

**MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
LEGAL COMMITTEE MEETING
HELD ON JANUARY 9, 2009**

PRESENT: Abril Sutherland, Chairman
Stradford Goins, Committee Member
Thomas Jackson, Committee Member
George Losonsky, Committee Member
Timothy Doody, President

The Legal Committee met on January 9, 2009, 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 12:40 p.m.

Opening Comments: None.

Adoption of Agenda: The agenda was adopted.

Public Comments: None.

New Business:

C. Discussion of the tracking process for legal cases to better assess the ability to approve legal invoices.

Mr. Jackson explained that he requested this item be placed on the agenda in an attempt to find a way to better understand on-going legal activities in order to better assess the reasonability of legal invoices.

The Committee discussed various methods that could be utilized to understand the status of cases, activity levels and resources required, including the use of status reports to be provided on a periodic basis and a charting system.

Ms. Sutherland recommended that the legal firms submit monthly invoices and a status report, which would include the information deemed appropriate, to Robert Lacour, SLFAP-E Interim General Counsel, by a determined deadline. Mr. Lacour would review this information and determine the cases for which the Board should receive an update in Executive Session.

Mr. Doody noted several items in regards to legal invoices; i.e., the correct copy rate is ten cents per copy, a running total of cases should be provided and the full name of attorneys should be shown.

Mr. Jackson recommended that the same approval process be put in place for consulting engineering invoices as is done for legal invoices. The Committee recommended that an item be placed on the Board Agenda for the discussion of the approval of invoices for professional services.

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

Mr. Goins offered a motion, which was seconded Mr. Jackson and unanimously adopted by the Committee, to approve the legal invoices. The approval of legal invoices is subject to correction, if required, of the rate for copies (ten cents per copy).

B. Discussion of right-of-way acquisition for West Return Levee.

Ms. Sutherland explained that she, Stephen Estopinal and Fran Campbell attended a meeting that was called by the U.S. Army Corps of Engineers (USACE) to discuss critical real estate acquisition needs for the SLFPA East and West Authorities. The only item addressed at the meeting for the East Authority was the West Return Levee. The question was raised as to whether the Authority wanted to handle the real estate acquisition itself or wanted the USACE to do it.

Mr. Lacour advised that the Authority would not have to pay the USACE for doing the acquisition; however, no credit would be received. Irys Allgood, Louisiana Assistant Attorney General, is attempting to determine whether this land acquisition can be reimbursed by State Lands. The Authority may be able to do the work, receive reimbursement, and either the Authority or CPRA receive the credit. Only one property owner is involved in the acquisition, much of which is for temporary servitudes for construction and construction easements. Mona Nosari with GCR would handle the acquisition for either the USACE or the Authority. Mr. Lacour recommended that the Authority handle this particular acquisition. He noted that Ms. Nosari recommended that a survey be done.

Mr. Jackson indicated that the Authority, as an agency of the State, should not participate in obtaining professional services from a firm that is not licensed to offer such services. He added that the Louisiana Licensing Board could be contacted regarding surveying services. In light of this advice, Mr. Doody commented that the Regional Director should be advised that survey services should not be engaged under the recently executed contract with GCR and Associates. The Committee discussed the need for the Authority and the Districts to have access to surveying services on an as needed basis.

The Committee recommended that the Authority handle the land acquisition for the West Return Levee. It further recommended that an item be placed on the Board's agenda to approve the advertisement of a Request for Qualifications for surveying services for an Indefinite Delivery-Indefinite Quantity contract.

There was no further business, therefore, the meeting was adjourned at 1:30 p.m.