous vote.

### **RESOLUTION NO. 06-20-24-07 - ELECTION OF OFFICERS**

“A resolution stating the selection of the President of the Board and the results of the election of the Officers of the Southeast Louisiana Flood Protection Authority-East.”

**WHEREAS**, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East (FPA) adopted revised Bylaws at a Regular Board Meeting held on December 17, 2009; and

**WHEREAS**, Article IV, Section 1 (Officers and Elections) of the Bylaws designates the officers of the Board as President, Vice President, Secretary and Treasurer and provides for the election of officers from among the members of the Board at the regularly scheduled monthly meeting in June; and

**WHEREAS**, Act 491 of the 2024 Regular Session of the Louisiana Legislature provides that the Governor may appoint the chairman or presiding member of each board and commission subject to certain criteria; and

**WHEREAS**, by letter dated June 18, 2024, Governor Jeff Landry advised that he selected Clay A. Cosse to serve as the Chair (President) of the Southeast Louisiana Flood Protection Authority-East; and

**WHEREAS**, in accordance with Act 491, Mr. Cosse will serve as President of the FPA Board at the pleasure of the Governor; and

**WHEREAS**, Article IV, Section 1 of the Bylaws provides that officers shall assume their duties on July 1 and Article IV, Section 2, provides that officers shall be elected to serve one-year terms; and

**WHEREAS**, an election was conducted on June 20, 2024, to fill the offices of Vice President, Secretary and Treasurer for a one year term commencing on July 1, 2024; and

**WHEREAS**, nominations for each office were duly offered, seconded, and voted upon.

**BE IT THEREFORE RESOLVED**, that, as a result of said election, the following Officers of the Southeast Louisiana Flood Protection Authority-East shall serve for a one-year term commencing on July 1, 2024:

**Vice President – Roy M. Arrigo**

**Secretary – Deborah Mabile Settoon, P.E.**

**Treasurer – William A. Settoon, Jr.**

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

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

NAYS: None

ABSENT: None

Mr. Cosse thanked Mr. Miller for his years of service on the Board.

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

There was no further business; therefore, the meeting was adjourned at 12:20 p.m.