

**MINUTES OF LEGAL COMMITTEE MEETING
HELD ON SEPTEMBER 6, 2007
East Jefferson Levee District Board Room
203 Plaque Ct., Harahan, LA**

PRESENT: Chairperson Abril Sutherland
Stradford Goins, Committee member

ABSENT: George Losonsky, Committee member

I. Call to Order: A quorum was present and the meeting was called to order by Chairperson Sutherland at 9:52 a.m.

II. Opening Comments: None.

III. Adoption of the Agenda: The agenda was adopted with the addition of the following items: Discussion of (1) permit violation issues, (2) mutual aid agreements, and (3) Memorandum of Understanding with City of New Orleans and Tax Recipient Bodies on Retirement Fund Cases (Orleans Levee District).

C. Permit Violation Issues

Permit violation issues were briefly discussed. Ms. Sutherland advised the levee districts' staff to contact their respective legal counsel for issuing warnings and/or taking appropriate action.

D. Mutual Aid Agreements

Tonya Ozene, Assistant Attorney General, advised mutual aid agreements were drafted between each of the three levee districts and their respective parishes and between the East and West Authorities. Post emergency city/parish re-entry passes or other required authorizations were briefly discussed. Fran Campbell offered to contact the appropriate OEP individuals relative to this issue.

E. Memorandum of Understanding with City of New Orleans (Retirement Fund Cases)

Ms. Ozene offered to have the Attorney General's office look at the Memorandum of Understanding between the Orleans Levee District and the City of New Orleans and Tax Recipient Bodies on the Retirement Fund Cases. Ms. Sutherland advised this matter would be referred to the Attorney General's office.

A. Approval of an attorney fee contract with Gordon, Arata for O.L.D.

The firm of Gordon, Arata currently has a contract until the end of the calendar year for handling Bohemia litigation and oil and gas matters. It was noted that the Attorney General's office had questioned the rate increase for Gordon, Arata that was recently approved by the Board. The question of legal services for Orleans Levee District general legal matters was brought up. Responses to Requests for Qualifications are to be received for all legal services and activities for the three levee districts and the Authority on September 21st. The Committee concurred that a contract for the handling of O.L.D. general legal matters would be deferred until after receipt of the RFQ responses.

B. Request to approve Assignment of Lease for State Agency Lease No. 18758. (LBBLD)

It was noted that the private and State leases in this project area have already been assigned and that this is the last lease in this particular St. Bernard project to be assigned. The lease agreement provides for assignment with the consent of the Board. Park Energy is requesting approval to assign this lease to Aspect Energy. Once the Board approves the assignment, a copy of the Board's resolution would be sent by Park Energy or Aspect Energy to the State Mineral Board for its approval and further action. This matter has been reviewed by the Lake Borgne Basin Levee District's legal counsel, Mark Hanna, who had no objection. Ms. Sutherland advised that the approval of the assignment would be recommended to the Board.

Other matters:

The granting of rights-of-entries was briefly discussed with various examples of right-of-entry requests being cited. Ms. Sutherland indicated that the levee district executive directors could sign routine rights-of-entries on approved projects; however, on projects that have not been reviewed or approved, or requests that include unusual activities, the right-of-entry should be brought to the Board.

There was no further business, therefore, the meeting was adjourned.