

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbgg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted 1/22/16

Tuesday, January 26, 2016

7:00 p.m.

Council Chambers

Page 1 of 6

Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

- A. Meeting Called to Order and Roll Call
- B. Remind Public that no food or drink is allowed in the Council Chambers
- C. Remind Public of Cell Phone Ordinance **SBPC #815-02-08**
- D. Invocation by Pastor Jim Jeffries with Assembly of God Church
- E. Pledge of Allegiance by Councilmember Gorbaty
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the two (2) December 22, 2015 Special Meetings, as published in the official journal, the St. Bernard Voice on Friday, January 15, 2016 and the minutes from the January 12, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 22, 2016. (Council)

RECOGNITION

2. **Guy McInnis**, President's Report
3. Councilmember's for a District Update

RECOGNIZE THE PUBLIC

4. Recognize the Public
(Those wishing to speak must sign in prior to the start of the meeting. Speakers will be given 2 minutes.)

PUBLIC HEARINGS

5. **Summary No. 3329**
Planning Commission recommended **APPROVAL** on 12/8/15
Introduced by: Administration on 12/15/15

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.
6. **Summary No. 3330**
Introduced by: Administration on 12/15/15

AN ORDINANCE TO DECLARE AS SURPLUS 3524-3526 LAPLACE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.
7. **Summary No. 3331**
Introduced by: Administration on 12/15/15

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AN ORDINANCE TO DECLARE AS SURPLUS 217 E. MORALES, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

8. **Summary No. 3332**

Introduced by: Administration on 12/15/15

AN ORDINANCE TO DECLARE AS SURPLUS 2317 TRIO, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

9. **Summary No. 3334**

Introduced by: Administration on 1/12/16

AN ORDINANCE TO RETAIN PRIVATE OUTSIDE LEGAL COUNSEL TO REPRESENT ST. BERNARD PARISH GOVERNMENT, IN MAKING ITS LEGAL CLAIM FOR PAYMENTS AGAINST ATMOS ENERGY CORPORATION, LOUISIANA, LLC AND ANY RELATED COMPANIES, PREDECESSORS, SUCCESSORS AND ASSIGNS, AND IN ANY NEGOTIATIONS, LITIGATION OR OTHER MATTERS RELATED THERETO.

RESOLUTIONS

10. Adopt **Resolution SBPC #1432-01-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

Beer and/or Liquor Permit(s)

1. Kimberly, Inc., d/b/a Brewster's 8751 West Judge Perez Drive, Chalmette, LA 70043 Owner(s): Theodore and Kimberly Reab Expired: December 31, 2015 **(Renewal) (Beer & Liquor)**
2. Little Maddie, LLC d/b/a Gerald's Donuts & Restaurant 2101 East Judge Perez Drive, Chalmette, LA 70043 Member: Richard J. Lewis Expired: December 31, 2015 **(Renewal) (Beer & Liquor)**
3. Little Taylor, LLC d/b/a Levee Bar and Grill 1351 East St. Bernard Highway, Chalmette, LA 70043 Member: Richard J. Lewis Expired: December 31, 2015 **(Renewal) (Beer & Liquor)**
4. Madison Enterprises, LLC d/b/a Gerald's Donuts & Restaurant 6901 St. Claude Avenue, Arabi, LA 70032 Member: Richard J. Lewis Expires: January 31, 2016 **(Renewal) (Beer & Liquor)**
5. Moneymaker, LLC d/b/a Zig's Hideout 105 Bayou Road, St. Bernard, LA 70085 Member: Thomas Pacaccio, Jr. Expires: January 31, 2016 **(Renewal) (Beer & Liquor)**
6. Money Honey, LLC d/b/a Zig's Last Stop Lounge 308 East Judge Perez Drive, Chalmette, LA 70043 Member: Thomas Pacaccio, Jr. Expires: January 31, 2016 **(Renewal) (Beer & Liquor)**
7. Wal-Mart Louisiana, LLC d/b/a Walmart #5081 2500 Archbishop Hannan Boulevard, Meraux, LA 70075 Manager: Donald Sierra, Jr. **(New) (Beer & Liquor)**

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8. 5303 Paris, LLC d/b/a Paris Casino 5301 Paris Road, Chalmette, LA 70043 Member(s): John Georges, Gabriel Corchiani, Adam Ackel, George Ackel, III, Alana Tallo and Alexander Ackel
(Change of Location) (Beer & Liquor)
11. Adopt **Resolution SBPC #1433-01-16**, a resolution recognizing Michael Gorbaty, the St. Bernard Sportsman's League and The Louisiana Department of Wildlife and Fisheries for January Family Fish Fest.
(Administration)
12. Adopt **Resolution SBPC #1434-01-16**, a resolution authorizing a grant application to the Louisiana Local Government Assistance Program for FY2015-2016 in the amount of \$103,600 for Animal Control improvements.
(Administration)
13. Adopt **Resolution SBPC #1435-01-16**, a resolution authorizing Guy Mcinnis, Parish President to enter into the required Cooperative Endeavour Agreements with the LA Division of Administration, Office of Community Development- Disaster Recovery Unit to secure Community Development Block Grant (CDBG) Disaster Recovery Funds; to utilize the state's administrative consultant Pan American Engineers, Inc., to administer the long term community recovery and fisheries program on behalf of the Parish Government; and, to authorize the Parish President to sign any and all documents required in the submission of the required application and subsequent administration of the program.
(Administration)

ADOPTION OF ORDINANCES

14. **Summary No. 3314**
Planning Commission recommended **APPROVAL** on 10/27/15
Introduced by: Administration on 11/4/15
Public hearing held on 11/17/15
Tabled on 11/17/15

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.
15. **Summary No. 3315**
Planning Commission recommended **APPROVAL** on 10/27/15
Introduced by: Administration on 11/4/15
Public hearing held on 11/17/15
Tabled on 11/17/15 until 12/1/15
Tabled on 12/1/15 until 1/26/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.
16. **Summary No. 3329**
Planning Commission recommended **APPROVAL** on 12/8/15
Introduced by: Administration on 12/15/15

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Public hearing held on 1/26/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

17. **Summary No. 3330**

Introduced by: Administration on 12/15/15

Public hearing held on 1/26/16

AN ORDINANCE TO DECLARE AS SURPLUS 3524-3526 LAPLACE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

18. **Summary No. 3331**

Introduced by: Administration on 12/15/15

Public hearing held on 1/26/16

AN ORDINANCE TO DECLARE AS SURPLUS 217 E. MORALES, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

19. **Summary No. 3332**

Introduced by: Administration on 12/15/15

Public hearing held on 1/26/16

AN ORDINANCE TO DECLARE AS SURPLUS 2317 TRIO, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

INTRODUCTION

20. **Summary No. 3335**

Introduced by: Councilman Lewis on 1/26/16

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1605-01-15**, TO DECLARE AS SURPLUS 2201 PECAN DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO THOMAS A. NUNEZ AND KATHRYN J. NUNEZ.

21. **Summary No. 3336**

Introduced by: Councilman Montelongo on 1/26/16

AN ORDINANCE NAMING LOS ISLENOS MUSEUM COMPLEX MULTI – PURPOSE BUILDING THE “FRANK M. FERNANDEZ, JR. ISLENO CENTER.”

22. **Summary No. 3337**

Introduced by: Councilman Montelongo on 1/26/16

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AN ORDINANCE NAMING THE HISTORIC VILLAGE IN LOS ISLENOS MUSEUM COMPLEX THE "DOROTHY BENGE ISLENO HISTORIC VILLAGE."

23. **Summary No. 3338**

Introduced by: Administration on 1/26/16

AN ORDINANCE TO REVOKE THE STREET DEDICATION OF ROMAN STREET IN ACCORDANCE WITH THE ATTACHED SURVEY: EXHIBIT "A."

24. **Summary No. 3339**

Introduced by: Administration on 1/26/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

25. **Summary No. 3340**

Introduced by: Administration on 1/26/16

AN ORDINANCE TO PURCHASE LOT 1-A-7, ARABI, LOUISIANA 70032.

26. **Summary No. 3341**

Introduced by: Administration on 1/26/16

AN ORDINANCE TO PURCHASE 5609 E. ST. BERNARD HIGHWAY, VIOLET, LA 70092.

27. **Summary No. 3342**

Introduced by: Administration on 1/26/16

AN ORDINANCE TO REVOKE THE STREET DEDICATION OF BARBARA DRIVE IN ACCORDANCE WITH THE ATTACHED SURVEY: EXHIBIT "A."

28. **Summary No. 3343**

Introduced by: Administration on 1/26/16

AN ORDINANCE TO DECLARE AS SURPLUS 1719 SCHNELL DR., WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

29. **Summary No. 3344**

Introduced by: Councilman Gorbaty on 1/26/16

AN ORDINANCE TO REPEAL IN ITS ENTIRETY, **ORDINANCE SBPC #1465-12-13**, AN ORDINANCE AUTHORIZING DAVID E. PERALTA, PRESIDENT, ST. BERNARD PARISH, LOUISIANA, TO HIRE LEGAL REPRESENTATION TO PROVIDE LEGAL SERVICES RELATED TO THE INVESTIGATION, PREPARATION, FILING AND HANDLING OF SUCH INJUNCTIVE, DECLARATORY, OR OTHER ACTIONS AS ARE NECESSARY TO ENSURE COMPLIANCE

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WITH COASTAL ZONE LAWS, STATUTES AND REGULATIONS FOR ST. BERNARD PARISH, THE ST. BERNARD PARISH COUNCIL AND THE ST. BERNARD PARISH COASTAL ZONE MANAGEMENT PROGRAM.

30. **Summary No. 3345**

Introduced by: Councilman Gorbaty on 1/26/16

AN ORDINANCE AUTHORIZING GUY MCINNIS, PRESIDENT, ST. BERNARD PARISH, LOUISIANA, TO HIRE LEGAL REPRESENTATION TO PROVIDE LEGAL SERVICES RELATED TO THE INVESTIGATION, PREPARATION, FILING AND HANDLING OF SUCH INJUNCTIVE, DECLARATORY, OR OTHER ACTIONS AS ARE NECESSARY TO ENSURE COMPLIANCE WITH COASTAL ZONE LAWS, STATUTES AND REGULATIONS FOR ST. BERNARD PARISH, THE ST. BERNARD PARISH COUNCIL AND THE ST. BERNARD PARISH COASTAL ZONE MANAGEMENT PROGRAM.

OTHER MATTERS

31. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

EXECUTIVE SESSION

32. Motion to enter into Executive Session to discuss Richard Perniciaro, et al. vs. Guy McInnis, et al., 24th JDC, No.754-8871, Division "N".
33. Motion to enter into Executive Session to discuss Alfred Ronsonette v. St. Bernard Parish Government, et al, 34th JDC, No.: 117-041, Division "E", 4th Cir. Ct. of App., No. 2014-CA-0900.
34. Motion to enter into Executive Session to discuss Wallace Juan vs. St. Bernard, U.S. E.D. LA #14-107
35. Motion to enter into Executive Session to discuss potential litigation, investigation, preparation, filing and handling of such injunctive, declaratory or other actions against any all possible parties, including oil and gas companies, necessary to ensure compliance with Coastal Zone Laws, Statutes and Regulations for St. Bernard Parish, the St. Bernard Parish Council and the St. Bernard Parish Coastal Zone Management Program.

Next Regular scheduled Council Meeting will be held Tuesday, February 2, 2016 @ 7:00 p.m.

Approved by: *Kerri Callais* Time: 12:06 p.m. Date: 1/22/16