

MINUTES OF  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST  
LEGAL COMMITTEE MEETING  
HELD ON OCTOBER 16, 2008

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

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The Legal Committee met on October 16, 2008, in the in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard, Harahan, Louisiana. Chairman Sutherland called the meeting to order at 2:55 p.m.

On motion of Mr. Goins, seconded by Mr. Jackson, the agenda was adopted.

**Public Comments:** None.

**New Business:**

**A & B. Approval of minutes of Legal Committee meetings of August 7, 2008 and September 18, 2008.**

A motion was offered by Mr. Jackson, seconded by Mr. Goins and adopted by the Committee, to approve the Legal Committee meeting minutes of August 7 and September 18, 2008.

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

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

Ms. Sutherland requested that Mr. Lacour review the policy provided to outside counsel on electronic research. She stated that the legal invoices are approved minus any charges on electronic reaches that are not within the policy.

Mr. Robert LaCour, Interim Counsel, reported on litigation involving an incident between two bikers and pedestrians on the Mississippi River levee bike path, wherein the levee district was included in the suit filed by the pedestrians. Jefferson Parish had agreed to hold the levee district harmless in the agreement to build the bike path; therefore, the case has been tendered to and accepted by Jefferson Parish.

#### **D. Discussion of the selection of an expropriation attorney.**

Mr. LaCour recommended obtaining the services of Mr. Greg Diangelo at a fee of \$135.00 per hour for expropriation work, if required. Mr. Diangelo was recommended by the LA Department of Transportation and Development.

Mr. Goins and Mr. Jackson stated their preference would be to use the Board's Approved List of Attorneys and Law Firms. Mr. LaCour pointed out that several firms on the list no longer wished to be considered for legal work; i.e., Abbott, Simses & Kuchler (environmental); Haley & McKee (litigation), and Oats & Hudson (legislative).

Ms. Sutherland noted that the Lake Borgne Basin Levee District has expressed a preference to utilize counsel previously used by that district and requested that the Committee consider their request. Ms. Sutherland commented that she would be open to the discussion of replenishing the approved list.

The Committee discussed the possibility of presenting a resolution at the next Board meeting to authorize the advertisement for additional counsel. The Committee then decided to defer action until the next Legal Committee meeting. Individuals or firms currently on the approved list could confirm their desire to remain on the list and provide updated information. Mr. LaCour recommended that the Authority advertise specifically for expropriation attorneys.

There was no further discussion; therefore, the meeting was adjourned at 3:20 p.m.