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

RESOLUTION #03-23-07-001 - AGENDA

"A resolution to approve and accept the agenda, as amended, for the Special Board Meeting of March 23, 2007."

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

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

NAYS: None

ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-002 - SLFPA-E BUDGET

"A resolution to adopt the Southeast Louisiana Flood Protection Authority – East 2007-2008 budget."

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

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

NAYS: None

ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-003 – DEFENSE AND INDEMNIFICATION

WHEREAS, claims or demands may be asserted in actions, suits, proceedings or investigations against the Commissioners, officers and employees of the Southeast Louisiana Flood Protection Authority-East that involve activities performed in the course of the execution of his duties or because of any act or omission arising out of performance of his official duties as commissioners of the Southeast Louisiana Flood Protection Authority-East and/or officers or employees of the Southeast Louisiana Flood Protection Authority-East; and

WHEREAS, the Board desires to defend and indemnify against loss or liability any of its Commissioners, officers or employees whenever a claim, demand, action, suit, proceeding or investigation is made or threatened, or whenever proceeded against in any court, board, commission or other public body to defend or maintain his official position or a position on the assumption that said act is taken in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the Authority; and

WHEREAS, the Board desires to authorize payment for the expenses, including attorneys' fees, actually and reasonably incurred by the Commissioners, officers and employees named as defendants or parties in any claim, demand, action, suit, proceeding or investigation, made or threatened, or proceeded against in any court, board, commission or other public body and to indemnify said individuals in the event that judgment is rendered against them, and

WHEREAS, the expenses, including attorneys' fees, incurred in defending a claim, demand, action, suit, proceeding, or investigation may be paid by the Authority in advance of the final disposition of such claim, demand, action, suit, proceeding, or investigation as authorized under LSA-R.S. 38:330.9.

BE IT HEREBY RESOLVED, That the Southeast Louisiana Flood Protection Authority-East Board of Commissioners authorizes the payment of attorneys' fees and costs for the defense of said Commissioners, officers and employees named in such claims, demands, actions, suits, proceedings, or investigations on the presumption that such activities were performed in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the Authority of the Southeast Louisiana Flood Protection Authority-East, unless proven otherwise.

BE IT FURTHER RESOLVED, That Southeast Louisiana Flood Protection Authority-East hold harmless and indemnify the Commissioners, officers and employees in their individual capacities in these claims, demands, actions, suits, proceedings or investigations against the individual Commissioners, officers and employees of the Southeast Louisiana Flood Protection Authority-East, from any financial interest, monetary damages and attorneys' fees, arising out of a claim, demand, action, suit, proceeding, or investigation on the presumption that such individual(s) at the time the damages were sustained was acting in the discharge of his duties and within the scope of his employment and/or official capacity, and that such damages did not result from the intentional wrongful act or gross negligence of such individual(s).

BE IT FURTHER RESOLVED, That, if necessary, Legal Counsel shall provide notice to the Office of the State Attorney General, and shall obtain any authority that is warranted under the Statutes.

BE IT FURTHER RESOLVED, That the President or Director be authorized to sign any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-004 - PUMP DRAINAGE SYSTEMS STUDY

A resolution that the Southeast Louisiana Flood Protection Authority – East Board will consider a study of pump drainage systems operated by entities within the territorial boundaries of the authority to determine the challenges, benefits, and opportunities of developing a plan to fully coordinate the systems as soon as it is practicable to do so.

WHEREAS, Section 6. of Act 1 of the 1st Extraordinary Session of 2006 of the Louisiana Legislature provides that the board of commissioners of the Southeast Louisiana Flood Protection Authority – East "shall conduct a study of pump drainage systems operated by entities within the territorial boundaries of the authority to determine the challenges, benefits, and opportunities of developing a plan to fully coordinate the systems and shall submit a written report of its findings and recommendations to the Senate and House committees on transportation, highways, and public works by April 1, 2007"; and

WHEREAS, the board of commissioners of the Southeast Louisiana Flood Protection Authority – East ("SLFPA-East") has had insufficient time to consider the requested study because the board has been seated for a relatively short amount of time, and more importantly, because the great number and serious nature of the immediate needs of the Orleans Levee District, the Lake Borgne Basin Levee District and the East Jefferson Levee District regarding repairs and operational changes have required the complete attention of SLFPA-East; and

WHEREAS, SLFPA-East desires to make a formal response to the Legislature at this time.

Therefore be it resolved by the Southeast Louisiana Flood Protection Authority – East that:

Section 1. Although the board of commissioners of the Southeast Louisiana Flood Protection Authority – East is unable at this time to consider a study of pump drainage systems operated by entities within the territorial boundaries of the authority to determine the challenges, benefits, and opportunities of developing a plan to fully coordinate the systems, the board will consider such a study as soon as it is practicable to do so.

Section 2. This resolution be forwarded on behalf of the Southeast Louisiana Flood Protection Authority – East to the Louisiana Senate and House committees on transportation, highways, and public.

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

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

NAYS: None

ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-005 – DE-AUTHORIZATION & CLOSURE OF THE MISSISSIPPI RIVER GULF OUTLET

A resolution strongly urging the immediate de-authorization by the United States Congress of the Mississippi River Gulf Outlet as a navigable waterway and closure of the Mississippi River Gulf Outlet as soon as possible.

WHEREAS, Article 330.1.A (3) of Act 1 of the 2006 First Extraordinary Session of the Louisiana Legislature provides that the position of the Southeast Louisiana Flood Protection Authority East ("SLFPA-E") that "the Mississippi River Gulf Outlet ("MRGO") navigability is no longer necessary and the value associated with it remaining open is far outweighed by the danger it poses to the citizens of St. Bernard Parish, the Lower Ninth Ward of Orleans Parish, New Orleans East and surrounding areas;"

WHEREAS, SLFPA-E acknowledges and supports the position as stated above regarding the closure of MRGO;

WHEREAS, SLFPA-E recognizes that the existence of the MRGO significantly contributes to, and also enhances, risks and damages related to hurricane storm surges within the territorial jurisdiction of SLFPA-E;

WHEREAS, at this time the MRGO poses an enormous danger and specific risk to persons and property within its territorial jurisdiction and also inhibits effective planning for hurricane and flood protection;

WHEREAS, the closure of MRGO would directly and significantly reduce such danger and risk to persons and property within its territorial jurisdiction; and

WHEREAS, the de-authorization of MRGO as a navigable waterway is required before closure of MRGO;

Therefore be it resolved by the Southeast Louisiana Flood Protection Authority – East that:

Section 1. The Southeast Louisiana Flood Protection Authority–East strongly urges the immediate de-authorization by the United States Congress of the Mississippi River Gulf Outlet as a navigable waterway and the closure of the Mississippi River Gulf Outlet as soon as possible.

Section 2. This resolution be forwarded on behalf of the Southeast Louisiana Flood Protection Authority – East to the Louisiana Delegations in the United States Congress.

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. Losonsky, Mr. McKee, and Mr. Wittie
NAYS: None
ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-006 – LAKE BORGNE BASIN LEVEE DISTRICT
MARK HANNA LEGAL SERVICES

A resolution authorizing the engagement of Mark E. Hanna to perform certain legal services for the Lake Borgne Basin Levee District.

WHEREAS, a real necessity exists to engage legal counsel to advise and represent the Lake Borgne Basin Levee District in litigation titled "The Lake Borgne Basin Levee District v. Hanover Insurance Company", United States District Court, Eastern District of Louisiana, Civil Action No. 06-11417, Section "N", a lawsuit to recover property insurance proceeds from Hanover as a result of Hurricane Katrina;

WHEREAS, in consideration of services performed, the Lake Borgne Basin Levee District agrees to pay counsel as follows:

Directors (having experience of 10 years or more in the practice of law)	$175.00/hr
Directors/Associates having experience of 5-10 years)	$150.00/hr
Associates (3-5 years of experience)	$125.00/hr
Associates (having experience of less than 3 years)	$100.00/hr
Paralegals	$ 45.00/hr
Law Clerks	$ 25.00/hr

WHEREAS, this engagement shall commence immediately and end on June 30, 2007, and said contract shall be terminable with or without cause immediately by the Authority and with thirty (30) days notice by Counsel;

WHEREAS, said engagement shall be submitted to the Louisiana Attorney General's office for approval.

BE IT HEREBY RESOLVED, That the Authority retains the services of Mark E. Hanna as counsel for the above-described legal matter.

BE IT FURTHER RESOLVED, That this Resolution be submitted to the Office of the Attorney General for the State of Louisiana for approval, under the terms set forth above.

BE IT FURTHER RESOLVED, That the President is authorized to sign any and all documents necessary to carry out the above.

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. Losonsky, Mr. McKee, and Mr. Wittie
NAYS: None
ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-007 - AUTHORIZATION FOR SLFPA-EAST CAPITAL ONE MASTERCARD BUSINESSCARD CREDIT CARD

WHEREAS, there is a need for a credit card for small purchases for the operation of the Southeastern Louisiana Flood Protection Authority – East;

Be it resolved by the Southeast Louisiana Flood Protection Authority – East that:

Section 1. The Board of Commissioners of the Southeastern Louisiana Flood Protection Authority – East ("SLFPA-East") hereby gives authorization to Capital One, N.A. to open a Capital One MasterCard BusinessCard credit card, containing a cash back provision, for SLFPA East with maximum card limit of Ten Thousand Dollars and No/100 [$10,000.00].

Section 2. The SLFPA-East President, SLFPA-East Treasurer and SLFPA-East Administrative Assistant to the President have the Board's authorization to incur debt on behalf of SLFPA-East by using that credit card and have authorization to sign and inquire on the credit card account at Capital One.

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. Losonsky, Mr. McKee, and Mr. Wittie
NAYS: None
ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA

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

RESOLUTION #03-23-07-008 – RESOLUTION ESTABLISHING POLICY FOR CITIZENS' CONCERNS

WHEREAS, following the devastation caused by the effects of Hurricanes Katrina and Rita, the Louisiana Legislature enacted Act 43 of the First Extraordinary Session of 2006, and pursuant to said act, the concerned voters of the State of Louisiana overwhelmingly approved a Constitutional Amendment allowing the creation of regional flood protection authorities for Southeast Louisiana, and as provided by Act 1 of said Session the Southeast Louisiana Flood Protection East and West Authorities were established; and

WHEREAS, the aforementioned legislation purposed unencumbered focus on regional protection, and the safety and preservation of life and property, through the construction and maintenance of an integrated, comprehensive flood protection system; and

WHEREAS, Article 330.12 of Act 1, Management of non-flood protection functions and activities, does not definitively address certain properties or areas of management and activity which are not construed by the SLFPA-E to be within the focus of the aforementioned legislation or the intent of public officials and the voters of the State of Louisiana, which consistently echo the mandate of flood protection; and

WHEREAS, the SLFPA-E is mindful of and acknowledges the concerns of those communities affected, as well as the concerns of all of the citizens within its areas of jurisdiction, and until such time as a final determination or clarification is provided by the appropriate officials or through additional legislation relative to flood/non-flood issues, the SLFPA-E wishes to address these concerns, as well as other public concerns, as efficiently and promptly as possible through the implementation of certain procedures.

RESOLVED, The SLFPA-E adopts the following procedures to address public concerns:

A.) Immediate concerns shall first be directed to the appropriate Executive Director for each of the levee districts under its jurisdiction, who shall communicate those concerns to the SLFPA-E Commissioner representing the affected parish, as well as the SLFPA-E President.

B.) Immediate concerns relative to Orleans Levee District's (O.L.D.) non-flood assets shall be directed to Mr. Louis Capo, Director of Real Estate, Recreational and Non-Flood Assets, and shall also be communicated to the SLFPA-E Commissioner representing the affected parish, as well as the SLFPA-E President.

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

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Goins, Mr. Losonsky, Mr. McKee, and Mr. Wittie
NAYS: None
ABSENT: Mr. Pineda

This resolution was declared adopted this 23rd day of March, 2007.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of March 23rd, 2007, at which a quorum was present.

John M. Barry
Secretary

This 23rd day of March, 2007
New Orleans, LA