

MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
LEGAL COMMITTEE MEETING
HELD ON APRIL 3, 2008

PRESENT: Abril Sutherland, Chairperson
Stradford Goins, Committee Member
Thomas L. Jackson, Committee Member

ABSENT: George Losonsky, Committee Member

The Legal Committee met on April 3, 2008, in the Second Floor Hall of the Lake Vista Community Center, 6500 Spanish Fort Blvd., New Orleans, LA. Chairperson Sutherland called the meeting to order at 10:42 a.m.

Adoption of Agenda: The agenda was adopted by the Committee as presented.

Public Comments: None.

New Business:

A. Approval of Legal Invoices (Authority – East, OLD, EJLD and LBBLD).

The Committee reviewed the invoices presented for the month of March.

Mr. Lacour advised he received a telephone call from Glenn Ansardi asking whether the Authority would have any objection to the introduction of a bill in the Legislature to pay the Haspel & Davis Judgment, and he indicated he did not feel the Authority would object unless the Orleans Levee District's assets being administered by the Division of Administration would be seized to repay the State. Ms. Sutherland recommended, should such a bill be introduced, it should also define the boundaries of the Bohemia Spillway.

Mr. Jackson pointed out with the current Mississippi River high water level the Bohemia Spillway is acting as a spillway.

Ms. Wilma Heaton, SLFPA Executive Assistant, advised HB 712 relative to the return of land to the Grand Prairie Levee District has been sent to the Transportation Committee. The Legal Committee had formulated recommendations at its February meeting which were forwarded to the Board for concurrence in order for bills to be filed in the Legislature; however, the Board at its February Board Meeting decided not to deal with that issue.

Ms. Heaton explained the Bohemia Spillway situation is a creation of the State Legislature; therefore, this issue needs to be addressed on a State level with the

Governor's Office and CPRA engaged in the dialog. She stressed the Authority's mission and charge is flood protection and its energy should not be spent in defense of matters such as this. Due to the dynamics around this issue, she had urged some members of the Board to meet with the Governor, and in this regard Mr. Michael Botnick has prepared a comprehensive briefing paper presenting the facts. Ms. Heaton would be coordinating this effort.

Ms. Heaton further advised that she is tracking every piece of legislation that could be amended to affect the Board and presented a copy of a matrix of the legislative bills being tracked to the Committee.

A motion to approve the legal invoices presented was offered by Mr. Jackson, seconded by Mr. Goins, and unanimously adopted by the Committee.

B. Discussion of Cooperative Endeavor Agreement between LA Department of Transportation and Development, Lake Borgne Basin Levee District and SLFPA-E – Drainage Improvements to LA 46 Roadway Drainage Improvement Project between Parish Road and Webster Road, Planning and Construction (St. Bernard) [Corrine Canal].

SLFPA-E Regional Director Robert Turner explained this item is in connection with a Capital Outlay request made two years ago for drainage improvements to an approximately 6,000 ft. long drainage canal in St. Bernard Parish under jurisdiction of the Lake Borgne Basin Levee District. The opportunity for these improvements presented itself when it was discovered that new highway construction on St. Bernard Highway would alter the drainage patterns and divert additional flows into the Corrine Canal. Therefore, a Capital Outlay request was made for improvements to the canal to handle these additional flows. About half of the money required to do the work was received last year in the Capital Outlay Program and the other half of the money was placed in Priority 5, which would come this year once the project is started. Execution of a Cooperative Endeavor Agreement (CEA) with the State of Louisiana is needed for this Capital Outlay project. The CEA has been reviewed by Mr. Lacour and Mr. Hanna.

A motion was offered by Mr. Goins, seconded by Mr. Jackson, and unanimously adopted by the Committee to recommend approval of the execution of the CEA to the Board.

There was no further business, therefore, the meeting was adjourned at 10:57 a.m.