

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **APRIL 19, 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 April 19, 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 3:02 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: Wanda Alcon

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 McCloskey led the Pledge of Allegiance.

#1 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to approve the minutes from the April 5, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 16, 2016.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

On motion of the Chair, without objection and by unanimous consent, it was moved to remove item #2 to address at the May 3, 2016 meeting.

#3 On a joint motion of the Council, without objection and by unanimous consent, it was moved to recognize Wayne Burgess to discuss AG Magic.

#4 President's Report

A copy of this report was entered into the official record and 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

- Ken Dufour – Violet, LA

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On motion of the Chair, without objection and by unanimous consent, it was moved to address item #48.

#48 On motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss potential litigation, investigation, preparation, filing and handling of such injunctive, declaratory or other actions against any all possible parties, including oil and gas companies, necessary to ensure compliance with Coastal Zone Laws, Statutes and Regulations for St. Bernard Parish, the St. Bernard Parish Council and the St. Bernard Parish Coastal Zone Management Program.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

No official action taken.

#7 Summary No. 3369

Planning Commission recommended **APPROVAL** on 3/22/16
Introduced by: Administration on 4/5/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-004**, PETITION OF PETITION OF ALBERT ALVEREZ FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2104 WALKERS LANE, MERAUX, LA 70075.

A COPY OF THIS PUBLIC HEARING IS ON FILE WITH THE CLERK OF COUNCIL'S OFFICE

#8 Summary No. 3360

Planning Commission recommended **APPROVAL** on 3/22/16
Introduced by: Administration on 4/5/16

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AN ORDINANCE TO APPROVE **DOCKET Z-2016-005**, PETITION OF KEVIN WILLIAMS FOR A ZONING CHANGE FROM "C-1, (NEIGHBORHOOD COMMERCIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 7820 E. ST. BERNARD HIGHWAY, VIOLET, LA 70092.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3361

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-006**, PETITION OF JTS PROPERTIES, LLC FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 1108 – 10 LEBEAU ST., ARABI, LA 70032.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3362

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-007**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 400 E. SOLIDELLE STREET, CHALMETTE, LA 70043.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3363

Planning Commission recommended **APPROVAL** with conditions on 3/29/16

Introduced by: Administration on 4/5/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-008**, PETITION OF GERALD FORSTELL OF CHALMETTE REFINERY, LLC FOR A CONDITIONAL USE PERMIT IN AN I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 500 W. ST. BERNARD HIGHWAY, CHALMETTE, LA 70043.

A COPY OF THIS PUBLIC HEARING IS ON FILE WITH THE CLERK OF COUNCIL'S OFFICE

#12 Summary No. 3364

Planning Commission made **NO RECOMMENDATION** on 3/22/16

Introduced by: Administration on 4/5/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-009**, PETITION OF STERLING J. CARDON, JR. FOR A ZONING CHANGE FROM "R-1 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL) FOR THE PROPERTY LOCATED AT 2200 TRIO STREET, CHALMETTE, LA 70043.

A COPY OF THIS PUBLIC HEARING IS ON FILE WITH THE CLERK OF COUNCIL'S OFFICE

#13 Summary No. 3365

Introduced by: Administration on 4/5/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, PROVISIONS TO CREATE A NEW ARTICLE IX; STORMWATER, TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#14 Summary No. 3366

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Introduced by: Administration on 4/5/16

AN ORDINANCE AUTHORIZING THE EXEMPTION OF THE PROVISIONS OF ST BERNARD PARISH COUNCIL, LOUISIANA – CODE OF ORDINANCES FOR RESIDENTIAL PROPERTIES ENTERED INTO THE ST BERNARD PARISH GOVERNMENT RESIDENTIAL ELEVATION PROJECT (PERMISSIBLE OFF-STREET PARKING LOCATION ONLY).

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#15 Summary No. 3367

Introduced by: Administration on 4/5/16

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

#16 Summary No. 3368

Introduced by: Administration on 4/5/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE LOT NEXT DOOR II PROGRAM – SIDE LOT PROGRAM.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1567-04-16

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. RaceTrac Petroleum, Inc. dba RaceTrac #2350 2713 Paris Road, Chalmette, LA 70043 Manager: Belinda Anthony **(Renewal) (Beer & Liquor)**
2. RaceTrac Petroleum, Inc. dba RaceTrac #2368 8130 W. Judge Perez Drive, Chalmette, LA 70043 Manager: Crystal Stebbins **(Renewal) (Beer & Liquor)**
3. St. Bernard Parish Government - Frederick Sigur Civic Auditorium 8245 W. Judge Perez Drive, Chalmette, LA 70043 Manager: Maurine Liuzza **(Renewal) (Beer & Liquor)**
4. St. Bernard Parish Government - Recreation Department 1101 Magistrate Street, Chalmette, LA 70043 Director: Yolanda Banks Thomas **(Renewal) (Beer & Liquor)**
5. Today's Ketch Seafood, Inc., dba Today's Ketch Seafood 2110 E. Judge Perez Drive, Chalmette, LA 70043 Owners: Jeffrey & Teri Pohlmann **(Renewal) (Beer only)**

Special Event(s)

1. Name of Organization: 'SOAR': Strengthening Outcomes With Autism Resources
Address: 3809 Paris Road, Chalmette, LA 70043
Name of Event: **SOAR Crawfish Boil-off, Autism Fund Raiser**
Location: Desi's, 3809 Paris Road, Chalmette, LA 70043

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Date & Time of Event: May 17, 2016; 11:00 a.m. – 7:00 p.m.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon

ABSTAINED: Lewis

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1568-04-16

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE AN AGREEMENT WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE ST. BERNARD PARISH MISSISSIPPI RIVER TRAIL – PHASE I & II (STATE PROJECT NUMBER H.007546)

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1569-04-16

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT AWARD INCREASE IN THE AMOUNT OF \$89,240.00 FROM THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT'S TRANSPORTATION ALTERNATIVES PROGRAM FOR THE MISSISSIPPI RIVER TRAIL, PHASE III.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1570-04-16

A RESOLUTION AUTHORIZING ACCEPTANCE OF A WALMART FOUNDATION COMMUNITY GIVING PROGRAM GRANT IN THE AMOUNT OF \$2,500.00 FOR RECREATION DEPARTMENT EQUIPMENT.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1571-04-16

A RESOLUTION AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME PLAN IN RELATION TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY FUNDS AND PROJECTS.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1572-04-16

A RESOLUTION ADOPTING THE ST. BERNARD PARISH COMPLETE STREETS POLICY.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

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NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1573-04-16

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE UNIVERSITY OF NEW ORLEANS RESEARCH AND TECHNOLOGY FOUNDATION'S EPA LAKE PONTCHATRAIN BASIN RESTORATION GRANT PROGRAM IN THE AMOUNT OF \$36,000.00 FOR THE ST. BERNARD PARISH GREEN INFRASTRUCTURE PROGRAM

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1574-04-16

A RESOLUTION AUTHORIZING ST BERNARD PARISH TO PREPARE AND SUBMIT A PRE-APPLICATION TO THE STATEWIDE FLOOD CONTROL PROGRAM FOR ASSISTANCE IN THE IMPLEMENTATION OF DRAINAGE IMPROVEMENTS TO ST. CLAUDE HEIGHTS, CAROLYN PARK, BUCCANEER VILLA NORTH, AND CHALMETTE PLAZA SUBDIVISIONS FOR THE PURPOSE OF REDUCING EXISTING FLOOD DAMAGES; PROVIDING FOR THE NECESSARY DOCUMENTATION OF SAID FLOOD DAMAGES; AND PROVIDING FOR OTHER RELATED MATTERS IN CONNECTION THEREWITH.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1575-04-16

A RESOLUTION TO AMEND POLICE JURY RESOLUTION 1:0 N TO AMEND THE ST. BERNARD PARISH HOME MORTGAGE AUTHORITY TRUST AGREEMENT AND BYLAWS CONTAINED THEREIN TO APPOINT TWO ADDITIONAL TRUSTEES AND TO CREATE STAGGERED TRUSTEE TERMS.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1576-04-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE TOURIST COMMISSION.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1577-04-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE PARK AND PARKWAYS COMMISSION.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

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And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1578-04-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE COASTAL ZONE ADVISORY COMMITTEE.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1579-04-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE HOME MORTGAGE AUTHORITY.

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

YEAS: McCloskey, Gorbaty, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

ABSTAINED: Luna

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1580-04-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE PLANNING COMMISSION.

Discussion ensued;

On motion of Mr. Lewis, seconded by Ms. Callais, it was moved to remove the appointment for "District B" to advertise for this position longer.

Discussion ensued further;

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Mr. Lewis called the question.

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

YEAS: McCloskey, Lewis

NAYS: Gorbaty, Luna, Montelongo

ABSENT: Alcon

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

And the motion was declared **failed** on the 19th day of April, 2016.

Discussion ensued further;

On motion of Mr. Lewis, it was moved to vote on each district appointment individually. Motion failed due to lack of a second.

Discussion ensued further;

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

RESOLUTION SBPC #1580-04-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE PLANNING COMMISSION.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: Lewis

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1581-04-16

A RESOLUTION SUPPORTING HOUSE BILL 1080 WHICH AUTHORIZES CERTAIN PARISH GOVERNING AUTHORITIES TO ENACT ORDINANCES RELATIVE TO THE REMOVAL OF DELETERIOUS GROWTHS, TRASH, DEBRIS, AND OTHER NOXIOUS MATTER.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

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NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1582-04-16

A RESOLUTION SUPPORTING THE KEEPING OF ST. BERNARD STATE PARK OPEN TO SERVE THE RESIDENTS OF ST. BERNARD PARISH AND VISITORS TO THE PARISH.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

Summary No. 3369

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-004**, PETITION OF PETITION OF ALBERT ALVEREZ FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2104 WALKERS LANE, MERAUX, LA 70075.

On motion of the Chair, without objection and by unanimous consent, it was moved to amend section 1 to reflect the correct name as in the title.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

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And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1750-04-16

Summary No. 3369

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-004**, PETITION OF PETITION OF ALBERT ALVEREZ FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2104 WALKERS LANE, MERAUX, LA 70075.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1751-04-16

Summary No. 3360

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-005**, PETITION OF KEVIN WILLIAMS FOR A ZONING CHANGE FROM "C-1, (NEIGHBORHOOD COMMERCIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 7820 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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1752-04-16

Summary No. 3361

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-006**, PETITION OF JTS PROPERTIES, LLC FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 1108 – 10 LEBEAU ST., ARABI, LA 70032.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1753-04-16

Summary No. 3362

Planning Commission recommended **APPROVAL** on 3/22/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-007**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 400 E. SOLIDELLE STREET, CHALMETTE, LA 70043.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

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And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1754-04-16

Summary No. 3363

Planning Commission recommended **APPROVAL** with conditions on 3/29/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-008**, PETITION OF GERALD FORSTELL OF CHALMETTE REFINERY, LLC FOR A CONDITIONAL USE PERMIT IN AN I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 500 W. ST. BERNARD HIGHWAY, CHALMETTE, LA 70043.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1755-04-16

Summary No. 3364

Planning Commission made **NO RECOMMENDATION** on 3/22/16

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-009**, PETITION OF STERLING J. CARDON, JR. FOR A ZONING CHANGE FROM "R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2200 TRIO STREET, CHALMETTE, LA 70043.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Montelongo, Lewis

NAYS: Luna

ABSENT: Alcon

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

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And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1756-04-16

Summary No. 3365

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, PROVISIONS TO CREATE A NEW ARTICLE IX; STORMWATER, 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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1757-04-16

Summary No. 3366

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE AUTHORIZING THE EXEMPTION OF THE PROVISIONS OF ST BERNARD PARISH COUNCIL, LOUISIANA – CODE OF ORDINANCES FOR RESIDENTIAL PROPERTIES ENTERED INTO THE ST BERNARD PARISH GOVERNMENT RESIDENTIAL ELEVATION PROJECT (PERMISSIBLE OFF-STREET PARKING LOCATION ONLY).

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1758-04-16

Summary No. 3367

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

ORDINANCE SBPC #1759-04-16

Summary No. 3368

Introduced by: Administration on 4/5/16

Public hearing held on 4/19/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE LOT NEXT DOOR II PROGRAM – SIDE LOT PROGRAM.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

Summary No. 3370

Introduced by: Administration on 4/19/16

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AN ORDINANCE TO DECLARE AS SURPLUS A TEN FOOT SECTION OF 8512 CREOLE DR. CHALMETTE, OOA, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE SALE OF SAID TEN FEET SECTION OF SAID PROPERTY ACCORDING TO LAW TO ELIZZA JANE SIMS.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

Summary No. 3371

Introduced by: Administration on 4/19/16

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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

Summary No. 3372

Introduced by: Administration on 4/19/16

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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

Summary No. 3373

Introduced by: Councilman Montelongo on 4/19/16

AN ORDINANCE ABANDONING STREET RIGHT OF WAY FOR A CERTAIN PORTION OF MEMORY LANE IN EASTWOOD MANOR SUBDIVISION, ST. BERNARD PARISH, LOUISIANA

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to amend the agenda to adopt two new resolutions in Globo.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

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

RESOLUTION SBPC #1583-04-16

A RESOLUTION TO APPROVE A SOLICITATION PERMIT FOR "BAYOU BABES SOFTBALL TEAM" TO SOLICIT DONATIONS ON FRIDAY APRIL 22, 2016.

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

RESOLUTION SBPC #1584-04-16

A RESOLUTION TO APPROVE A SOLICITATION PERMIT FOR "DE TWINCESS KREWE – CYSTIC FIBROSIS FOUNDATION" TO SOLICIT DONATIONS ON SATURDAY, APRIL 23, 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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

#47 Coastal Zone Advisory Committee

No official action taken

Ms. Callais took Chairman's Privilege to announce the upcoming event "Sippin on the Bayou".

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #49, #50, #51 and #52 in Globo.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

#49 On motion of the Chair, without objection and by unanimous consent it was moved to enter into Executive Session to discuss potential litigation and potential settlement regarding unpaid invoices of Mike Munna, LLC for demolition/debris removal related invoices.

#50 On motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss potential litigation and potential settlement regarding unpaid invoices of St. Bernard Contractors, LLC for demolition/debris removal related invoices.

#51 On motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss St. Bernard Parish Government vs. SE Properties Holdings, LLC , U.S. District Court, Eastern District of Louisiana no. 14-2060 and SE Property Holdings, LLC v. Unified Recovery Group, LLC et al U.S. Eastern District of Louisiana No. 14-1739.

#52 On motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss potential litigation between St. Bernard Parish Government and Progressive Waste Solutions of LA, Inc.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

On motion of Mr. Gorbaty, 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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to accept the advice of Legal Counsel on items #49, #50, #51 and #52.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 5:39 p.m. on the 19th day of April, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, May 3, 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