



# TERREBONNE LEVEE & CONSERVATION DISTRICT



## Regular Meeting Minutes January 19, 2022

President Anthony Alford called to order the Regular Meeting of the Terrebonne Levee and Conservation District at the Terrebonne Levee & Conservation District Office located at 220 Clendenning Road, Houma, Louisiana, at 6:00 P.M. on January 19, 2022.

Angela Hidalgo led the opening prayer, and Commissioner Henry led the Pledge of Allegiance to the American Flag.

Upon roll call by Mrs. Hidalgo, Commissioners recorded as present are Alford, Cenac, Daisy, Davis, Henry, Moore, Walker, and Williams. Commissioner Chauvin is recorded as absent. Zoom function was unable to connect.

Under approval of minutes: Motion: Henry, Second: Walker, to approve the Regular Minutes dated January 10, 2022. The motion passed without objection.

Under Public, there was no one wishing to address the board.

Under Management's Report, Greg Gautreaux had nothing to report.

Under Finance Committee Matters, Mrs. Hidalgo presented the Financial Reports FME 31 December 2021. Motion: Henry, Second: Davis, to accept the Financial Report, as presented. The motion passed without objection.

Chairman Jack Moore asked the board to approve the operating and engineering invoices as presented. Motion: Davis, Second: Cenac, to approve the warrants for payment. The motion passed without objection.

Chairman Moore asked the board for authorization for salaried employees to carry forward and use an additional forty (40) hours of comp time from Hurricane Ida. Motion: Henry, Second: Williams. The motion passed without objection.

Angela Hidalgo asked the board to authorize a change order in the amount of \$14,154.00 for additional repairs on the main building that was not previously authorized. Motion: Walker, Second: Davis. The motion passed without objection.

Under Executive Director's Report, Mr. Dupre asked the board for a motion to enter into Executive Session for the purpose of discussing legal issues. Motion: Henry, Second: Walker, to enter into Executive Session. A roll call vote was taken: Yeas: Alford, Cenac, Daisy, Davis, Henry, Moore, Walker, and Williams. Nays: None. Absent and/or not voting: Chauvin. The motion passed without objection.

Motion: Henry, Second: Moore, to return to regular session.

There was a motion by Commissioner Moore, seconded by Commissioner Walker, to pass *Resolution No. 22-007* authorizing TLCD's special legal counsel to accept the tender from Louisiana CPRA dated January 18, 2022. The motion passed without objection.

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Item 8b was deferred until next board meeting.

Mr. Dupre asked the board to approve Balancing Change Order No. 1 for Low Land Construction for Lower Dularge West Levee Access Crossing Project in the amount of (\$42,069.15) and an additional \$5,000.00 for a total of (\$47,069.15). Motion: Moore, Second: Walker. The motion passed without objection.

Mr. Dupre asked the board to pass *Resolution No. 22-004* in support of Substantial Completion for Low Land Construction for work on the Lower Dularge West Levee Access Crossing. Motion: Moore, Second: Davis. The motion passed without objection.

Mr. Dupre asked the board to pass *Resolution No. 22-005* in support of Substantial Completion for Low Land Construction for work on the Reach J-2 Rehabilitation Project. Motion: Walker, Second: Moore. The motion passed without objection.

Under Planning & Projects, Neil Angelette provided and updated on the Reach L West Project.

Jay Duplantis with All South Consultants, LLC provided updates on the Reach K & L Project, Lower Dularge Levee East Rehabilitation, Lower Dularge East Indefinite Embankment Supply, and the Lower Dularge Levee West Improvements Phase 3 Projects.

Philip Chauvin with T. Baker Smith provided updates on the TLCD General Services Agreement, Marmande Canal Water Control Structure, and Reach I Projects.

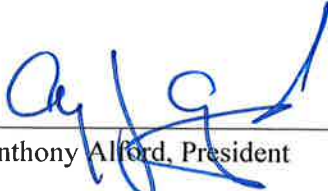
David Boudreaux with Delta Coast Consultants, LLC reported on the HNC Lock Complex, and Mitigation and Maintenance/Rehabilitation Projects.

Under Other Engineering Reports, there was nothing to report.

Under President's Report, there was nothing to report.

There being no further business to come before the board, it was moved by Commissioner Henry, with a second by Commissioner Moore, to adjourn the January 19, 2022 Regular Meeting of the Terrebonne Levee and Conservation District at 6:53 p.m. The motion passed without objection.

The next regularly scheduled meeting is February 2, 2022 at 6:00 P.M. at the TLCD office located at 220 Clendenning Road, Houma, LA 70363.

  
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Anthony Alford, President

  
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Angela Hidalgo, Secretary

There was a motion by Commissioner Moore, seconded by Commissioner Davis:

**RESOLUTION NO. 22-004**

A Resolution accepting the Work performed by Low Land Construction Co., LLC as “substantially complete” for the Lower Dularge West Levee Access Crossing.

**WHEREAS**, the Engineer (All South Consulting Engineers.) has reviewed the Work performed by the Contractor (Low Land Construction Co., LLC.) for the Lower Dularge West Levee Access Crossing (hereinafter called Project) on January 12, 2022.

**WHEREAS**, the Engineer has found the Lower Dularge West Levee Access Crossing to be “substantially complete” in conformance with the Contract Documents, and

**WHEREAS**, the Engineer has prepared a “Punch List” of items that must be completed before the Project can be considered as “finally complete” and retainage paid upon presentation of a Clear Lien Certificate, and

**WHEREAS**, the Engineer recommends to the Terrebonne Levee and Conservation District Board of Commissioners and TLCD staff that the Project be accepted as “substantially complete”, and

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of Terrebonne Levee and Conservation District accepts the Work performed by Low Land Construction Co., LLC., as “substantially complete”.

A roll call vote having been called for, the vote thereon was as follows:

**YEAS:** Alford, Cenac, Daisy, Davis, Henry, Moore, Walker, Williams.

**NAYS:** None.

**ABSTAINING:** None.

**ABSENT AND/OR NOT VOTING:** Chauvin.

I, **Angela Hidalgo**, do hereby certify that I am the duly qualified Secretary of the Board of Commissioners of the Terrebonne Levee and Conservation District in Terrebonne Parish, Louisiana and that the above Resolution is a true and correct copy of Resolution No. 22-004 adopted at a Regular Meeting of the Board of Commissioners of the Terrebonne Levee and Conservation District on the 19<sup>th</sup> day of January, 2022, the original of which is officially of record in my possession.

  
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Angela Hidalgo, Secretary  
Terrebonne Levee and Conservation District



There was a motion offered by Commissioner Walker, seconded by Commissioner Moore:

**RESOLUTION NO. 22-005**

**A Resolution granting substantial completion to Low Land Construction, Inc.. for the contract entitled, Morganza to the Gulf – Hurricane Protection Flood Risk Reduction Project Reach J-2 Rehabilitation Project.**

**WHEREAS**, the Terrebonne Levee and Conservation District (hereinafter called Owner) executed a construction contract with Low Land Construction, Inc.. (hereinafter called Contractor) on July 30, 2018 for the project entitled Morganza to the Gulf – Hurricane Protection Flood Risk Reduction Project Reach J-2 Rehabilitation Project

**WHEREAS**, On January 3, 2022 the Contractor informed Delta Coast Consultants, LLC (hereinafter called Engineer) that the contract was sustainably completed, and

**WHEREAS**, On January 3, 2022 a site inspection was completed by the Engineer, and

**WHEREAS**, it was agreed by all parties at the inspection that the contract was substantially completed, and

**WHEREAS**, No Punchlist Items were found, and

**WHEREAS**, the Engineer is recommending substantial completion be granted to Contractor, and

**NOW, THEREFORE BE IT RESOLVED** that the Owner grants substantial completion to the Contractor for the project entitled. Morganza to the Gulf – Hurricane Protection Flood Risk Reduction Project Reach J-2 Rehabilitation Project

**THERE WAS RECORDED:**

**YEAS:** Alford, Cenac, Daisy, Davis, Henry, Moore, Walker, Williams.

**NAYS:** None.

**ABSENT AND/OR NOT VOTING:** Chauvin.

**I, Angela Hidalgo**, do hereby certify that I am the duly qualified Secretary of the TLCD Board of Commissioners in Terrebonne Parish, Louisiana and that the above Resolution is a true and correct copy of Resolution No. 22-005 adopted at a meeting of the governing authority of the TLCD on January 19, 2022, the original of which is officially of record in my possession.

  
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**Angela Hidalgo, Secretary**  
**Terrebonne Levee and Conservation District**



Motion of Commissioner Moore, seconded by Commissioner Walker:

**TLCD RESOLUTION NO. 22-007**

**A RESOLUTION ACCEPTING CPRA'S TENDER OF DEFENSE IN THE  
POWELL AND AUCOIN LITIGATION**

**WHEREAS**, Terrebonne Levee & Conservation District ("TLCD") and Coastal Protection and Restoration Authority ("CPRA") have been named as defendants in the following litigation: *Kathleen Powell, et al. vs. State of Louisiana through the Terrebonne Levee & Conservation District, Terrebonne Parish Consolidated Government and Coastal Protection and Restoration Authority*, No. 129068, 32nd JDC, Terrebonne Parish, Louisiana (the "Powell Litigation") and *Dewey F. Aucoin and Lisa R. Aucoin. vs. State of Louisiana through the Terrebonne Levee & Conservation District and Coastal Protection and Restoration Authority*, No. 191674, 32nd JDC, Terrebonne Parish, Louisiana (the "Aucoin Litigation");

**WHEREAS**, TLCD and CPRA are parties to a certain Intergovernmental Agreement effective as of July 1, 2010, in which CPRA agreed to provide certain funding to be used by TLCD, as Sponsor of The Morganza to the Gulf of Mexico Hurricane Protection Project, subject to the terms and conditions of that agreement (the "Intergovernmental Agreement");

**WHEREAS**, by letter dated January 13, 2022 and transmitted by email on January 18, 2022, CPRA has tendered to TLCD the defense of the Powell Litigation and the Aucoin Litigation in accordance with the terms of the Intergovernmental Agreement;

**WHEREAS**, TLCD has employed Loulan J. Pitre and the Kelly Hart Pitre Law Firm ("Special Legal Counsel") as special legal counsel to provide a defense in the Powell Litigation and the Aucoin Litigation; and

**WHEREAS**, TLCD would like to accept the tender by CPRA, to authorize its Special Legal Counsel to communicate to CPRA this acceptance of the tender, and to authorize its Special Legal Counsel to take appropriate steps to enroll as counsel for CPRA and provide such defense.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Terrebonne Levee & Conservation District that TLCD accepts the tender contained in CPRA's letter dated January 13, 2022 and transmitted by email on January 18, 2022 by CPRA to TLCD of the defense of the Powell Litigation and the Aucoin Litigation in accordance with the terms of the Intergovernmental Agreement effective as of July 1, 2010, authorizes TLCD's Special Legal Counsel to communicate to CPRA this acceptance of the tender, and authorizes its Special Legal Counsel to take appropriate steps to enroll as counsel for CPRA and provide such defense.

A roll call vote was called for on the motion. The vote thereon was as follows:

**YEAS:** Alford, Cenac, Daisy, Davis, Henry, Moore, Walker, Williams.

**NAYS:** None.

**ABSENT AND/OR NOT VOTING:** Chauvin

Thus done and passed on the 19<sup>th</sup> day of **January, 2022.**

I, **Angela Hidalgo**, Secretary of the Terrebonne Levee & Conservation District, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Commissioners at a regular meeting held on January 19, 2022.

**GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 19<sup>th</sup> DAY OF  
JANUARY, 2022.**

  
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**ANGELA HIDALGO, SECRETARY  
TERREBONNE LEVEE & CONSERVATION DISTRICT**

