



TERREBONNE LEVEE CONSERVATION DISTRICT



Regular Meeting Minutes April 7, 2021

President Anthony Alford called to order the Regular Meeting of the Terrebonne Levee and Conservation District at the TLCD office located at 220 Clendenning Road, Houma, Louisiana, at 6:00 P.M. on April 7, 2021. The meeting was available via Zoom.

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

Upon roll call by Mrs. Hidalgo, Commissioners recorded as present: Alford, Cenac, Chauvin, Davis, Henry, Moore, Walker, and Williams. Daniel Dearmond with CPRA attended via Zoom.

Under approval of minutes, there was a motion by Commissioner Henry, seconded by Commissioner Chauvin, to approve the Regular Minutes dated March 18, 2021. The motion passed.

Under Public, John Monzon, former director of SLFPA-W, addressed the board.

Commissioner Davis informed the board that former TLCD Board President Bobby Marmande passed away this week at the age of 99 years.

Under Management's Report, Greg Gautreaux provided an update on inhouse projects.

Item 7(a) was deferred until later in the meeting.

Chairman Moore asked the board to approve the operating and engineering invoices as presented. Motion: Chauvin, Second: Walker. The motion passed.

Under Executive Director's Report, Mr. Dupre asked the board for a motion to enter into Executive Session.

There was a motion by Commissioner Walker, with a second by Commissioner Chauvin, to enter in Executive Session pursuant to La. R.S. 42:17(10) and La. R.S. 42:17(2) to discuss matters privileged under La. C.E. Art. 506 and/or to conduct strategy sessions in connection with the following pending or potential litigation: Kathleen Powell, et al, vs. State of Louisiana, et al, No. 129068, 32nd JDC, Terrebonne Parish, Louisiana; and to address Formal Written Demand received from Pontchartrain Partners, LLC concerning the contract for the MTG Hurricane Protection Interim Food Risk Reduction Project Falgout Canal South Levee tie-in and borrow/storage area. A roll call vote was called for on the motion. The vote thereon was as follows: Yeas: Alford, Cenac, Chauvin, Davis, Henry, Moore, Walker, and Williams. Nays: None. Absent and or not voting: None. The motion passed.

Motion: Moore, Second: Henry, to return to Regular Session. The motion passed.

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Mr. Dupre asked the board to pass **Resolution No. 21-004** opposing centralized sales tax and use tax collections, with each of the Terrebonne Parish Legislative Delegation, and the Honorable Governor John Bel Edwards be provided a copy of the resolution. Motion: Moore, Second: Chauvin. The motion passed.

Mr. Dupre asked the board to approve the recommendation of award to Ecological Restoration Services, LLC in the amount of \$38,620.00 for the planting of Reach J-2 Marsh Terraces. Motion: Chauvin, Second: Williams. The motion passed.

Mr. Dupre asked the board to pass **Resolution No. 21-005** in support of TPCG's D-19 pump station submission to the Statewide Flood Control Program for pre-application. Motion: Walker, Second: Moore. The motion passed.

Mr. Dupre asked the board to approve the recommendation of David Boudreaux with Delta Coast Consultants that Substantial Completion be granted to Low Land Construction for work on the D-19 Pump Station Floodwall Project. Motion Henry, Second: Davis. The motion passed.

Mr. Dupre asked the board to approve the submitted work plan to repair the Lower Dularge East Terrace (Hurricane Zeta) utilizing in-house forced account labor and equipment, per recommendation of Corbin Hebert with Delta Coast Consultants, LLC. Motion: Moore, Second: Chauvin. The motion passed.

Under Engineering Reports, Nicole Cutforth with APTIM provided an update on the HNC Lock Complex Project. Kevin DeZarn with APTIM provided updates on the Falgout Canal South Levee Tie-In, Falgout Canal North Levee Tie-in, Reach B Levee Alignment, and Bayou Lacache Projects.

Laura Barnes with GIS Engineering provided updates on the Reach A Levee Alignment, Minor's Canal Floodgate, the Reach B Levee Lift, and the Grand Bayou Flood Control Structure Projects.

Under Program Manager's Report, Mitch Marmande asked the board to approve Amendment No. 5 to GIS' Contract for Professional Engineering Services for the Reach A Emergency (Marmande Ridge) Levee Alignment work in the amount of \$70,830.00. Motion: Chauvin, Second: Henry. The motion passed.

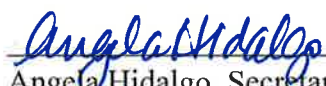
Under Other Engineering Matters, there was nothing to report.

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 April 7, 2021 Regular Meeting of the Terrebonne Levee and Conservation District at 7:00 P.M. The motion passed.



Anthony Alford, President



Angela Hidalgo, Secretary

At a meeting of the Terrebonne Levee and Conservation District Board of Commissioners held on Wednesday, April 7, 2021, there was a motion by Commissioner Moore, seconded by Commissioner Chauvin, that the board adopt the following resolution in Opposition to State Central Collection of Local Sales Taxes:

RESOLUTION NO. 21-004

WHEREAS, Article VII, Section 3 of the Louisiana Constitution provides that local sales and use taxes are to be collected by a single collector in each parish;

WHEREAS Article VII, Section 3 also provides for the use of a parish commission or one of the local political subdivisions to serve as the single parish collector of local sales and use taxes;

WHEREAS, the authority to "collect" local sales and use taxes has been determined by the Courts to include the authority to administer the collection, including making decisions as to when to audit persons or businesses thought to be unlawfully evading taxation or, in some cases, collecting sales taxes on transactions and failing to fully remit them to the local collector;

WHEREAS, the Parish serves as the single parish collector of local sales and use taxes in the Parish of Terrebonne;

WHEREAS, there are interest groups that desire to amend the LA Constitution to allow the Legislature to repeal or impair the authority of local governments to control the collection of local sales taxes and place that authority with the State, a concept referred to as State Central Collection;

WHEREAS, State Central Collection could have the State taking possession of local tax revenues, withholding an administrative fee, then disbursing the balance back to the Sheriff or other local taxing authority;

WHEREAS, State Central Collection poses too great a risk that local education tax dollars will not be promptly disbursed or that the administrative fee withheld by the State may become a means of resolving State fiscal issues;

WHEREAS, the risks of State Central Collection are magnified as our District tries to recover from the loss of sales tax revenue related to the COVID-19 pandemic;

WHEREAS, repealing or diminishing the Constitutional authority for local collection of local sales and use taxes will impair the ability of local collectors to perform the necessary function of auditing vendors to ensure compliance with the legal obligation to collect and remit local sales taxes;

WHEREAS, given the vital role that the proper, effective, and efficient collection of local sales and use taxes plays in the operation and protecting of our citizens from tidal and flood inundations, the Terrebonne Levee and Conservation District opposes any efforts to repeal, reduce, or constrain the authority of the local collector to collect local sales and use taxes, regardless of who has offered the proposal; now, therefore be it

RESOLVED, that the Terrebonne Levee and Conservation District by action of its board of commissioners, does hereby urge and request the Louisiana Legislature, and in particular, the Legislative Delegation of Terrebonne Parish to oppose any Legislative effort that repeals, reduces, or constrains the authority of the local collector to collect and administer the collection of local sales and use taxes; and be it finally

RESOLVED, that a copy of this resolution be forwarded to each member of the Terrebonne Parish Legislative Delegation, and the Honorable Governor John Bel Edwards, State of Louisiana.

I, **Angela Hidalgo**, Secretary of the Terrebonne Levee and Conservation District Board of Commissioners, Terrebonne Parish, Louisiana, do hereby certify that the foregoing is a true and correct resolution adopted by the Board of Commissioners at a meeting held on **April 7, 2021**, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 7TH DAY OF APRIL 2021.



Angela Hidalgo, Secretary
Terrebonne Levee and Conservation District



Motion of Commissioner Walker, seconded by Commissioner Moore:

RESOLUTION NO. 21-005

**SUPPORTING TPCG'S APPLICATION TO
STATEWIDE FLOOD CONTROL PROGRAM FOR D-19 PUMP STATION**

WHEREAS, the area in Terrebonne Parish east of Bayou Dularge, south of Falgout Canal, and surrounded by a levee on the east, south, and north has been adversely affected by damages from flood waters; and,

WHEREAS, on March 22, 2021, the Terrebonne Parish Consolidated Government ("TPCG") passed TPCG Resolution 21-115 authorizing TPCG to prepare and submit a pre-application to the Statewide Flood Control Program for assistance in the implementation of the Dularge East (D-19) Pump Station Replacement Project for the purpose of reducing existing flood damages; providing the necessary documentation of said flood damages; and providing for other related matters in connection therewith; and,

WHEREAS, TLCD supports TPCG's application for State matching funds pursuant to *La. R.S. 38:90.1 et seq.*, as amended, to implement a project to reduce said flood damages, and that TLCD is fully aware of TPCG's obligations under said statute; and

WHEREAS, TLCD supports TPCG as a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said statute;

NOW, THEREFORE BE IT RESOLVED that the TLCD supports the TPCG's submission of an application to the Statewide Flood Control Program for assistance in the implementation of a project entitled "Dularge East (D-19) Pump Station Replacement".

THERE WAS RECORDED:

YEAS: Cenac, Chauvin, Davis, Henry, Moore, Walker, Williams

NAYS: None.

ABSENT AND/OR NOT VOTING: Alford (per by-laws)

THUS DONE AND PASSED on the 7th day of April, 2021.

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 April 7, 2021.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 7th DAY OF APRIL, 2021.



Angela Hidalgo, Secretary
Terrebonne Levee & Conservation District

