

## **House Committee on Natural Resources and Environment**

Minutes of Meeting

2019 - 2020 Interim

November 19, 2019

### **I. CALL TO ORDER**

Representative Stuart J. Bishop, chairman of the House Committee on Natural Resources and Environment, called the meeting to order at 10:05 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Stuart J. Bishop, chairman  
Representative Robert E. Billiot  
Representative Terry R. Brown  
Representative Jean-Paul P. Coussan  
Representative Phillip R. DeVillier  
Representative Franklin J. Foil  
Representative Jerry Gisclair  
Representative John E. Guinn  
Representative Christopher J. Leopold, vice chairman  
Representative Rodney Lyons  
Representative Jack G. McFarland  
Representative Malinda B. White  
Representative Jerome "Zee" Zeringue

#### **MEMBERS ABSENT:**

Representative James K. Armes, III  
Representative Patrick Connick  
Representative Tanner D. Magee  
Representative Blake Miguez  
Representative James H. "Jim" Morris  
Representative John M. Stefanski

**STAFF MEMBERS PRESENT:**

Su King, legislative analyst  
Tyler S. McCloud, attorney  
Trinicia Bryant, committee administrative assistant

**ADDITIONAL ATTENDEES PRESENT:**

Daniel Leming, sergeant at arms

**III. BUSINESS****Update on implementation of the outcome-based performance contract alternative project delivery method by the Coastal Protection and Restoration Authority**

Representative Bishop stated there was an eagerness for this meeting to take place last week. However, the request for the meeting was not submitted to him until November 10, 2019. House Rule 14.24, which was provided to the committee, clearly requires a minimum of seven days notice to the committee members and the general public during the interim. He also stated November 10, 2019, was a Sunday and Monday, November 11, 2019, was an observed holiday, and the notice could not have gone out until Tuesday, November 12, 2019. He concluded by stating he did what was necessary to schedule the meeting as quickly as possible.

Chip Kline, Coastal Protection and Restoration Authority (CPRA), 1051 N. 3<sup>rd</sup> Street, Baton Rouge, LA 70802, (225) 342-7669, spoke for information only on the implementation of the outcome-based performance contract project. Mr. Kline informed the committee that since the creation of the CPRA in 2005, the CPRA has had a consistent record of ethical and transparent procurement processes. He further stated that the performance-based contracting program was caught in the crossfire of the governor's election. He concluded by stating that the political ads at the center of this oversight hearing are false and have the possibility to call into question the integrity of both the Governor's Office and the entire coastal program of Louisiana.

Bren Haase, executive director, CPRA, 150 Terrace Avenue, Baton Rouge, LA 70809, (225) 342-2179, spoke for information only. Mr. Haase provided an update and overview of the performance-based contractor program. He explained that CPRA was given the authority to enact outcome-based performance contracting as a project delivery method by an act of the legislature and upon signature of the governor in 2017. He further stated that it is intended to leverage the efficiency and potential for innovation and the capacity of private entities to both finance and implement projects in the near term with payment for successful projects over the long term. Mr. Haase informed the committee of the three key components of outcome-based performance contracting which are clear definition of performance criteria and objectives by which projects can be measured, clearly defined assessment methodology in collection of data on the performance criteria to assess performance, and a schedule

of consequences for the contractor that is delivering the contract. He concluded by stating that the entire process has been performed in the public eye and is open to anyone who is interested in participating, and has been carried out in the best interest of the state of Louisiana. He assured the committee that any other actions performed by the CPRA will be handled in like manner.

Matthew Block, executive counsel, Office of the Governor, no address provided, no phone number provided, spoke for information only. Mr. Block stated that it is disappointing that the individuals who are behind the political ads at the center of this meeting are not present to air their grievances or defend their allegations in a public forum. He informed the committee that he is willing to answer any questions the committee has with regard to the program. Mr. Block then stated ads had been pulled twice in one week. He also stated that he sent a letter to both Senate and House natural resources Committee chairmen requesting that a meeting be held last week but did not get a response. He addressed the charge levied against the governor and informed the committee that a letter dated August 12, 2019, predating the charge, was sent to Mr. Murray Starkel, stating he would not get a contract. He concluded by stating the integrity of the Governor's Office and its employees is questioned when charges as such are levied against the governor.

Representative Bishop stated that he fulfilled his job duties as chairman of the committee and as a member of the House of Representatives. He reiterated that he followed the rules and a rule suspension required a two-thirds vote of the membership of the full House. He also stated that any other action would have questioned his integrity. Mr. Block stated that he understood the chairman's position, that he could not take action to suspend the rules, and that his intentions were to have the matter discussed in an open forum before the election occurred.

Representative Terry Brown stated that the Louisiana Ethics Commission should investigate these types of allegations and the persons responsible should have consequences.

Representative White and Chip Kline discussed Mr. Murray Starkel's firm. Representative White referenced former CPRA director Mr. Ellison making a statement confirming the validity of the ad to which Mr. Kline responded that Mr. Ellison was no longer the director of the CPRA and changes were immediately made to the program.

Maury Chatellier, CPRA, no address provided, (225) 342-6504, spoke for information only with regard to outcome-based performance contracts.

Representative DeVillier and Chip Kline discussed outcome-based performance contracts, Request for Proposals (RFP), Solicitation for Proposals (SFP), and Request for Statement of Interest and Qualifications (RSIQ) process.

**IV. ANNOUNCEMENTS.**


There were no announcements.

**V. ADJOURNMENT**

Representative White offered a motion to adjourn. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Coussan, Foil, Gisclair, Guinn, Leopold, Lyons, White, and Zeringue voted yea.

The meeting was adjourned at 11:02 a.m.

Respectfully submitted,



Chairman Jean-Paul Coussan  
House Committee on Natural Resources and Environment

Date adopted: April 22, 2021

The committee has acknowledged on April 22, 2021, that these minutes were prepared in accordance with the rules of the House of Representatives.