

**OFFICIAL PROCEEDING
OF
SOUTH LAFOURCHE LEVEE DISTRICT
NOVEMBER 13, 2017**

The Board of Commissioners of the South Lafourche Levee District met in a regular session at its regular meeting place, 17904 Highway 3235, Galliano, Louisiana, on Monday, November 13, 2017 at three (3:00) o'clock p.m., pursuant to the provisions of a notice of regular session duly promulgated and posted in accordance with the law.

The regular meeting for the month of November was called to order by President Ronald Callais. Commissioner Clarence Marts led the Pledge of Allegiance.

President Callais directed the secretary to call roll.

Board members present: Ronald Callais
 Robert "Bobby" Eymard, Sr.
 Bob Faulk
 Monty Vegas
 Clarence "CJ" Marts, Jr.
 Mc Neely Rome
 Roland Curole
 Keith Guidry

Board members absent: Mitch Danos

Also present were: Executive Secretary and General Manager Windell Curole; Administrative Assistant 6 Mary Punch; Administrative Assistant 3 Amy Gisclair; Levee Board Operations Superintendent Drake Baudoin; Attorney Ray Collins; Engineering Personnel Neil Angelette, André Uzee, Joe Picciola, Stevie Smith, Laura Barnes; Morganza Action Coalition Roland Guidry and Melissa Cloutet; CPRA Daniel Dearmond; Attorney General Jeff Landry's Doug Cheramie; Lafourche Parish Councilman Daniel Lorraine; and news media.

READING OF THE MINUTES

The minutes of the October 9, 2017 Regular Meeting were approved unanimously upon a motion by McNeely Rome and seconded by Bob Faulk.

PRESIDENT'S REPORT

ALBL DECEMBER 6-7, 2017

President Callais reminded the commissioners of the upcoming ALBL Conference to be held on Dec. 6th and 7th at the New Orleans Hilton Riverside Hotel.

EXECUTIVE COMMITTEE MEETING TO SET 2018 PRIORITIES

President Callais informed the board that the Executive Committee Meeting for 2018 Priority Projects would be held on Dec. 8, 2017 at 8:00 a.m.

MANDATORY STATE TRAINING FOR SLLD BOARD AND EMPLOYEES

President Callais announced that State required training sessions for all board members and employees who had not yet taken the training in 2017 would be available on November 29th beginning at 10:00 a.m. for Ethics Training, and at 11:00 a.m. for Sexual Harassment Prevention at the SLLD office.

AUDIENCE COMMENTS

Lafourche Parish Councilman Daniel Lorraine informed the board that the agreement between the Parish Council and the South Lafourche Levee District to supply fuel for the pump stations had not made it to the LPG's November agenda, but that he would make sure it was on the next agenda.

GENERAL MANAGER'S REPORT

SLIDE PRESENTATION

General Manager Windell Curole showed slides of areas where rights-of-way were taken and spoke briefly about the recent lawsuit. Other slides included flood elevation and updates of projects around the levee system. Mr. Curole concluded his presentation with a few slides of the Morganza to the Gulf Reach K project, and a short video clip of the beginnings of the levee section being constructed.

Attorney Ray Collins commented on the use of the right-of-way and the value of the developed property compared to the undeveloped.

ACCEPTANCE OF 2017 FINANCIAL STATEMENT (AUDIT)

Mr. Curole presented the 2017 Financial Statement announced that there were no findings. He recommended the board accept as presented.

Moved by Keith Guidry and seconded by Bobby Eymard, the board unanimously accepted the 2017 Financial Statement prepared by Broussard and Company, CPA.

RESTORE OR RETREAT – APPROVAL OF CEA FOR 2017 MEMBERSHIP DUES

Mr. Curole announced that it was time to renew the SLLD membership with Restore or Retreat at the annual fee of \$500.00. He recommended the board authorize its membership renewal for the year 2017.

Moved by Roland Curole, seconded by Monty Vegas and unanimously accepted, the board approved the renewal of 2017 Membership with Restore or Retreat at the annual renewal fee of \$500.00.

ACCEPTANCE OF BIDS FOR HUNTING AND FISHING LEASES – BID OPENING, NOV 8 AT 10AM

Mr. Curole explained that we lease property in the Hackberry Bay area available to hunters and fishermen. We had two bid openings for leases that were approved by Landman Lee Bloch. Mr. Curole recommended the board accept the bids as presented.

On a motion of Bobby Eymard and seconded by Clarence Marts, the board unanimously accepted the Bids for Hunting and Fishing Leases from Alex Cheramie, Live Oak Area containing 624.52 acres at \$2.00 per acre for a total of \$1,249.04 annually, and from Rowdy Danos, Little Lake-Plum Point area containing 106.30 acres at \$2.50 per acre for a total of \$265.75 annually for five years.

ACCEPTANCE OF ADVERTISEMENT AND BIDS FOR PARTS FOR SPARE ENGINE

Mr. Curole explained that only one bid had been received for parts for the spare engine, but that it was not in compliance with the bid instructions. He requested the board reject the bid as incomplete, and authorize the Levee District to re-advertising the bid for parts.

Moved by Roland Curole and seconded by McNeely Rome, the board unanimously agreed to reject the incomplete bid, and to re-advertise the bid for parts to be used to build the spare engine.

ACCEPTANCE OF ADVERTISEMENT AND BIDS FOR VINYL SHEET PILES

Mr. Curole requested the board approve the advertisement for bid of vinyl sheet piles retroactively.

Moved by Bobby Eymard and seconded by Clarence Marts, the board unanimously agreed to the advertisement of vinyl sheet piles, retroactively.

Mr. Curole announced that Triple Son Wholesale was the low bidder with a total price of \$140,760.00 for vinyl sheet pile at the Nov. 9th bid opening, and recommended the board accept the bid as presented.

Moved by McNeely Rome and seconded by Clarence Marts, the board unanimously accepted the low bid for vinyl sheet piles from Triple Son Wholesale at a total cost of \$140,760.00.

ACCEPTANCE OF ADVERTISEMENT AND BIDS FOR RENTAL OF 60' LONG REACH EXCAVATOR WITH OPERATOR

Mr. Curole requested the board approve the advertisement for bid of the excavator with operator retroactively.

Moved by Bobby Eymard and seconded by Monty Vegas, the board unanimously agreed to the advertisement of a 60 ft. long reach excavator with operator, retroactively.

Mr. Curole announced that Tidewater Dock was the low bidder at the price of \$35,625.00 for excavator with operator to install the vinyl sheet piles at the Nov. 9th bid opening, and recommended the board accept the bid as presented.

Moved by Clarence Marts and seconded by Roland Curole, the board unanimously accepted the low bid for a 60 ft. excavator with operator from Tidewater Dock at a total cost of \$35,625.00.

ACCEPTANCE OF BIDS FOR REMANUFACTURED DETROIT DIESEL ENGINE

Mr. Curole requested the board approve the advertisement for bid of the Remanufactured Detroit Diesel Engine retroactively.

Moved by Bobby Eymard and seconded by Monty Vegas, the board unanimously agreed to the advertisement for a Remanufactured Detroit Diesel Engine retroactively.

Mr. Curole announced that ANS Engine was the low bidder at the price of \$30,000.00 for the Remanufactured Detroit Diesel Engine at the Nov. 9th bid opening, and recommended the board accept the bid as presented.

Moved by Monty Vegas and seconded by Roland Curole, the board unanimously accepted the low bid for a Remanufactured Detroit Diesel Engine from ANS Engine at a total cost of \$30,000.00.

AUCTION RESULTS

Mr. Curole explained that the board had previously authorized the Oct. 28th auction, and that it was a success. The total sale of all items was before auctioneer fees were withheld was \$72,385.50. He recommended the board accept the auction results as presented.

On a motion by McNeely Rome, and seconded by Monty Vegas, the board unanimously accepted the October 28th auction results as presented.

REQUEST TO ADVERTISE DOZER AND OPERATOR FOR SECTION D-SOUTH / A-EAST PROJECT

Mr. Curole announced that their might be a need to advertise for a dozer and operator for levee maintenance on D-South and A-East levee. He requested the board approve the advertisement for bid, should the need arise.

Moved by Monty Vegas and seconded by McNeely Rome, the board unanimously authorized the advertisement of a dozer and operator for maintenance work on Sections D-South and A-West levee, should the need arise.

AUTORIZER PRESIDENT CALLAIS TO SIGN FP&C AMENDMENT NO. 6 TO ADD \$1,000,000 TO FUNDING

Mr. Curole explained that the state had additional money in the amount of \$1M that we could use on the LA 1 Elevation for Levee Crossing at Golden Meadow. He requested authorization for President Callais to sign the Amendment allowing those funds to be used.

On a motion by Clarence Marts, seconded by Keith Guidry, and unanimously carried, the board authorized President Ronald Callais to sign Amendment No. 6 with Facility Planning for an additional \$1,000,000 to be used on the Elevation of LA 1 Hwy at Levee Crossing in Golden Meadow, LA.

SEISMIC PERMIT – AUTHORIZE PRESIDENT CALLAIS TO SIGN AFTER REVIEW BY LANDMAN LEE BLOCH

Mr. Curole informed the board that there was a seismic permit request from Pride Oil. Landman Lee Bloch had reviewed the permit and informed Mr. Curole that he would revise the permit to better suit the Levee District's needs. Mr. Curole recommended the board authorize President Callais to sign the agreement to allow the seismic work, upon recommendation of Landman Lee Bloch.

Moved by McNeely Rome, and seconded by Bob Faulk, the board unanimously authorized President Ronald Callais to sign Seismic Permit agreement upon the recommendation of South Lafourche Levee District's Landman, Mr. Lee Bloch.

HONORABLE RD JAMES LETTER OF SUPPORT

Mr. Curole announced that the person who held the position of Assistant Secretary of the Army was the head person for the Corps of Engineers in DC. He stated that Mr. RD James had served on the Mississippi River Commission three times, was a self-employed farmer, and had spoken with Mr. Curole on a number of occasions. Mr. Curole stated that they felt Mr. James would be a good choice to have as the next Assistant Secretary of the Army and could help with the 408 permits and the delays they pose on projects. Mr. Curole presented a Letter of Support and requested permission to send the letter recommending Mr. RD James' nomination to the position.

On a motion by Bobby Eymard and seconded by Roland Curole, the board unanimously agreed to send a Letter of Support for the nomination of the Honorable RD James for Assistant Secretary of the Army, Civil Works.

RESOLUTION 17-05 REGARDING GOMESA FUNDING

Mr. Curole stated that during the recent CPRA meeting, a statement was made that the funds through GOMESA would be used to operate and maintain flood protection in the New Orleans area. Mr. Curole explained that funding which comes from Federal and State Government had always been used for construction, and that operations and maintenance were a local responsibility. Mr. Curole continued by saying they felt the government should not change that status. He then presented a resolution for acceptance by the board.

On a motion by Bob Faulk, seconded by McNeely Rome and unanimously carried, the board accepted and approved the following Resolution 17-05 as read in full by President Ronald Callais.

**A RESOLUTION OF THE SOUTH LAFOURCHE LEVEE DISTRICT
TO CLARIFY THAT GOMESA FUNDS SHOULD NOT BE USED FOR OPERATION AND MAINTENCE
PURPOSES FOR HURRICANE AND FLOOD CONTROL PROJECTS**

RESOLUTION 17-05

WHEREAS, the SOUTH LAFOURCHE LEVEE DISTRICT, hereinafter referred to as the "LEVEE DISTRICT", was created by the Louisiana Legislature to act as an official flood protection commission of the Louisiana Coastal Protection and Restoration Authority (CPRA); and

WHEREAS, membership of the LEVEE DISTRICT consists of the President, Executive Director, or CEO of every Levee District and Flood Authority in coastal Louisiana; and

WHEREAS, after Hurricane Katrina in 2005, the Louisiana Legislature enacted several major reforms to improve the planning and implementation of coastal protection and restoration projects, including the creation of the CPRA; and

WHEREAS, another major reform undertaken after Hurricane Katrina was amending the Louisiana State Constitution to dedicate all future outer continental shelf oil and gas revenues to coastal restoration, coastal protection, and infrastructure needs directly associated with coastal wetland losses; and

WHEREAS, the Louisiana Legislature passed a Joint Resolution (Constitutional Amendment) for this dedication under Act 69 of the First Extraordinary Session of 2005 which was authored by Senator Reggie Dupre; and

WHEREAS, this Joint Resolution received a unanimous vote of the Legislature and was ultimately approved by the citizens of Louisiana by an 82% vote at a statewide election in September 2006; and

WHEREAS, later in 2006, the U.S. Congress passed the Gulf of Mexico Energy and Security Act (GOMESA) which allowed for revenue sharing to Gulf states from new oil and gas leases in Federal waters; and

WHEREAS, GOMESA will provide a stable and recurring source of revenue for Louisiana to provide protection and restore the coast; and

WHEREAS, Federal and State funds and grants for these purposes have historically been reserved for capital construction costs with the local political subdivisions being responsible for the operational and maintenance costs; and

WHEREAS, it is the opinion of this LEVEE DISTRICT that the intention of the dedication of outer continental shelf oil and gas revenues (GOMESA) was strictly limited to expenditures for the capital costs of the restoration, protection or infrastructure projects.

NOW, THEREFORE BE IT RESOLVED that the SOUTH LAFOURCHE LEVEE DISTRICT hereby recommends to the Governor and Chairman of CPRA that GOMESA funds should be strictly limited to the capital costs of the dedicated purposes as approved by the voters of Louisiana in 2006.

BE IT FURTHER RESOLVED that copies of this resolution will be submitted to Governor J. B. Edwards, CPRA Chairman Johnny Bradberry, the members of the Louisiana Congressional Delegation, the Secretary of the Louisiana State Senate, and the Clerk of the Louisiana House of Representatives.

THUS, DONE AND PASSED on the 13th day of November, 2017.

Mr. Curole reminded the commissioners of the pivotal part they had played in achieving GOMESA funding.

President Callais read a letter from the Town of Golden Meadow to the South Lafourche Levee District thanking us for our assistance with the Golden Meadow Floodwall Project.

ENGINEERING REPORT

OFFICE OF COASTAL PROTECTION AND RESTORATION

Mr. Daniel Dearmond gave the following update:

We opened bids on State Project TE-78, Reach L (Cut Off to Apache) of the Morganza Project, on October 10, 2017. The low bid was from Phylway Construction and came in under budget at \$5.62M. Bids are currently under review and we anticipate the contract being signed soon. We are hoping for a pre-construction meeting early December, with a construction start date in January 2018.

CORPS OF ENGINEERS (JOEY WAGNER)

There was no one in attendance from the Corps.

PROJECT ENGINEERS

PICCIOLA & ASSOCIATES

Engineer Joe Picciola gave the following report:

- **Elevation of LA Highway 32335 at Larose Crossing in Larose, LA**
LA Contracting Enterprise, LLC is the contractor. The contractor has begun work. The southbound lane is closed. They are currently hauling embankment for the southbound roadway and Highway 24. They are paving on the southbound roadway and Highway 24 today. By the end of the week traffic should be switched to the southbound lane so work can begin on the northbound lane.

- Pay Request No. 2 in the amount of \$ 307,029.68

Moved by Bob Faulk, seconded by Roland Curole and unanimously accepted, the board approved Pay Request No. 2 in the amount of \$307,029.68.

- **Maintenance Shop**
Foret Contracting Group, LLC is the contractor. The project is Substantially Complete as of August 21st. The Lien Period has ended and the contractor is complete with the punch list.

We are waiting on the Clear Lien Certificate and Application for Final Payment.

- **A-East Small Dredge Demonstration**
Magnolia Dredge & Dry Dock, LLC is the contractor. The project is Substantially Complete as of October 2nd and we are in the Lien Period.
 - Pay Request No. 3 in the amount of \$ 4,044.98
 - Change Order No. 1 – increase contract amount by \$4,494.42

Moved by Monty Vegas, seconded by Clarence Marts and unanimously accepted, the board approved Pay Request No. 3 in the amount of \$4,044.98 and Change Order No. 1 to increase contract amount by \$4,494.42.

J. WAYNE PLAISANCE, INC.

Program Manager André Uzee reported the following:

- **Bayou Lafourche Water Level Control**
We have not heard anything from DNR or the Corps. I check with them every week, but get nothing.

Mr. Curole stated that he had spoken with the Corps and DNR. He added that with the Levee District's financial issues, we would not be able to move forward with the project at this time even if we had the permits.

- **Pump Station No. 4 Upgrades**
We are having problems with the manufacturers of the equipment and are currently trying to work through that.

LEEVE IMPROVEMENTS – ANGELETTE-PICCIOLA, LLC

Engineer Neil Angelette reported the following:

- **B-North & B-South Levee Improvements**
The contractor, Pontchartrain Partners, LLC, is continuing with construction on this project. We are recommending approval of Pay Request No. 6 in the amount of \$653,514.07.
 - Pay Request No. 6 in the amount of \$653,514.07

Moved by Bobby Eymard, seconded by Keith Guidry and unanimously accepted, the board approved Pay Request No. 6 in the amount of \$653,514.07.

- **C-South Levee Improvements**
The contractor, RLB Contracting, Inc., is continuing with construction on this project. We are recommending approval of Pay Request No. 4 on the amount of \$298,944.10.
 - Pay Request No. 4 in the amount of \$298,944.10

Moved by Clarence Marts, seconded by Roland Curole and unanimously accepted, the board approved Pay Request No. 4 in the amount of \$298,944.10.

Section F Improvements

The contractor, Onshore Materials, LLC, is continuing with construction on this project. We are recommending approval of their Pay Request No. 3 in the amount of \$75,560.85.

- Pay Request No. 3 in the amount of \$75,560.85

Moved by Roland Curole, seconded by Clarence Marts and unanimously accepted, the board approved Pay Request No. 3 in the amount of \$75,560.85.

- **Morganza to the Gulf, Reach L**
We are proceeding with the design phase for the levee portion of this project, and we are coordinating with Delta Coast Consultants and the landowner on options for the final design on the bayou structure.

MORGANZA TO THE GULF

DELTA COAST CONSULTANTS

Program Manager Report (Mitch Marmande)
Mr. Marmande was not in attendance.

ALL SOUTH CONSULTING ENGINEERS

Engineer Report (Stevie Smith)

- **Reach K Access Road (Phase I)/Haul In Section**

- Notice to proceed Aug. 15, 2016.
- Additional work at water control structures is complete. The contractor only has minor dress up work remaining.
- Substantial Completion granted Oct. 30, 2017.
- Final Balancing Change Order submitted for board approval, along with Final Acceptance.
- Pay Application No. 7 in the amount of \$82,984.50 to Lowland Construction

Moved by Clarence Marts, seconded by Bobby Eymard and unanimously accepted, the board approved Pay Request No. 7 in the amount of \$82,984.50 to Lowland Construction.

- Final Balancing Change Order

Moved by McNeely Rome, seconded by Monty Vegas and unanimously accepted, the board approved the Final Balancing Change Order in the amount of \$133,761.73.

- Letter of Substantial Completion

Moved by Bob Faulk, seconded by Keith Guidry and unanimously accepted, the board approved Letter of Substantial Completion and Letter of Final Acceptance.

- **Reach K On Site Excavation Section (Ph II)**

- Contractor mobilized to site on Oct 4.
- Dredging operations began on Oct 5. Shut down for Hurricane Nate.
- Complete first pass to Station 265 + 00. Getting about 300' /day.
- Pay Application No. 1 in the amount of \$106,875.00

Moved by Roland Curole, seconded by Clarence Marts and unanimously accepted, the board approved Pay Request No. 1 in the amount of \$106,875.00.

- Change Order No. 1 to add 15 days to contract time at no cost increase

Moved by McNeely Rome, seconded by Monty Vegas and unanimously accepted, the board approved Change Order No. 1 to add 15 days to contract time.

- **Reach K Marsh Mitigation**

All South presented revised cost estimate to SLLD today
Plans and specifications scheduled to be complete by Dec. 15th.

APTIM ENGINEERING

Engineer Report (Laura Barnes)

- **Grand Bayou Floodgate Structure**

We are continuing with the preliminary design. We are anticipating submitting this report in January 2018.

LEGAL, PERMITS, AND RIGHT-OF-WAYS COMMITTEE REPORT

In the absence of Chairman Mitch Danos, President Callais announced that there were no permit requests received for review.

BOARD ATTORNEY

Attorney Ray Collins stated that he had nothing to discuss.

FINANCE COMMITTEE

INVOICES

Commissioner Monty Vegas announced that the Finance Committee had reviewed the invoices and recommended they be paid.

On a motion of Monty Vegas, seconded by Clarence Marts, and unanimously carried, the board approved the payment of the invoices as presented.

PERSONNEL COMMITTEE

Commissioner Monty Vegas announced that the Personnel Committee was postponed until after the Executive priority meeting.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

With no further business to discuss, the board unanimously adjourned the meeting on a motion of Monty Vegas and seconded by Bob Faulk.

/s/Ronald Callais, President

/s/Windell A. Curole, Executive Secretary