

# PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: [radams@sbgg.net](mailto:radams@sbgg.net)

(504) 278-4228

(504) 278-4209 (fax)

Posted 6/3/16

Tuesday, June 7, 2016

7:00 p.m.

Council Chambers

Page 1 of 3

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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.

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- 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 Reverend Jeff Duke with Covenant United Methodist Church
- E. Pledge of Allegiance by Councilmember Alcon
- F. Recognize Elected Officials

## APPROVAL OF MINUTES

1. Motion to approve the minutes from the May 17, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 23, 2016. (Council Chair)

## RECOGNITION

2. Motion to recognize the Leadership St. Bernard Class. (Councilmember Callais)
3. Motion to recognize the Bayou Bulldogs of St. Bernard. (Administration)
4. **Guy McInnis**, President's Report
5. Councilmember's for a District Update

## RECOGNIZE THE PUBLIC

6. 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

7. **Summary No. 3379**  
Introduced by: Administration on 5/17/16

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

## RESOLUTIONS

8. Adopt **Resolution SBPC #1594-06-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

### Beer and/or Liquor Permit(s)

1. Violet Discount Meat Market, LTD dba Violet Discount Meat Market 5636 E. Judge Perez Drive, Violet, LA 70092 Owner: Tharwat N. Hamed (**Renewal**) (**Beer & Liquor**)
2. Vu Ngoc Son, Inc. dba Ruby Express 1515 E. Judge Perez Drive, Suite 4, Chalmette, LA 70043 Owner: Son Ngoc Vu (**Renewal**) (**Beer & Liquor**)
3. 5303 Paris, LLC dba Paris Casino 5353 Paris Road, Chalmette, LA 70043 Members: J. Georges, G. Corchiani, A. Ackel, G. Ackel III, A Tallo and A. Ackel (**Renewal**) (**Beer & Liquor**)

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4. 7759 LLC dba Nicosia's Express Lane 101 Bayou Road, St. Bernard, LA 70085 Owners: Manuel J. Nicosia and Jeffrey D. Nicosia **(Renewal) (Beer & Liquor)**
9. Adopt **Resolution SBPC #1595-06-16**, a resolution of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority - West (the Authority) expressing to the New Orleans Geological Society, the respectful request of the Authority and its constituents, the Algiers Levee District and the West Jefferson Levee District, that the New Orleans Geological Society (NOGS) facilitate the production of basic physical geology research of and in the vicinity of the lands and hurricane storm surge, drainage and flood prevention facilities under the Authority's jurisdiction. (Councilmember Gorbaty)
10. Adopt **Resolution SBPC #1596-06-16**, a resolution directing the Community Development Department to draft a Shipping Container and Outdoor Storage Container ordinance to be submitted to the Planning Commission within sixty (60) days. (Councilmember Luna)
11. Adopt **Resolution SBPC #1597-06-16**, a resolution appointing the following members to the Americans with Disabilities Act (ADA) Board. (Administration)
12. Adopt **Resolution SBPC #1598-06-16**, a resolution appointing new members to the Board of Zoning Adjustments (BZA). (Administration)

## ADOPTION OF ORDINANCES

13. **Summary No. 3379**  
Introduced by: Administration on 5/17/16  
Public hearing held on 6/7/16

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

## INTRODUCTION

14. **Summary No. 3381**  
Introduced by: Administration on 6/7/16

AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

15. **Summary No. 3382**  
Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

16. **Summary No. 3383**  
Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST.

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## BERNARD PARISH CODE OF ORDINANCES.

17. **Summary No. 3384**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

18. **Summary No. 3385**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

19. **Summary No. 3386**

Planning Commission made **NO RECOMMENDATION** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-010**, PETITION OF ZACHARY SMITH FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2700 MONTESQUIEU STREET, CHALMETTE, LA 70043.

20. **Summary No. 3387**

Introduced by: Councilmember Luna on 6/7/16

AN ORDINANCE PLACING A NINETY (90) DAY MORATORIUM ON THE PLACEMENT OF SHIPPING CONTAINERS AND OUTDOOR STORAGE CONTAINERS FOR MORE THAN THIRTY (30) DAYS IN R-1, R-2, R-3, C-1 AND C-2 DISTRICTS.

## OTHER MATTERS

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

22. Motion to discuss St. Bernard Parish water quality and testing procedures.(Councilmember Callais)

## EXECUTIVE SESSION

23. Motion to enter into Executive Session to discuss potential litigation of Joseph Rigby vs. Craig Taffaro, et al, USDC Eastern District No. 12-2537

Next Regular scheduled Council Meeting will be held Tuesday, June 21, 2016 @ 3:00 p.m.

Approved by: *Herri Callais* Time: 12:27 p.m. Date: 6/3/16

## #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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **Summary No. 3387**

Introduced by: Councilmember Luna on 6/7/16

AN ORDINANCE PLACING A NINETY (90) DAY MORATORIUM ON THE PLACEMENT OF SHIPPING CONTAINERS AND OUTDOOR STORAGE CONTAINERS FOR MORE THAN THIRTY (30) DAYS IN R-1, R-2, R-3, C-1 AND C-2 DISTRICTS.

**WHEREAS**, there is an increasing issue with property owners storing unsightly and unsanitary shipping containers and outdoor storage containers permanently or for extended periods of time within property zones where shipping containers and outdoor storage containers should not be allowed for extended periods of time; and,

**WHEREAS**, it is in the public's best interest, health, safety and welfare to place a moratorium of the placement of shipping containers and outdoor storage containers for more than thirty (30) days within R-1, R-2, R-3, C-1 and C-2 districts.

**ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:**

**SECTION 1.** A (90) day moratorium on the placement of shipping containers and outdoor storage containers for more than thirty (30) days in R-1, R-2, R-3, C-1 and C-2 districts is hereby imposed.

**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.

Page -2-  
Extract #20 continued  
June 7, 2016

**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.

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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**#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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

**Summary No. 3386**

Planning Commission made **NO RECOMMENDATION** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-010**, PETITION OF ZACHARY SMITH FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2700 MONTESQUIEU STREET, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That **DOCKET Z-2016-010**, Petition of Zachary Smith for a Zoning Change from "R-1, (Single Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:

Three certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, Square No. 105, designated as lots 10, 11 and 12.

Property Location: 2700 Montesquieu Street, Chalmette, LA 70043.

**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 #19 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3385**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 - Zoning, Section 7 - Site Development Standards  
 Subsection 3- Off-street parking and loading requirements

Type of Use	Minimum Number of Parking Spaces
Residential Uses:	
Single-family dwelling	2.0 per dwelling unit
Multiple-family dwelling	2.0 per dwelling unit
Boarding house or lodging house	1.0 per guest room
Nursing home or convalescent home	1.0 per three beds plus and 1.0 per employee/shift
Manufactured home	1.0 per dwelling unit
Business and Industrial Uses:	
Retail stores, personal service shops, shopping centers and other similar uses	6.0 per 1,000 square feet for 1 to 10,000 square feet, 5.0 per 1,000 square feet above 10,000 square feet
Banks, professional or business office	4.0 per 1,000 square feet
Healthcare facilities	1.0 per 200 square feet and 4.0 per licensed healthcare provider
Industrial and manufacturing	2.0 per 1,000 square feet
Warehouse and storage	0.5 per 1,000 square feet
Contractor's workshops or vehicle storage facilities	As determined by the commission
Hotel or motel	1.0 per guest room plus and 1.0 per employee/shift
Restaurants, clubs, and bars	10.0 per 1,000 square feet
Places of public assembly and conference space	1.0 per 3 seats
Roadside stands	5.0 per each stand
Scrap or salvage yard	1 per 300 sq ft of GFA of office space
Motor Vehicle Service and Repair	6 spaces plus one space per service bay
Truck Repair	3 trucks spaces per service bay + 2 vehicle spaces per bay
Car Wash	1 per car wash bay + 3 spaces per bay for queuing purposes
Motor Vehicle dealerships	1.0 per 500 square feet of gross lot area
Gas Station	2 per pump + 1 per 500sf of retail area + 2 per service bay of accessory motor vehicle service and repair + 4 stacking spaces for car wash bay
Vehicle Impound Lot	1 per 300 sq ft of GFA of office space
Vehicle Storage Lot	1 per 300 sq ft of GFA of office space
Vehicle Operations Facility	1 per 300 sq ft of GFA of office space

**EXHIBIT "A"**  
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**ORDINANCE SBPC #XXXX-XX-XX**

Bowling alleys	4.0 per lane
Riverboat gaming establishments	1.0 per each passenger and crewmember based on maximum capacity plus 1.0 space for each landside employee
Sound stage/movie studio	1.0 per 1,000 square feet of gross floor area (applied to all structures on the campus)
<b><u>Day Care Center, Adult or Child</u></b>	<b><u>3.0 per 1,000 square feet</u></b>
<b><u>Group Home</u></b>	<b><u>3.0 per 1,000 square feet</u></b>
Institutional Uses:	
Clubs and fraternities	1.0 per 3 members
Libraries and museums	2.5 per 1,000 square feet
Elementary and junior high schools	1.0 per classroom
Senior high schools	4.0 per classroom
College and universities	5.0 per classroom
Auditoriums and theaters, places of public assembly	1.0 per 4.0 seats
Hospitals	1.0 per 5.0 beds, 1.0 per each staff doctor, and 1.0 per each employee including nurses
Cemeteries	15.0 per every 5 acres
Churches	1.0 per 4 seats
Bingo halls	5.0 per 1,000 square feet
Athletic playing fields	1.0 per 5,000 square feet of gross area
Parks	One percent of total are designed as parking

**#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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

**Summary No. 3385**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards, Subsection 3; Off-street parking and loading requirements as per attached in 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #18 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3384**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning, Section 6 – Commercial and Industrial Zoning Districts,  
 Subsection 4 - Permitted uses in Business and Industrial Districts

	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
<u>Child Care Centers (3)</u>		P	P						CU
<u>Day Care Home, Adult or Child (13)</u>		P						P	P
<u>Day Care Center, Adult or Child – Small (14)</u>		P	P	P		CU	CU		
<u>Day Care Center, Adult or Child – Large (14)</u>		P	P	P		CU	CU		
<u>Group Home, Small (15)</u>		P	P	P				P	P
<u>Group Home, Large (15)</u>		P	P	P				P	CU
<u>Group Home, Congregate (15)</u>		CU	CU	CU				CU	

**(13) Day Care Home, Adult or Child**

- a. Each day care home shall comply with all applicable state and federal regulations, including the Louisiana Administrative Code.
- b. The day care home shall retain a residential character and shall not alter the residential character of the neighborhood.
- c. Day Care Home, Adult or Child is a permitted use when accessory to a church or school.
- d. No accessory buildings or structures shall be occupied as a part of Day Care Home operations with exception to outdoor play areas and equipment (Child)
- e. No adult or child (client) may remain on the premises of a Day Care Home for more than twenty-four (24) consecutive hours in one (1) stay.

**(14) Day Care Center, Adult or Child**

- a. Each day care center shall comply with all applicable state and federal regulations, including regulations within the Louisiana Administrative Code.
- b. The operator of any day care center shall be licensed by the State of Louisiana.
- c. Day Care Center, Adult or Child is a permitted use when accessory to a church or school

**EXHIBIT "A"**  
**SUMMARY NO. 3384**  
**ORDINANCE SBPC #XXXX-XX-XX**

- d. No adult or child may remain on the premises of a Day Care Center for more than twenty-four (24) consecutive hours in one (1) stay. However, Day Care Center operations may remain open twenty-four (24) hours a day to accommodate client needs in Commercial zoning districts.
- e. An on-site drop-off and/or residential passenger zone is required. Stacked parking is permitted. The use of van or bus service is encouraged.

**(15) Group Home**

- a. Group homes shall be licensed by the State of Louisiana.
- b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
- c. A group home shall encompass the entire structure.
- d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

## #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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **Summary No. 3384**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 6; Commercial and Industrial Zoning Districts, Subsection 4; Permitted uses in business and industrial Districts as per attached in 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #17 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3383**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning, Section 5 – Residential Zoning Districts, Subsection 4 - Permitted uses in Residential Districts

USE	R-1	R-2	R-3	R-1(M)	R-4
<u>Day Care Home, Adult or Child (3)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Day Care Center, Adult or Child – Small (4)</u>			<u>P</u>		
<u>Day Care Center, Adult or Child – Large (4)</u>			<u>P</u>		
<u>Group Home, Small (5)</u>		<u>P</u>	<u>P</u>		
<u>Group Home, Large (5)</u>			<u>P</u>		
<u>Group Home, Congregate (5)</u>			<u>CU</u>		
<u>Child care center (3)</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>

~~(3) — For four (4) or more children when accessory to a church or school as permitted. A fenced and screened play area shall be provided which shall contain not less than twenty-five (25) square feet per child.~~

**(3) Day Care Home, Adult or Child**

- a. Each day care home shall comply with all applicable state and federal regulations, including the Louisiana Administrative Code.**
- b. The day care home shall retain a residential character and shall not alter the residential character of the neighborhood.**
- c. Day Care Home, Adult or Child is a permitted use when accessory to a church or school.**
- d. No accessory buildings or structures shall be occupied as a part of Day Care Home operations with exception to outdoor play areas and equipment (Child)**
- e. No adult or child (client) may remain on the premises of a Day Care Home for more than twenty-four (24) consecutive hours in one (1) stay.**

**(4) Day Care Center, Adult or Child**

- a. Each day care center shall comply with all applicable state and federal regulations, including regulations within the Louisiana Administrative Code.**
- b. The operator of any day care center shall be licensed by the State of Louisiana.**
- c. Day Care Center, Adult or Child is a permitted use when accessory to a church or school**
- d. No adult or child may remain on the premises of a Day Care Center for more than twenty-four (24) consecutive hours in one (1) stay. However, Day Care Center operations may remain open twenty-four (24) hours a day to accommodate client needs in Commercial zoning districts.**

**EXHIBIT "A"**  
**SUMMARY NO. 3383**  
**ORDINANCE SBPC #XXXX-XX-XX**

e. An on-site drop-off and/or residential passenger zone is required. Stacked parking is permitted. The use of van or bus service is encouraged.

**(5) Group Home**

a. Group homes shall be licensed by the State of Louisiana.

b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.

c. A group home shall encompass the entire structure.

d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

## #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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **Summary No. 3383**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 5; Residential Zoning Districts, Subsection 4; Permitted uses in Residential Districts as per attached in 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #16 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3382**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning

Section 2 – Interpretation

Subsection 4 - Definitions

---

~~Day care center: Any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision and guidance of seven (7) or more children on a regular basis for at least twenty (20) hours in a continuous seven-day week.~~

Day Care Center, Adult. A facility where, for a portion of a twenty-four (24) hour day, functionally-impaired adults that are not related to the owner or operator of the facility are supervised or participate in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity. An adult day care center does not include adult day care home.

- A. Day Care Center, Small: Seven (7) to twelve (12) adults
- B. Day Care Center, Large: Thirteen (13) to thirty (30) adults
- C. Day Care Center, Commercial: Thirty-one (31) or more adults

Day Care Center, Child. A facility where care, supervision and guidance of children that are not related to the owner or operator of the facility is provided on a regular basis. A child day care center does not include a child day care home.

- A. Day Care Center, Small: Seven (7) to twelve (12) children
- B. Day Care Center, Large: Thirteen (13) to thirty (30) children
- C. Day Care Center, Commercial: Thirty-one (31) or more children

Day Care Home, Adult. A residential dwelling where a permanent occupant of the dwelling provides care for up to six (6) elderly and/or functionally-impaired adults in a protective setting for less than twenty-four (24) hours per day. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity.

Day Care Home, Child. A residential dwelling where a permanent occupant of the dwelling provides care for up to six (6) children from outside households in a protective setting for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). A child day care home does not include facilities that receive children from a single household.

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A. Small group homes: Up to six (6) residents
- B. Large group homes: Seven (7) to fifteen (15) residents
- C. Congregate group homes: Sixteen (16) or more residents

**EXHIBIT "A"**  
**SUMMARY NO. 3382**  
**ORDINANCE SBPC #XXXX-XX-XX**

Adult oriented businesses: An adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult cabaret, or a massage business. Adult establishment also means any premises which sells or disseminates "explicit sexual material". Burlesque shows or acts, generally performed in a variety theater, are not considered an adult oriented business use.

Burlesque shows or acts: A type of theatrical performance involving a variety of different acts, usually a parody or satire of popular culture. Shows often include singing, comics, circus tricks, and striptease acts. Burlesque does not include nudity or exposed nipples.

**#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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

**Summary No. 3382**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 2; Interpretation, Subsection 4; Definitions as per attached in 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #15 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3381**  
**ORDINANCE SBPC #XXXX-XX-XX**

~~Chapter 13 – Occupational License, Taxes and Regulations~~  
~~Section 13-44 – Permit requirements for distribution and solicitation.~~

---

- ~~a. Permits shall only be issued under the following criteria:~~
- ~~1. The department shall only issue a permit to groups, associations, fraternal orders, assemblies, congresses, corporations, juridical associations or formal associations of natural persons.~~
  - ~~2. The purpose of the solicitation or distribution must be for a charitable, political, religious, altruistic, philanthropic or humanitarian reason.~~
  - ~~3. Solicitors and distributors shall be the age of majority.~~
  - ~~4. The procurer shall provide the full name, address of the organization and individual procuring the permit.~~
  - ~~5. The procurer shall have a valid government issued ID.~~
  - ~~6. The procurer shall identify all streets and intersections his organization wishes to conduct distributions or solicitations.~~
  - ~~7. Distribution permits may be issued by the Department of Community Development in accordance with chapter 13, article III, section 34 of the St. Bernard Parish Code.~~
  - ~~8. Solicitation permits shall be issued by the Department of Community Development without special permission from the Council.~~
  - ~~9. Reflective vests and/or clothing must be worn.~~
- ~~b. The permit shall be valid for thirty (30) days from issuance.~~
- ~~c. The permit shall cost fifty dollars and zero cents (\$50.00).~~

## #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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **Summary No. 3381**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby repeal Chapter 13; Occupational License, Taxes and Regulations, Section 13-44; Permit requirements for distribution and solicitation as per attached in 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #14 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**St. Bernard Parish Government**  
**Summary No. 3379**  
**Ordinance SBPC #XXXX-XX-XX**  
**Proposed Budget Amendment 5-17-2016**

G/L ACCOUNT CODE				ACCOUNT TITLE		ENTRY AMOUNT	
<u>Fund</u>	<u>Cost Center</u>	<u>Project</u>	<u>Ledger Code</u>			<u>Increase</u>	<u>Decrease</u>
001	2317	0000	505456	Salaries	<i>Expenditure</i>	45,000.00	
001	2317	0000	505444	Pension	<i>Expenditure</i>	5,850.00	
001	2317	0000	505466	Payroll Tax	<i>Expenditure</i>	653.00	
001	2310	0000	505456	Salaries	<i>Expenditure</i>		25,700.00
001	2310	0000	505444	Pension	<i>Expenditure</i>		3,341.00
001	2310	0000	505466	Payroll Tax	<i>Expenditure</i>		373.00
001	2320	0000	535448	Professional Services	<i>Expenditure</i>		10,000.00
001	2330	0000	535448	Professional Services	<i>Expenditure</i>		1,000.00
001	2175	0000	530453	Rent	<i>Expenditure</i>		11,089.00
			<b>391000</b>	<b>Net Effect on Fund Balance</b>		<b>\$0.00</b>	<b>\$0.00</b>

*This Budget Amendment is to increase salary for an IT Director by moving funding from other departments.*

## #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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **Summary No. 3379**

Introduced by: Administration on 5/17/16

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 #13 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #12

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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **RESOLUTION SBPC #1598-06-16**

A RESOLUTION APPOINTING NEW MEMBERS TO THE BOARD OF ZONING ADJUSTMENTS (BZA).

<u>Member</u>	<u>Term</u>
XXXXX	XXXXX
XXXXX	XXXXX
XXXXX	XXXXX

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 **adopted** on the 7<sup>th</sup> day of June, 2016.

Page -2-  
Extract #12 continued  
June 7, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**#11**

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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

**RESOLUTION SBPC #1597-06-16**

A RESOLUTION APPOINTING THE FOLLOWING MEMBERS TO THE AMERICANS WITH DISABILITIES ACT (ADA) BOARD.

<u>Member</u>	<u>Term</u>
XXXXX	XXXXX
XXXXX	XXXXX
XXXXX	XXXXX

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 **adopted** on the 7<sup>th</sup> day of June, 2016.

Page -2-  
Extract #11 continued  
June 7, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #10

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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

### **RESOLUTION SBPC #1596-06-16**

A RESOLUTION DIRECTING THE COMMUNITY DEVELOPMENT DEPARTMENT TO DRAFT A SHIPPING CONTAINER AND OUTDOOR STORAGE CONTAINER ORDINANCE TO BE SUBMITTED TO THE PLANNING COMMISSION WITHIN SIXTY (60) DAYS.

**WHEREAS**, there is an increasing issue with property owners storing unsightly and unsanitary shipping containers and outdoor storage containers permanently or for extended periods of time within property zones where shipping containers and outdoor storage containers should not be allowed for extended periods of time; and,

**WHEREAS**, it is in the public's best interest, health, safety and welfare to draft an ordinance that regulates the placement of shipping containers and outdoor storage containers within the Parish.

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the governing authority of St. Bernard Parish, does hereby direct the Community Development Department to draft a Shipping Container and Outdoor Storage Container ordinance to be submitted to the Planning Commission within sixty (60) days.

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

**YEAS:**

**NAYS:**

**ABSENT:**

Page -2-  
Extract #10 continued  
June 7, 2016

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

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**#8**

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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

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

**RESOLUTION SBPC #1594-06-16**

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. Violet Discount Meat Market, LTD dba Violet Discount Meat Market 5636 E. Judge Perez Drive, Violet, LA 70092 Owner: Tharwat N. Hamed	<b>X</b>	<b>X</b>
2. Vu Ngoc Son, Inc. dba Ruby Express 1515 E. Judge Perez Drive, Suite 4, Chalmette, LA 70043 Owner: Son Ngoc Vu	<b>X</b>	<b>X</b>
3. 5303 Paris, LLC dba Paris Casino 5353 Paris Road, Chalmette, LA 70043 Members: J. Georges, G. Corchiani, A. Ackel, G. Ackel III, A Tallo and A. Ackel	<b>X</b>	<b>X</b>
4. 7759 LLC dba Nicosia's Express Lane 101 Bayou Road, St. Bernard, LA 70085 Owners: Manuel J. Nicosia and Jeffrey D. Nicosia	<b>X</b>	<b>X</b>

Page -2-  
Extract #8 continued  
June 7, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**St. Bernard Parish Government**  
**Summary No. 3379**  
**Ordinance SBPC #XXXX-XX-XX**  
**Proposed Budget Amendment 5-17-2016**

G/L ACCOUNT CODE				ACCOUNT TITLE		ENTRY AMOUNT	
<u>Fund</u>	<u>Cost Center</u>	<u>Project</u>	<u>Ledger Code</u>			<u>Increase</u>	<u>Decrease</u>
001	2317	0000	505456	Salaries	<i>Expenditure</i>	45,000.00	
001	2317	0000	505444	Pension	<i>Expenditure</i>	5,850.00	
001	2317	0000	505466	Payroll Tax	<i>Expenditure</i>	653.00	
001	2310	0000	505456	Salaries	<i>Expenditure</i>		25,700.00
001	2310	0000	505444	Pension	<i>Expenditure</i>		3,341.00
001	2310	0000	505466	Payroll Tax	<i>Expenditure</i>		373.00
001	2320	0000	535448	Professional Services	<i>Expenditure</i>		10,000.00
001	2330	0000	535448	Professional Services	<i>Expenditure</i>		1,000.00
001	2175	0000	530453	Rent	<i>Expenditure</i>		11,089.00
			<b>391000</b>	<b>Net Effect on Fund Balance</b>		<b>\$0.00</b>	<b>\$0.00</b>

*This Budget Amendment is to increase salary for an IT Director by moving funding from other departments.*

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JUNE 7, 2016 AT SEVEN (7:00) 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 MAY 17, 2016 COUNCIL MEETING:

### **Summary No. 3379**

Introduced by: Administration on 5/17/16

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.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MAY 17, 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 May 17, 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 Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: Gillis McCloskey

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

Minster Jerry Troxclair delivered the invocation and Councilmember Luna led the Pledge of Allegiance.

**#1** On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to approve the minutes from the May 3, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 13, 2016.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

**#2 President's Report**

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

**#3 Councilmember's District Update**

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

**#4 Recognize the Public**

No one signed up to speak at this meeting.

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #14 and #15.

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

**RESOLUTION SBPC #1592-05-16**

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A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Discussion ensued;

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**RESOLUTION SBPC #1593-05-16**

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING FOUR MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

**#5** **Summary No. 3378**

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4 PERMITTED USES IN RESIDENTIAL AREAS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

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**#6 Summary No. 3374**

Planning Commission recommended **APPROVAL** on 4/26/16  
Introduced by: Administration on 5/3/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

**#7 Summary No. 3375**

Introduced by: Administration on 5/3/16

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**

**#8 Summary No. 3377**

Introduced by: Councilman Lewis on 5/3/16

AN ORDINANCE TO AMEND CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

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

**RESOLUTION SBPC #1587-05-16**

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. Dockside Enterprises, Inc. dba Casanova Seafood 1928 Massicot Road, St. Bernard, LA 70085  
Owners: Judy & Robert Casanova **(Renewal) (Beer only)**
2. Liza K. Inc. dba Yogi's Katz Lounge 3004 Paris Road, Chalmette, LA 70043 Owner: Liza Kelly Levis  
**(Renewal) (Beer and Liquor)**
3. RD & RS, Inc., dba Smokes for Less #3 2400 Paris Road, Chalmette, LA 70043 Owner: Jatin Desat  
**(Renewal) (Beer and Liquor)**
4. SL & CR, LLC, dba MeMe's Bar & Grille 712 W. Judge Perez Drive, Chalmette, LA 70043 Owners:  
Charles E. Williams, Jr. & Rae Ann Williams **(Renewal) (Beer and Liquor)**
5. Vaughan Bar, Inc., dba Barracuda's Lounge 7907 E. St. Bernard Hwy., Suite A, St. Bernard, LA 70085  
Owner: Ricky 'Tony' Melerine **(Renewal) (Beer and Liquor)**

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6. Victory Fuel Enterprises, LLC dba 5303 Deli & Food 5303 Paris Road, Chalmette, LA 70043 Member: John K. Roberts, III **(Renewal) (Beer and Liquor)**
7. Vucinovich's LaBella Vita, LLC dba Vucinovich's LaBella Vita 3850 E. Judge Perez Drive, Meraux, LA 70075 Owners: Russell L. Vucinovich, Jr. & Eileen P. Vucinovich **(Renewal) (Beer and Liquor)**
8. Wal Mart Louisiana, LLC dba Wal Mart Supercenter #909 8101 W. Judge Perez Drive, Chalmette, LA 70043 Manager: Otho Craddock **(Renewal) (Beer and Liquor)**
9. Who Dat Yat Chat, LLC dba Who Dat Yat Chat 5805 E. Judge Perez Drive, Violet, LA 70092 Members: Lisa Graves & Darleen Levy **(Renewal) (Beer and Liquor)**
10. Winn Dixie Montgomery, LLC dba Winn Dixie #1432 3300 Paris Road, Chalmette, LA 70043 President: Robert Randall Onstead **(Renewal) (Beer and Liquor)**
11. 2021 Paris, LLC dba Mr. C's 2021 Paris Road, Chalmette, LA 70043 Members: Ray Culotta, Jr. & Danielle Culotta **(Renewal) (Beer and Liquor)**
12. Phoenix Max, Inc. dba The Daq Shaq 6601 W. Judge Perez Drive, Arabi, LA 70032 Owners: Denise Chatellier & Guy Olano III **(New) (Beer and Liquor)**
13. Phoenix Max, Inc. dba Sweet Things & Grill 6617 W. Judge Perez Drive, Arabi, LA 70032 Owners: Denise Chatellier & Guy Olano III **(New) (Beer and Liquor)**
14. Hot Wok Asian Buffet, Inc. dba Hot Wok Asian Buffet 8700 W. Judge Perez Drive, Chalmette, LA 70043 Owner: Shan Rogn Lin **(New) (Beer and Liquor)**

### Special Event Permit(s)

1. Name of Organization: Knights of Nemesis Social Club and Parade  
Address: Post Office Box 291, Arabi, LA 70032  
Event: Knights of Nemesis *Hook A Kid on Fishing Rodeo*  
Location: Campo's Marina, Shell Beach, LA  
Date & Time: Saturday, June 18, 2016, 8:00 a.m. – 4:00 p.m.  
Contact Person: Robert Showalter
2. Name of Organization: St. Bernard Parish Salutes America  
Address: 8201 W. Judge Perez Drive, Chalmette, LA 70043  
Event: St. Bernard Parish Salutes America – 4<sup>th</sup> of July Celebration  
Location: Fred Sigur Civic Center Parking Lot  
Date & Time: Sunday, July 3, 2016, 6:00 p.m. – 10:30 p.m.  
Contact Person: George Imbraguglio, Jr., President

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

**YEAS:** Gorbaty, Luna, Alcon, Montelongo

**NAYS:** None

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**ABSENT:** McCloskey

**ABSTAINED:** Lewis

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**RESOLUTION SBPC #1588-05-16**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S HAZARD MITIGATION ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$1,394,652.00 FOR THE ST. BERNARD PARISH CREELY CANAL STORMWATER MITIGATION PROJECT.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**RESOLUTION SBPC #1589-05-16**

A RESOLUTION AUTHORIZING AN APPLICATION TO THE FY2015-2016 LOUISIANA COMMUNITY WATER ENRICHMENT FUND GRANT PROGRAM FOR THE CENTER STREET WATER LINE REPLACEMENT PROJECT IN THE AMOUNT OF \$125,240.00.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**RESOLUTION SBPC #1590-05-16**

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A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA DECENTRALIZED ARTS FUNDING PROGRAM IN THE AMOUNT OF \$5,000.00 FOR THE JAZZ IN JUNE CONCERT SERIES AT TORRES PARK.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**RESOLUTION SBPC #1591-05-16**

A RESOLUTION ADOPTING THE LOUISIANA LEGISLATIVE AUDITOR'S QUESTIONNAIRE.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**Summary No. 3378**

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4 PERMITTED USES IN RESIDENTIAL AREAS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to amend section (c), (d) and (g) as submitted into the official record.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**ORDINANCE SBPC #1783-05-16**

**Summary No. 3378**

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4 PERMITTED USES IN RESIDENTIAL AREAS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**Summary No. 3374**

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to amend section (c), (d) and (g) as submitted into the official record.

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

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

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**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**ORDINANCE SBPC #1784-05-16**

**Summary No. 3374**

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**ORDINANCE SBPC #1785-05-16**

**Summary No. 3375**

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

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:** Gorbaty, Luna, Alcon, Montelongo, Lewis

**NAYS:** None

**ABSENT:** McCloskey

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

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And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**ORDINANCE SBPC #1786-05-16**

**Summary No. 3377**

Introduced by: Councilman Lewis on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**Summary No. 3379**

Introduced by: Administration on 5/17/16

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:** Gorbaty, Luna, Alcon, Montelongo

**NAYS:** Lewis

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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

**Summary No. 3380**

Introduced by: Administration on 5/17/16

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AN ORDINANCE TO **AMEND ORDINANCE SBPC # 1584-12-14**, AN ORDINANCE TO ADOPT THE 2015 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:** Gorbaty, Luna, Alcon, Montelongo, Lewis

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

A special meeting will be held on May 31, 2016 at 3:00 p.m. for the public hearing and adoption of this ordinance.

**#22 Coastal Zone Advisory Committee**

No official action taken

**#23** On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss potential litigation of Global Risk Solutions Inc. vs. St. Bernard Parish Government.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 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:** Gorbaty, Luna, Alcon, Montelongo, Lewis

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

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On motion of Mr. Luna, seconded by Mr. Montelongo, it was moved to accept the advice of Legal Counsel on the potential litigation of Global Risk Solutions Inc. vs. St. Bernard Parish Government.

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

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

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of May, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:27 p.m. on the 17<sup>th</sup> day of May, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, June 7, 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

**#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, JUNE 7, 2016 AT SEVEN O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to approve the minutes from the May 17, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 23, 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 **adopted** on the 7<sup>th</sup> day of June, 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, June 7, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of June, 2016.

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ROXANNE ADAMS  
CLERK OF COUNCIL