

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbgg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted 10/14/16

Tuesday, October 18, 2016

3:00 p.m.

Council Chambers

Page 1 of 4

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 Faith Gonzales with the 4-H Officers in Jr Leadership Club
- E. Pledge of Allegiance by Tiffany Poteet with the 4-H Officers in Jr Leadership Club
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the October 4, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 14, 2016. (Council Chair)

RECOGNITION

2. Motion to recognize Wayne Burgess for a 4-H update. (Councilman Luna)
3. Motion to proclaim October 2016 as "Domestic Violence Awareness Month" (Administration)
4. Motion to recognize Dorothy L. "Dot" Benge for her outstanding service to the people of St. Bernard Parish. (Councilman Montelongo)
5. Motion to recognize the Ronald McDonald Charity. (Council)
6. **Guy McInnis**, President's Report
7. Councilmember's for a District Update

RECOGNIZE THE PUBLIC

8. 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

9. **Summary No. 3424**
Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

10. **Summary No. 3425**
Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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11. **Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

12. **Summary No. 3427**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

RESOLUTIONS

13. Adopt **Resolution SBPC #1645-10-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

Beer and/or Liquor Permit(s)

1. Ben's Pizza #2, LLC dba Ben's Pizza #2 2805 E. Judge Perez Drive, Meraux, LA 70075
Owners: Addlee & Stacey Martin (**Renewal**) (**Beer only**)
2. CJAM Enterprises, LLC dba J & J Chicken and Seafood 2545 Paris Road, Suite C, Chalmette, LA 70043 Members: Carlo James, III & Ken M. James (**Renewal**) (**Beer only**)

Special Event Permit(s)

1. Name of Organization: **Arc of Greater NOLA/Sterling Hall**
Address: 3700 Jean Lafitte Pkwy., Chalmette, LA 70043
Event: ***Anything Goes!***
Date & Time: Thursday, November 10, 2016, 6:00-9:00 p.m.
Contact Person: Kristin Hill & Nicole Blair
2. Name of Organization: **The Voices Foundation**
Address: 2101 Paris Road, Chalmette, LA 70043
Event: ***Holidaze Comedy Show***
Date & Time: November 11, 12, 18 & 19, 2016, 8:00 p.m.
Contact Person: Barry Lemoine

14. Adopt **Resolution SBPC #1646-10-16**, a resolution authorizing acceptance of a FY16 University of New Orleans Research and Technology Foundation's EPA Lake Pontchartrain Basin Restoration Grant in the amount of \$26,000.00 for the St. Bernard Parish Green Infrastructure Program.
(Administration)

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Page 3 of 4

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15. Adopt **Resolution SBPC #1647-10-16**, a resolution authorizing a grant application to the Louisiana Coastal Protection and Restoration Authority's Conservation and Restoration Partnership Fund Grant Program in the amount of \$32,000.00 for the St. Bernard Parish Cypress Reforestation Program (Caernarvon to Verret). (Administration)
16. Adopt **Resolution SBPC #1648-10-16**, a resolution authorizing a grant application to the Louisiana Department of Transportation and Development's Transportation Alternatives Program in the amount of \$582,384.00 for the Mississippi River Trail, Phase IV (Valero Meraux Refinery to Paris Road). (Administration)
17. Adopt **Resolution SBPC #1649-10-16**, a resolution to authorize the Chair and Vice Chair of the St. Bernard Parish Council to advertise for requests for proposals (RFP'S) for the 2016 Comprehensive Financial Audit of St. Bernard Parish Government. (Council)

ADOPTION OF ORDINANCES

18. **Summary No. 3424**
Introduced by: Administration on 10/4/16
Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.
19. **Summary No. 3425**
Introduced by: Administration on 10/4/16
Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.
20. **Summary No. 3426**
Planning Commission recommended **APPROVAL** on 9/27/16
Introduced by: Administration on 10/4/16
Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.
21. **Summary No. 3427**
Planning Commission recommended **APPROVAL** on 9/27/16
Introduced by: Administration on 10/4/16
Public hearing held on 10/18/16

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AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

INTRODUCTION

22. **Summary No. 3429**

Introduced by: Administration on 10/18/16

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

23. **Summary No. 3430**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

24. **Summary No. 3431**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

OTHER MATTERS

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

EXECUTIVE SESSION

26. Motion to enter into Executive Session to discuss Robert Huerstel v. S.B. Fire Dept. OWC No. 16-00813.
27. Motion to enter into Executive Session to discuss potential litigation re C. Moore Therapeutic Group Home, LLC and Angelicare, LLC.
28. Motion to enter into Executive Session to discuss U.S.A. vs. St. Bernard Parish, USDC #12-00321.

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

Approved by: *Herri Callais* Time: 12:56 p.m. Date: 10/14/16

#1

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to approve the minutes from the October 4, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 14, 2016.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal of the Parish of St. Bernard on this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON TUESDAY, OCTOBER 4, 2016 AT 7:00 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 in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on October 4, 2016 at seven o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 7:05 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: None

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Parish President Guy McInnis and CAO, Ronnie Alonzo was present representing Administration.

Minister Jerry Troxclair delivered the invocation and Councilmember Montelongo led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to approve the minutes from the September 20, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, September 30, 2016.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

Ms. Callais took Chairman's Privilege to recognize Cisco Gonzales with the Archbishop Rummel Knights of Columbus #5747 to present the St. Bernard Parish Recreation Department with a check in the amount of \$5,000.00.

#2 On a joint motion of the Council, without objection and by unanimous consent it was moved to proclaim October 17th – 21st, 2016 as "National Business Women's Week".

#3 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Susan Vincent Kleese as the 2016 Woman of the Year.

#4 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Sidney D. Torres III as the 2016 Man of the Year.

#5 **President's Report**

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

Minutes of the St. Bernard Parish Council Meeting of October 4, 2016

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#6 **Councilmember's District Update**
A copy of this update is on file with the minutes of this meeting.

#7 **Recognize the Public**
No one signed up to speak

#8 **Summary No. 3420**
Introduced by: Administration on 9/20/16

AN ORDINANCE TO AMEND APPENDIX D, FEES; SECTION 4, MISCELLANEOUS CHARGES, OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 **Summary No. 3421**
Introduced by: Administration on 9/20/16

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE AGREEMENT BY AND BETWEEN THE ST. BERNARD PARISH GOVERNMENT, AS LESSOR, AND THE UNO FEDERAL CREDIT UNION, AS LESSEE.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 **Summary No. 3422**
Introduced by: Administration on 9/20/16

AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1640-10-16

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. Café Riche, LLC dba Café Riche 8117 E. St. Bernard Highway, Poydras, La 70085 Owners: Bryan Riche **(Renewal) (Beer only)**
2. Churchill Downs LA Horse Racing, Co., LLC dba Fair Grounds OTB and Casino 8700 W. Judge Perez Drive, Chalmette, LA 70043 Members: C. Loshbaugh, W. Carstanjen, A. Kung Leung Tse, M. Anderson & T. Bryant **(Renewal) (Beer & Liquor)**
3. Fete' Hall, LLC dba Fete' Hall 2015 Fazzio Road, Chalmette, LA 70043 Owner: Rochelle Cannon **(Renewal) (Beer & Liquor)**

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo

NAYS: None

ABSENT: None

ABSTAIN: Lewis

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

And the motion was declared **adopted** on the 4th day of October, 2016.

#12 On motion of Lewis, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1641-10-16

A RESOLUTION IN SUPPORT OF THE NATIONAL PARK SERVICE.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016

#13 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1642-10-16

A RESOLUTION APPOINTING A NEW MEMBER TO THE PLANNING COMMISSION.

On motion of Ms. Callais, seconded by Mr. Lewis, it was moved to appoint David Chaisson to the Planning Commission.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

#14 On motion of Mr. McCloskey, seconded by Mr. Lewis, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1643-10-16

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A RESOLUTION REPLACING THE ST. BERNARD RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN IN ITS ENTIRETY FOR THE LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

RESOLUTION SBPC #1644-10-16

A RESOLUTION ADOPTING AN INTERNAL GRIEVANCE PROCEDURE PROVIDING FOR PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS ALLEGING ANY ACTION RESTRICTING HANDICAP ACCESS AS PROHIBITED BY THE REGULATION OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 24 CFR PART 8, IMPLEMENTING SECTION 504 OF THE REHABILITATION ACT OF 1973, AMENDED (PUBLIC LAW 93-112).

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

Summary No. 3417

Introduced by: Administration on 9/6/16

Public hearing held on 9/20/16

Tabled on 9/20/16 until 10/4/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1315-07-12**, AMENDING THE APPROVED ST. BERNARD PARISH GOVERNMENT REDEVELOPMENT AND DISPOSITION PLAN FOR LOUISIANA LAND TRUST PROPERTIES AND FORWARD THE PLAN TO THE STATE OF LOUISIANA.

Discussion ensued;

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On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to amend Summary No. 3417 by adding "within the past three years of the Post Closing Option Change closing" to page 4.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

Discussion ensued on Summary No. 3417 as amended.

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

ORDINANCE SBPC #1821-10-16

Summary No. 3417

Introduced by: Administration on 9/6/16

Public hearing held on 9/20/16

Tabled on 9/20/16 until 10/4/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1315-07-12**, AMENDING THE APPROVED ST. BERNARD PARISH GOVERNMENT REDEVELOPMENT AND DISPOSITION PLAN FOR LOUISIANA LAND TRUST PROPERTIES AND FORWARD THE PLAN TO THE STATE OF LOUISIANA.

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

YEAS: McCloskey, Gorbaty, Alcon, Montelongo, Lewis

NAYS: Luna

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

ORDINANCE SBPC #1822-10-16

Summary No. 3420

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

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AN ORDINANCE TO AMEND APPENDIX D, FEES; SECTION 4, MISCELLANEOUS CHARGES, 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: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

#18 On motion of Mr. Montelongo, seconded by Mr. Lewis, it was moved to **adopt** the following ordinance:

Summary No. 3421

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE AGREEMENT BY AND BETWEEN THE ST. BERNARD PARISH GOVERNMENT, AS LESSOR, AND THE UNO FEDERAL CREDIT UNION, AS LESSEE.

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **amend** Summary No. 3421 as submitted to the Clerk.

Discussion ensued further;

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to make a compound amendment to add "After a period of twenty-four (24) months either party shall have the right in its sole discretion to terminate the lease for convenience upon giving ninety (90) days advance written notice of the termination" to Section 11:

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

ORDINANCE SBPC #1823-10-16

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Summary No. 3421

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE AGREEMENT BY AND BETWEEN THE ST. BERNARD PARISH GOVERNMENT, AS LESSOR, AND THE UNO FEDERAL CREDIT UNION, AS LESSEE.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

#19 On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1824-10-16

Summary No. 3422

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

Summary No. 3423

Introduced by: Administration on 10/4/16

AN ORDINANCE TO ADOPT THE 2017 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Minutes of the St. Bernard Parish Council Meeting of October 4, 2016

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

Summary No. 3424

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

#22 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **introduce** the following ordinance:

Summary No. 3425

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

Minutes of the St. Bernard Parish Council Meeting of October 4, 2016

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ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

Summary No. 3426

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo

NAYS: Richie

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

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

Summary No. 3427

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo,

NAYS: Lewis

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

Minutes of the St. Bernard Parish Council Meeting of October 4, 2016

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

Summary No. 3428

Introduced by: Administration on 10/4/16

AN ORDINANCE TO DECLARE AS SURPLUS 316 DOERR DR., 321 DOERR DR., 316 LIVINGSTON AVE., 409 LIVINGSTON AVE., 321 PARISH DR., 205 PERRIN DR., 312 SABLE DR., 221 SERPAS DR., 304 SERPAS DR., 313 SERPAS DR., 320 SERPAS DR., 404 SERPAS DR., 412 SERPAS DR. AND 413 SERPAS DR., WHICH ARE OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTIES ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

Discussion ensued;

On motion of Mr. McCloskey, seconded by Mr. Gorbaty, it was moved to **table** Summary No. 3428 indefinitely:

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

#26 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **approve** the following Coastal permits:

a. **Randy Meliet - P20160585**
To build a boat house across from 4605 Delacroix Hwy

b. **James Starr - P20160590**
To build a boat house across from 4609 Delacroix Hwy

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo

NAYS: None

ABSENT: None

DID NOT VOTE: Lewis

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

And the motion was declared **adopted** on the 4th day of October, 2016.

Minutes of the St. Bernard Parish Council Meeting of October 4, 2016

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#27 On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to enter into Executive Session to discuss Potential Litigation between St. Bernard Parish Government and Burk-Kleinpeter, Inc.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

On motion of Mrs. Alcon, seconded by Mr. Luna, 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: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of October, 2016.

No official action was taken.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:46 p.m. on the 4th day of October, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, October 18, 2016 @ 3:00 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

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, OCTOBER 18, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE OCTOBER 4, 2016 COUNCIL MEETING:

Summary No. 3424

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 19; Streets and other public ways, Article I; In general to add Section 19-5 – Complete Street Policy Implementation in Public Right-Of-Ways to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

EXHIBIT "A"
SUMMARY NO. 3424
ORDINANCE SBPC #XXXX-XX-XX

Chapter 19 – Streets and other public ways
Article I – In general

Section 19-5 – Complete Street Policy Implementation in Public Right-Of-Ways

Chapter 19 – Article I – Section 19-5

Sec. 19.5 Complete Street Policy Implementation in Public Right-Of-Ways.

Sec. 19-5-1. Applicability

The Department of Public Works shall ensure Complete Street element implementation when one of the following projects occur:

- 1) New roadway construction
- 2) Major resurfacing of existing roadway
- 3) Major drainage project located adjacent or parallel to public roadway

19-5-1.1. Emphasis areas

The St. Bernard Parish Complete Streets Emphasis Map (Appendix E – Maps) was created to highlight major and minor roadways of the parish where Complete Street implementation would serve the greatest benefit to residents and commuters such as: linking transit stops as well as providing efficient and safe access to schools and parks. These existing public major and minor roadways shall be considered top priorities for Complete Street element implementation set forth in this section, subject to the requirements of this chapter and Chapter 5-27.

19-5-1.2. Rural Applicability

Required Complete Street element implementation shall be considered discretionary in the rural areas past the Violet Canal subject to the authority of the Director of Public Works if not designated a priority by the St. Bernard Parish Bikeway and Pedestrian Plan Update subject to Chapter 22-7.10.

Sec. 19-5-2. Implementation

19-5-2.1. Policy Elements

19-5-2.1.a. Sidewalks

ADA compliant sidewalks shall be required along all public right-of-ways.

19-5-2.1.b. Pedestrian connectivity

Suitable accommodations for safe and efficient ingress/egress for pedestrians shall be ensured. This would include sufficient walkways through the parking lot connecting from the sidewalk at the right-of-way to the commercial building along with walkways separating the parking lot from the commercial building running along the front façade.

19-5-2.1.c. Bicycle accommodation

A streamlined system of bicycle ingress/egress from the right-of-way to the development providing safe and efficient flow for bicycle riders shall be required.

EXHIBIT "A"
SUMMARY NO. 3424
ORDINANCE SBPC #XXXX-XX-XX

19-5-2.1.d. Bicycle lanes

Adequate demarcation of bicycle lanes shall be administered along public roadways as designated by the St. Bernard Parish Bikeway and Pedestrian Plan Update.

19-5-2.1.e. Transit accommodation

When a transit stop is located on site, accommodations shall be made for the safe and efficient flow of foot traffic accessing the transit stop.

Accommodations shall include added sidewalks or walkways, non-sight impairing landscaping, signage location, providing trash cans, and maintaining a litter-free lot.

19-5-2.2 – Design Standards

Complete Street design standards to be administered by the Department of Public Works with guidance by the Department of Community Development and shall adhere to the standards set forth in the NACTO (National Association of City Transportation Officials) *Urban Bikeway Design Guide* whenever possible.

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, OCTOBER 18, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE OCTOBER 4, 2016 COUNCIL MEETING:

Summary No. 3425

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 5; Buildings; Construction and Related Activities, Article I; In general to add Section 5-27; Complete Street Policy Implementation for Private Development to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

EXHIBIT "A"
SUMMARY NO. 3425
ORDINANCE SBPC #XXXX-XX-XX

Chapter 5 – Buildings; Construction and Related Activities
Article I – In general
Section 5-27 – Complete Street Policy Implementation for Private Development

Chapter 5 – Article I – Section 5-27

Sec. 5-27. – Complete Street Policy Implementation for Private Development.

5-27-1. Purpose

The purpose of this section is to address St. Bernard Parish Complete Streets Policy as it pertains to development on private property. Its mission is to ensure safe access for all users of public rights-of-way in order to improve safe travel, accessibility, connectivity, health, economic growth, and the overall quality of life for St. Bernard Parish per Parish Council resolution SBPC #1572-04-16.

5-27-2. Applicability

This section shall apply to all new commercial construction projects and renovation projects consisting of 50% or greater in scope of improvement located on private land in St. Bernard Parish subject to Chapter 22-7-10.

5-27-3. Scope

The scope of the St. Bernard Parish Complete Streets Policy shall include elements pertaining to sidewalks, pedestrian accessibility, safe and efficient site passage, vehicle and bicycle accessibility, bicycle parking, and accommodating for safety and efficiency for transit riders.

5-27-3.1 Emphasis areas

The St. Bernard Parish Complete Streets Emphasis Map (Appendix E – Maps) was created to highlight major and minor roadways of the parish where Complete Street implementation would serve the greatest benefit to residents and commuters such as: linking transit stops as well as providing efficient and safe access to schools and parks. These existing public major and minor roadways shall be considered top priorities for Complete Street element implementation set forth in this section, subject to the requirements of this chapter.

5-27-4. Implementation

The St. Bernard Parish Complete Streets Policy elements set forth in this section shall be addressed by means of site plan review administered by the Department of Community Development during initial commercial plan review and shall receive final approval by the Department of Public Works and/or Department of Community Development depending on applicability.

5-27-4.1. Policy Elements

5-27-4.1.1. Sidewalks

ADA compliant sidewalks shall be required along all public right-of-ways.

EXHIBIT "A"
SUMMARY NO. 3425
ORDINANCE SBPC #XXXX-XX-XX

5-27-4.1.2. Pedestrian connectivity

Suitable accommodations for safe and efficient ingress/egress for pedestrians shall be ensured. This would include sufficient walkways through the parking lot connecting from the sidewalk at the right-of-way to the commercial building along with walkways separating the parking lot from the commercial building running along the front façade along with adequate and ADA approved curb cuts for greater pedestrian ease-of-access.

5-27-4.1.3. Bicycle accommodation

A streamlined system of bicycle ingress/egress from the right-of-way to the development providing safe and efficient flow for bicycle riders shall be required.

5-27-4.1.3.a. Bicycle parking

Adequate bicycle parking, by means of (a) bicycle rack(s) shall be located at near the front entrance of the development. The volume of required bicycle parking shall scale with the scope of the commercial development and shall have final discretionary determination of the Director of Community Development.

5-27-4.1.4. Transit accommodation

When a transit stop is located on site, accommodations shall be made for the safe and efficient flow of foot traffic accessing the transit stop. Accommodations shall include added sidewalks or walkways, non-sight impairing landscaping, signage location, providing trash cans, and maintaining a litter-free lot.

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, OCTOBER 18, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE OCTOBER 4, 2016 COUNCIL MEETING:

Summary No. 3426

Planning Commission recommended **APPROVAL** on 9/27/16
Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards, Subsection 1.1; Overall Landscape Area Requirements to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

EXHIBIT "A"
SUMMARY NO. 3426
ORDINANCE SBPC #XXXX-XX-XX

Chapter 22 – Zoning
Section 7 – Site Development Standards
Subsection 1.1 – Overall landscape area requirement

22-7-1.1. *Overall landscape area requirement.*

- a. Any lot developed in a business, industrial, design development district zones shall provide landscaped areas on the portions of the site that are not covered by an impervious surface.
- b. Perimeter landscaped areas shall contain at least one (1) shade tree at least ~~three (3)~~ **five (5)** inches in caliper for each fifty (50) feet or part thereof of perimeter or as required by the commission.

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, OCTOBER 18, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE OCTOBER 4, 2016 COUNCIL MEETING:

Summary No. 3427

Planning Commission recommended **APPROVAL** on 9/27/16
Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards to create Subsection 10; Complete Streets to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

EXHIBIT "A"
SUMMARY NO. 3427
ORDINANCE SBPC #XXXX-XX-XX

Chapter 22 – Zoning
Section 7 – Site Development Standards
Subsection 10 – Complete Streets

22-7-10. Complete Streets

The St. Bernard Parish Complete Streets Policy per Resolution SBPC #1572-04-16 shall be considered a matter of public health and safety for the residents and commuters of St. Bernard Parish and therefore of utmost priority. All proposed development expressly described in Chapter 5.27 and Chapter 19.5. shall implement Complete Street elements set forth in said sections when feasible subject to Chapter 22-7.10.a.1 and shall be reviewed by means of site plan review with subsequent approval by the Directors of Community Development and the Department of Public Works.

1. Feasibility standards

- a. Complete Street element implementation shall be required within all private development located along all public right-of-ways.
- b. For a development to be considered not feasible for Complete Street implementation, the following conditions shall occur subject to the discretionary approval of the Director of Community Development during the site plan review process for development subject to Chapter 5-27:
 - i. Development is not located on a public right-of-way
 - ii. The cost of providing Complete Street implementation would be excessively disproportionate to the need or probable use of development located within A-1 (Rural) and SA (Suburban Agriculture) zoning districts
 - iii. An existing structure or site condition with an existing legally non-conforming encroachment into the public right-of-way, when reasonable alternatives cannot be achieved

#13

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1645-10-16

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)

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
1. Ben's Pizza #2, LLC dba Ben's Pizza #2 2805 E. Judge Perez Drive, Meraux, LA 70075 Owners: Addlee & Stacey Martin	X (Beer only)	
2. CJAM Enterprises, LLC dba J & J Chicken and Seafood 2545 Paris Road, Suite C, Chalmette, LA 70043 Members: Carlo James, III & Ken M. James	X (Beer only)	

Special Event Permit(s)

- Name of Organization: **Arc of Greater NOLA/Sterling Hall**
Address: 3700 Jean Lafitte Pkwy., Chalmette, LA 70043
Event: ***Anything Goes!***
Date & Time: Thursday, November 10, 2016, 6:00-9:00 p.m.
Contact Person: Kristin Hill & Nicole Blair
- Name of Organization: **The Voices Foundation**
Address: 2101 Paris Road, Chalmette, LA 70043
Event: ***Holidaze Comedy Show***
Date & Time: November 11, 12, 18 & 19, 2016, 8:00 p.m.
Contact Person: Barry Lemoine

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Extract #13 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#14

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1646-10-16

A RESOLUTION AUTHORIZING ACCEPTANCE OF A FY16 UNIVERSITY OF NEW ORLEANS RESEARCH AND TECHNOLOGY FOUNDATION'S EPA LAKE PONTCHARTRAIN BASIN RESTORATION GRANT IN THE AMOUNT OF \$26,000.00 FOR THE ST. BERNARD PARISH GREEN INFRASTRUCTURE PROGRAM.

WHEREAS, the U.S. Environmental Protection Agency (EPA) has provided funding under the Clean Water Act and the Lake Pontchartrain Basin Restoration Act for the Lake Pontchartrain Basin Restoration Program as administered by the University of New Orleans Research and Technology Foundation, Inc.; and

WHEREAS, the Lake Pontchartrain Basin Restoration Program Executive Committee issued a Request for Proposals for their FY2016 grant program; and

WHEREAS, the St. Bernard Parish Council approved submission of a grant application in April for the St. Bernard Parish Green Infrastructure Program that would providing funding to 1) audit and evaluate existing codes and ordinances in order to add language which would encourage and facilitate green infrastructure approaches; 2) train staff on implementation methods; and 3) provide informational materials on green infrastructure techniques.

WHEREAS, the University of New Orleans Research and Technology Foundation has awarded a grant to St. Bernard Parish Government in the amount of \$26,000 (total project cost is \$29,000) which requires \$3,000 in local matching funds;

NOW THEREFORE BE IT RESOLVED the St. Bernard Parish Council, does hereby authorize the acceptance of the FY16 University of New Orleans Research and Technology Foundation's EPA Lake Pontchartrain Basin Restoration Grant in the amount of \$26,000.00 (federal funding, Project #58559M) for the St. Bernard Parish Green Infrastructure Program; and

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Extract #14 continued
October 18, 2016

BE IT FURTHER RESOLVED, the St. Bernard Parish Council does hereby authorize the commitment of an additional \$3,000.00 of required local matching funds (including possible in-kind staff contributions) for this project.

BE IT FURTHER RESOLVED, the St. Bernard Parish Council, does hereby authorize the President of St. Bernard Parish Government to sign and execute all required grant agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with the above grant award.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#15

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1647-10-16

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA COASTAL PROTECTION AND RESTORATION AUTHORITY'S CONSERVATION AND RESTORATION PARTNERSHIP FUND GRANT PROGRAM IN THE AMOUNT OF \$32,000.00 FOR THE ST. BERNARD PARISH CYPRESS REFORESTATION PROGRAM (CAERNARVON TO VERRET).

WHEREAS, the Louisiana Coastal Protection and Restoration Authority has established the Conservation and Restoration Partnership Fund Grant Program in order to encourage collaborative conservation and restoration projects in Louisiana's coastal zone; and

WHEREAS, St. Bernard Parish Government, working with the St. Bernard Parish Coastal Zone Advisory Committee, has identified restoration of the cypress forest between Caernarvon and Verret as a goal of the St. Bernard Parish Coastal Zone Management Program; and

WHEREAS, the St. Bernard Parish Cypress Reforestation Program meets the goals of this State grant program and St. Bernard Parish is eligible to apply for this funding assistance; and

WHEREAS, St. Bernard Parish Government has developed a partnership with the Lake Pontchartrain Basin Foundation, Restore the Earth and the St. Bernard Wetlands Foundation to provide cypress trees and volunteers for this program as an in-kind donation.

NOW THEREFORE BE IT RESOLVED that the St. Bernard Parish Council, does hereby authorize the submission of a grant application to Louisiana Coastal Protection and Restoration Authority's Conservation and Restoration Partnership Fund Grant Program in the amount \$32,000.00 (\$116,000 total project cost with \$84,000 in local matching funds provided through in-kind donations by the Lake Pontchartrain Basin Foundation, Restore the Earth, and the St. Bernard Wetlands Foundation); and

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Extract #15 continued
October 18, 2016

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council does hereby authorize the President of St. Bernard Parish Government to sign and submit all required grant applications, Cooperative Endeavor Agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with the Louisiana Coastal Protection and Restoration Authority's Conservation and Restoration Partnership Fund Grant Program for the St. Bernard Parish Cypress Reforestation Program (Caernarvon to Verret).

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#16

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1648-10-16

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT'S TRANSPORTATION ALTERNATIVES PROGRAM IN THE AMOUNT OF \$582,384.00 FOR THE MISSISSIPPI RIVER TRAIL, PHASE IV (VALERO MERAUX REFINERY TO PARIS ROAD)

WHEREAS, the most recent federal transportation funding law enacted in December, 2015, known as the FAST Act (Fixing America's Surface Transportation), established the Surface Transportation Block Grant program; and

WHEREAS, the Surface Transportation Block Grant Program combined funding for several previously separate grant programs such as the Transportation Alternatives Program, the Safe Routes to School Program, and others into a single program; and

WHEREAS, the Louisiana Department of Transportation and Development (DOTD) will refer to this new program as the Transportation Alternatives Program (DOTDTAP); and

WHEREAS, DOTD has issued a call for projects under the new DOTDTAP program that meet the published criteria for surface transportation funding which includes bicycle and pedestrian facilities; and

WHEREAS, St. Bernard Parish is eligible to apply for this grant which pays for 80% of construction costs on a cost-reimbursable basis; and

WHEREAS, St. Bernard Parish's goal is to continue to implement the Parish-wide Bikeway Plan which has identified the Mississippi River Trail as a key project for implementation; and

WHEREAS, St. Bernard Parish has previously received state and federal grants for construction of the Mississippi River Trail from the DOTDTAP program and others totaling over \$2.3 million; and

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Extract #16 continued
October 18, 2016

WHEREAS, Phase I & II of the Mississippi River Trail from Valero Refinery east to the Violet Canal, is engineered with planned construction in 2017; and

WHEREAS, segments of the Mississippi River Trail are under construction by DOTD as part of the St. Bernard Highway and St. Claude Avenue improvement projects (to be a striped bicycle lane) with projected completion in 2017;

WHEREAS, the last remaining segment of the trail to go into engineering design is the Mississippi River Trail, Phase IV which spans from Valero Meraux Refinery west to Paris Road.

NOW THEREFORE BE IT RESOLVED the St. Bernard Parish Council, does hereby authorize the submission of a grant application to the Louisiana Department of Transportation and Development's Transportation Alternatives Program for the Mississippi River Trail, Phase IV (Valero Meraux Refinery to Paris Road) in the amount of \$582,384.00; and

BE IT FURTHER RESOLVED, that if grant funding is approved, St. Bernard Parish Council does hereby acknowledge funding will be required for local match and non-covered grant costs estimated at \$271,596.00 over the years 2017-2022.

BE IT FURTHER RESOLVED, the St. Bernard Parish Council does hereby authorize the President of St. Bernard Parish Government to sign and submit all required grant applications, Cooperative Endeavor Agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with the DOTDTAP grant application process.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

Page -3-
Extract #16 continued
October 18, 2016

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#18

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #xxxx-10-16

Summary No. 3424

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 19; Streets and other public ways, Article I; In general to add Section 19-5 – Complete Street Policy Implementation in Public Right-Of-Ways to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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Extract #18 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

#17

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY OCTOBER 18, 2106 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mr. xxxx, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1649-10-16

A RESOLUTION TO AUTHORIZE THE CHAIR AND VICE CHAIR OF THE ST. BERNARD PARISH COUNCIL TO ADVERTISE FOR REQUESTS FOR PROPOSALS (RFP'S) FOR THE 2016 COMPREHENSIVE FINANCIAL AUDIT OF ST. BERNARD PARISH GOVERNMENT.

WHEREAS, St. Bernard Parish Council is desirous to advertise for the 2016 Comprehensive Financial Audit for St. Bernard Parish; and

WHEREAS, the Council Chair and Vice Chair are authorized to solicit RFP's for St. Bernard Parish.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Council Chair and Vice Chair to immediately advertise RFP's for the 2016 Comprehensive Financial Audit for St. Bernard Parish Government.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as xxx.

And the motion was declared **xxxx** on the 18th day of October, 2013.

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Extract #17 continued
October 18, 2016

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2106.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

EXHIBIT "A"
SUMMARY NO. 3424
ORDINANCE SBPC #XXXX-XX-XX

Chapter 19 – Streets and other public ways
Article I – In general

Section 19-5 – Complete Street Policy Implementation in Public Right-Of-Ways

Chapter 19 – Article I – Section 19-5

Sec. 19.5 Complete Street Policy Implementation in Public Right-Of-Ways.

Sec. 19-5-1. Applicability

The Department of Public Works shall ensure Complete Street element implementation when one of the following projects occur:

- 1) New roadway construction
- 2) Major resurfacing of existing roadway
- 3) Major drainage project located adjacent or parallel to public roadway

19-5-1.1. Emphasis areas

The St. Bernard Parish Complete Streets Emphasis Map (Appendix E – Maps) was created to highlight major and minor roadways of the parish where Complete Street implementation would serve the greatest benefit to residents and commuters such as: linking transit stops as well as providing efficient and safe access to schools and parks. These existing public major and minor roadways shall be considered top priorities for Complete Street element implementation set forth in this section, subject to the requirements of this chapter and Chapter 5-27.

19-5-1.2. Rural Applicability

Required Complete Street element implementation shall be considered discretionary in the rural areas past the Violet Canal subject to the authority of the Director of Public Works if not designated a priority by the St. Bernard Parish Bikeway and Pedestrian Plan Update subject to Chapter 22-7.10.

Sec. 19-5-2. Implementation

19-5-2.1. Policy Elements

19-5-2.1.a. Sidewalks

ADA compliant sidewalks shall be required along all public right-of-ways.

19-5-2.1.b. Pedestrian connectivity

Suitable accommodations for safe and efficient ingress/egress for pedestrians shall be ensured. This would include sufficient walkways through the parking lot connecting from the sidewalk at the right-of-way to the commercial building along with walkways separating the parking lot from the commercial building running along the front façade.

19-5-2.1.c. Bicycle accommodation

A streamlined system of bicycle ingress/egress from the right-of-way to the development providing safe and efficient flow for bicycle riders shall be required.

EXHIBIT "A"
SUMMARY NO. 3424
ORDINANCE SBPC #XXXX-XX-XX

19-5-2.1.d. Bicycle lanes

Adequate demarcation of bicycle lanes shall be administered along public roadways as designated by the St. Bernard Parish Bikeway and Pedestrian Plan Update.

19-5-2.1.e. Transit accommodation

When a transit stop is located on site, accommodations shall be made for the safe and efficient flow of foot traffic accessing the transit stop.

Accommodations shall include added sidewalks or walkways, non-sight impairing landscaping, signage location, providing trash cans, and maintaining a litter-free lot.

19-5-2.2 – Design Standards

Complete Street design standards to be administered by the Department of Public Works with guidance by the Department of Community Development and shall adhere to the standards set forth in the NACTO (National Association of City Transportation Officials) *Urban Bikeway Design Guide* whenever possible.

#19

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #xxxx-10-16

Summary No. 3425

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 5; Buildings; Construction and Related Activities, Article I; In general to add Section 5-27; Complete Street Policy Implementation for Private Development to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

Page -2-
Extract #19 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

EXHIBIT "A"
SUMMARY NO. 3425
ORDINANCE SBPC #XXXX-XX-XX

Chapter 5 – Buildings; Construction and Related Activities
Article I – In general
Section 5-27 – Complete Street Policy Implementation for Private Development

Chapter 5 – Article I – Section 5-27

Sec. 5-27. – Complete Street Policy Implementation for Private Development.

5-27-1. Purpose

The purpose of this section is to address St. Bernard Parish Complete Streets Policy as it pertains to development on private property. Its mission is to ensure safe access for all users of public rights-of-way in order to improve safe travel, accessibility, connectivity, health, economic growth, and the overall quality of life for St. Bernard Parish per Parish Council resolution SBPC #1572-04-16.

5-27-2. Applicability

This section shall apply to all new commercial construction projects and renovation projects consisting of 50% or greater in scope of improvement located on private land in St. Bernard Parish subject to Chapter 22-7-10.

5-27-3. Scope

The scope of the St. Bernard Parish Complete Streets Policy shall include elements pertaining to sidewalks, pedestrian accessibility, safe and efficient site passage, vehicle and bicycle accessibility, bicycle parking, and accommodating for safety and efficiency for transit riders.

5-27-3.1 Emphasis areas

The St. Bernard Parish Complete Streets Emphasis Map (Appendix E – Maps) was created to highlight major and minor roadways of the parish where Complete Street implementation would serve the greatest benefit to residents and commuters such as: linking transit stops as well as providing efficient and safe access to schools and parks. These existing public major and minor roadways shall be considered top priorities for Complete Street element implementation set forth in this section, subject to the requirements of this chapter.

5-27-4. Implementation

The St. Bernard Parish Complete Streets Policy elements set forth in this section shall be addressed by means of site plan review administered by the Department of Community Development during initial commercial plan review and shall receive final approval by the Department of Public Works and/or Department of Community Development depending on applicability.

5-27-4.1. Policy Elements

5-27-4.1.1. Sidewalks

ADA compliant sidewalks shall be required along all public right-of-ways.

EXHIBIT "A"
SUMMARY NO. 3425
ORDINANCE SBPC #XXXX-XX-XX

5-27-4.1.2. Pedestrian connectivity

Suitable accommodations for safe and efficient ingress/egress for pedestrians shall be ensured. This would include sufficient walkways through the parking lot connecting from the sidewalk at the right-of-way to the commercial building along with walkways separating the parking lot from the commercial building running along the front façade along with adequate and ADA approved curb cuts for greater pedestrian ease-of-access.

5-27-4.1.3. Bicycle accommodation

A streamlined system of bicycle ingress/egress from the right-of-way to the development providing safe and efficient flow for bicycle riders shall be required.

5-27-4.1.3.a. Bicycle parking

Adequate bicycle parking, by means of (a) bicycle rack(s) shall be located at near the front entrance of the development. The volume of required bicycle parking shall scale with the scope of the commercial development and shall have final discretionary determination of the Director of Community Development.

5-27-4.1.4. Transit accommodation

When a transit stop is located on site, accommodations shall be made for the safe and efficient flow of foot traffic accessing the transit stop. Accommodations shall include added sidewalks or walkways, non-sight impairing landscaping, signage location, providing trash cans, and maintaining a litter-free lot.

#20

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #xxxx-10-16

Summary No. 3426

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.
ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards, Subsection 1.1; Overall Landscape Area Requirements to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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Extract #20 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

EXHIBIT "A"
SUMMARY NO. 3426
ORDINANCE SBPC #XXXX-XX-XX

Chapter 22 – Zoning
Section 7 – Site Development Standards
Subsection 1.1 – Overall landscape area requirement

22-7-1.1. *Overall landscape area requirement.*

- a. Any lot developed in a business, industrial, design development district zones shall provide landscaped areas on the portions of the site that are not covered by an impervious surface.
- b. Perimeter landscaped areas shall contain at least one (1) shade tree at least ~~three (3)~~ **five (5)** inches in caliper for each fifty (50) feet or part thereof of perimeter or as required by the commission.

#21

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #xxxx-10-16

Summary No. 3427

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.
ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following St. Bernard Parish Government does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards to create Subsection 10; Complete Streets to the St. Bernard Parish Code of Ordinances as attached (Exhibit A).

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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Extract #21 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

EXHIBIT "A"
SUMMARY NO. 3427
ORDINANCE SBPC #XXXX-XX-XX

Chapter 22 – Zoning
Section 7 – Site Development Standards
Subsection 10 – Complete Streets

22-7-10. Complete Streets

The St. Bernard Parish Complete Streets Policy per Resolution SBPC #1572-04-16 shall be considered a matter of public health and safety for the residents and commuters of St. Bernard Parish and therefore of utmost priority. All proposed development expressly described in Chapter 5.27 and Chapter 19.5. shall implement Complete Street elements set forth in said sections when feasible subject to Chapter 22-7.10.a.1 and shall be reviewed by means of site plan review with subsequent approval by the Directors of Community Development and the Department of Public Works.

1. Feasibility standards

- a. Complete Street element implementation shall be required within all private development located along all public right-of-ways.
- b. For a development to be considered not feasible for Complete Street implementation, the following conditions shall occur subject to the discretionary approval of the Director of Community Development during the site plan review process for development subject to Chapter 5-27:
 - i. Development is not located on a public right-of-way
 - ii. The cost of providing Complete Street implementation would be excessively disproportionate to the need or probable use of development located within A-1 (Rural) and SA (Suburban Agriculture) zoning districts
 - iii. An existing structure or site condition with an existing legally non-conforming encroachment into the public right-of-way, when reasonable alternatives cannot be achieved

#22

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3429

Introduced by: Administration on 10/18/16

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

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2016 is hereby amended as per attached in Exhibit "A".

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department's specific budget.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

Page -2-
Extract #22 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

Summary No. 3429

**St. Bernard Parish Government
Proposed 2016 Budget Amendment 10-18-2016**

<u>FUND</u>	<u>G/L ACCOUNT CODE</u>			<u>ACCOUNT TITLE</u>	<u>ACCOUNT TYPE</u>	<u>ENTRY AMOUNT</u>	
	<u>COST CENTER</u>	<u>PROJECT</u>	<u>LEDGER CODE</u>			<u>INCREASE</u>	<u>DECREASE</u>
078	6110	0000	505456	Salaries	Expenditure	\$ 90,000.00	
078	6110	0000	505466	Payroll taxes	Expenditure	\$ 7,200.00	
078	6110	0000	530453	R&M Bldg & Facilities	Expenditure	\$ 20,000.00	
			391000	Net Effect on Fund Balance		<u>\$0.00</u>	<u>\$117,200.00</u>

The budget amendment is to increase the budget for part-time concession, referees, score keepers salaries and related payroll taxes and to increase repairs & maintenance due to terminations.

<u>FUND</u>	<u>G/L ACCOUNT CODE</u>			<u>ACCOUNT TITLE</u>	<u>ACCOUNT TYPE</u>	<u>ENTRY AMOUNT</u>	
	<u>COST CENTER</u>	<u>PROJECT</u>	<u>LEDGER CODE</u>			<u>INCREASE</u>	<u>DECREASE</u>
61	6110	0	530453	R&M Bldg & Facilities	Expenditure	\$10,000.00	
			391000	Net Effect on Fund Balance		<u>\$0.00</u>	<u>\$10,000.00</u>

#23

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3430

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to create and insert Appendix F; Reasonable Accommodation under the Fair Housing Act to the St. Bernard Parish Code of Ordinances.

SECTION 1. the St. Bernard Parish Council does hereby create and insert "Exhibit A" as attached Appendix F; Reasonable Accommodation under the Fair Housing Act to the St. Bernard Parish Code of Ordinances.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

Page -2-
Extract #23 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxxxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal of the Parish of St. Bernard on this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

EXHIBIT "A"
SUMMARY NO. 3430
ORDINANCE SBPC #XXXX-XX-XX

APPENDIX F
REASONABLE ACCOMMODATION UNDER THE
FAIR HOUSING ACT

Sec. 1. Purpose

It is the policy of St. Bernard Parish, pursuant to the Fair Housing Amendments Act of 1988, to provide people with disabilities reasonable accommodation in ordinances, rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The purpose of these provisions is to provide a process for making requests for reasonable accommodation to land use and zoning decisions, ordinances and procedures regulating the siting, funding, development and use of housing for people with disabilities. In these regulations, "use of housing" includes, but is not limited to, housing related services and the use and enjoyment of the property.

Sec. 2. Definitions

Act. The Fair Housing Amendments Act of 1988.

Applicant. The individual making the request for reasonable accommodation pursuant to these Regulations.

The DEPARTMENT. Community Development.

DIRECTOR. The Director of Community Development.

Disability. Any person who has a physical or mental impairment that substantially limits one or more major life activities; anyone who is regarded as having such impairment; anyone who has a record of such impairment; or any disability that qualifies as a disability under the Act. People who are currently using illegal substances are not covered under the Act, unless they have a separate disability.

Sec. 3. Notice to the Public of Availability of Accommodation Process

At all counters where application is made for a permit, license or other authorization for the siting, funding, development or use of housing, a notice in the form set forth in Exhibit A shall be prominently displayed advising applicants that they may request a reasonable accommodation of existing ordinances, rules, policies, practices and procedures. Forms for requesting an accommodation shall be available in all departments where decisions are made regulating the siting, funding, development and use of housing.

Sec. 4. Requesting Reasonable Accommodation

In order to make specific housing available to an individual with a disability, any person may request a reasonable accommodation in the ordinances, rules, policies, practices and procedures regulating the siting, funding, development or use of housing by completing the "Fair Housing Accommodation Request" form (Exhibit B) and filing it with the DEPARTMENT.

- A. If an individual needs assistance in making the request for reasonable accommodation, the DEPARTMENT shall provide the assistance necessary to ensure that the process is accessible to the applicant.
- B. A request for reasonable accommodation in ordinances, rules, policies, practices and/or procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing; at the outset or during the approval process.

Sec. 5. Review of Requests for Reasonable Accommodation

- A. When a request for reasonable accommodation is filed with the DEPARTMENT, it is referred to the DIRECTOR for review and consideration. The DIRECTOR shall issue a written decision within thirty (30) days of the date of the application and may grant the reasonable accommodation request with or without modification or deny the request. See Notice of Decision on Fair Housing Accommodation Request for (Exhibit C) for DIRECTOR'S use.
- B. If necessary to reach a decision on the request for reasonable accommodation, the DIRECTOR may request further information from the applicant consistent with the Act, specifying in detail what information is required.
- C. Not more than thirty (30) days after receiving a written request for reasonable accommodation, the DIRECTOR shall issue a written decision on the request; provided that, in the event that the DIRECTOR requests further information pursuant to the above paragraph, the running of this period shall be tolled (stopped) until the applicant responds to the request.

Sec. 6. Factors for Considering Requests for Reasonable Accommodation

The DIRECTOR shall consider the following factors and any other relevant factors when deciding whether a requested accommodation is reasonable:

- Is the housing, which is the subject of the request for reasonable accommodation, to be used by an individual(s) protected under the Act?
- Is the request for accommodation necessary to make specific housing available to an individual(s) protected under the Act?
- Whether the requested accommodation would impose an undue financial, administrative or other burden on the Parish?
- Whether the requested accommodation would require a fundamental alteration in the nature of a program?

Sec. 7. Written Decision on the Request for Reasonable Accommodation

- A. The DIRECTOR'S written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the DIRECTOR'S findings on the factors set forth in Sec. 6, above. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process as set forth below. The DIRECTOR'S Notice of Decision shall be sent to the applicant by certified mail.

Sec. 8. Appeals

- A. Within thirty (30) days of the date of the DIRECTOR'S written decision, the applicant may appeal the decision by filing the Appeal of Denial of Fair Housing Accommodation Request form (Exhibit D) with the Board of Zoning Adjustments. Delivery of the appeal to the DEPARTMENT shall constitute filing of the Appeal.
- B. If the DIRECTOR fails to render a written decision on the request for reasonable accommodation within the time period allotted by Sec. 5, above, the applicant shall be entitled to file an appeal to the Board of Zoning Adjustments within ninety (90) days of the date the applicant filed the request for reasonable accommodation with the DIRECTOR.
- C. An applicant may request reasonable accommodation in the procedure by which an appeal will be conducted. If an applicant needs assistance in filing an appeal, the Parish shall provide the assistance that is necessary to ensure that the appeal process is accessible to the applicant.
- D. All appeals shall contain a statement of the grounds for the appeal.
- E. Upon receipt of an appeal, the DEPARTMENT shall refer the appeal to the Board of Zoning Adjustments within seven days. The Board of Zoning Adjustments shall hear the appeal at its next available meeting that allows sufficient time to fulfill any public notice requirements.
- F. Nothing in these provisions shall preclude an aggrieved individual from seeking any other state or federal remedy available.

NOTICE OF FAIR HOUSING ACCOMMODATION PROCEDURES FOR PEOPLE WITH DISABILITIES

THIS IS NOT A COMPREHENSIVE EXPLANATION OF YOUR RIGHTS UNDER THE FEDERAL FAIR HOUSING AMENDMENTS ACT.

You may request a reasonable accommodation to ordinances, rules, policies, practices and procedures for the siting, development and use of housing, including housing related services or facilities, if you meet all of the following:

- You have a disability* or the housing is for people with disabilities;
- You may need a reasonable accommodation to existing rules and regulations to have equal opportunity to housing AND;
- Your request for accommodation would not be an undue burden on the parish.

If you believe that you satisfy the above criteria and are entitled to a reasonable accommodation under the Fair Housing Amendments Act of 1988, you may obtain a Fair Housing Accommodation Request form from the front desk. If you need assistance in applying for a reasonable accommodation, the DEPARTMENT will assist you.

*The Fair Housing act defines “disability” as any of the following: a physical or mental impairment that substantially limits one or more major life activities; a record of having such an impairment or; being regarded as having such an impairment. The Fair Housing Act does not protect individuals currently using illegal substances, unless they have a separate disability.

EXHIBIT A

FAIR HOUSING ACCOMMODATION REQUEST

EXPLANATION OF RIGHTS UNDER THE FAIR HOUSING AMENDMENTS ACT

Before completing the request for a reasonable accommodation, below, please read the following information about who is protected by the Fair Housing Amendments Act and what accommodation may be available under the law. This is not a comprehensive explanation of your rights under the Fair Housing Amendments Act.

Do the protections of the Fair Housing Amendments Act apply to me?

You are protected by the Fair Housing Amendments Act if you have a disability or the housing is for people with disabilities. "Disability" means any one of the following: a physical or mental impairment that substantially limits one or more major life activities or a record of having such an impairment or being regarded by others as having such an impairment. The Fair Housing Amendments Act does not protect an individual currently using illegal substances, unless that person has a separate disability.

What kind of accommodation may I request under the Fair Housing Amendments Act?

If you have a disability or the housing is for people with disabilities, the Fair Housing Amendments Act required that the Parish provide you with reasonable accommodation in ordinances, rules, policies, practices and procedures that may be necessary for people with disabilities to have equal opportunity to use and enjoy a dwelling. More specifically, the Parish must provide you with reasonable accommodation in decisions and procedures regulating the siting, funding, development or use of housing, including housing related services or facilities.

How do I request reasonable accommodation from the Parish?

To make a request for reasonable accommodation, answer the questions on the attached one-page request form, sign and date the form and return it to the DEPARTMENT. If you need help in answering the questions on the request form, you may ask for assistance from the DEPARTMENT. Your accommodation request will be reviewed by the DIRECTOR who will issue a written decision on your request within thirty (30) days of the date of the request.

What if I disagree with the DIRECTOR'S decision or the DIRECTOR does not timely issue a decision?

If you disagree with the DIRECTOR'S decision, you may appeal the decision by filing a Notice of Appeal with the Board of Zoning Adjustments within thirty (30) days of the decision. If the DIRECTOR fails to timely render a written decision on the request for reasonable accommodation, you are entitled to file an appeal with the Board of Zoning Adjustments within ninety (90) days of the date you initially filed the request for reasonable accommodation with the DIRECTOR. You may request reasonable accommodation in the procedure by which an appeal may be conducted. You may also contact your local fair housing or disability rights organization or legal counsel for further assistance. Nothing in this accommodation request procedure limits your right to any other available state or federal remedy.

APPLICATION FOR REQUEST FOR REASONABLE ACCOMMODATION

NOTE: If you need help in completing this request form, the DEPARTMENT will assist you. Please contact the person at the counter where you received this request form for assistance.

1. Name of Applicant

Telephone Number

2. Address

3. Address of Housing at which Accommodation is requested

4. Describe the accommodation you are requesting and the specific ordinance(s), regulation(s) and/or procedure(s) from which accommodation is sought.

5. Give the reason that the reasonable accommodation may be necessary for you or, the individuals with disabilities seeking the specific housing, to use and enjoy the housing.

6. Identify the disability(s) that require accommodation.

7. If we have questions about your request for reasonable accommodation and you would like us to contact someone assisting you with this request, instead of you, please give us that person's name, address and telephone number.

8. Signature of Applicant _____ Date: _____

PLEASE ATTACH ANY DOCUMENTS OR ADDITIONAL INFORMATION THAT YOU THINK SUPPORTS YOUR REQUEST FOR REASONABLE ACCOMMODATION AND WOULD ASSIST US IN CONSIDERING YOUR REQUEST.

Signature _____ of DIRECTOR _____ Date _____

NOTICE OF RIGHT TO APPEAL: If you disagree with this decision, you may appeal this decision to the Board of Zoning Adjustments within thirty (30) days of the date of this decision. To file an appeal, complete and file an Appeal of Denial of Fair Housing Accommodation Request form with the DEPARTMENT. You may request reasonable accommodation in the procedure by which an appeal may be conducted.

EXHIBIT C

**APPEAL OF DENIAL OF FAIR HOUSING ACCOMMODATION
REQUEST**

NOTICE: PLEASE ATTACH TO THIS APPEAL FORM: (1) A COPY OF YOUR FAIR HOUSING ACCOMMODATION REQUEST ALONG WITH ANY ATTACHMENTS SUBMITTED WITH THE REQUEST AND (2) THE NOTICE OF THE DECISION DENYING YOUR ACCOMMODATION REQUEST.

TO: THE BOARD OF ZONING ADJUSTMENTS

1. Date of Adverse Decision: _____

2. Date Appeal Filed: _____

3. State why you think the decision on your request for accommodation is wrong and how it should be modified:

4. Provide any new information, facts or documents that support your request for accommodation:

5. Signature _____ Date _____

Print Name: _____ Phone: _____

Address: _____

#24

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 18, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mr. xxxx, it was moved to **introduce** the following ordinance:

Summary No. 3431

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the St. Bernard Parish Council authorizes and approves the public auction to be held on October 20, 2016 which auction surplus Road Department equipment;

WHEREAS, said auction to be publicly advertised via public notice September 30, 2016, October 7, 2016 and October 14, 2016 in the St. Bernard Voice;

WHEREAS, the equipment listed in Exhibit "A" was surplus and not needed for a public purpose.

SECTION 1. St. Bernard Parish Council the governing authority for St. Bernard parish does hereby authorize the Road Department to hold a public auction for all items listed in Exhibit "A" in accordance with Louisiana Revised Statute 49:125.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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Extract #24 continued
October 18, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as xxx.

And the motion was declared **xxxx** on the 18th day of October, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 18, 2016.

Witness my hand and the seal of the Parish of St. Bernard on this 18th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

Exhibit "A"
Summary No. 3431
Ordinance SBPC #xxxx-11-16

2016 VEHICLE/EQUIPMENT AUCTION ITEMS						
DEPT	UNIT	VIN	DESCRIPTION	YEAR	MILES	NOTES
ROAD	414	1GCEK19V51E283648	CHEVY 1500 PICK UP	2001	205,148	VALVE SEAL LEAKS CAUSING TO SMOKE FRONT BUMPER, REAR BUMPER AND BODY WORK
ROAD	429	1FTSW30L1YEA84684	FORD F350 PICK UP	1998	157,580	SPARK PLUGS, BLOW OUT CYLINDER NEEDS BODY WORK HIGH MILES
ROAD	430	1FTPW14565FB51633	FORD F150 PICK UP	2005	138,469	TRANSMISSION SLIPS NEEDS BRAKES AND LOT OF MILES
ROAD	431	1FTPX2766WKC14939	FORD F150 PICK UP	1998	140,642	FRONT AND REAR BUMPER DAMAGE. CLEAN OUT FUEL SYSTEM, NEEDS BRAKES AND TIRES
ROAD	432	1FTPX2763WKC14946	FORD F250 PICK UP	1990	134,288	HEAD GASKET BAD, WATER COMES OUT EXHAUST
ROAD	477	1FTPF18L5YKB36822	FORD F150 PICK UP	2000		NEEDS NEW COMPUTER AND FRONT ENGINE
ROAD	442	IHTWDAARX5J151014	FLUSH TRUCK	2004	42,450	BAD ELECTRICAL SYSTEM AND EXHAUST
ROAD	451	CJF0069213	CASE BACKHOE	2006		PARTS MISSING
ROAD	455	N53387636	CASE BACKHOE	2006		PARTS MISSING
ROAD	474	1HTMMAAN66H327182	TRASH TRUCK	2005	10,062	PARTS MISSING, TURBO CHARGE BAD
ROAD	490	1FDNK74C5RVA19880	FORD F700 BOX TRUCK	1994		CLUTCH SLIPS AND MASSIVE BODY WORK
ROAD	M-1	1FTRX12W46NA08250	Ford F150	2005	100,000	DAMAGED IN ACCIDENT
W&S	509	1FTRF17263NB46123	03-F-150	2003		BAD DASH BOARD, CLUTCH
W&S	512	1B7HC16X2WS705805	98 DODGE RAM	1998	100,000	ENGINE WILL RUN TRANSMISSION SLIPS BAD, BAD BODY DAMAGE, COST NOT WORTH REPAIRING
W&S	516	1FTNF20516EA14212	06 F-250	2006	125,000	EXHAUST SYSTEM,INJECTION SYSTEM, TIRE AND BRAKES NEEDS TO BE REPLACED BODY DAMAGE
W&S	526	1GCFC29TXYZ159352	2005 CHEVY	2005	188,000	BAD BODY DAMAGE, BAD COOLANNT SYSTEM, BRAKS AND TIRES, COST NOT WORTH REPAIRING
W&S	533	1B7HC16X6WS705807	1998 DODGE RAM	1998	102,616	NEEDS COMPLETE SERVICE, VALVE SEALS BAD, COST NOT WORTH REPAIRING
W&S	535	1FTRF17W53NB76703	F-150	2003	177,874	ENGINE SEALS LEAK, OIL LEAKS IN FUEL SYSTEM, BAD BRAKS, TRANSMISSION, TIRES AND COOLANT SYSTEM
W&S	510	1FDXW46P36ED45166	F-450	2006	123,254	ENGINE SEALS LEAK, OIL LEAKS IN FUEL SYSTEM, BAD BRAKS, TRANSMISSION, TIRES AND COOLANT SYSTEM
W&S	511	1FDXW45PGED91367	F-450	2006	101,383	EXHAUST SYSTEM,INJECTION SYSTEM, TIRE AND BRAKES NEEDS TO BE REPLACED BODY DAMAGE
W&S	516	1FTNF20516EA47545	F-250	2006	109,486	BAD BRAKES, DOOR JAM, BODY WORK, COST NOT WORTH REPAIRING, VEHICLE NOT IN USE
INSURANCE	INS1	1FMZU71XOYZC15882	FORD EXPLORER	2000	130,000	ENGINE HEAD CRACKED, BAD BRAKES, TIRES AND BODY WORK COST NOT WORTH REPAIRING
MOSQUITO	MC-2	1FTPX2768WKC14943	F-250	1998	166,490	NEEDS TUNE UP BEEN SITTING FOR LONG TIME
MOSQUITO	MC-21	1GDJC34086E184790	GMC 3500	2005		BAD HOSE, TRANSMISSION AND BODY WORK
MOSQUITO	MC-14	1FDJF37Y25EA5610	1995 F-350	1995	101,862	BODY DAMAGE, BAD ENGINE WAS IN ACCIDENT
MOSQUITO	MC-17	1FDJF37HXTEA85027	1996 F-350	1996		BAD REAR BED, DOORS, FRONT BUMPER TIRES AND BRAKES COST NOT WORTH REPAIRING
MOSQUITO	MC-21	1GDJC34D86E189790	2006 GMC 3500	2006	30,000	NEEDS NEW DASH BOARD BRAKES, TIRES AND LIGHTS, COST NOT WORTH REPAIRING
ADMIN	ADMIN	2GCEC13T561115683	SILVERADO	2005		A/C SYSTEM, BRAKES, TIRES, FRONT ENGINE NEEDS REPAIRS
ADMIN	ADMIN	284FP44331R218699	DODGE VAN	2000		EXHAUST SYSTEM, FRONT END, BRAKES, TIRES NEED REPAIR. TRANSMISSIN SLIPS
RS	C-10	1FMPU18L5WLB58845	EXPEDITION	1998	80,276	TRANSMISSION AND DASH NEED TO BE REPLACED, A/C, TIRES AND BRAKES BAD
RS	C-6	1FMZU73K05UA39961	EXPLORER	2005	113,030	WATER PUMP, FRONT END BAD, NEEDS BODY WORK AND INSIDE REPAIRS
OEP	OEP	1FMPU155T6LA16416	EXPEDITION XLT	2006		NEEDS SERVICE, TIRES, BRAKES. VEHICLE HAS NOT BEEN IN USE FOR OVER A YEAR
RS	RS	3GKEC16Z25G274302	YUKON XL	2005	101,402	NEEDS DECK GEAR BOX COST NOT WORTH REPAIRING
FIRE	FIRE	1GNEC16Z15R208309	2005 CHEVY SUBURBAN	2005	127,709	HAS BEEN USED FOR PARTS.
ROAD	T8	33194	KUBOTA ZD331 ZERO TURN	2009		HYD COVER LEAKS, GEAR BOX SPINDER BAD
ROAD	T10	ID# 3028104986	M95400TL TRACTOR	2009		DECK DAMAGE AND BAD GEAR BOX
ROAD	T12	30152	KUBOTA ZD331 ZERO TURN	2009		ENGINE BAD AND CRANK SHAFT BAD. BEEN SITTING FOR YEARS
ROAD	T13	17887	KUBOTA ZD331 ZERO TURN	2009		HYD AND HOSE LEAKS, BAD CLUTCH AND FRONT END

2016 VEHICLE/EQUIPMENT AUCTION ITEMS

DEPT	UNIT	VIN	DESCRIPTION	YEAR	MILES	NOTES
ROAD	T18	10042	M5640SU	2010		NEEDS NEW ENGINE AND HOSE FITTING PARTS MISSING
ROAD	T19	ROPS82980659	6610 TRACTOR	1989		HYD CYLINDER LEAKS BAD ELECTRICAL SYSTEM
ROAD	T26	33199	KUBOTA ZD331 ZERO TURN	2013		HAS BEEN BROKEN FOR YEARS. WATER HOSE
ROAD	E5	N856591	YALE FORKLIFT	1991		HYDROLIC LEAK, HOSES, ELECTRICAL SYSTEM BAD
ROAD	E7	T00317A116688	JOHN DEERE skid loader	2006		HYDROLIC LEAK, HOSES, PARKED FOR YEARS
W&S		SER# 190432	ONEN GEN 100KW	1980		WENT UNDER WATER
W&S		SER# L7607892	ONEN GEN 30KW	1980		WENT UNDER WATER
ROAD		DEUT25DZXL065042	PUMP	2005		NEEDS GEAR BOX
ROAD		SER #12-09941	BUSH HOG 5 FOOT	2009		PARTS ONLY
ROAD		SER# 12-36534	BUSH HOG TRIPPLE WING	2009		BROKEN GLASS FRONT ENTRY DOOR. HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	733	1GBE4V1927FA425655	BUS	2007	131,301	PARTS ONLY
TRANSIT	734	1GBE4V1997F425846	BUS	2007	148,752	DOESN'T START, BROKEN GLASS FRONT ENTRY DOOR. HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	735	1GBEV1907F4235895	BUS	2007	89,608	DOESN'T START HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	736	1GBEV1907F425881	BUS	2007		PARTS ONLY
TRANSIT	737	1GBEV1907F425964	BUS	2007	149,618	NEEDS BRAKES AND BATTERY.
TRANSIT	738	1GBEV1907F425939	BUS	2007	108,525	NEEDS BATTERY AND NEW TIRE
TRANSIT	740	1GBEV1907F425918	BUS	2007	115,751	NEEDS NEW BATTERY, NO HYDRYO BOOST AND HAS A FLAT TIRE
<u>ROAD</u>	<u>452</u>	<u>JJGN595NJAC538052</u>	<u>CASE BACKHOE</u>	<u>2010</u>		
<u>ROAD</u>	<u>450</u>	<u>1FNX21S62EC406990</u>	<u>F250 PICKUP</u>	<u>2002</u>		
<u>ROAD</u>	<u>T23</u>	<u>SERIAL #02980378</u>	<u>TS100A - SLOPEMOWER</u>			
<u>ROAD</u>		<u>SERIAL #12-36536</u>	<u>BUSH HOG TRIPLE WING</u>			