



St. Bernard Parish Government



8201 West Judge Perez Drive  
Phone (504) 278-4200

Chalmette, Louisiana 70043  
Fax (504) 278-4330



David E. Peralta  
Parish President

REQUEST FOR VIEWING AND/OR RECEIVING PUBLIC RECORDS

Date: 11/23/15

Name: Loretta Mince Phone #: \_\_\_\_\_

Address:

Street City/State Zip

Records requested:

- (1) audio recordings, video recordings and transcripts of the St. Bernard Parish Council Meetings held on July 15, 2015
- (2) audio recordings, video recordings and transcripts of the St. Bernard Parish Council Meetings held on July 14, 2015
- (3) copies of agendas and minutes related to the St. Bernard Parish Council Meetings on July 14 and 15, 2015
- (4) copies of ordinances passed by the St. Bernard Parish Council in July 2015 concerning Paratech

*12/3/15 Spoke to Mrs. Mince and she will have someone pickup. (M)*

Date, time and location scheduled for viewing records: \_\_\_\_\_

FOR OFFICE USE ONLY:

Received by: K Owens via fax

Date/ Time received: 11/23/15 2:30pm

Witnessed by: \_\_\_\_\_

Cost: 7

Note: Anyone requesting records are required to pay \$.25 per page after the first four (4) pages.

Council

7-14-15

DVD-R

120 minutes

4.7 GB

16x speed

1x - 16x compatible

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Special  
Council  
2-15-15

STAPLES

DVD-R

120 minutes

4.7 GB

16x

1x - 16x compat

[www.product-support-staples.com](http://www.product-support-staples.com)

**PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL  
SPECIAL COUNCIL MEETING - AGENDA**

Email: [radams@sbsp.net](mailto:radams@sbsp.net)  
Tuesday, July 14, 2015

(504) 278-4228  
8:30 p.m.

(504) 278-4209 (fax)  
Council Chambers

Posted 7/13/15  
Page 1 of 1

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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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**Upon call of the Chair and in the interest of public health and safety  
this special meeting shall be called.**

- A. Meeting Called to Order and Roll Call
- B. Invocation
- C. Pledge of Allegiance

**EXECUTIVE SESSION**

- 1. Motion to go into Executive Session to discuss Paratech v. SBPG, 34<sup>th</sup> JDC Case No. 14-1331, Div. "Ad Hoc"
- 2. Motion to enter into Executive Session to discuss the Prospective litigation between Donald Bourgeois and St. Bernard Parish Government regarding employment claim.
- 3. Motion to enter into Executive Session to discuss the Prospective litigation between Jeffery Brannon and St. Bernard Parish Government regarding employment claim.

**OTHER MATTERS**

- 4. A motion to **OVERRIDE** the **Parish Presidential Veto of Ordinance SBPC #1654-06-15**, an ordinance to require the Parish President to terminate the agreement for professional services between St. Bernard Parish Government and Paratech, LLC.
- 5. A motion to **OVERRIDE** the **Parish Presidential Veto of Ordinance SBPC #1655-06-15**, an ordinance to **Amend Ordinance SBPC # 1584-12-14**, an ordinance to adopt the 2015 St. Bernard Parish Annual Operating and Capital Budget.

Next Regular scheduled Council Meeting will be held Tuesday, July 21, 2015 @ 3:00 p.m.

Approved by: George Cavignac Time: 8:26 p.m. Date: 7/13/15

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **SPECIAL MEETING** HELD ON TUESDAY, **JULY 14, 2015 AT 8:30 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 Special Session in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on July 14, 2015 at eight thirty p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 8:34 p.m. Members present: Council Chairman, George Cavnac, Councilmembers Ray Lauga Jr., Richard "Richie" Lewis, Casey W. Hunnicutt, Manuel "Monty" Montelongo and Guy McInnis

Members absent: Nathan Gorbaty

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and CAO Mike Gorbaty, Finance Director Ross Gonzales and Legal Counsel William McGoey was present representing Administration.

Councilman Cavnac delivered the invocation and led the Pledge of Allegiance.

On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to address Item #'s 1, 2, & 3 in Globo.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 14<sup>th</sup> day of July, 2015.

**#1** On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to go into Executive Session to discuss Paratech v. SBPG, 34<sup>th</sup> JDC Case No. 14-1331, Div. "Ad Hoc"

**#2** On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to go into Executive Session to discuss the Prospective litigation between Donald Bourgeois and St. Bernard Parish Government regarding employment claim.

**#3** On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to go into Executive Session to discuss the Prospective litigation between Jeffery Brannon and St. Bernard Parish Government regarding employment claim.

Discussion ensued; Councilman McInnis asked Administration some questions prior to entering into Executive Session.

**Minutes of the St. Bernard Parish Special Council Meeting of July 14, 2015**

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It was then moved by the Council Chair, without objection and by unanimous consent, to enter into Executive Session.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

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:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

**#1a** On motion of Mr. McInnis, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

**RESOLUTION SBPC #1365-07-15**

A RESOLUTION AUTHORIZING AND DIRECTING THE COUNCIL CHAIRMAN TO ISSUE AN OFFICIAL NOTICE OF CONTRACT CANCELATION TO PARATECH LLC.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

**Minutes of the St. Bernard Parish Special Council Meeting of July 14, 2015**

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**#1b** On motion of Mr. McInnis, seconded by Mr. Lewis, it was moved to direct and authorize the Clerk of Council to post an agenda calling an emergency meeting immediately following the adjournment of this Special Council meeting.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

On motion of the Chair, without objection and by unanimous consent, it was moved to address Item #'s 2 & 3 in Globo.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

No official action was taken regarding item #'s 2 & 3.

**#4** On motion of Mr. Lauga, seconded by Mr. Montelongo, it was moved to **OVERRIDE** the Parish Presidential Veto of **Ordinance SBPC #1654-06-15**, an ordinance to require the Parish President to terminate the agreement for professional services between St. Bernard Parish Government and ParaTech, LLC.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Council Chair, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

Minutes of the St. Bernard Parish Special Council Meeting of July 14, 2015

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#5 On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to **OVERRIDE** the Parish Presidential Veto of **Ordinance SBPC #1655-06-15**, 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 there upon resulted as follows:

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Council Chair, Mr. Cavnignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

There being no further business for discussion, the Chairman declared the meeting adjourned at 12:33 a.m. on the 15<sup>th</sup> day of July, 2015.

Next Regular scheduled Council Meeting will be held Tuesday, July 21, 2015 @ 3:00 p.m.

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

*Roxanne Adams*

ROXANNE ADAMS  
CLERK OF COUNCIL

*George Cavnignac*

GEORGE CAVIGNAC  
COUNCIL CHAIR

**PUBLIC NOTICE  
ST. BERNARD PARISH EMERGENCY COUNCIL MEETING  
AGENDA**

E-MAIL ADDRESS – radams@sbgg.net

504-278-4228

504-278-4209 (fax)

Posted 7/15/15

**Wednesday, July 15, 2015**

**12:30 a.m.**

**Council Chambers**

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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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**Upon call of the Council Chair and in the interest of  
meeting public hearing requirements**

- A. Meeting Called to Order and Roll Call
- B. Invocation
- C. Pledge of Allegiance

- 1. **Summary No. 3265**  
Introduced by: Council

MOTION TO ADOPT **SUMMARY NO. 3265**, AN **EMERGENCY ORDINANCE** TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

- 2. **Summary No. 3266**  
Introduced by: Council

MOTION TO ADOPT **SUMMARY NO. 3266**, AN **EMERGENCY BUDGET ORDINANCE** TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

Approved by: George Cawignac

Time: 12:24 a.m. Date: 7/15/15

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN **EMERGENCY MEETING** HELD ON WEDNESDAY, JULY 15, 2015 AT 12:30 A.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 Emergency Session in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on Wednesday, July 15, 2015 at twelve-thirty a.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 12:34 a.m. Members present: Council Chairman, George Cavnac, Councilmembers Ray Lauga Jr., Richard "Richie" Lewis, Casey W. Hunnicutt, Manuel "Monty" Montelongo and Guy McInnis

Members absent: Nathan Gorbaty

Also present was Roxanne Adams, Clerk of Council, serving as official secretary of the Council and CAO Mike Gorbaty, Finance Director Ross Gonzales and Legal Counsel William McGoey was present representing Administration.

Councilman Cavnac delivered the invocation and led the Pledge of Allegiance.

#1 On motion of Mr. Lewis, seconded by Mr. Lauga, it was moved to adopt the following emergency ordinance:

**EMERGENCY ORDINANCE SBPC #1663-07-15**

**Summary No. 3265**

AN EMERGENCY ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

#2 On motion of Mr. Lewis, seconded by Mr. Lauga, it was moved to adopt the following emergency ordinance:

**EMERGENCY ORDINANCE SBPC #1664-07-15**

**Summary No. 3266**

AN EMERGENCY BUDGET ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

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

Minutes of the St. Bernard Parish Emergency Council Meeting of July 15, 2015

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YEAS: Lauga, Lewis, Hunnicutt, Montelongo, McInnis

NAYS: None

ABSENT: Gorbaty

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

There being no further business for discussion the Council Chair declared the meeting adjourned at 12:37 a.m. on the 15<sup>th</sup> day of July, 2015.

Next Regular scheduled Council Meeting will be held Tuesday, July 21, 2015 @ 3:00 p.m.

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

*Roxanne Adams*

ROXANNE ADAMS  
CLERK OF COUNCIL

*George Cavnac*

GEORGE CAVIGNAC  
COUNCIL CHAIR

**PUBLIC NOTICE  
ST. BERNARD PARISH EMERGENCY COUNCIL MEETING  
AGENDA**

E-MAIL ADDRESS – radams@sbgg.net

504-278-4228

504-278-4209 (fax)

Posted 7/15/15

**Wednesday, July 15, 2015**

**9:15 a.m.**

**Council Chambers**

**Page 1**

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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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**Upon call of the Council Chair and in the interest of  
meeting public hearing requirements**

- A. Meeting Called to Order and Roll Call
- B. Invocation
- C. Pledge of Allegiance

- 1. **Summary No. 3265**  
Introduced by: Council

MOTION TO ADOPT **SUMMARY NO. 3265**, AN **EMERGENCY ORDINANCE** TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

- 2. **Summary No. 3266**  
Introduced by: Council

MOTION TO ADOPT **SUMMARY NO. 3266**, AN **EMERGENCY BUDGET ORDINANCE** ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

Approved by: *George Cavignac*

Time: 8:49 a.m. Date: 7/15/15

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN **EMERGENCY MEETING** HELD ON WEDNESDAY, JULY 15, 2015 AT 9:15 A.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 Emergency Session in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on Wednesday, July 15, 2015 at nine fifteen a.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 9:24 a.m. Members present: Council Chairman, George Cavnac, Councilmembers Nathan Gorbaty, Richard "Richie" Lewis, Casey W. Hunnicutt, Manuel "Monty" Montelongo and Guy McInnis

Members absent: Ray Lauga

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Legal Counsel Scott Smith was present representing Administration.

Councilman Cavnac delivered the invocation and led the Pledge of Allegiance.

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

### **EMERGENCY ORDINANCE SBPC #1663-07-15**

#### **Summary No. 3265**

AN EMERGENCY ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

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

**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

#2 On motion of Mr. Montelongo, seconded by Mr. McInnis, it was moved to adopt the following ordinance:

### **EMERGENCY ORDINANCE SBPC #1664-07-15**

#### **Summary No. 3266**

AN EMERGENCY BUDGET ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

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

Minutes of the St. Bernard Parish Emergency Council Meeting #2 of July 15, 2015

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**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

Discussion ensued regarding the scheduling of another Council meeting twelve hours from delivery of these ordinances to the Parish President in the event they are vetoed.

There being no further business for discussion the Council Chair declared the meeting adjourned at 9:28 a.m. on the 15<sup>th</sup> day of July, 2015.

Next Regular scheduled Council Meeting will be held Tuesday, July 21, 2015 @ 3:00 p.m.

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

*Roxanne Adams*

ROXANNE ADAMS  
CLERK OF COUNCIL

*George Cavnac*

GEORGE CAVIGNAC  
COUNCIL CHAIR



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#3**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A EMERGENCY MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON WEDNESDAY, JULY 15, 2015 AT EIGHT O'CLOCK P.M

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

## EMERGENCY ORDINANCE SBPC #1665-07-15

### Summary No. 3267

AN EMERGENCY ORDINANCE TO AMEND ORDINANCE SBPC # 1584-12-14, AN ORDINANCE TO ADOPT THE 2015 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 2015 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. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance the provisions shall remain valid for a time period of sixty (60) days.

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



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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Extract #3, continued  
July 15, 2015

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

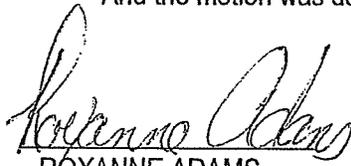
YEAS: Lauga, Lewis, Hunnicutt, Montelongo, McInnis

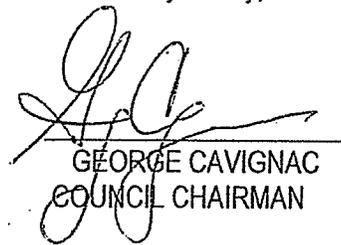
NAYS: None

ABSENT: Gorbaty

The Chairman, Mr. Cavnac, cast his vote as YEA.

And the motion was declared adopted on the 15<sup>th</sup> day of July, 2015.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

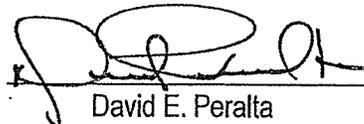
  
GEORGE CAVIGNAC  
COUNCIL CHAIRMAN

Delivered to the Parish President 7-16-15 9:38 am  
Date and Time

Approved

Vetoed

Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/16/2015 2:31pm  
Date and Time

Received by







# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpbg.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#3**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON FRIDAY, JUNE 19, 2015 AT FOUR O'CLOCK P.M.

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

## ORDINANCE SBPC #1654-06-15

### Summary No. 3245

Introduced by: Council on 6/5/15

Public hearing held on 6/16/15

AN ORDINANCE TO REQUIRE THE PARISH PRESIDENT TO TERMINATE THE AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN ST. BERNARD PARISH GOVERNMENT AND PARATECH, LLC.

**WHEREAS**, St. Bernard Parish Government (sometimes referred to herein as "SBPG") entered into an Agreement for Professional Services with Paratech, LLC, effective January 16, 2014 and Addendum signed May 5, 2014 (referred to collectively herein as "the Agreement"). The Agreement is attached as Exhibit A; and,

**WHEREAS**, the Agreement provides in Article IX Section 2 that SBPG has the right to terminate this agreement without cause immediately upon giving Paratech, LLC written notice of its intent to terminate at least ten (10) days prior to the date of termination; and,

**WHEREAS**, it is in the best interests of the citizens of St. Bernard Parish to terminate the Agreement.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish President is hereby directed to, within twenty-four hours of the effective date of this ordinance, give Paratech, LLC notice that St. Bernard Parish Government intends to terminate the agreement for professional services between St. Bernard Parish Government and Paratech, LLC for convenience pursuant to Article IX, Section 2 of the agreement. Said notice is to be sent via certified mail, return receipt requested and via hand delivery.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
*Councilman  
at Large*

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Extract #3, continued  
June 19, 2015

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**SECTION 2.** The St. Bernard Parish President is hereby directed to terminate the agreement ten days after Paratech, LLC receives notice of St. Bernard Parish Government's intent to terminate the agreement.

**SECTION 3.** 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 4.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance. The St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this ordinance with the invalid portions omitted.

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

**YEAS:** Lauga, Gorbaty, McInnis

**NAYS:** None

**ABSENT:** Lewis, Hunnicutt, Montelongo

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared adopted on the 19<sup>th</sup> day of June, 2015.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

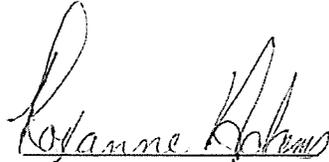
**Richard "Richie" Lewis**  
Councilman  
District C

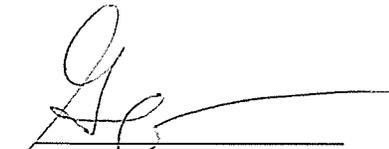
**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -3-  
Extract #3, continued  
June 19, 2015

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIRMAN

Delivered to the Parish President

6/22/2015 10:15 AM  
Date and Time

Approved \_\_\_\_\_

Vetoed  \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

6/30/2015 1:40pm  
Date and Time

Received by



June 30, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinances 1654-06-15 & 1655-06-15*

Dear Madam Clerk:

In accordance with the Home Rule Charter Sections 2-13 and 3-05(10), I hereby veto ordinances 1654-06-15 & 1655-06-15 (sometimes referred to herein as “the Ordinances”). In my opinion, the ordinances violate our Home Rule Charter and pertinent Louisiana Attorney General Opinions.

I will first address ordinance 1654-06-15. The ordinance, in substance, attempts to improperly usurp the executive’s power to contractually bind the Parish. The Home Rule Charter endows my office with the “general executive and administrative authority” of St. Bernard Parish Government.<sup>1</sup> Within this authority is the *exclusive* right to contractually bind the Parish.<sup>2</sup> It is the executive branch that has the “sole authority to select firms to provide non-legal professional services to the Parish.”<sup>3</sup> Commensurate with the right to select firms is the right to terminate agreements. Therefore, any attempt by the Parish Council to terminate a publicly bid contract is outside their realm of authority and is null *ab initio*.

I will next address Ordinance 1655-06-15. This ordinance also improperly usurps the executive’s power to contractually bind the Parish. Ordinance 1655-06-15, in substance, eviscerates the Information Technology Office (“IT”) budget. It eliminates encumbered funds, necessary to pay for services provided under the contract that was lawfully signed. Our IT department is critical to the operations of government. IT provides excellent services not only to SBPG’s facilities but also assists the courthouse and the sheriff’s office. With such a breadth of responsibilities it is imperative to keep IT properly funded and able to function. It should be noted that during the budgeting process last year my administration submitted a request for funding of IT. The budget was then approved and put into law by the Council. The Council is

---

<sup>1</sup> H.R.C Sec. 3-01.

<sup>2</sup> La. Ag. Op. 10-0156

<sup>3</sup> Id.

now attempting to overturn its own decision to fund IT. This significant defunding endangers not only our IT services but puts our electronically stored data at risk. I believe that the Council's adoption of the Ordinances violates the St. Bernard Parish Home Rule Charter and state law. As Parish President, it is my duty to uphold the Charter and the laws of this state. A part of this responsibility is to strike down any law that unlawfully curtails the duties or authority of my office. Therefore, I must also veto ordinance 1655-06-15 to protect the executive authority of the office of the Parish President.

In conclusion, I would urge the council to sustain my vetoes.

Sincerely,

 , Signed June 30, 2015 at 1:35 p.m.

David E. Peralta  
Parish President  
St. Bernard Parish Government



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#3**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON FRIDAY, JUNE 19, 2015 AT FOUR O'CLOCK P.M.

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

## ORDINANCE SBPC #1654-06-15

### Summary No. 3245

Introduced by: Council on 6/5/15

Public hearing held on 6/16/15

AN ORDINANCE TO REQUIRE THE PARISH PRESIDENT TO TERMINATE THE AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN ST. BERNARD PARISH GOVERNMENT AND PARATECH, LLC.

**WHEREAS**, St. Bernard Parish Government (sometimes referred to herein as "SBPG") entered into an Agreement for Professional Services with Paratech, LLC, effective January 16, 2014 and Addendum signed May 5, 2014 (referred to collectively herein as "the Agreement"). The Agreement is attached as Exhibit A; and,

**WHEREAS**, the Agreement provides in Article IX Section 2 that SBPG has the right to terminate this agreement without cause immediately upon giving Paratech, LLC written notice of its intent to terminate at least ten (10) days prior to the date of termination; and,

**WHEREAS**, it is in the best interests of the citizens of St. Bernard Parish to terminate the Agreement.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish President is hereby directed to, within twenty-four hours of the effective date of this ordinance, give Paratech, LLC notice that St. Bernard Parish Government intends to terminate the agreement for professional services between St. Bernard Parish Government and Paratech, LLC for convenience pursuant to Article IX, Section 2 of the agreement. Said notice is to be sent via certified mail, return receipt requested and via hand delivery.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbgg.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #3, continued  
June 19, 2015

**SECTION 2.** The St. Bernard Parish President is hereby directed to terminate the agreement ten days after Paratech, LLC receives notice of St. Bernard Parish Government's intent to terminate the agreement.

**SECTION 3.** 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 4.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance. The St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this ordinance with the invalid portions omitted.

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

**YEAS:** Lauga, Gorbaty, McInnis

**NAYS:** None

**ABSENT:** Lewis, Hunnicutt, Montelongo

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 19<sup>th</sup> day of June, 2015.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

**Guy McInnis**  
Councilman  
at Large

Page -3-  
Extract #3, continued  
June 19, 2015

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIRMAN

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

Delivered to the Parish President

6/22/2015 10:15AM  
Date and Time

**Casey W. Hunnicutt**  
Councilman  
District D

Approved \_\_\_\_\_

Vetoed  \_\_\_\_\_

**Manuel "Monty" Montelongo III**  
Councilman  
District E

Parish President

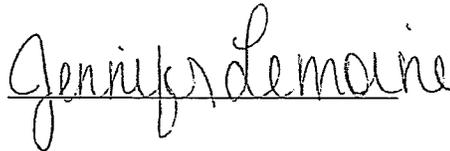
  
David E. Peralta

**Roxanne Adams**  
Clerk of Council

Returned to Clerk of the Council

6/30/2015 1:40pm  
Date and Time

Received by



June 30, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinances 1654-06-15 & 1655-06-15*

Dear Madam Clerk:

In accordance with the Home Rule Charter Sections 2-13 and 3-05(10), I hereby veto ordinances 1654-06-15 & 1655-06-15 (sometimes referred to herein as “the Ordinances”). In my opinion, the ordinances violate our Home Rule Charter and pertinent Louisiana Attorney General Opinions.

I will first address ordinance 1654-06-15. The ordinance, in substance, attempts to improperly usurp the executive’s power to contractually bind the Parish. The Home Rule Charter endows my office with the “general executive and administrative authority” of St. Bernard Parish Government.<sup>1</sup> Within this authority is the *exclusive* right to contractually bind the Parish.<sup>2</sup> It is the executive branch that has the “sole authority to select firms to provide non-legal professional services to the Parish.”<sup>3</sup> Commensurate with the right to select firms is the right to terminate agreements. Therefore, any attempt by the Parish Council to terminate a publicly bid contract is outside their realm of authority and is null *ab initio*.

I will next address Ordinance 1655-06-15. This ordinance also improperly usurps the executive’s power to contractually bind the Parish. Ordinance 1655-06-15, in substance, eviscerates the Information Technology Office (“IT”) budget. It eliminates encumbered funds, necessary to pay for services provided under the contract that was lawfully signed. Our IT department is critical to the operations of government. IT provides excellent services not only to SBPG’s facilities but also assists the courthouse and the sheriff’s office. With such a breadth of responsibilities it is imperative to keep IT properly funded and able to function. It should be noted that during the budgeting process last year my administration submitted a request for funding of IT. The budget was then approved and put into law by the Council. The Council is

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<sup>1</sup> H.R.C Sec. 3-01.

<sup>2</sup> La. Ag. Op. 10-0156

<sup>3</sup> *Id.*

now attempting to overturn its own decision to fund IT. This significant defunding endangers not only our IT services but puts our electronically stored data at risk. I believe that the Council's adoption of the Ordinances violates the St. Bernard Parish Home Rule Charter and state law. As Parish President, it is my duty to uphold the Charter and the laws of this state. A part of this responsibility is to strike down any law that unlawfully curtails the duties or authority of my office. Therefore, I must also veto ordinance 1655-06-15 to protect the executive authority of the office of the Parish President.

In conclusion, I would urge the council to sustain my vetoes.

Sincerely,

 , Signed June 30, 2015 at 1:35 p.m.

David E. Peralta  
Parish President  
St. Bernard Parish Government



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#4**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON FRIDAY, JUNE 19, 2015 AT FOUR O'CLOCK P.M

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

## ORDINANCE SBPC #1655-06-15

### Summary No. 3246

Introduced by: Council on 6/5/15

Public hearing held on 6/16/15

AN ORDINANCE TO AMEND ORDINANCE SBPC # 1584-12-14, AN ORDINANCE TO ADOPT THE 2015 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 2015 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,



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

Page -2-  
Extract #4, continued  
June 19, 2015

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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: Lauga, Gorbaty, McInnis

NAYS: None

ABSENT: Lewis, Hunnicutt, Montelongo

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 19<sup>th</sup> day of June, 2015.

ROXANNE ADAMS  
CLERK OF COUNCIL

GEORGE CAVIGNAC  
COUNCIL CHAIRMAN

Delivered to the Parish President 6/22/2015 10:15AM  
Date and Time

Approved \_\_\_\_\_ Vetoed

Parish President   
David E. Peralta

Returned to Clerk of the Council 6/30/2015 1:40pm  
Date and Time

Received by

June 30, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinances 1654-06-15 & 1655-06-15*

Dear Madam Clerk:

In accordance with the Home Rule Charter Sections 2-13 and 3-05(10), I hereby veto ordinances 1654-06-15 & 1655-06-15 (sometimes referred to herein as “the Ordinances”). In my opinion, the ordinances violate our Home Rule Charter and pertinent Louisiana Attorney General Opinions.

I will first address ordinance 1654-06-15. The ordinance, in substance, attempts to improperly usurp the executive’s power to contractually bind the Parish. The Home Rule Charter endows my office with the “general executive and administrative authority” of St. Bernard Parish Government.<sup>1</sup> Within this authority is the *exclusive* right to contractually bind the Parish.<sup>2</sup> It is the executive branch that has the “sole authority to select firms to provide non-legal professional services to the Parish.”<sup>3</sup> Commensurate with the right to select firms is the right to terminate agreements. Therefore, any attempt by the Parish Council to terminate a publicly bid contract is outside their realm of authority and is null *ab initio*.

I will next address Ordinance 1655-06-15. This ordinance also improperly usurps the executive’s power to contractually bind the Parish. Ordinance 1655-06-15, in substance, eviscerates the Information Technology Office (“IT”) budget. It eliminates encumbered funds, necessary to pay for services provided under the contract that was lawfully signed. Our IT department is critical to the operations of government. IT provides excellent services not only to SBPG’s facilities but also assists the courthouse and the sheriff’s office. With such a breadth of responsibilities it is imperative to keep IT properly funded and able to function. It should be noted that during the budgeting process last year my administration submitted a request for funding of IT. The budget was then approved and put into law by the Council. The Council is

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<sup>1</sup> H.R.C Sec. 3-01.

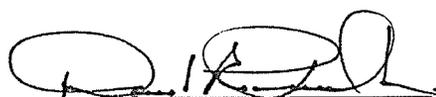
<sup>2</sup> La. Ag. Op. 10-0156

<sup>3</sup> *Id.*

now attempting to overturn its own decision to fund IT. This significant defunding endangers not only our IT services but puts our electronically stored data at risk. I believe that the Council's adoption of the Ordinances violates the St. Bernard Parish Home Rule Charter and state law. As Parish President, it is my duty to uphold the Charter and the laws of this state. A part of this responsibility is to strike down any law that unlawfully curtails the duties or authority of my office. Therefore, I must also veto ordinance 1655-06-15 to protect the executive authority of the office of the Parish President.

In conclusion, I would urge the council to sustain my vetoes.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Peralta', with a horizontal line drawn underneath it.

Signed June 30, 2015 at 1:35 p.m.

David E. Peralta  
Parish President  
St. Bernard Parish Government



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**#1**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN EMERGENCY MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON WEDNESDAY, JULY 15, 2015 AT NINE FIFTEEN A.M.

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

## **EMERGENCY ORDINANCE SBPC #1663-07-15**

**Summary No. 3265**

AN EMERGENCY ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

**WHEREAS**, the Governing Authority of St. Bernard Parish believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to preserve property and safety of St. Bernard parish data and electronic systems given current circumstances.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby direct the Parish President to immediately take all steps necessary to restrict access and remote access to all St. Bernard Parish Government physical properties and electronic data systems from all Paratech owners, managers, personnel and/or affiliates or businesses owned by any of the above until such time as the Louisiana Attorney General's investigation is complete. This includes but it not limited to;

- a. retrieval of ID badges and restriction of building entry of the persons/entities numerated above
- b. direct St. Bernard Parish IT personnel to secure the system via required employee password changes and any other digital means available
- c. issue a full report of all steps taken under this ordinance to the parish council within 24 hours of the effective of this ordinance

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance the provisions shall remain valid for a time period of sixty (60) days.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

Page -2-  
Extract #1  
July 15, 2015

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

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

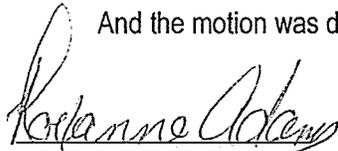
**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

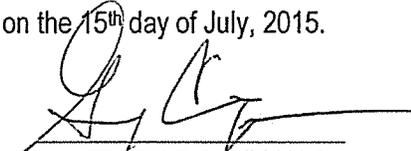
**NAYS:** None

**ABSENT:** Lauga

The Chairman, Mr. Cavignac, cast his vote as YEA.

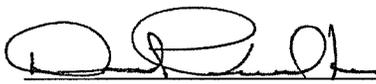
And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

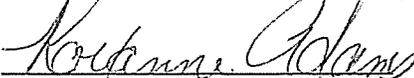
  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 7-15-15 9:40am  
Date and Time

Approved \_\_\_\_\_ Vetoed

Parish President   
David E. Peralta

Returned to Clerk of the Council 7/15/15 4:03pm  
Date and Time

Received by 

July 15, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinances SBPC # 1663-07-15*

Dear Madam Clerk:

In accordance with the Home Rule Charter Sections 2-13 and 3-05(10), I hereby veto ordinances 1663-07-15 (sometimes referred to herein as "the Ordinances"). In my opinion, the ordinances violate our Home Rule Charter.

Please reference the attached EMERGENCY DECLARATION.....

In conclusion, I would urge the council to sustain my vetoes.

Sincerely,

 , Signed July 15, 2015 at 4:00 p.m.  
David E. Peralta  
Parish President  
St. Bernard Parish Government



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**#1**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN EMERGENCY MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON WEDNESDAY, JULY 15, 2015 AT EIGHT O'CLOCK P.M.

On a joint motion of the Council, without objection and by unanimous consent, it was moved to **OVERRIDE** the Parish Presidential Veto of Ordinance **SBPC #1663-07-15**, an Emergency Ordinance to preserve property and safety of St. Bernard Parish Data and Electronic Systems.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at an Emergency Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Wednesday, July 15, 2015.

Witness my hand and the seal of the Parish of St. Bernard on this 15<sup>th</sup> day of July, 2015.

ROXANNE ADAMS  
CLERK OF COUNCIL

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

**#2**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN EMERGENCY MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON WEDNESDAY, JULY 15, 2015 AT NINE FIFTEEN A.M.

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

## **EMERGENCY ORDINANCE SBPC #1664-07-15**

**Summary No. 3266**

AN EMERGENCY BUDGET ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

**WHEREAS**, the Governing Authority of St. Bernard Parish believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to preserve property and safety of St. Bernard parish data and electronic systems given current circumstances.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby ordain the following budget amendment:

a. remove all unencumbered professional service line item funds from all general fund budgeted departments and move the total to the general fund balance

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance the provisions shall remain valid for a time period of sixty (60) days.

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



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #2  
July 15, 2015

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

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

**Nathan Gorbaty**  
Councilman  
District B

**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Richard "Richie" Lewis**  
Councilman  
District C

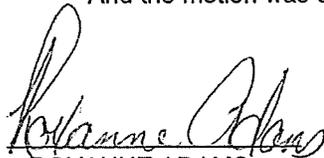
**ABSENT:** Lauga

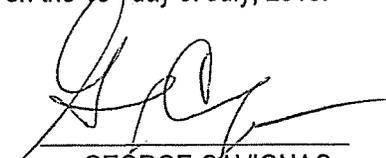
The Chairman, Mr. Cavignac, cast his vote as YEA.

**Casey W. Hunnicutt**  
Councilman  
District D

And the motion was declared adopted on the 15<sup>th</sup> day of July, 2015.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 7-15-15 9:40am  
Date and Time

Approved \_\_\_\_\_

Vetoed ✓

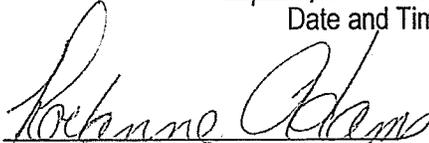
Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/15/15 4:09pm  
Date and Time

Received by





# *St. Bernard Parish Government*

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8201 West Judge Perez Drive  
Phone (504) 278-4200

Chalmette, Louisiana 70043  
Fax (504) 278-4330

---

**David E. Peralta**  
Parish President

July 15, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinance No. 1664-07-15*

Dear Madam Clerk:

In accordance with Home Rule Charter Sections 2-14 and 3-05(10), I hereby veto ordinance 1664-07-15 (sometimes referred to herein as "the Ordinance"). In my opinion, the ordinance violates our Home Rule Charter and severely disrupts the daily operations of government.

The ordinance arbitrarily reduces all unencumbered professional services line items from the general fund.<sup>1</sup> This will reduce the operational capacity of government by approximately \$410,224.00. Professional service agreements are contracts for services that require a level of expertise. The Parish contracts with these firms to perform vital services on a per-project or on-call basis. The agreements let my staff utilize the needed expertise of these companies. They save both time and protect the public fisc. Without access to these valuable resources, the daily operations of parish government will be severely impacted and my administration will not be able to provide high-level, quality services to the citizens of St. Bernard Parish. Our Charter requires my office to administer the affairs of this Parish. However, the ordinance makes some of my duties, and the duties of my staff, impossible. Therefore, I hold that this ordinance violates the Home Rule Charter of St. Bernard Parish.

Second, the ordinance is a sparsely-worded sentence that potentially impacts over \$9,000,000.00 dollars of St. Bernard's budget. It attempts to sweep away all professional service line items, in one stroke, and transfer these funds to general fund and eliminate SBPG's ability to deliver these vital services. For example, SBPG has professional service agreements with firms such as: Acadian Ambulance Service, Barowka and Bonura Engineers, numerous engineering and architectural firms that provide design and construction related services for recovery, construction, and road projects throughout the Parish, Foley & Judell (the Parish's Bond counsel), and several law firms representing the Parish in legal matters such as the BP settlement. To separate out all the impacted funds would require hours of work, by trained accountants, and would ultimately harm St. Bernard for the reasons stated above.

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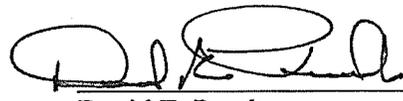
<sup>1</sup> SBPC #1664-07-15

Lastly, the ordinance was passed as an emergency ordinance under Sec. 2-14 of our Charter. This section requires that the ordinance contain a "specific statement of the emergency claimed." However, the ordinance is devoid of any mention of or description of the impending emergency. In fact, no emergency existed at the time of the passage of the ordinance, and therefore the ordinance should have been enacted through the normal process of the charter. Therefore, this item is procedurally deficient as it does not describe what emergency is present.

I believe that the Council's adoption of the Ordinance violates the St. Bernard Parish Home Rule Charter. As Parish President, it is my duty to uphold the Charter and the laws of this state. A part of this responsibility is to veto any law that unlawfully curtails the duties or authority of my office. Therefore, I must veto ordinance 1664-07-15 to protect the executive authority of the office of the Parish President.

I would urge the council to sustain my veto.

Sincerely,

 , Signed July 15, 2015 at 4 p.m.

David E. Peralta  
Parish President  
St. Bernard Parish Government



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#1**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN EMERGENCY MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON WEDNESDAY, JULY 15, 2015 AT NINE FIFTEEN A.M.

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

## EMERGENCY ORDINANCE SBPC #1663-07-15

### Summary No. 3265

AN EMERGENCY ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

**WHEREAS**, the Governing Authority of St. Bernard Parish believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to preserve property and safety of St. Bernard parish data and electronic systems given current circumstances.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby direct the Parish President to immediately take all steps necessary to restrict access and remote access to all St. Bernard Parish Government physical properties and electronic data systems from all Paratech owners, managers, personnel and/or affiliates or businesses owned by any of the above until such time as the Louisiana Attorney General's investigation is complete. This includes but it not limited to;

- a. retrieval of ID badges and restriction of building entry of the persons/entities numerated above
- b. direct St. Bernard Parish IT personnel to secure the system via required employee password changes and any other digital means available
- c. issue a full report of all steps taken under this ordinance to the parish council within 24 hours of the effective of this ordinance

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance the provisions shall remain valid for a time period of sixty (60) days.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

Page -2-  
Extract #1  
July 15, 2015

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

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

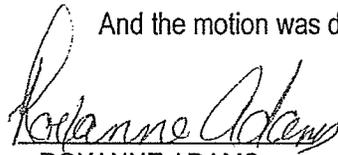
**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

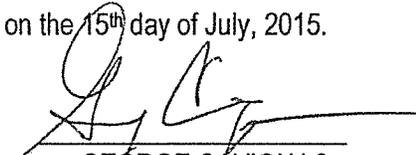
**NAYS:** None

**ABSENT:** Lauga

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 15<sup>th</sup> day of July, 2015.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

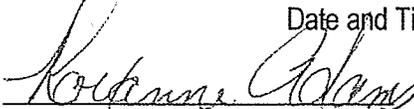
  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 7-15-15 9:40am  
Date and Time

Approved \_\_\_\_\_ Vetoed

Parish President   
David E. Peralta

Returned to Clerk of the Council 7/15/15 4:03pm  
Date and Time

Received by 



# *St. Bernard Parish Government*

---

8201 West Judge Perez Drive  
Phone (504) 278-4200

Chalmette, Louisiana 70043  
Fax (504) 278-4330

---

**David E. Peralta**  
Parish President

July 15, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinance No. 1664-07-15*

Dear Madam Clerk:

In accordance with Home Rule Charter Sections 2-14 and 3-05(10), I hereby veto ordinance 1664-07-15 (sometimes referred to herein as "the Ordinance"). In my opinion, the ordinance violates our Home Rule Charter and severely disrupts the daily operations of government.

The ordinance arbitrarily reduces all unencumbered professional services line items from the general fund.<sup>1</sup> This will reduce the operational capacity of government by approximately \$410,224.00. Professional service agreements are contracts for services that require a level of expertise. The Parish contracts with these firms to perform vital services on a per-project or on-call basis. The agreements let my staff utilize the needed expertise of these companies. They save both time and protect the public fisc. Without access to these valuable resources, the daily operations of parish government will be severely impacted and my administration will not be able to provide high-level, quality services to the citizens of St. Bernard Parish. Our Charter requires my office to administer the affairs of this Parish. However, the ordinance makes some of my duties, and the duties of my staff, impossible. Therefore, I hold that this ordinance violates the Home Rule Charter of St. Bernard Parish.

Second, the ordinance is a sparsely-worded sentence that potentially impacts over \$9,000,000.00 dollars of St. Bernard's budget. It attempts to sweep away all professional service line items, in one stroke, and transfer these funds to general fund and eliminate SBPG's ability to deliver these vital services. For example, SBPG has professional service agreements with firms such as: Acadian Ambulance Service, Barowka and Bonura Engineers, numerous engineering and architectural firms that provide design and construction related services for recovery, construction, and road projects throughout the Parish, Foley & Judell (the Parish's Bond counsel), and several law firms representing the Parish in legal matters such as the BP settlement. To separate out all the impacted funds would require hours of work, by trained accountants, and would ultimately harm St. Bernard for the reasons stated above.

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<sup>1</sup> SBPC #1664-07-15

Lastly, the ordinance was passed as an emergency ordinance under Sec. 2-14 of our Charter. This section requires that the ordinance contain a "specific statement of the emergency claimed." However, the ordinance is devoid of any mention of or description of the impending emergency. In fact, no emergency existed at the time of the passage of the ordinance, and therefore the ordinance should have been enacted through the normal process of the charter. Therefore, this item is procedurally deficient as it does not describe what emergency is present.

I believe that the Council's adoption of the Ordinance violates the St. Bernard Parish Home Rule Charter. As Parish President, it is my duty to uphold the Charter and the laws of this state. A part of this responsibility is to veto any law that unlawfully curtails the duties or authority of my office. Therefore, I must veto ordinance 1664-07-15 to protect the executive authority of the office of the Parish President.

I would urge the council to sustain my veto.

Sincerely,

 , Signed July 15, 2015 at 4 p.m.

David E. Peralta  
Parish President  
St. Bernard Parish Government



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

**#2**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN EMERGENCY MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON WEDNESDAY, JULY 15, 2015 AT NINE FIFTEEN A.M.

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

## **EMERGENCY ORDINANCE SBPC #1664-07-15**

### **Summary No. 3266**

AN EMERGENCY BUDGET ORDINANCE TO PRESERVE PROPERTY AND SAFETY OF ST. BERNARD PARISH DATA AND ELECTRONIC SYSTEMS.

**WHEREAS**, the Governing Authority of St. Bernard Parish believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to preserve property and safety of St. Bernard parish data and electronic systems given current circumstances.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby ordain the following budget amendment:

a. remove all unencumbered professional service line item funds from all general fund budgeted departments and move the total to the general fund balance

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance the provisions shall remain valid for a time period of sixty (60) days.

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



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #2  
July 15, 2015

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

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

**Nathan Gorbaty**  
Councilman  
District B

**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Richard "Richie" Lewis**  
Councilman  
District C

**ABSENT:** Lauga

**Casey W. Hunnicutt**  
Councilman  
District D

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

**Roxanne Adams**  
Clerk of Council

ROXANNE ADAMS  
CLERK OF COUNCIL

GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

7-15-15 9:40am  
Date and Time

Approved \_\_\_\_\_

Vetoed \_\_\_\_\_

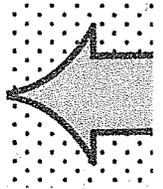
Parish President

\_\_\_\_\_  
David E. Peralta

Returned to Clerk of the Council

\_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_



July 15, 2015

Roxanne Adams  
Clerk of Council  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

*Re: VETO of Ordinances SBPC # 1663-07-15*

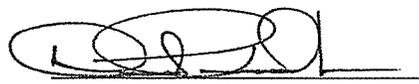
Dear Madam Clerk:

In accordance with the Home Rule Charter Sections 2-13 and 3-05(10), I hereby veto ordinances 1663-07-15 (sometimes referred to herein as "the Ordinances"). In my opinion, the ordinances violate our Home Rule Charter.

Please reference the attached EMERGENCY DECLARATION.....

In conclusion, I would urge the council to sustain my vetoes.

Sincerely,

 , Signed July 15, 2015 at 4:30 p.m.  
David E. Peralta  
Parish President  
St. Bernard Parish Government

**PUBLIC NOTICE  
ST. BERNARD PARISH EMERGENCY COUNCIL MEETING  
AGENDA**

E-MAIL ADDRESS – radams@sbgg.net

504-278-4228

504-278-4209 (fax)

Posted 7/15/15

**Wednesday, July 15, 2015**

**8:00 p.m.**

**Council Chambers**

**Page 1**

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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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**Upon call of the Council Chair and in the interest of  
meeting public hearing requirements**

- A. Meeting Called to Order and Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 
- 1. A motion to **OVERRIDE** the **Parish Presidential Veto of Emergency Ordinance SBPC #1663-07-15**, an Emergency Ordinance to preserve property and safety of St. Bernard Parish data and electronic systems.
  - 2. A motion to **OVERRIDE** the **Parish Presidential Veto of Emergency Ordinance SBPC #1664-07-15**, an Emergency Budget Ordinance to preserve property and safety of St. Bernard Parish data and electronic systems.
  - 3. A motion to adopt **Summary No. 3267, AN EMERGENCY ORDINANCE TO AMEND ORDINANCE SBPC #1584-12-14, AN ORDINANCE TO ADOPT THE 2015 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.**
  - 4. Adopt **Resolution SBPC #1366-07-15**, a resolution ending the declared state of emergency by the Parish President as a formal petition by the majority of the surviving members of the parish governing authority as outlined in LA R.S. 29:727(D).

Approved by: *George Cawignac*

Time: 7:16 p.m. Date: 7/15/15

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT AN **EMERGENCY MEETING** HELD ON WEDNESDAY, JULY 15, 2015 AT 8:00 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 Emergency Session in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on Wednesday, July 15, 2015 at eight o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 8:12 p.m. Members present: Council Chairman, George Cavnac, Councilmembers Ray Lauga, Richard "Richie" Lewis, Casey W. Hunnicutt, Manuel "Monty" Montelongo and Guy McInnis .

Members absent: Nathan Gorbaty

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Legal Counsel Scott Smith was present representing Administration.

Councilman Cavnac delivered the invocation and led the Pledge of Allegiance.

**#1** On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to **OVERRIDE** the Parish Presidential Veto of **Ordinance SBPC #1663-07-15**, an Emergency Ordinance to preserve property and safety of St. Bernard Parish Data and Electronic Systems.

Discussion ensued;

On a joint motion of the Council, without objection and by unanimous consent, it was moved to **OVERRIDE** the Parish Presidential Veto of **Ordinance SBPC #1663-07-15**, an Emergency Ordinance to preserve property and safety of St. Bernard Parish Data and Electronic Systems.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Council Chair, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

**#2** A motion to **OVERRIDE** the **Parish Presidential Veto of Emergency Ordinance SBPC #1664-07-15**, an Emergency Budget Ordinance to preserve property and safety of St. Bernard Parish Data and Electronic Systems failed due to a lack of a motion and a second.

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

**EMERGENCY ORDINANCE SBPC #1665-07-15**

**Summary No. 3267**

AN EMERGENCY ORDINANCE TO **AMEND ORDINANCE SBPC # 1584-12-14**, AN ORDINANCE TO ADOPT THE 2015 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

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

**EMERGENCY ORDINANCE SBPC #1665-07-15**

**Summary No. 3267**

AN EMERGENCY 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:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

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

**RESOLUTION SBPC #1366-07-15**

A RESOLUTION ENDING THE DECLARED STATE OF EMERGENCY BY THE PARISH PRESIDENT AS A FORMAL PETITION BY THE MAJORITY OF THE SURVIVING MEMBERS OF THE PARISH GOVERNING AUTHORITY AS OUTLINED IN LA R.S. 29:727(D).

Discussion ensued;

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of July, 2015.

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There being no further business for discussion the Council Chair declared the meeting adjourned at 8:40 p.m. on the 15<sup>th</sup> day of July, 2015.

Next Regular scheduled Council Meeting will be held Tuesday, July 21, 2015 @ 3:00 p.m.

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

*Roxanne Adams*

ROXANNE ADAMS  
CLERK OF COUNCIL

*George Cavignac*

GEORGE CAVIGNAC  
COUNCIL CHAIR