

**MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
LEGAL COMMITTEE MEETING
HELD ON AUGUST 18, 2016**

PRESENT: Lambert J. Hassinger, Jr., Chair
Stephen Estopinal, Committee Member

The Legal Committee of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E or Authority) met on August 18, 2016, in the St. Bernard Parish Council Chambers, St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana. Mr. Hassinger called the meeting to order at 10:00 a.m.

Opening Comments: None.

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

Approval of Minutes: The Committee approved the minutes of the Legal Committee meeting held on May 21, 2015.

Public Comments: None.

New Business:

A. Discussion of approval of legal services invoices listed on the spreadsheet dated August 18, 2016.

Nyka Scott, SLFPA-E Executive Counsel, advised that she reviewed the legal services invoices for July and August that were listed on the spreadsheet. She added that a majority of the costs involved the litigation dealing with the Orleans Levee District safehouse construction and that authority will be requested from the Board to resolve the litigation. Mr. Estopinal stated that he also reviewed the invoices and that they seemed to be in order.

The Committee will recommend that the Board approve the legal services invoices.

B. Discussion of acceptance of funding awarded to the EJLD, LBBLD, and O.L.D. from the FEMA, Department of Homeland Security, Port Security Grant Program in the amounts of \$44,855, \$24,366, and \$29,213, respectively, with the understanding that there is a twenty-five percent recipient cost share.

Ms. Scott explained that the SLFPA-E Grants Administrator, in consultation with the three levee districts, submitted applications for Port Security Grants for security infrastructure and support for monitoring flood protection structures. The grants are 75% federally funded with a 25% match from the levee district. A Board resolution is required to accept the grants.

The Committee will recommend that the Board accept the Port Security Grants.

C. Discussion of proposed authorization of SLFPA-E Executive Counsel to seek a waiver of Rule 6.14.2 (Suspension of Performance Adjustments) from the Louisiana State Civil Service Commission.

Ms. Scott advised that the Civil Service Commission adopted Rule 6.14.2 at its June meeting, which freezes pay raises for all classified employees regardless of whether or not the entity receives funding from the State budget. The SLFPA-E and levee districts do not receive revenues from the State budget. She asked that she be allowed to request a waiver from the Civil Service Commission. If a waiver is not allowed, Authority employees will not receive a performance adjustment this year. She pointed out that the Authority's employees are required to work long hours during the hurricane season. A performance adjustment for the Authority's employees will not affect the State budget.

The Committee will recommend that the Board authorize the SLFPA-E Executive Counsel to seek a waiver of Rule 6.14.2.

D. Discussion of a proposed Servitude for Right of Use between the East Jefferson Levee District and the Greater New Orleans Expressway Commissions for the Vault Building on Lakeshore Drive in Jefferson Parish.

Derek Boese, East Jefferson Levee District Executive Director, explained that the requested servitude involves an electrical vault that has been in place since Hurricane Katrina. The Causeway Commission maintains the vault. A right-of-way is needed across the levee to maintain the vault.

The Committee will recommended that the Board approve the granting of the servitude.

E. Discussion of a proposed servitude for Stars-and-Stripes Boulevard. (O.L.D.)

Ms. Scott advised that the Orleans Levee District constructed and owns Stars and Stripes Boulevard. The Non-Flood Protection Asset Management Authority recently entered into a lease with Studio Networks to renovate the former Bally's Casino site. A servitude of use is required over the roadway for public access to the leased site.

The Committee will recommend that the Board approve the granting of the servitude.

Executive Session:

1. Gabriel Properties, LLC and the Succession of Marie G. Krantz vs. The Board of Commissioners of the East Jefferson Levee District, Civ. Action No. 626-181 filed in the 24th Judicial District Court for the Parish of Jefferson, State of Louisiana.
2. A&A Mechanical, LLC vs. J.C. Patin Group and Orleans Levee District, et al, in the Civil District Court for Orleans Parish, No. 2012-6284.

Since the items listed under Executive Session were also included on the Board Agenda, the Committee deferred discussion of the items to the Board Meeting Executive Session.

There was no further business; therefore the meeting was adjourned at 10:05.