

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **APRIL 17, 2018 AT 3:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Tuesday, April 17, 2018 at three o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:01 p.m. Members present: Councilmembers: Council Chair, Kerri Callais, Nathan Gorbaty, Howard Luna, and Wanda Alcon.

Members absent: Gillis McCloskey, Manuel "Monty" Montelongo, and Richard "Richie" Lewis.

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and CAO, Ronnie Alonzo and Joe Crifasi was present representing Administration.

Sister Robinson with Corinne Missionary Baptist delivered the invocation and Councilmember Alcon led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to approve the minutes of the April 3, 2018 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 13, 2018.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#2 On joint motion of the Council, without objection and by unanimous consent, it was moved to proclaim April 30 - May 4, 2018 as Air Quality Awareness Week.

#3 On joint motion of the Council, without objection and by unanimous consent, it was moved to recognize Andrew Becker with the Capital Projects Department for an update.

#4 On joint motion of the Council without objection and by unanimous consent, it was moved to recognize LSU AG for an update regarding the services and programs that they provide in St. Bernard Parish.

#5 Councilmember's District Update

A copy of this update is on file with the minutes of this meeting.

#6 President's Report

A copy of this report was entered into the official record and is on file with the minutes of this meeting.

#7 Recognize the Public

No one signed up to speak at this meeting.

#8 Summary No. 3576

Introduced by: Councilmember Luna on 4/3/18

AN ORDINANCE TO **AMEND** CHAPTER 4; ANIMALS AND FOWL, ARTICLE II; ANIMAL CONTROL REGULATIONS, SECTION 4-54; SALE, DONATION, RAFFLING OR GIVING AWAY OF YOUNG ANIMALS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3577

Introduced by: Administration on 4/3/18

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3578

Introduced by: Administration on 4/3/18

AN ORDINANCE DECLARING 1958 BENJAMIN ST AS A SURPLUS PROPERTY AND AUTHORIZING CONVEYANCE TO CHRIS HOTARD AS A REPLACEMENT FOR 2916 LLOYDS AVE.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3579

Introduced by: Administration on 4/3/18

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUILDER BUNDLE IV PROGRAM.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#12 Summary No. 3580

Introduced by: Administration on 4/3/18

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1888-06-17**, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE LOT NEXT DOOR II PROGRAM - SIDE LOT PROGRAM.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#13 Summary No. 3581

Introduced by: Administration on 4/3/18

AN ORDINANCE TO **AMEND** THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#14 Summary No. 3582

Introduced by: Councilmember Montelongo on 4/3/18

AN ORDINANCE TO DECLARE AS SURPLUS 2309 REUNION VIOLET LA, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#15 Summary No. 3583

Introduced by: Councilmember Alcon on 4/3/18

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2024-12-17**, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#16 On motion of Mrs. Alcon seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1824-04-18

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

Beer and/or Liquor Permit(s)

1. SL & CR, LLC dba MeMe's Bar & Grill, 712 W. Judge Perez Dr. Chalmette, La 70043 Owners: Charles E. Williams, Jr., & Rae Ann Williams **(Renewal) (Beer & Liquor)**
2. Umi, LLC dba Umi, 535 E. Judge Perez Dr. Chalmette, La 70043 Owners: Shao X. Ruan & Wanhlia Zhu **(Renewal) (Beer & Liquor)**
3. S & P Chevron, LLC dba S & P Chevron, 6205 E. St. Bernard Hwy. Violet, La 70092 Owners: Sanh Phung, & Phoung Xuan Phung **(Renewal) (Beer & Liquor)**
4. Sadi, Inc. dba Village Food and Beverage Discount 601 E. Judge Perez Dr. Chalmette, La 70043 Member: Abdelrahaim Sadi **(Renewal) (Beer & Liquor)**
5. Par 3 Diner, Inc. dba Par 3 Diner, 2401 Paris Rd. Chalmette, La 70043 Owner: Tracey Labrosse **(Renewal) (Beer & Liquor)**

Special Event

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1. Name of Organization: Casa New Orleans
Address: 1340 Poydras St. Suite 2120 Nola 70112
Event: Rock the Casa
Location: Docville Farm, 5128 E. St. Bernard Highway, Violet, La 70092
Date: April 21, 2018
Time: 11:00 AM - 6:00 PM
Contact: Joy M. Bruce

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#17 On motion of Mrs. Alcon, seconded by Mr. Luna it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1825-04-18

A RESOLUTION APPOINTING A NEW MEMBER TO THE REGIONAL PLANNING COMMISSION.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#18 On motion of the Chair, without objection and unanimous consent, it was moved to **remove** the following resolution:

RESOLUTION SBPC #1826-04-18

A RESOLUTION APPOINTING A NEW MEMBER TO THE ST. BERNARD PARISH PERSONNEL BOARD WHICH IS MANDATED BY SECTION 4-10 (C) OF THE ST.

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BERNARD PARISH HOME RULE CHARTER.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#19 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1827-04-18

A RESOLUTION REAPPOINTING A MEMBER TO THE ST. BERNARD PARISH PERSONNEL BOARD WHICH IS MANDATED BY SECTION 4-10 (C) OF THE ST. BERNARD PARISH HOME RULE CHARTER.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#20 On motion of Mr. Gorbaty, seconded by Mrs. Alcon it was moved to **adopt** the following resolution:

RESOLUTION SBPC # 1828-04-18

A RESOLUTION SUPPORTING THE PARISH PRESIDENT TO SIGN AMENDMENT NO. 5 TO THE COOPERATIVE ENDEAVOR AGREEMENT BETWEEN ST. BERNARD PARISH GOVERNMENT and LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT, TO EXTEND THE AGREEMENT TO REDUCE, THE MAXIMUM AMOUNT TO ALLOW THE STATE TO PAY GRANT MANAGEMENT SERVICES AND TO REVISE CLAUSES IN ACCORDANCE WITH HUD AND OCD GUIDELINES.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

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NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#21 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to **adopt** the following ordinance:

Summary No. 3576

Introduced by: Councilmember Luna on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE TO AMEND CHAPTER 4; ANIMALS AND FOWL, ARTICLE II; ANIMAL CONTROL REGULATIONS, SECTION 4-54; SALE, DONATION, RAFFLING OR GIVING AWAY OF YOUNG ANIMALS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

On the motion of Mr. Luna seconded by Mr. Gorbaty it was moved to amend Summary No. 3576 as follows:

(Remove) Sec. 4-54. -- Sale, donation, raffling or giving away of young animals.

~~The sale, donation, raffling or giving away as a prize or premium or advertising device of any animal within the parish **shall be prohibited**. The sale of animals under four (4) weeks of age is prohibited, except for the sale of livestock animals in quantities of twelve (12) or more to any individual.~~

(ADD) Sec 4-54 Sale, donation, Raffle of animals as novelties or prizes prohibited; exemptions

A. No person, firm, or corporation shall raffle or give away any animal as a novelty or prize at a festival, carnival or fair.

B. For purposes of this Section, the term "animal" shall mean chickens, ducks, iguanas, pot bellied pigs, rabbits, reptiles, fish, birds, and turtles.

C. Nothing in this Section shall prohibit a humane society, animal shelter, or a pet shop from caring for, adopting, or selling animals as pets.

D. Nothing in this Section shall prohibit a hunting club from raffling hunting dogs.

E. The sale of animals under four (4) weeks of age is prohibited, except for the sale of livestock animals in quantities of twelve (12) or more to any individual.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

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The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to **adopt** the following ordinance as amended:

ORDINANCE SBPC #2049-04-18

Summary No. 3576

Introduced by: Councilmember Luna on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE TO AMEND CHAPTER 4; ANIMALS AND FOWL, ARTICLE II; ANIMAL CONTROL REGULATIONS, SECTION 4-54; SALE, DONATION, RAFFLING OR GIVING AWAY OF YOUNG ANIMALS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#22 On motion of Mrs. Alcon, seconded by Mr. Gorbaty, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2050-04-18

Summary No. 3577

Introduced by: Administration on 4/3/2018

Public Hearing held on 4/17/18

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#23 On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2051-04-18

Summary No. 3578

Introduced by: Administration on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE DECLARING 1958 BENJAMIN ST AS A SURPLUS PROPERTY AND AUTHORIZING CONVEYANCE TO CHRIS HOTARD AS A REPLACEMENT FOR 2916 LLOYDS AVE.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#24 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2052-04-18

Summary No. 3579

Introduced by: Administration on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUILDER BUNDLE IV PROGRAM.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#25 On motion of Mr. Luna, seconded by Mrs. Alcon, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2053-04-18

Summary No. 3580

Introduced by: Administration on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1888-06-17**, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE LOT NEXT DOOR II PROGRAM - SIDE LOT PROGRAM.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#26 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2054-04-18

Summary No. 3581

Introduced by: Administration on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH PERSONNEL PLAN.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#27 On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2055-04-18

Summary No. 3582

Introduced by: Councilmember Montelongo on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE TO DECLARE AS SURPLUS 2309 REUNION VIOLET LA, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

Discussion ensued;

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#28 On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2056-04-18

Summary No. 3583

Introduced by: Councilmember Alcon on 4/3/18

Public Hearing held on 4/17/18

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2024-12-17**, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

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#29 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to **introduce** the following ordinance:

Summary No. 3584

Introduced by: Councilmember Lewis on 4/17/2018

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#30 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to **introduce** the following ordinance:

Summary No. 3585

Introduced by: Administration on 4/17/18

AN ORDINANCE TO AMEND CHAPTER 19, STREETS AND OTHER PUBLIC WAYS; SECTION 19.6 PLACEMENT OF TEMPORARY CONSTRUCTION (ROLL-OFF) DUMPSTERS ON STREETS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#31 On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to **introduce** the following ordinance:

Summary No. 3586

Introduced by: Councilmember Callais on 4/17/2018

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

#32 On motion of Mr. Gorbaty, seconded by Mrs. Alcon it was moved to **introduce** the following ordinance:

Summary No. 3587

Introduced by: Council on 4/17/18

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2018 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1 FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

#33 Coastal Zone Advisory Committee

No official action taken.

On motion of the Chair, without objection and by unanimous consent, it was moved to take items #34, #35, #36, and #37 in Globo.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

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The Council Chair, Ms. Callais, cast her vote as **YEA**.

#34 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss Fucich Contracting v. Shread-Kuyrkendall & Associates and Parish of St. Bernard, U.S. E.D. LA No.18-02885.

#35 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss Progressive Waste Solutions of Louisiana, Inc. v. St. Bernard Parish Government, U.S. E.D. LA No 16-08669.

#36 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss Motion to enter into Executive Session to discuss "Mitchell Roussell v. Eugene L. Brandt, Jr., Progressive Security Insurance Company and the St. Bernard Fire Department, Ryan Roy and Richard Steele", Suit No. 16-0550, Div. B, 34th JDC.

#37 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss Patrice Downing Cusimano and Nunzio Cusimano, individually and on behalf of Jeffrey Allen Cusimano v. St. Bernard Parish Government 34th JDC No.: 13-1138, Div. B.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

On motion of the Chair, without objection and by unanimous consent, it was moved to return to Regular Session.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

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#34 On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to accept the advice of Legal Counsel in the matter of Fucich Contracting v. Shread-Kuyrkendall & Associates and Parish of St. Bernard, U.S. E.D. LA No.18-02885.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#35 On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to accept the advice of Legal Counsel in the matter of Progressive Waste Solutions of Louisiana, Inc. v. St. Bernard Parish Government, U.S. E.D. LA No 16-08669.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

#36 On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to accept the advice of Legal Counsel in the matter of "Mitchell Roussell v. Eugene L. Brandt, Jr., Progressive Security Insurance Company and the St. Bernard Fire Department, Ryan Roy and Richard Steele", Suit No. 16-0550, Div. B, 34th JDC.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

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#37 On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to take no action in the matter of Patrice Downing Cusimano and Nunzio Cusimano, individually and on behalf of Jeffrey Allen Cusimano v. St. Bernard Parish Government 34th JDC No.: 13-1138, Div. B.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Luna, Alcon

NAYS: None

ABSENT: McCloskey, Montelongo, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2018.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:37 p.m. on the 17th day of April, 2018.

Next Regular scheduled Council Meeting will be held Tuesday, May 1, 2018 @ 7:00 p.m.

COPIES OF ALL RESOLUTIONS AND ORDINANCES IN THEIR ENTIRETY ARE ON FILE AT THE CLERK OF COUNCIL'S OFFICE AND ARE AVAILABLE FOR PUBLIC VIEWING.

[Roxanne Adams](#)

ROXANNE ADAMS
CLERK OF COUNCIL
CHAIR

[Kerri Callais](#)

KERRI CALLAIS
COUNCIL