

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MARCH 1, 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 March 1, 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 7:06 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 CAO, Ronnie Alonzo was present representing Administration.

Reverend Jeff Duke delivered the invocation and Councilmember Montelongo led the Pledge of Allegiance.

#1 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to approve the minutes from the February 18, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 26, 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 1st day of March, 2016.

#2 On joint motion of the Council, without objection and by unanimous consent, it was moved to proclaim March 5, 2016 as "Relay for Life" in St. Bernard Parish.

#3 On joint motion of the Council, without objection and by unanimous consent, it was moved to proclaim March 7, 2016 as "Realtor Day" in St. Bernard Parish.

#4 President's Report

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

#5 Councilmember's District Update

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

#6 Recognize the Public

- Judge Gorbaty – Chalmette, LA
- Catherine Serpas – St. Bernard, LA
- David Delise – Chalmette, LA

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #23.

#23 On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to discuss and take any action necessary as it relates to 3105 Plaza Drive.

Discussion ensued; Address is to be corrected as 3104.
No official action taken.

#7 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3349

Introduced by: Councilmember Lewis on 2/18/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1449-03-16

Beer and/or Liquor Permit(s)

1. Jaber and Son's, Inc. dba Quick Check #6 5815 E. Judge Perez Drive Violet, LA 70092 Owner: Abdallah A. Jaber **(Renewal) (Beer and Liquor)**
2. The Palms Casino & Truck Stop, Inc. dba The Palms Casino 8001-C W. St. Bernard Highway Arabi, LA 70032 Owners: Charles L. Bienvenu and John R. Bienvenu, Jr **(Renewal) (Beer and Liquor)**
3. The Palms Casino & Truck Stop, Inc. dba The Palms Truck Stop 8001-A W. St. Bernard Highway Arabi, LA 70032 **(Renewal) (Beer and Liquor)**

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4. Par 3 Restaurant, LLC dba Par 3 Restaurant 1530 E. Judge Perez Drive Chalmette, LA 70043
Member: Dorothy Z. LaBrosse **(Renewal) (Beer and Liquor)**
5. Pons-A-Pack, Inc. dba Ponstein's Food Store 3523 Paris Road Chalmette, LA 70043
(Renewal) (Beer and Liquor)
6. QC Discount, LLC dba Meraux Food Store Chalmette, LA 70043 Owner: Abdallah A. Jaber
(Renewal) (Beer and Liquor)
7. QC Pit Lane, LLC dba QC Pit Lane 3225 E. Judge Perez Drive Meraux, LA 70075 Members:
Abdallah A. Jaber & Ahmed Jaber **(Renewal) (Beer and Liquor)**
8. Quick Check, Inc. dba Quick Check #4 617 Bayou Road St. Bernard, LA 70085 Owner:
Abdallah A. Jaber **(Renewal) (Beer and Liquor)**

Special Events

1. Name of Organization: Slow Food New Orleans
Address: 2819 Orchid Street, New Orleans, LA 70119
Contact Person: Cisco Gonzales
Name of Event: **Slow Food Seafood Boil & Boucherie**
Location of Event: Docville Farm
5128 E. St. Bernard Hwy., Violet, LA 70092
Date and Time: March 13th – 7:00 a.m. – 3:00 p.m.
2. Name of Organization: Louisiana Crawfish Festival, Inc.
Address: 2107 Paris Road, Chalmette, LA 70043
Contact person: Gary Granata
Name of Event: **Louisiana Crawfish Festival**
Location of Event: 8245 W. Judge Perez Drive, Chalmette, LA
Date and Time: March 31 – April 3, 2016
March 31st 2-10 p.m.
April 1st 2-Midnight
April 2nd 11a.m. – Midnight
April 3rd 11 a.m. -10 p.m.
3. Name of Organization: Our Lady of Prompt Succor Catholic Church
Address: 2320 Paris Road, Chalmette, LA 70043
Contact Person: Reverend Lance J. Campo
Name of Event: **OLPS Tomato Festival**
Location of Event: 2320 Paris Road, Chalmette, LA 70043
Date and Time: April 29, 30 and May 1, 2016

Discussion ensued;

On motion of Mr. Montelongo, seconded by Mr. Luna, it was moved to amend this item to add the following additional special event permit:

4. Name of Organization: Old Arabi Neighborhood Association
Address: 843 Angela Avenue, Arabi, LA 70032
Contact Person: Maegan Dobson

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Name of Event: **Sippin' in the Sunset**
Location of Event: Aycock Barn, 409 Aycock Street, Arabi, LA 70032
Date and Time: March 3, 2016, 6:00 – 8:00 p.m.
April 7, 2016, 6:00 – 8:00 p.m.
May 5, 2016, 6:00 – 8:00 p.m.

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

And the motion was declared **adopted** on the 1st day of March, 2016.

On motion of Mr. Montelongo, seconded by Mr. Luna, it was moved to **adopt** Resolution SBPC #1449-03-16, as amended.

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

And the motion was declared **adopted** on the 1st day of March, 2016.

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

RESOLUTION SBPC #1550-03-16

A RESOLUTION TO RE-APPOINT RUTH BERTUCCI AS THE GOVERNING AUTHORITY'S BOARD MEMBER OF THE ST. BERNARD FIRE PROTECTION DISTRICTS NO. 1 -2, FIRE CIVIL SERVICE BOARD.

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

And the motion was declared **adopted** on the 1st day of March, 2016.

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

RESOLUTION SBPC #1551-03-16

A RESOLUTION ENDORSING PBF ENERGY PARTICIPATION IN THE LA ENTERPRISE ZONE PROGRAM ADVANCE NOTIFICATION #20160619.

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 1st day of March, 2016.

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

RESOLUTION SBPC #1552-03-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE OLD ARABI HISTORIC COMMISSION.

<u>Member</u>	<u>Expiration Date</u>	<u>Appointee From</u>
Michael Doody	03/01/18	Old Arabi Neighborhood Association
Clinton Trahant	06/18/16	Planning Commission

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 1st day of March, 2016.

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

ORDINANCE SBPC #1741-03-16

Summary No. 3342

Introduced by: Administration on 1/26/16

Public hearing held on 2/18/16

Tabled on 2/18/16 until 3/1/16

EFC made **No Recommendation** on 2/25/16

AN ORDINANCE TO REVOKE THE STREET DEDICATION OF BARBARA DRIVE 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 Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 1st day of March, 2016.

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

Summary No. 3344

Removed prior to Introduction on 1/26/16

Introduced by: Councilmember Gorbaty on 2/18/16

Public hearing held on 3/1/16

EFC made **No Recommendation** on 2/25/16

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, Montelongo

NAYS: McCloskey, Alcon, Lewis

ABSENT: None

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

And the motion was declared **failed** on the 1st day of March, 2016.

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

ORDINANCE SBPC #1742-03-16

Summary No. 3348

Introduced by: Administration on 2/18/16

Public hearing held on 3/1/16

EFC made **No Recommendation** on 2/25/16

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

And the motion was declared **adopted** on the 1st day of March, 2016.

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

ORDINANCE SBPC #1743-03-16

Summary No. 3349

Introduced by: Administration on 2/18/16

Public hearing held on 3/1/16

EFC recommended **APPROVAL** on 2/25/16

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

And the motion was declared **adopted** on the 1st day of March, 2016.

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

Summary No. 3353

Introduced by: Administration on 3/1/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST.

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

And the motion was declared **adopted** on the 1st day of March, 2016.

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

Summary No. 3354

Introduced by: Councilmember Callais

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1301-05-12**, ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE II COASTAL ZONE MANAGEMENT; SECTION 5-33 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 1st day of March, 2016.

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

Summary No. 3355

Introduced by: Administration on 3/1/16

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

Discussion ensued;

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to table this item for three (3) meetings.

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

YEAS: McCloskey, Luna, Alcon, Montelongo, Lewis

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NAYS: Gorbaty

ABSENT: None

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

And the motion was declared **adopted** on the 1st day of March, 2016.

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

Summary No. 3356

Introduced by: Councilmember Montelongo

AN ORDINANCE TO AMEND CHAPTER 15 OIL, GAS, AND MINERAL EXPLORATION, REMOVAL AND TRANSPORTING; OTHER LAND-DISTURBING AND WATER-DISTURBING ACTIVITIES; ARTICLE II SEISMIC ACTIVITY; SECTION 15-37 OPERATION OF AIR BOATS REGULATED 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

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 1st day of March, 2016.

#22 Coastal Zone Advisory Committee

No official action taken

#24 On motion of Mr. Luna, seconded by Mrs. Alcon it was moved to enter into Executive Session to discuss Katrina Nash vs. Jose E. Calderon et al. 34th JDC #15-1267.

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 1st day of March, 2016.

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

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

YEAS: 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 1st day of March, 2016.

On motion of Mrs. Alcon, seconded by Mr. McCloskey, it was moved to accept the advice of legal counsel.

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 1st day of March, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:22 p.m. on the 1st day of March, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, March 15, 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