

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON THURSDAY, **FEBRUARY 18, 2016 AT 3:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on February 18, 2016 at three o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:15 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, Parish President, Guy McInnis and CAO, Ronnie Alonzo was present representing Administration.

Father Lance Campo delivered the invocation and Councilmember Alcon led the Pledge of Allegiance.

#1 On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to approve the minutes from the January 26, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 5, 2016 and the February 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 12, 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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

#2 On motion of the Chair, without objection and by unanimous consent, it was moved to proclaim February 29, 2016 – March 4, 2016 as "Severe Weather Awareness Week" in St. Bernard Parish.

Ms. Callais took Chairman's Privilege to have a moment of silence for Mr. Ronald Nicosia.

#3 President's Report

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

#4 Councilmember's District Update

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

#5 Recognize the Public

- Earl Dautrive – Chalmette, LA
- Albert Crovetto – St. Bernard, LA
- Ken Dufour – Violet, LA
- Suzanne Kneal – Chalmette, LA

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#6 Summary No. 3335

Introduced by: Councilman Lewis on 1/26/16
Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 Summary No. 3336

Introduced by: Councilman Montelongo on 1/26/16
Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #34.

#34 On joint motion of the Council, without objection and by unanimous consent, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1729-02-16

Summary No. 3336

Introduced by: Councilman Montelongo on 1/26/16
Public hearing held on 2/18/16

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

#8 Summary No. 3338

Introduced by: Administration on 1/26/16
Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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#9 Summary No. 3339

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3340

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3341

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#12 Summary No. 3342

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

A COPY OF THIS PUBLIC HEARING IS ON FILE WITH THE MINUTES OF THIS MEETING

#13 Summary No. 3343

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#14 Summary No. 3346

Planning Commission recommended **APPROVAL** on 1/26/16

Introduced by: Administration on 2/2/16

Public hearing held on 2/18/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-002**, PETITION OF AYCOCK STREET PROPERTIES, LLC FOR A ZONING CHANGE FROM "C-1, (NEIGHBORHOOD COMMERCIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3624 DELILLE ST. CHALMETTE, LA 70043.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1440-02-16

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. Hiren & Jatin, Inc. dba Super Discount Store 3235 Paris Road, Chalmette, LA 70043 Owners: Jatin Desai and Hiren Shah Expired: November 30, 2015 **(Renewal) (Beer & Liquor)**
2. M & A Cheema, LLC dba AAA Shell 2601 Paris Road, Chalmette, LA 70043 Owners: Muhammed Cheema & Asia Cheema Expired: January 31, 2016 **(Renewal) (Beer & Liquor)**
3. Moran Foods, LLC dba Save-A-Lot #355 8700 W. Judge Perez Drive, Chalmette, LA 70043 Manager: Will Espionosa Expired: January 31, 2016 **(Renewal) (Beer & Liquor)**
4. Murphy Oil USA, Inc. dba Murphy USA #7217 8001 A. W. Judge Perez Drive, Chalmette, LA 70043 Manager: Shariff Hassan Expired: January 31, 2016 **(Renewal) (Beer & Liquor)**
5. Parish Buds, LLC dba Bud's Broiler 2800 Paris Road, Chalmette, LA 70043 Owner: Justin D. Palmer Expires: February 28, 2016 **(NEW)(Beer only)**
6. QC Discount, LLC dba QC Discount 4725 E. Judge Pere Drive, Violet, LA 70092 Owner: Abdallah A. Jaber Expires: February 28, 2016 **(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

ABSTAINED: Lewis

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1441-02-16

A RESOLUTION TO REQUEST REIMBURSEMENT FOR TRAVEL EXPENSES INCURRED BY COUNCILMAN NATHAN GORBATY DURING THE MONTH OF JANUARY WHILE IN ATTENDANCE AT MEETINGS IN WASHINGTON, DC AND THE POLICE JURY ASSOCIATION MEETINGS IN BATON ROUGE, LA.

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On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to amend this resolution to remove the language "and the police jury association meetings in Baton Rouge, La"

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

YEAS: McCloskey, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1441-02-16

A RESOLUTION TO REQUEST REIMBURSEMENT FOR TRAVEL EXPENSES INCURRED BY COUNCILMAN NATHAN GORBATY DURING THE MONTH OF JANUARY WHILE IN ATTENDANCE AT MEETINGS IN WASHINGTON, DC.

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

YEAS: McCloskey, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1442-02-16

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE RIVERBEND WASTEWATER TREATMENT POND LOCATED AT JUDGE PEREZ AT SOUTHLAKE BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

Discussion ensued;

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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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1443-02-16

A RESOLUTION APPOINTING SEAN WARNER TO THE ST. BERNARD PARISH REDEVELOPMENT, LLC BOARD, AS A GOVERNING REPRESENTATIVE.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1444-02-16

A RESOLUTION APPOINTING ANDREW BECKER TO THE ST. BERNARD PARISH REDEVELOPMENT, LLC BOARD, AS A GOVERNING REPRESENTATIVE.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1445-02-16

A RESOLUTION TO APPOINT RONALD J. ALONZO, JR., CHIEF ADMINISTRATIVE OFFICER, TO THE ST. BERNARD PARISH 911 COMMUNICATIONS DISTRICT.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1446-02-16

A RESOLUTION TO RE-APPOINT COLONEL JOHN VICKERS, JR., ST. BERNARD PARISH SHERIFF'S OFFICE TO THE ST. BERNARD PARISH 911 COMMUNICATIONS DISTRICT.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1447-02-16

A RESOLUTION TO RE-APPOINT MASTER TROOPER STEVE VOLANTE, LA STATE TROOPER ASSOCIATION TO THE ST. BERNARD PARISH 911 COMMUNICATIONS DISTRICT.

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

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ABSENT: None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

RESOLUTION SBPC #1448-02-16

A RESOLUTION AUTHORIZING TWO GRANT APPLICATIONS TO WALMART FOUNDATION'S COMMUNITY GIVING PROGRAM IN THE AMOUNT OF \$2,500.00 EACH FOR RECREATION DEPARTMENT EQUIPMENT.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3344

Removed prior to Introduction on 1/26/16

Introduced by: Councilmember Gorbaty on 2/18/16

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

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

YEAS: Gorbaty, Luna, Alcon, Montelongo

NAYS: McCloskey, Lewis

ABSENT: None

The Chairman, Ms. Callais, cast her vote as **Nay**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3348

Introduced by: Administration on 2/18/16

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3349

Introduced by: Administration on 2/18/16

AN ORDINANCE APPOINTING SCOTT M. SMITH AS THE HEARING OFFICER FOR THE BUREAU OF ADMINISTRATIVE ADJUDICATION.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3350

Introduced by: Councilmember Lewis on 2/18/16

AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH SCOTT M. SMITH SETTING FORTH THE COMPENSATION FOR HIS SERVICES AS HEARING OFFICER FOR THE BUREAU OF ADMINISTRATIVE ADJUDICATION.

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Discussion ensued;

On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to remove this item.

Discussion ensued further;

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

EMERGENCY ORDINANCE SBPC #1730-02-16

Summary No. 3351

Introduced by: Councilmember Lewis on 2/18/16

AN EMERGENCY ORDINANCE APPOINTING SCOTT M. SMITH AS THE HEARING OFFICER FOR THE BUREAU OF ADMINISTRATIVE ADJUDICATION.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016

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

Summary No. 3352

Introduced by: Councilmember Lewis on 2/18/16

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AN EMERGENCY ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH SCOTT M. SMITH SETTING FORTH THE COMPENSATION FOR HIS SERVICES AS HEARING OFFICER FOR THE BUREAU OF ADMINISTRATIVE ADJUDICATION

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1731-02-16

Summary No. 3314

Planning Commission recommended **APPROVAL** on 10/27/15

Introduced by: Administration on 11/4/15

Public hearing held on 11/17/15

Tabled on 11/17/15

Tabled on 1/26/16 until 2/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS 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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3328

Introduced by: Administration on 12/1/15

Public hearing held on 12/15/15

Tabled on 12/15/15

AN ORDINANCE TO RETAIN PRIVATE OUTSIDE LEGAL COUNSEL TO REPRESENT ST. BERNARD PARISH GOVERNMENT HEREINAFTER ("SBPG"), IN MAKING ITS LEGAL CLAIM FOR PAYMENTS AGAINST ENTERGY, LOUISIANA, LLC AND ANY RELATED COMPANIES, PREDECESSORS,

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SUCCESSORS AND ASSIGNS, AND IN ANY NEGOTIATIONS, LITIGATION OR OTHER MATTERS RELATED THERETO.

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to amend this item to replace the contract in its entirety.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1732-02-16

Summary No. 3328

Introduced by: Administration on 12/1/15

Public hearing held on 12/15/15

Tabled on 12/15/15

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3334

Introduced by: Administration on 1/12/16

Public hearing held on 1/26/16

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

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to amend this item to replace the contract in its entirety.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1733-02-16

Summary No. 3334

Introduced by: Administration on 1/12/16

Public hearing held on 1/26/16

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1734-02-16

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Summary No. 3335

Introduced by: Councilman Lewis on 1/26/16

Public hearing held on 2/18/16

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1735-02-16

Summary No. 3338

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1736-02-16

Summary No. 3339

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

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

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

NAYS: None

ABSENT: None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1737-02-16

Summary No. 3340

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1738-02-16

Summary No. 3341

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

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

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

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NAYS: None

ABSENT: None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

Summary No. 3342

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

On motion of Mr. Montelongo, seconded by Mr. Lewis, it was moved to table this item until the March 1, 2016 Council meeting.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1739-02-16

Summary No. 3343

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

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

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

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The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

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

ORDINANCE SBPC #1740-02-16

Summary No. 3346

Planning Commission recommended **APPROVAL** on 1/26/16

Introduced by: Administration on 2/2/16

Public hearing held on 2/18/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-002**, PETITION OF AYCOCK STREET PROPERTIES, LLC FOR A ZONING CHANGE FROM "C-1, (NEIGHBORHOOD COMMERCIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3624 DELILLE ST. CHALMETTE, LA 70043.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18th day of February, 2016.

#42 Coastal Zone Advisory Committee

No official action taken

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:49 p.m. on the 18th day of February, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, March 1, 2016 @ 7:00 p.m.

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

Roxanne Adams

ROXANNE ADAMS
CLERK OF COUNCIL

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR