

The Southeast Flood Protection Authority-East met on Wednesday, January 17, 2007, at 9:30 a.m., at the Kenner City Park Pavillion, 3800 Loyola Drive, Kenner, LA 70065.

- I. **CALL TO ORDER:** President Jackson called the meeting to order.
- II. **PLEDGE OF ALLEGIANCE:** Mr. Jackson, Ms. Sutherland, Mr. Barry, Mr. Doody, Mr. Barnes, Mr. Goins, Mr. Losonsky, Mr. McKee, Ms. St. Vincent, Mr. Wittie
- III. **ROLL CALL:** Present: Mr. Jackson, Ms. Sutherland, Mr. Barry, Mr. Doody, Mr. Barnes, Mr. Goins, Mr. Losonsky, Mr. McKee, Ms. St. Vincent, Mr. Wittie
Absent: None

IV. **OPENING COMMENTS:**
Mr. Jackson stated that there was an enormous amount of work to be done for the transition of the pre-existing levee boards into a single board, in addition to basically setting up a new entity. Mr. Jackson stated that the Southeast Flood Protection Authority-East doesn't exist, has no office space, has no staff, and has no administrative help and thanked the Orleans Levee District for their help at last week's meeting and the East Jefferson Levee District for their help this week. Mr. Jackson stated that the Authority could not continue to take support from the levee districts because every penny of their funds has to be focused on their job within their own jurisdiction – on flood protection. Mr. Jackson advised that several of the board members, including himself, and two executive directors attended a partnering meeting with the U. S. Army Corps of Engineers (Corps) on the lakefront pump stations on the Orleans Levee Board outfall canal.

Mr. Jackson stated that it was an excellent meeting and a good beginning in establishing the partnership with the New Orleans Sewerage & Water Board, the Jefferson Parish drainage and pumping officials, the Corps and many others. Mr. Jackson advised legislation requires that not only the members of the Board, but also the members of the levee districts will be required to go to Levee School, which is intended to be about a 5-day, full day, education on flood protection and all of the issues that relate to flood protection. There will be a meeting for the board next Tuesday and Wednesday about the formulation of that levee school.

Mr. Jackson stated that the Board is, and will continue to be, focused on flood protection.

- V. **AFFIRMATION OF REVISED AGENDA:**
On the motion of Mr. Doody,
Seconded by Mr. Barry, the following resolution was offered:

RESOLUTION #01-17-07-001 Revised Agenda
“A resolution to approve and accept the revised agenda for the Board Meeting of January 17, 2007.”

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie
NAYS:
ABSENT:
Motion carried unanimously.

- V. **ATTORNEY GENERAL REPORT:**
Ms. Denise Fitzgerald stated that at the last meeting there was a brief explanation of Act 1 and a more detailed presentation of the act will be given at the next Board meeting. Ms. Fitzgerald stated that before last week's meeting began, the issue was raised as to whether non-voting members are non-voting on all matters of the Board or just on projects. It was incorrectly determined that non-voting members could vote on all non-project matters. Since then, her office has reviewed the act and talked to their experts and Attorney General Foti and have determined that the act prohibits non-voting members from voting on any issue other than a project in their parish. The reason is that St. Charles and St. John the Baptist Parishes are included in the geographical jurisdiction of the Pontchartrain Levee District, which is not included in the territorial jurisdiction of this Board. The Pontchartrain Levee District did not want to be included. To ensure that the Board

had the necessary jurisdiction to effect regional change around all of Lake Pontchartrain, the act included those parts of St. Charles and St. John the Baptist Parishes on the east side of the Mississippi River and have a representative from each of those parishes as a non-voting member. Ms. Fitzgerald advised that the two members from those parishes should not have voted last time and, because they voted in the elections and the resolutions, the actions taken are viewed as questionable. Ms. Fitzgerald advised the Board that today they had to either ratify the actions taken at the last meeting or re-vote, and they could ratify some and re-vote some, or ratify all or re-vote all. Ms. Fitzgerald advised that the non-voting members of the Board are Abril Sutherland from St. John the Baptist Parish and Sara St. Vincent from St. Charles. Ms. Fitzgerald stated that there is nothing in the statute that prohibits a non-voting member from holding office.

Mr. Goins moved that the Board accept the elections and ratify the resolutions from the last meeting. Mr. McKee seconded the motion. Mr. Jackson asked for discussion and there was none. Mr. Doody asked for an amendment to the motion to ratify everything except to limit the terms of the officers to terminate on June 30, 2007 and re-elections held at that meeting or at the following meeting. Mr. Barry seconded the motion. After discussion, the following motion was offered:

On the motion of Mr. Doody,
Seconded by Mr. Barry, the following motion was offered:

A motion to set the terms of the present officers of the board of the Southeast Louisiana Flood Protection Authority-East to expire July 1, 2007 and to elect new officers on July 1, 2007 for the term set by the by-laws of the Board.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie

NAYS: Mr. Barnes, Mr. Goins

ABSENT:

Motion carried.

On the motion of Mr. Doody,
Seconded by Mr. Barry, the following amended motion was offered:

A motion to reaffirm the votes on the resolutions passed by the Board of the Southeast Louisiana Flood Protection Authority-East on January 10, 2007 and to reaffirm the election of the officers with the amended motion limiting the terms of the elected officers to expire July 1, 2007 and to elect new officers on July 1, 2007 for the term set by the by-laws of the Board.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie

NAYS: Mr. Goins

ABSTAINED: Mr. Barnes

ABSENT:

Motion carried.

VI. OVERVIEW PRESENTATION OF THE CPRA MASTER PLAN:

Mr. Larry Ardoin, a member of the Coastal Protection and Restoration Authority's (CPRA) Integrated Planning Team, distributed booklets entitled "Comprehensive Coastal Protection Master Plan for Louisiana Preliminary Draft" and gave a Power Point presentation of that plan.

VII. BOARD ORIENTATION FOR MEMBER DISTRICTS:

1. Lake Borgne Basin Levee District (LBBLD):

Mr. Bob Turner, Executive Director, gave a Power Point presentation which showed maps of the levee system in St. Bernard Parish and everything that is within the jurisdiction of the LBBLD, reviewed the damage that was caused by Hurricane Katrina, reported

on the restoration projects that have been completed to date and the ongoing and proposed projects.

2. Orleans Levee District:

Mr. Stevan Spencer, Executive Director, Flood Assets, indicated on a map of the levee system of the Orleans Levee District (OLD) the path of the storm surge, the damages from Hurricane Katrina and the progress of repairs of that damage, as well as ongoing and future projects.

Mr. Louis Capo, Executive Director, Real Estate, Recreational and Non-Flood Assets, greeted the Board and introduced Ms. Jean Vandal, Deputy Commissioner for the Division of Administration. Mr. Capo gave the Board members handouts which consisted of the year to date and the budgeted 06-07 numbers for the non-flood assets. Mr. Capo advised the Board that the revenues from the Lakefront Airport must stay with the airport and cannot flow back into flood protection. This is an FAA requirement. Mr. Capo explained the data presented to the Board, as well as the condition of the various properties in the jurisdiction of OLD. Mr. Capo stated that OLD was doing everything to maximize their revenues and get all of the properties back into commerce. There was discussion about the use of flood personnel in non-flood areas. Ms. Fitzgerald stated that flood personnel could not be used in non-flood areas and the consensus of the Commissioners was that the Board wanted OLD to divest of non-flood, and it would be up to the Division of Administration to make that transition. Ms. Vandal stated that the Division of Administration was eager to meet with representatives of the Authority is to deal with the allocation of personnel.

3. East Jefferson Levee District:

Ms. Fran Campbell, Executive Director of the East Jefferson Levee District (EJLD) narrated a slide show presentation of the levee system in the jurisdiction of the EJLD, the damage from Katrina, and the repairs and ongoing repairs to the system, and well as future work planned.

VIII. COMMITTEE REPORTS:

Mr. Jackson stated that all of the committees had met and began their assignments and would report at a future meeting.

IX. OLD BUSINESS:

Mr. Barry read the following resolution:

RESOLUTION #01-17-07-003 – Lots 16A&B and 17A&B

“A resolution authorizing the President, Thomas L. Jackson, to carry out Resolution #06-12-1430 of the Board of Commissioners of the East Jefferson Levee District dated December 21, 2006, by obtaining title insurance on Lots 16A&B and Lots 17A&B, Square 87, Bonnabel Place Subdivision, in the amount of \$_____, at a cost not to exceed _____, and paying the consideration of \$44,900.00 to Mr. & Mrs. Charles V. Cusimano, II upon the determination that the title to the said lots is merchantable, with all costs and expenses being paid out of the accounts of the East Jefferson Levee District.”

Mr. Robert Lacour, attorney for the East Jefferson Levee District, informed the Board of the history of the donation of the lots to EJLD and the need to obtain title insurance in order to insure clear title. There was discussion as to the necessity of EJLD obtaining these lots and Mr. Jackson asked for a motion to defer in order to obtain more information.

On the motion of Mr. Barry,
Seconded by Mr. Doody, the following motion was offered:

**A motion to defer a vote on Resolution #01-17-07-003
– Lots 16A&B and 17A&B**

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

X. NEW BUSINESS:

1. RESOLUTION #01-17-07-004 – Interim Counsel for Districts

Mr. Barry read the resolution. Mr. Jackson stated that this resolution was the Board's instructions for the three levee districts to make recommendations for interim counsel at the Board's next meeting.

On the motion of Mr. Barry,
Seconded by Mr. Doody, the following motion was offered:

RESOLUTION #01-17-07-004 - Interim Counsel for Districts
"A resolution authorizing Orleans Levee District, East Jefferson Levee District and Lake Borgne Basin Levee District to select interim counsel and make recommendations to the SLFPA-E Board for the next meeting."

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

2. RESOLUTION #01-17-07-005 – Levee School

Mr. Barry read the resolution. Mr. Jackson stated that this was a conference that was being held by the Louisiana Hurricane Center to plan the hurricane school which is called for in the legislation and mandatory for all of the Board and a multitude of other people, including the Executive Directors and their staff. The meeting is in Baton Rouge and starts on January 23 and ends the next day. The Board's authorization is necessary in order to cover minimal expenses such as mileage and hotel rooms.

On the motion of Mr. Goins,
Seconded by Mr. Doody, the following resolution was offered:

RESOLUTION #01-17-07-005 - Levee School
"A resolution approving the SLFPA-E Board Members to attend Levee School Planning Conference to be held in Baton Rouge on January 23 & 24th, 2007."

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

3. RESOLUTION #01-17-07-006 – Task Force for Office Space

Mr. Barry read the resolution. Mr. Jackson stated that the Board had to locate office space and hire administrative help.

On the motion of Mr. Doody,
Seconded by Mr. Barry, the following resolution was offered:

RESOLUTION #01-17-07-006 - Task Force for Office Space
“A resolution appointing a task force for locating office space for the SLFPA–E and reporting to the Board with recommendations.”

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

4. RESOLUTION #01-17-07-007 – Cooperative Agreement for Restoration Phase 1

Mr. Barry read the resolution. Mr. Jackson stated that he has established a uniform policy for the execution of any and all agreements of the three levee districts that any and all agreements will have to come to the Board for approval and authorization for the respective Executive Director and the President of this Board to execute these agreements.

On the motion of Mr. Doody,
Seconded by Mr. Goins, the following resolution was offered:

RESOLUTION #01-17-07-007 - Cooperative Agreement for Restoration Phase I

“A Resolution authorizing the Authority President and the Executive Director of Orleans Levee District to sign the Cooperative Agreement with the CORPS for Restoration Phase I Work in Orleans Parish.”

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

5. RESOLUTION #01-17-07-008 – Non-Public Contracts

Mr. Barry read the resolution.

On the motion of Mr. Doody,
Seconded by Mr. Goins, the following resolution was offered:

RESOLUTION #01-17-07-008 - Non-Public Contracts

“A resolution authorizing the Authority President and the Executive Director of the appropriate district to sign all non-public contracts exceeding \$5,000.00 and all agreements between the member districts and other non-public agencies, after such contracts and agreements have been approved by the Board of the Southeast Louisiana Flood Protection Authority–East.”

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

6. RESOLUTION #01-17-07-009 –Public Contracts

Mr. Barry read the resolution.

On the motion of Mr. Doody,
Seconded by Mr. Goins, the following resolution was offered:

RESOLUTION #01-17-07-009 - Public Contracts
“A resolution authorizing the Authority President and the Executive Director of the appropriate district to sign all public contracts exceeding \$5,000.00 and all agreements between the member districts and other public agencies, including but not limited to the United States Army Corps of Engineers, Department of Transportation & Development, Department of Natural Resources, Parish of Jefferson, City of Kenner, City of Harahan, St. Bernard Parish Government, City of New Orleans and New Orleans Sewerage and Water Board, after such contracts and agreements have been approved by the Board of the Southeast Louisiana Flood Protection Authority–East.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Jackson, Mr. Losonsky, Mr. McKee, Mr. Wittie, Mr. Goins, Mr. Barnes

NAYS:

ABSENT:

Motion carried unanimously.

XI. ESTABLISH NEXT BOARD MEETING:

Mr. Jackson stated that he felt it was necessary to continue to have weekly meetings until everything is ironed out. Mr. Jackson stated that the education process is most important and the Board can not govern flood control unless they understand it. The next Board meeting will be on Friday, January 26, 2007, at 9:30 a.m. Mr. Jackson stated that he Board would like to meet in St. Bernard, if possible, and that the meetings are supposed to rotate among the districts, including the two districts across the lake. Mr. Jackson stated that the Board would try as best as it could to live up to those requirements. Mr. Jackson stated that the next meeting would be on January 26, 2007, at 9:30 a.m., at a location to be announced.

XII. PUBLIC COMMENTS:

1. Mr. Greg Dutreil - Mr. Dutreil advised Mr. Jackson that he would like to communicate with him via e-mail about a Minerals and Management Grant that is available. Mr. Dutreil also stated that he walks the outfall canals and levee system as a hobby and would like to see a copy of the report Mr. Jackson had received in order to see how it compared and contrasted to what he sees and knows. Mr. Jackson suggested that Mr. Dutreil go to the IPET website which has very detailed information. Mr. Dutreil thanked each and every Board member for realizing their responsibility for stewardship for the continued existence of Louisiana.
2. Ms. Deborah Langhoff – Ms. Langhoff advised that she is on the steering committee for Planning District 5 in New Orleans, which is Lakeview and the surrounding neighborhoods, including the lakefront and areas south of City Park. Ms. Langhoff stated the Lake Vista neighborhood has led the effort to investigate the stabilization and rebuilding of the lakefront seawall, which continues to deteriorate and is severely damaged. Ms. Langhoff asked the Board to consider helping to find some funding sources or help to identify the proper authorities to address regarding this problem. Mr. Jackson stated that there had been discussion as to whether the seawall was a flood asset or not, but the consensus up to this point is that that area needs very serious consideration, and there would be more discussion.

Mr. Jackson asked for a motion to adjourn the meeting. Mr. Doody moved to adjourn and was seconded by Mr. Goins, and the meeting was adjourned.