

August 26, 2019

The regular monthly meeting of the Bayou Lafourche Fresh Water District was held on Monday, August 26, 2019 at 5:00 p.m. at the Water District Office, 1016 St. Mary Street, Thibodaux, LA.

Present were: Hugh Caffery, Chairman  
Gene Harrell, Vice-Chairman  
Donald Schwab  
Jake Giardina  
Barry Soudelier  
Chris Domangue

Ray Mayet  
Greg Nolan  
Lance Authement  
Scott LeBlanc  
Eli Miles, Jr.

Absent: Francis Richard

Also present were: Greg Chatelain, Delta Coast; Jason Kennedy, Delta Coast; Jerry Waguespack  
Matthew Newchurch, Duplantis Design Group; Ryan Perque, FOBL; Josh Bordelon  
Barry Marionneaux, Attorney; Ben Malbrough, Executive Director

Chairman Hugh Caffery stated that public comments can be made at any point in the meeting prior to action on any agenda item upon which a vote is to be taken.

Moved by Commissioner Ray Mayet, seconded by Commissioner Jake Giardina to dispense with the reading of the minutes, and approve the minutes of July 15, 2019. Motion carried unanimously.

Moved by Commissioner Eli Miles, Jr., seconded by Commissioner Chris Domangue to approve the accounts payable for July. Motion carried unanimously.

Moved by Commissioner Donald Schwab, seconded by Commissioner Barry Soudelier to approve the finance report for July. Motion carried unanimously.

Mr. Ben Malbrough reported that the pumping summary has been sent to the board members. We are no longer siphoning from the river, and are now utilizing electricity. Everything is working as normal.

Mr. Malbrough advised that the board had authorized him to work with a naval architect, Mino Marine, to set up a set of specifications to go out for proposals to build a barge mounted excavator, grapple machine to replace our existing green machine. Those specifications have been complete, and we plan to go out for proposals in the next few weeks. They will be brought to the full board for a decision.

Mr. Malbrough advised that tonight is a big night for the district. It is very fitting to look back to the event that was the turning point that got the Fresh Water District to implement the programs and projects, and that was Hurricane Gustav. This is the largest project in the Fresh Water District's history in approving the CEA for the funding agreement with the pump station. It is fitting that we are making this decision ironically on the eleventh year anniversary to the day that Gustav formed a hurricane.

Chairman Hugh Caffery advised that this commission has changed quite a bit. The people and the state got behind us since that hurricane to get this done. He commended the whole commission and commended Ben for his diligence, passion, and good nature for getting done all the ground work done from the bridge in Donaldsonville to the finishing up Phase 2. We are at the crest of a pump station that was a vision for

decades. Chairman Caffery stated that have a great opportunity thanks to Ben and Barry to put us in this position.

Mr. Malbrough stated that there were a lot of people that worked, and he would like to think that he did the best he could to keep going forward. He stated that the most important thing is the board decided not to wait, and to continue to push everything we could do with our own resources.

Mr. Ben Malbrough read the resolution authorizing the execution of a Cooperative Endeavor Agreement with Coastal Protection and Restoration Authority, DEQ and BLFWD in connection with the funding of the Pump Capacity Improvements Project. This resolution is authorizing Hugh Caffery and Greg Nolan to sign the CEA with those three entities for the funding arrangement that commits the funds to the Bayou Lafourche Fresh Water District, and the reimbursement of the projects cost that will be coming to the BLFWD from CPRA.

Mr. Malbrough stated that another resolution with be presented next month that actually seeks the authority to go through the actual issuing of the money and the loan.

Commissioner Chris Domangue stated that the really unanswered question at the last meeting was the funding. He asked what if we have a \$65 million number with the contingency baked in saying what if for some reason we came out on the low end and the contingency was CPRA is still going to put in the whole \$50 million. The question was answered and it is almost a pro rata amount that we will have to pay and what they will chip in. He stated that it is almost incentivizing us to try to spend the whole \$65 million to capture the whole \$50 million.

Mr. Malbrough answered Commission Chris Domangue that there is some dynamics going on obviously with the tariffs and steel prices but currently as the project stands, we are building a pump station that has footprint for 1500cfs. The \$65 million is actually just a notch higher with contingencies built it at \$66 million. That is only for 1000cfs capacity built in. We will set the bid up to where if for any reason we get very competitive bids on the 1000cfs, we have additive alternatives where we can add that additional pump capacity now instead of waiting later. Mr. Malbrough stated that he does not see an instance where we would be under the \$65 million dollars.

Moved by Commissioner Jake Giardina, seconded by Commissioner Chris Domangue and unanimously approved to adopt the resolution authorizing the execution of a Cooperative Endeavor Agreement with Coastal Protection and Restoration Authority, DEQ and BLFWD in connection with the funding of the Pump Capacity Improvements Project. This resolution is authorizing Hugh Caffery and Greg Nolan to sign the CEA with those three entities for the funding arrangement that commits the funds to the Bayou Lafourche Fresh Water District, and the reimbursement of the projects cost that will be coming to the BLFWD from CPRA.

Mr. Malbrough reported that we are in talks with the Corps and State Preservation Office as far as contesting the work on the river and the view shed analysis. The comment period closed today so we should hear something in the next couple of days. Currently, the proposal to do the marine survey, the phase one and two archeological testing, and the view shed analysis is a total estimate of \$149,813.40.

Moved by Commissioner Greg Nolan, seconded by Vice-Chairman Gene Harrell to approve the proposal presented by Stantec to perform cultural resources investigation as part of the USACE 404 permit for a not to

exceed estimate of \$149,813.40. If we are successful in getting the line items removed that we are contesting, those line items will be deducted from the total. Motion carried unanimously.

Commissioner Scott LeBlanc stepped out of the meeting 5:35 p.m., and Mr. Malbrough advised that he will explain the reason for him stepping out. Mr. Malbrough advised that Scott LeBlanc removed himself from the discussion on the project that is being awarded, and he will abstain from voting. Mr. Barry Marionneaux stated that it is only out of an abundance of precaution that he is doing this legally in the State.

Mr. Malbrough reported that the next item on the agenda is the Notice of Award for the apparent low bidder on the North Water Control Structure Project. We opened bids on Thursday for the project titled Emergency Closure Structure for the Reintroduction of Fresh Water Into Bayou Lafourche Project. There were three bids provided. Sea Level Construction was the apparent low bidder at \$2,089,270.00. Delta Coast reviewed the bids, and is making a recommendation that we award the project to Sea Level Construction, Inc. in the amount of \$2,089,270.00.

Vice-Chairman Gene Harrell asked if Mr. Malbrough could tell everyone what the other two bids were, and Mr. Malbrough answered that Lowland Construction was the second low bid at \$2,377,846.00, and Shavers Whittle Construction was \$3,176,138.00. The engineer's estimate was \$2,150,000.00. The Fresh Water District budgeted \$2.5 million for construction of the project. We will recognize a surplus there from the Capital Outlay Budget to the tune of \$411,000.00.

Moved by Commissioner Jake Giardina, seconded by Commissioner Barry Soudelier to negotiate, sign and execute all documents associated with the award of the construction contract to Sea Level Construction, Inc. in the amount of \$2,089,270.00 for the Emergency Closure Structure for the Reintroduction of Fresh Water Into Bayou Lafourche Project. The Chairman called for a vote and the motion passed with the votes as follows: Yeas 10; Nays 0; Abstained 1-Scott LeBlanc; Absent 1.

A discussion was held regarding purchasing a new digital machine to record the meetings because we are having difficulties lately with the current recording system. Mr. Malbrough advised that he will see about getting something new by the next meeting.

Commissioner Scott LeBlanc reentered the meeting at 5:40 p.m.

Mr. Malbrough advised that we have always talked about as soon as the water control structure was let out to bid and ready to go to construction that we would want to move immediately to beginning the steps to put a demolition plan to take the weir out in Thibodaux. We have identified who we would like to lead that effort, and the firm we have chosen based on their experience and knowledge of the bayou and location is Duplantis Design Group. They put a proposal together and was sent to the board. This will not be a typical engineering project but more of a demolition project.

Moved by Commissioner Jake Giardina, seconded by Commissioner Donald Schwab and unanimously approved to authorize Ben Malbrough and Barry Marionneaux to initiate the process for the Coastal Use Permit, and application for the removal of the weir in Thibodaux. The price is not to exceed 98,000.00.

Moved by Commissioner Jake Giardina, seconded by Commissioner Ray Mayet and unanimously approved to revise the Intergovernmental Agreement with Lafourche Parish Government regarding the Derelict Vessel Removal Project. The revision is regarding the disposal site of the Bollinger property for the derelict vessels.

We will then go out for advertisement for Request for Proposals for the derelict vessel removal.

Moved by Commissioner Barry Soudelier, seconded by Commissioner Eli Miles, Jr. to approve the resolution for Ben Malbrough to continue membership for the Louisiana Community Development Authority. Motion carried unanimously.

Moved by Commissioner Ray Mayet, seconded by Commissioner Scott LeBlanc to approve the permit application for Eric Triggs to grade bayou side property and utilize rip-rap to prevent erosion. Motion carried unanimously.

A lengthy discussion was held regarding rip-rap placement along the bayou for erosion.

Mr. Ryan Perque gave an update on the Friends of Bayou Lafourche as follows:

- He distributed to the board a projects progress reports. It is list of projects in play right now.
- The Nicholls Bayouside Park Project is continuing to make progress. The total estimated price is \$8.2 million. They received various funding commitments totaling \$6.2 million.
- Mr. Perque showed pictures of the Lafourche Parish Overlook Project that Lafourche Parish has been working on for twelve years. There is a trail that will give access to a floating dock.
- The Napoleonville Trailhead Boardwalk as well as the Thibodaux Downtown Trailhead projects have been submitted this year.
- Mr. Perque showed pictures of the Bayou Lafourche exhibit that the Bayou Country Children's Museum just completely redid. We worked with them on this project.
- The Bayou Lafourche map shows pictures, locations, and different ones have phone numbers., etc. You just click on the icon on the map and you get information on access points along the bayou. They will also have a print version on the map available. It can be accessed on Friends of Bayou Lafourche site and smartphone app.
- They are in the works of filming a commercial for Bayou Lafourche hitting on four major points, which are drinking water, recreation, economic value of the bayou, and the coastal erosion prevention value.

Chairman Hugh Caffery asked for any public comments, and there were none.

Moved by Commissioner Ray Mayet, seconded by Commissioner Jake Giardina and unanimously approved the meeting adjourned at 6:30 p.m.

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Hugh Caffery, Chairman

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Greg Nolan, Secretary/Treasurer

