

MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
LEGAL COMMITTEE MEETING
HELD ON OCTOBER 30, 2008

PRESENT: Abril Sutherland, Chairman
Stradford Goins, Committee Member
George Losonsky, Committee Member

The Legal Committee met on October 20, 2008, in the in the Second Floor Hall, Lake Vista Community Center, 6500 Spanish Fort Boulevard, New Orleans, Louisiana. Chairman Sutherland called the meeting to order at 10:30 a.m.

Opening Comments: None.

Adoption of Agenda: On motion of Mr. Goins, seconded by Mr. Losonsky, the agenda was adopted.

Public Comments: None.

New Business:

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

Two items of issue were noted in the legal invoices: 1) a discrepancy in the invoice submitted by the law office of Bernard Charbonnet wherein the top page reflected a total of \$850 and the backup material reflected a total of \$855, and 2) there was a question about whether the appropriate time increments were used in an invoice submitted by the law firm of Gordon, Arata for a forensic accountant. Ms. Sutherland requested that Mr. Robert Lacour, Interim General Counsel, review these two items.

A motion to approve the legal invoices, subject to review of the two aforementioned items, was offered by Mr. Losonsky, seconded by Mr. Goins and adopted by the Committee.

B. Discussion of annual legal services.

Ms. Sutherland explained that at the last Committee meeting the Lake Borgne Basin Levee District (LBBLD) requested to use the same bond counsel previously utilized by the district to handle the renewal of one of its millages which will expire in 2010. The renewal of this millage must be placed on the ballot in 2010; however, this process must start in 2009. The firm previously used did not submit an application last year when the Authority issued a Request for Qualifications (RFQ) for legal services. The LBBLD has

requested that the RFQ process be reopened in order for this firm to submit an application.

In addition, Mr. LaCour advised that three of the twelve firms listed on the Board's approved list of legal counsel have resigned for varying reasons; i.e., Oats and Hudson, Abbot and Sims, and Haley and McKee.

The Committee discussed the identification of areas of expertise, e.g., environmental and expropriation, which may be lacking on the Board's current list of approved counsel.

Ms. Sutherland explained that last year the Board requested that Mr. LaCour act as temporary general counsel for the Orleans Levee District (O.L.D.). Due to the volume of litigation and the costs involved, she stated she would like to revisit this situation and recommended that the O.L.D. have its own general counsel. She stated that a strong litigation oriented attorney is needed to serve as O.L.D. general counsel to supervise litigation, monitor strategy and review attorneys' invoices. There was a general discussion relative to the O.L.D.'s need for a general counsel.

There was no further business, therefore, the meeting was adjourned at 11:03 a.m.