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Board of Directors Meeting

MINUTES

Friday, March 31, 2023 (9:30 AM)

625 Texas Street, Suite 200
Shreveport, LA 71101

Members Present

Mr. Dinero' Washington - SporTran
Mr. Steven Brown – DeSoto Parish
Mr. Charles Henington – Caddo Tax Assessor
Dr. Woodrow Wilson – Caddo Parish
Mr. Bruce Blanton, Chair – Webster Parish
Mr. Butch Ford – Bossier Parish

Members Absent

Mayor Tommy Chandler, Vice Chair – City of Bossier City
Mayor Tom Arceneaux – City of Shreveport (Represented by Mr. Washington, but not in a voting capacity)

Others Present

Mr. Kent Rogers – NLCOG
Mr. Chris Petro – NLCOG
Ms. Savannah Williams – NLCOG
Dr. Shelly Barrett - NLCOG
Ms. Rita Arnold – NLCOG
Mr. Josh Chevallier – NLCOG Legal Council
Ms. Laura Phillips - FHWA

Call to Order

Mr. Blanton called the meeting to order Mr. Rogers then began a roll call. A quorum was present.

Public Comments

Mr. Blanton called for public comments. Mr. Rogers stated we received three public comments.

Mr. Patrick Harrison stated he wanted to comment on the change order and the additional funds to study the alternate three route for the I-49 Inner-City Connector. Mr. Harrison stated that first, it was confirmed that Allendale is not a historic district and also confirmed by SHPO that Allendale is not even being considered for a historical district. Mr. Harrison said that what was put out after the last NLCOG meeting was absolutely false. His main concern with this, and states that he's been involved for many years as a representative for the business community, the Chamber of Commerce, Community 100, various organizations, and businesses including his own business which is a steel distribution company, and his trucks must go through downtown is that a lot of businesses must navigate the logistics of deliveries and it's very difficult in the way we have the interstate system set up now without the inner-city connector. Mr. Harrison says that his main concern right here is the fact that we're playing word salad with what could potentially be a historic district. He said you could say this could potentially be an environmental concern or this could potentially be this or that. That Broadmoor could potentially be a historic district and for that matter everywhere could potentially be something. Mr. Harrison said so why is it in 2023 and almost at the end of this process when all of you know that they've been promised a timeline after timeline, just to have the field goal post moved and moved and moved. It's simply not fair to the community. He stated that it's absolutely absurd that they're right here right now, end of where they should be getting a ROD and now, we're going to explore another potential route. He states that if Allendale had been made a historical district, then he could see moving on to pursue that, but it has not been considered and it's not even being considered, so why are we doing this. Furthermore, you have Providence that has been involved from day one as a consulting agent, saying that we do this. Mr. Harrison states it was confirmed that this did not come from DOTD, this did not come from Federal Highway Administration, he knows it didn't come from SHPO and so this idea either came from NLCOG or Kent Rogers or Providence. He asked if we called the engineering firm suggesting they explore another route. He says they know what that means. That's more money, more taxpayers' dollars and everybody here is a taxpayer. Mr. Harrison stated we are spending public money. Mr. Harrison says his concern now is that Providence is now driving this boat and the board is reacting to what Providence is telling them to do instead of NLCOG saying that no, you're outside the scope. He says let's continue forward and we've already explored a reasonable number of routes. Mr. Harrison tells Mr. Rogers he absolutely understands his comments and that yes there may be a lawsuit, but there may be a lawsuit from the business community as well and there may be some bigger ones. He states that they'll fight that out in court so let's just get this thing done and quit wasting taxpayers' money because every month that this is not done is costing the taxpayers a lot of money and not to mention the inconvenience of not having the interstate.

Ms. Linda Biernacki stated that in the meeting on March 10, 2023, with Lt. Governor Nungesser, DOTD and SHPO, many questions came up. When was the request to study an additional and potential alternative requested? Who requested it and is there a copy in the public domain under NLCOG? Is there a copy of this letter requesting you to look for this alternative route due to the potential of Allendale being a historic district? MS. Biernacki states that in Providence's letter dated March 23, 2023, they're requesting this additional supplement for environmental and engineering services necessary to comply with this request, but they don't put in the letter as to whom requested it to study a build alternative. Ms. Biernacki stated that DOTD, Senator Peacock and their local delegation got one hundred million dollars to start this project and asked who is allowing them to use the money on something the public does not want to move forward with? She stated that Lt. Governor Nungesser and Mayor Arceneaux told the Committee 100 members specifically that we're going to get sued no matter what and we're going to ahead forward so we can handle that lawsuit and move forward. Ms. Biernacki stated that Mr. Rogers came to Committee 100 in 2019 and said they should get a ROD, then again in 2020, then Covid hit, then said again in 2021. She states that Mr. Rogers never brought up the Allendale issue with it potentially becoming a historical district. Ms. Biernacki said that in 2022 Mr. Rogers stated that DOTD and SHPO had a couple of questions that needed to be answered. She stated that they came in January 2023 and low and behold, there's this huge presentation from Providence saying that there's this potential of Allendale being a historic district. Ms. Biernacki said they left the room shocked and this was never brought to their attention. She's asking for them to vote the

additional funding down until they can get a handle on exactly what they need to do and what road they need to take. Ms. Biernacki is asking for a timeline for all that she's mentioned.

Senator Barrow Peacock stated what they said and who made the suggestion of studying 3A, and what was stated in the previous meeting as to it was never said who made that suggestion whether it was DOTD, and they understand from Lt. Governor's office and SHPO that it was not them. He stated that it wasn't DOTD because DOTD was there. Their request is to who to made the request. Senator Peacock stated that after looking at the paperwork that it's more than a four-month project before it's approved. After being in government more than twelve years he knows that this will be years before this is done. He said it's about accountability and this board along with NLCOG is accountable and they need to take responsibility for failures thus far.

John Perkins was the final comment and wanted to address the public. Mr. Perkins stated that he disagrees with his friends that don't come to the meetings. He was here today because his people of Allendale Strong are working people and they can't come, but Senator Peacock's opinion of what the mayor said that it's a federal project that requires federal funds and you have to obey federal law. That it's as simple as that. That was the most sane thing he's heard on that. He stated that what they haven't done is read the 1960 Civil Rights Act. Mr. Perkins states in there the FHWA helps us secure everyone's civil rights. Your right to drive on the highway is wide open. Build alternative 5 is still on the table. He says Mr. Harrison could move his plant out to build alternative 5 in some of the federally funded lots out there in the business district. We could get all the way to Texarkana or Lafayette nonstop. This is talking about working people, getting them out of their homes that they were building, when the Committee of 100 said that they didn't want them to build anymore homes. They took the Beard family property that was a slumlord operation, the city mowed those old stumps down, and we built new homes on that property and sold them to first time homeowners. Then they said they had to stop that and it was the Committee of 100 . There designees that went to the churches, First Baptist, First Methodist, St. Marks and only First Presbyterian said no thank you. First Presbyterian said that if you support building houses for these people then we'll stop supporting you. Then they went to community renewal and they went to Fuller Center for Housing and they said if y'all keep building in these vacant lots we'll stop supporting you. Mr. Perkins said that that's why there are vacant lots there or they would be filled with homeowners if you guys would educate yourselves and read something. He said to ask a lawyer to explain it to them and there's probably a lawyer in the Committee of 100. He stated they should come to meetings and that he's been coming for years. Mr. Perkins said they really don't know what they're talking about, but it's kind of funny, but it's pathetically sad.

Financial – Quarterly Financials – Fiscal Year 2023 Budget Amendments

Mr. Rogers stated there were some amendments to the FY23 budget and directed the members to the summary page in their packets. He stated that the first page is the actual spreadsheet that shows the changes, and the second page has the actual verbiage that goes with them. Mr. Rogers said that there was no overall change and the balance is within the funding is allocated. Mr. Rogers stated the adjustments shifting some funds around in various areas. He reviewed the adjustment of the funds individually with the board.

Mr. Blanton called for a motion to approve the Quarterly Financials Report for FY23 Budget Amendments. Dr. Wilson motioned, and Mr. Brown seconded. All approved and motion was passed.

Legal Report

Mr. Chevallier states since their last meeting that he's had the opportunity to do a little more due diligence into the current feasibility of the MOU with NLCOG and CDC that was entered in early 2021 for the purposes of applying for an EDA grant for a new building to house a proposed combine entity between NLCOG and CDC. Mr. Chevallier states that part of that process he's been able to work with CDC directly and with Bump Skaggs and he thinks they have both determined, and the position he feels is going to be supported and approved by CDC is that that the money made available in the federal EDA grant for the building that was proposed that prompted the MOU, with the current cost of construction, will no longer support the size that would actually be necessary to house the combined entity. The ten thousand square foot building that was proposed is now going to be shy of six thousand, and so the feasibility of the entities to proceed with the merger and combine to be housed in that one building is really no longer in the best interests of either of the entities. Mr. Chevallier said for that reason, he's going to be recommending that NLCOG withdraw from the MOU. As part of that process, they have worked with and spoken with EDA to understand 1) The first and foremost to make sure they're protecting the investment of those federal dollars in this area. Their withdraw is not going to put in jeopardy the EDA grant of one point six million dollars. It's going to allow CDC to continue and complete it's building project, modified to allow them to suit their needs as an individual entity and use and maintain that property going forward. Secondly, CDC and Bump Skaggs, it's director, Mr. Chevallier and Mr. Rogers are going to work together to make sure the local match funding that's going to be necessary to allow that building and acquire that one point six million dollars that's part of the EDA grant, to make sure it's available to not put that project in jeopardy in any way. Mr. Chevallier stated that yesterday they got confirmation on what they needed from both boards as far as resolution and a letter suggesting exactly how they are going to actually do this. He wants to make sure that EDA approves, that if this is how the board takes this particular action, that yes, they approve this letter you send to EDA on the withdrawal of the MOU, as well as CDC's action to reaffirm their commitment to a project and the local match as the sole grantee, that they will be able to move forward with the project. Mr. Chevallier is waiting on the approval from EDA for that so he's asking for action at the April 21, 2023 meeting when he'll have the resolution to be presented and approved.

Other Business

1. Approval of Cooperative Endeavor Agreement for I-69 MEGA Grant Application

Mr. Rogers stated that a few of them had let him know of some small typos on his side and he's corrected those. He says that this is basically for the application of a MEGA Grant for I-69 SIU 15. Mr. Rogers states that the Port is contracting with Neel-Schaffer, Inc. for the total I-69 project and this is just our side of that.

Mr. Blanton called for a motion to approve the Approval of the Cooperative Endeavor Agreement for the I-69 MEGA Grant Application. Dr. Wilson Motioned, and Mr. Brown seconded. All approved and motion was passed.

2. Approval of Budget Amendment for Providence Engineering – Alternative 3A Feasibility

Mr. Rogers stated that what was actually requested here is a budget amendment to their contract. The scope has been reviewed by DOTD. The supplemental funding, we do have some existing funds that they're operating under right now to complete this work and he has been assured by DOTD that they're pulling those funds from the hundred-million dollar allocation that was made and he can send that email around to each of them if they would like to see that. Mr. Ford asked who at DOTD approves these amendments. Mr. Rogers stated that ultimately it would be Dr. Kalivoda. Mr. Ford asked who our direct contact is at the environmental section because based on the comments he's heard, someone at DOTD has to review this then send them to Dr. Kalivoda. Mr. Rogers said they have and Dr. Kalivoda was the one that looked at that. Dr. Kalivoda was the original one that looked at and sent it around to his environmental engineering, bridge and all the other sections to look at from the get go. Mr. Ford asked that Dr. Kalivoda is now the new secretary of DOTD and Mr. Rogers replied that that was correct. Mr. Washington asked if they waited until next meeting would there any problem or delays until they got a better understanding. Mr. Rogers explained the issue that if he continues to tell them to move forward and they run out of money, the issue comes in in terms of billings and billing timelines and how quick they get them in and out with DOTD. But the invoice from Providence probably wouldn't reach us til the end of that timeframe for this. The issue is whether that's been approved of prior to that work. It's that you can't pay for something prior to it being approved. Mr. Ford said also, did they put in the timeframe of when this would be finished because he was there when they said four months and if they're going to tell them four months then it needs to be in the agreement. That way it won't be dragged on for two years.

Mr. Washington suggested a motion to defer the Approval of Budget Amendment for Providence Engineering – Alternative 3A Feasibility until the April 21, 2023 meeting in order to address all the questions. Dr. Wilson motioned, and Mr. Henington seconded. All approved and motion was passed to defer.

3. Approval of Minutes

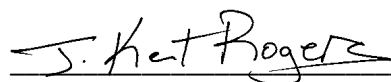
The next item on the agenda was for approval of the minutes from the February 17, 2023 meeting. Mr. Blanton called for a motion to approve the minutes. Dr. Wilson motioned, and Mr. Ford seconded. All approved and motion was passed.

Announcements

Mr. Blanton wanted to remind the board of the next meeting on Friday, April 21, 2023.

Adjourn

With no remaining agenda items, The Vice Chair entertained a motion to adjourn. Dr. Wilson was the first to motion, and Mr. Ford seconded. The meeting was adjourned.



J. Kent Rogers, Secretary

