

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

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

(504) 278-4228

(504) 278-4209 (fax)

Posted 10/28/16

Wednesday, November 2, 2016 7:00 p.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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- 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 Pastor Tommy Walker with Praise Temple Fellowship
- E. Pledge of Allegiance by Councilman Lewis
- F. Recognize Elected Officials

## APPROVAL OF MINUTES

- 1. Motion to approve the minutes from the October 18, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 28, 2016. (Council Chair)

## RECOGNITION

- 2. Motion to proclaim November 7<sup>th</sup> – November 13<sup>th</sup>, 2016 as “National Key Club Week” in St. Bernard Parish (Councilman Gorbaty)
- 3. Motion to recognize Rickey Robin, Robert Broadhead, Casey Kieff, Sterling Cordon, Timmy Juneau and Brian Clark for their efforts with the Wounded Warriors In Action Foundation. (Councilman Montelongo)
- 4. Motion to recognize District Chief Kevin M. Zanca on his retirement from the St. Bernard Parish Fire Department with 37 years of service. (Administration)
- 5. Motion to recognize the St. Bernard Cemetery for their valuable contribution to the Mississippi River Geotourism Program, and their support in sustaining and enhancing the unique geographic character of the region through their commitment to aesthetics, culture, environment heritage and the wellbeing of the regions’ residents. (Councilmember Alcon)
- 6. Motion to recognize Jason Stopa, Director of Community Development, for a department update. (Administration)
- 7. Motion to recognize Dan Robin for an update. (Councilman Luna)
- 8. **Guy McInnis**, President’s Report
- 9. Councilmember’s for a District Update

## RECOGNIZE THE PUBLIC

- 10. Recognize the Public (Those wishing to speak must sign in prior to the start of the meeting. Speakers will be given 2 minutes.)

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## PUBLIC HEARINGS

11. **Summary No. 3429**

Introduced by: Administration on 10/18/16

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

12. **Summary No. 3430**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

13. **Summary No. 3431**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

14. **Summary No. 3432**

Introduced by: Administration on 10/18/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

## RESOLUTIONS

15. Adopt **Resolution SBPC #1651-11-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

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

1. EMA Inc. dba South Lake Foods 7532 E. Judge Perez Dr., Violet, LA 70092 Owner: Manuel & Eva Nicosia **(Renewal) (Beer & Liquor)**
2. Frozen Fantasies, LLC dba Frozen Fantasies 3120 E. Judge Perez Dr., Meraux, LA 70075 Owners: Harry Meraux Fisher, III & Herbie Meraux Fisher **(Renewal) (Beer & Liquor)**
3. GTN Convenience, LLC dba Sammy's Discount Express 1609/11 E. St. Bernard Hwy., Chalmette, LA 70043 Owner: Mai Nguyen **(Renewal) (Beer & Liquor)**
4. Guillory, Lura Mae dba Guillory's 8317 E. St. Bernard Hwy., St. Bernard LA 70085 Owner: Lura Mae Guillory **(Renewal) (Beer Only)**

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5. Gulf Outlet Marina Boat Launch Inc. dba Gulf Outlet Marina Boat Launch 255 Marina Rd. Chalmette, LA 70043 Owner: Robert C. Berthelot & Raymie B. Anderson **(Renewal) (Beer Only)**
6. Mary Sinh LLC dba Banh Mi Boys 113 E. Judge Perez Dr. Chalmette, LA 70043 Owner: Thoa Nguyen **(Renewal) (Beer Only)**
16. Adopt **Resolution SBPC #1652-11-16**, a resolution requesting the State of Louisiana, through the Department of Wildlife and Fisheries, to conduct a survey and an assessment of the remaining anchors and other relics of the BP Oil Spill in the vicinity of St. Bernard Parish; and authorizing the Parish President to sign, execute and administer any and all relevant documents.  
(Administration)
17. Adopt **Resolution SBPC #1653-11-16**, a resolution declaring the intention of the Parish of St. Bernard, State of Louisiana, to issue Taxable Utilities Revenue Bonds, in one or more series, in an amount not to exceed Thirteen Million Dollars (\$13,000,000) for the purpose of paying the cost of constructing and acquiring additions, extensions and improvements to the water portion of the combined water and sewer system of said Parish; and providing for other matters in connection therewith.  
(Administration)
18. Adopt **Resolution SBPC #1654-11-16**, a resolution appointing a new member to the Planning Commission.  
(Councilmember Callais)

## ADOPTION OF ORDINANCES

19. **Summary No. 3429**  
Introduced by: Administration on 10/18/16  
Public hearing held on 11/2/16

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

20. **Summary No. 3430**  
Introduced by: Administration on 10/18/16  
Public hearing held on 11/2/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

21. **Summary No. 3431**  
Introduced by: Administration on 10/18/16  
Public hearing held on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

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22. **Summary No. 3432**

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

## INTRODUCTION

23. **Summary No. 3433**

Introduced by: Administration on 11/2/16

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

24. **Summary No. 3434**

Introduced by: Administration on 11/2/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

25. **Summary No. 3435**

Introduced by: Councilman Gorbaty on 11/2/16

AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK.

26. **Summary No. 3436**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

27. **Summary No. 3437**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND

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SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5;  
PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

28. **Summary No. 3438**

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

### OTHER MATTERS

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

Next Regular scheduled Council Meeting will be held Tuesday, November 15, 2016 @ 3:00 p.m.

Approved by: *Kerri Callais* Time: 11:17 a.m. Date: 10/28/16

**#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 WEDNESDAY, NOVEMBER 2, 2016 AT SEVEN O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to to approve the minutes from the October 18, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 28, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

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ROXANNE ADAMS  
CLERK OF COUNCIL

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

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

The meeting convened at 3:01 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon and Manuel "Monty" Montelongo.

Members absent: Richard "Richie" Lewis.

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

Faith Gonzales with the 4-H Officers in Jr Leadership Club delivered the invocation and Tiffany Poteet with the 4-H Officers in Jr Leadership Club led the Pledge of Allegiance.

**#1** On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to approve the minutes from the October 4, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 14, 2016.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**#2** On motion of the Chair, without objection and by unanimous consent it was moved to recognize Wayne Burgess for a 4-H update.

**#3** On a joint motion of the Council, without objection and by unanimous consent it was moved to proclaim October 2016 as "Domestic Violence Awareness Month"

**#4** On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Dorothy L. "Dot" Benge for her outstanding service to the people of St. Bernard Parish.

**#5** On motion of the Chair, without objection and by unanimous consent it was moved to recognize the Ronald McDonald Charity.

**#6 President's Report**

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

**#7 Councilmember's District Update**

# Minutes of the St. Bernard Parish Council Meeting of October 18, 2016

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

### #8 Recognize the Public

No one signed up to speak

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #26, #27 and #28 Executive Session in Globo.

#26 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss Robert Huerstel v. S.B. Fire Dept. OWC No. 16-00813.

#27 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss potential litigation re C. Moore Therapeutic Group Home, LLC and Angelicare, LLC.

#28 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss U.S.A. vs. St. Bernard Parish, USDC #12-00321.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to return to Regular Session.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

#26 On motion of the Chair, without objection and by unanimous consent, it was moved to accept the advice of Legal Counsel in the matter of Robert Huerstel v. S.B. Fire Dept. OWC No. 16-00813.

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

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

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**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**#27** No official action taken on the potential litigation re C. Moore Therapeutic Group Home, LLC and Angelicare, LLC.

**#28** No official action taken in the matter of U.S.A. vs. St. Bernard Parish, USDC #12-00321.

**#9 Summary No. 3424**

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#10 Summary No. 3425**

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#11 Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND **CHAPTER 22; ZONING**, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#12 Summary No. 3427**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND **CHAPTER 22; ZONING**, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**RESOLUTION SBPC #1645-10-16**

# Minutes of the St. Bernard Parish Council Meeting of October 18, 2016

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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. Ben's Pizza #2, LLC dba Ben's Pizza #2 2805 E. Judge Perez Drive, Meraux, LA 70075  
Owners: Addlee & Stacey Martin **(Renewal) (Beer only)**
2. CJAM Enterprises, LLC dba J & J Chicken and Seafood 2545 Paris Road, Suite C, Chalmette, LA 70043 Members: Carlo James, III & Ken M. James **(Renewal) (Beer only)**

### Special Event Permit(s)

1. Name of Organization: **Arc of Greater NOLA/Sterling Hall**  
Address: 3700 Jean Lafitte Pkwy., Chalmette, LA 70043  
Event: **Anything Goes!**  
Date & Time: Thursday, November 10, 2016, 6:00-9:00 p.m.  
Contact Person: Kristin Hill & Nicole Blair
2. Name of Organization: **The Voices Foundation**  
Address: 2101 Paris Road, Chalmette, LA 70043  
Event: **Holidaze Comedy Show**  
Date & Time: November 11, 12, 18 & 19, 2016, 8:00 p.m.  
Contact Person: Barry Lemoine

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

### **RESOLUTION SBPC #1646-10-16**

A RESOLUTION AUTHORIZING ACCEPTANCE OF A FY16 UNIVERSITY OF NEW ORLEANS RESEARCH AND TECHNOLOGY FOUNDATION'S EPA LAKE PONTCHARTRAIN BASIN RESTORATION GRANT IN THE AMOUNT OF \$26,000.00 FOR THE ST. BERNARD PARISH GREEN INFRASTRUCTURE PROGRAM.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

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And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1647-10-16**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA COASTAL PROTECTION AND RESTORATION AUTHORITY'S CONSERVATION AND RESTORATION PARTNERSHIP FUND GRANT PROGRAM IN THE AMOUNT OF \$32,000.00 FOR THE ST. BERNARD PARISH CYPRESS REFORESTATION PROGRAM (CAERNARVON TO VERRET).

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1648-10-16**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT'S TRANSPORTATION ALTERNATIVES PROGRAM IN THE AMOUNT OF \$582,384.00 FOR THE MISSISSIPPI RIVER TRAIL, PHASE IV (VALERO MERAUX REFINERY TO PARIS ROAD)

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1649-10-16**

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A RESOLUTION TO AUTHORIZE THE CHAIR AND VICE CHAIR OF THE ST. BERNARD PARISH COUNCIL TO ADVERTISE FOR REQUESTS FOR PROPOSALS (RFP'S) FOR THE 2016 COMPREHENSIVE FINANCIAL AUDIT OF ST. BERNARD PARISH GOVERNMENT.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1825-10-16**

**Summary No. 3424**

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1826-10-16**

**Summary No. 3425**

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to amend this item to read "three (3) inches in caliper, as measured at diameter breast height (DBH)"

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1827-10-16**

**Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

**Minutes of the St. Bernard Parish Council Meeting of October 18, 2016**

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1828-10-16**

**Summary No. 3427**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3429**

Introduced by: Administration on 10/18/16

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

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

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

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**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3430**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3431**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**Minutes of the St. Bernard Parish Council Meeting of October 18, 2016**

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On motion of Mrs. Alcon, seconded by Mr. Gorbaty, it was moved to amend the agenda to **introduce Summary No. 3432.**

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3432**

Introduced by: Administration on 10/18/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

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

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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**#25 Coastal Zone Advisory Committee**

No official action taken

There being no further business for discussion, the Council Chair declared the meeting adjourned at 5:09 p.m. on the 18<sup>th</sup> day of October, 2016.

Next Regular scheduled Council Meeting will be held Wednesday, November 2, 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

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, NOVEMBER 2, 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 OCTOBER 18, 2016 COUNCIL MEETING:

### **Summary No. 3429**

Introduced by: Administration on 10/18/16

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

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

**Summary No. 3429**

**St. Bernard Parish Government  
Proposed 2016 Budget Amendment 10-18-2016**

<u>FUND</u>	<u>G/L ACCOUNT CODE</u>			<u>ACCOUNT TITLE</u>	<u>ACCOUNT TYPE</u>	<u>ENTRY AMOUNT</u>	
	<u>COST CENTER</u>	<u>PROJECT</u>	<u>LEDGER CODE</u>			<u>INCREASE</u>	<u>DECREASE</u>
078	6110	0000	505456	Salaries	Expenditure	\$ 90,000.00	
078	6110	0000	505466	Payroll taxes	Expenditure	\$ 7,200.00	
078	6110	0000	530453	R&M Bldg & Facilities	Expenditure	\$ 20,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$117,200.00

*The budget amendment is to increase the budget for part-time concession, referees, score keepers salaries and related payroll taxes and to increase repairs & maintenance due to terminates.*

<u>FUND</u>	<u>G/L ACCOUNT CODE</u>			<u>ACCOUNT TITLE</u>	<u>ACCOUNT TYPE</u>	<u>ENTRY AMOUNT</u>	
	<u>COST CENTER</u>	<u>PROJECT</u>	<u>LEDGER CODE</u>			<u>INCREASE</u>	<u>DECREASE</u>
61	6110	0	530453	R&M Bldg & Facilities	Expenditure	\$10,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$10,000.00

*The budget amendment is to increase the budget for concrete work on Phase I at Val Riess.*

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, NOVEMBER 2, 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 OCTOBER 18, 2016 COUNCIL MEETING:

**Summary No. 3430**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to create and insert Appendix F; Reasonable Accommodation under the Fair Housing Act to the St. Bernard Parish Code of Ordinances.

**SECTION 1.** the St. Bernard Parish Council does hereby create and insert "Exhibit A" as attached Appendix F; Reasonable Accommodation under the Fair Housing Act to the St. Bernard Parish Code of Ordinances.

**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

**EXHIBIT "A"**  
**SUMMARY NO. 3430**  
**ORDINANCE SBPC #XXXX-XX-XX**

**APPENDIX F**  
**REASONABLE ACCOMMODATION UNDER THE**  
**FAIR HOUSING ACT**

**Sec. 1. Purpose**

It is the policy of St. Bernard Parish, pursuant to the Fair Housing Amendments Act of 1988, to provide people with disabilities reasonable accommodation in ordinances, rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The purpose of these provisions is to provide a process for making requests for reasonable accommodation to land use and zoning decisions, ordinances and procedures regulating the siting, funding, development and use of housing for people with disabilities. In these regulations, "use of housing" includes, but is not limited to, housing related services and the use and enjoyment of the property.

**Sec. 2. Definitions**

Act. The Fair Housing Amendments Act of 1988.

Applicant. The individual making the request for reasonable accommodation pursuant to these Regulations.

The DEPARTMENT. Community Development.

DIRECTOR. The Director of Community Development.

Disability. Any person who has a physical or mental impairment that substantially limits one or more major life activities; anyone who is regarded as having such impairment; anyone who has a record of such impairment; or any disability that qualifies as a disability under the Act. People who are currently using illegal substances are not covered under the Act, unless they have a separate disability.

**Sec. 3. Notice to the Public of Availability of Accommodation Process**

At all counters where application is made for a permit, license or other authorization for the siting, funding, development or use of housing, a notice in the form set forth in Exhibit A shall be prominently displayed advising applicants that they may request a reasonable accommodation of existing ordinances, rules, policies, practices and procedures. Forms for requesting an accommodation shall be available in all departments where decisions are made regulating the siting, funding, development and use of housing.

**Sec. 4. Requesting Reasonable Accommodation**

In order to make specific housing available to an individual with a disability, any person may request a reasonable accommodation in the ordinances, rules, policies, practices and procedures regulating the siting, funding, development or use of housing by completing a "Fair Housing Accommodation Request" form, which shall be supplied by the DEPARTMENT, and filing it with the DEPARTMENT.

- A. If an individual needs assistance in making the request for reasonable accommodation, the DEPARTMENT shall provide the assistance necessary to ensure that the process is accessible to the applicant.
- B. A request for reasonable accommodation in ordinances, rules, policies, practices and/or procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing; at the outset or during the approval process.

#### **Sec. 5. Review of Requests for Reasonable Accommodation**

- A. When a request for reasonable accommodation is filed with the DEPARTMENT, it is referred to the DIRECTOR for review and consideration. The DIRECTOR shall issue a written decision within thirty (30) days of the date of the application and may grant the reasonable accommodation request with or without modification or deny the request.
- B. If necessary to reach a decision on the request for reasonable accommodation, the DIRECTOR may request further information from the applicant consistent with the Act, specifying in detail what information is required.
- C. Not more than thirty (30) days after receiving a written request for reasonable accommodation, the DIRECTOR shall issue a written decision on the request; provided that, in the event that the DIRECTOR requests further information pursuant to the above paragraph, the running of this period shall be tolled (stopped) until the applicant responds to the request.

#### **Sec. 6. Factors for Considering Requests for Reasonable Accommodation**

The DIRECTOR shall consider the following factors and any other relevant factors when deciding whether a requested accommodation is reasonable:

- Is the housing, which is the subject of the request for reasonable accommodation, to be used by an individual(s) protected under the Act?
- Is the request for accommodation necessary to make specific housing available to an individual(s) protected under the Act?
- Whether the requested accommodation would impose an undue financial, administrative or other burden on the Parish?
- Whether the requested accommodation would require a fundamental alteration in the nature of a program?

#### **Sec. 7. Written Decision on the Request for Reasonable Accommodation**

- A. The DIRECTOR'S written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the DIRECTOR'S findings on the factors set forth in Sec. 6, above. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process as set forth below. The DIRECTOR shall send a Notice of Decision to the applicant by certified mail.

#### **Sec. 8. Appeals**

- A. Within thirty (30) days of the date of the DIRECTOR'S written decision, the applicant may appeal the decision by filing an Appeal of Denial of Fair Housing Accommodation Request form, which

shall be supplied by the DEPARTMENT, with the Board of Zoning Adjustments. Delivery of the appeal to the DEPARTMENT shall constitute filing of the Appeal.

- B. If the DIRECTOR fails to render a written decision on the request for reasonable accommodation within the time period allotted by Sec. 5, above, the applicant shall be entitled to file an appeal to the Board of Zoning Adjustments within ninety (90) days of the date the applicant filed the request for reasonable accommodation with the DIRECTOR.
- C. An applicant may request reasonable accommodation in the procedure by which an appeal will be conducted. If an applicant needs assistance in filing an appeal, the Parish shall provide the assistance that is necessary to ensure that the appeal process is accessible to the applicant.
- D. All appeals shall contain a statement of the grounds for the appeal.
- E. Upon receipt of an appeal, the DEPARTMENT shall refer the appeal to the Board of Zoning Adjustments within seven days. The Board of Zoning Adjustments shall hear the appeal at its next available meeting that allows sufficient time to fulfill any public notice requirements.
- F. Nothing in these provisions shall preclude an aggrieved individual from seeking any other state or federal remedy available.

# NOTICE OF FAIR HOUSING ACCOMMODATION PROCEDURES FOR PEOPLE WITH DISABILITIES

*THIS IS NOT A COMPREHENSIVE EXPLANATION OF YOUR RIGHTS UNDER  
THE FEDERAL FAIR HOUSING AMENDMENTS ACT.*

You may request a reasonable accommodation to ordinances, rules, policies, practices and procedures for the siting, development and use of housing, including housing related services or facilities, if you meet all of the following:

- You have a disability\* or the housing is for people with disabilities;
- You may need a reasonable accommodation to existing rules and regulations to have equal opportunity to housing AND;
- Your request for accommodation would not be an undue burden on the parish.

If you believe that you satisfy the above criteria and are entitled to a reasonable accommodation under the Fair Housing Amendments Act of 1988, you may obtain a Fair Housing Accommodation Request form from the front desk. If you need assistance in applying for a reasonable accommodation, the DEPARTMENT will assist you.

\*The Fair Housing act defines “disability” as any of the following: a physical or mental impairment that substantially limits one or more major life activities; a record of having such an impairment or; being regarded as having such an impairment. The Fair Housing Act does not protect individuals currently using illegal substances, unless they have a separate disability.

## **EXHIBIT A**

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, NOVEMBER 2, 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 OCTOBER 18, 2016 COUNCIL MEETING:

### **Summary No. 3431**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the St. Bernard Parish Council authorizes and approves the public auction to be held on October 20, 2016 which auction surplus Road Department equipment;

**WHEREAS**, said auction to be publicly advertised via public notice September 30, 2016, October 7, 2016 and October 14, 2016 in the St. Bernard Voice;

**WHEREAS**, the equipment listed in Exhibit "A" was surplus and not needed for a public purpose.

**SECTION 1.** St. Bernard Parish Council the governing authority for St. Bernard parish does hereby authorize the Road Department to hold a public auction for all items listed in Exhibit "A" in accordance with Louisiana Revised Statute 49:125.

**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 of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

USER	UNIT#	VIN #	DESCRIPTION	YEAR	PLATE#	MILES	COND

		SER# 190432	ONEN GEN 100KW			N/A	WILL RUN
		SER# L7607892	ONEN GEN 30KW			N/A	WILL RUN

		SER# 011245	SCAG	2006		N/A	DON'T RUN
		SER# 014100	SCAG	2006		3759	DON'T RUN
		SER# 013071	SCAG	2006		10448	DON'T RUN

**Exhibit "A"**  
**Summary No. 3431**  
**Ordinance SBPC #xxxx-11-16**

2016 VEHICLE/EQUIPMENT AUCTION ITEMS						
DEPT	UNIT	VIN	DESCRIPTION	YEAR	MILES	NOTES
ROAD	414	1GCEK19V51E283648	CHEVY 1500 PICK UP	2001	205,148	VALVE SEAL LEAKS CAUSING TO SMOKE FRONT BUMPER, REAR BUMPER AND BODY WORK
ROAD	429	1FTSW30L1YEA84684	FORD F350 PICK UP	1998	157,580	SPARK PLUGS, BLOW OUT CYLINDER NEEDS BODY WORK HIGH MILES
ROAD	430	1FTPW14565FB51633	FORD F150 PICK UP	2005	138,469	TRANSMISSION SLIPS NEEDS BRAKES AND LOT OF MILES
ROAD	431	1FTPX2766WKC14939	FORD F150 PICK UP	1998	140,642	FRONT AND REAR BUMPER DAMAGE. CLEAN OUT FUEL SYSTEM, NEEDS BRAKES AND TIRES
ROAD	432	1FTPX2763WKC14946	FORD F250 PICK UP	1990	134,288	HEAD GASKET BAD, WATER COMES OUT EXHAUST
ROAD	477	1FTPF18L5YKB36822	FORD F150 PICK UP	2000		NEEDS NEW COMPUTER AND FRONT ENGINE
ROAD	442	IHTWDAARX5J151014	FLUSH TRUCK	2004	42,450	BAD ELECTRICAL SYSTEM AND EXHAUST
ROAD	451	CJF0069213	CASE BACKHOE	2006		PARTS MISSING
ROAD	455	N53387636	CASE BACKHOE	2006		PARTS MISSING
ROAD	474	1HTMMAAN66H327182	TRASH TRUCK	2005	10,062	PARTS MISSING, TURBO CHARGE BAD
ROAD	490	1FDNK74C5RVA19880	FORD F700 BOX TRUCK	1994		CLUTCH SLIPS AND MASSIVE BODY WORK
ROAD	M-1	1FTRX12W46NA08250	Ford F150	2005	100,000	DAMAGED IN ACCIDENT
W&S	509	1FTRF17263NB46123	03-F-150	2003		BAD DASH BOARD, CLUTCH
W&S	512	1B7HC16X2WS705805	98 DODGE RAM	1998	100,000	ENGINE WILL RUN TRANSMISSION SLIPS BAD, BAD BODY DAMAGE, COST NOT WORTH REPAIRING
W&S	516	1FTNF20516EA14212	06 F-250	2006	125,000	EXHAUST SYSTEM,INJECTION SYSTEM, TIRE AND BRAKES NEEDS TO BE REPLACED BODY DAMAGE
W&S	526	1GCFC29TXYZ159352	2005 CHEVY	2005	188,000	BAD BODY DAMAGE, BAD COOLANNT SYSTEM, BRAKS AND TIRES, COST NOT WORTH REPAIRING
W&S	533	1B7HC16X6WS705807	1998 DODGE RAM	1998	102,616	NEEDS COMPLETE SERVICE, VALVE SEALS BAD, COST NOT WORTH REPAIRING
W&S	535	1FTRF17W53NB76703	F-150	2003	177,874	ENGINE SEALS LEAK, OIL LEAKS IN FUEL SYSTEM, BAD BRAKS, TRANSMISSION, TIRES AND COOLANT SYSTEM
W&S	510	1FDXW46P36ED45166	F-450	2006	123,254	ENGINE SEALS LEAK, OIL LEAKS IN FUEL SYSTEM, BAD BRAKS, TRANSMISSION, TIRES AND COOLANT SYSTEM
W&S	511	1FDXW45PGED91367	F-450	2006	101,383	EXHAUST SYSTEM,INJECTION SYSTEM, TIRE AND BRAKES NEEDS TO BE REPLACED BODY DAMAGE
W&S	516	1FTNF20516EA47545	F-250	2006	109,486	BAD BRAKES, DOOR JAM, BODY WORK, COST NOT WORTH REPAIRING, VEHICLE NOT IN USE
INSURANCE	INS1	1FMZU71XOYZC15882	FORD EXPLORER	2000	130,000	ENGINE HEAD CRACKED, BAD BRAKES, TIRES AND BODY WORK COST NOT WORTH REPAIRING
MOSQUITO	MC-2	1FTPX2768WKC14943	F-250	1998	166,490	NEEDS TUNE UP BEEN SITTING FOR LONG TIME
MOSQUITO	MC-21	1GDJC34086E184790	GMC 3500	2005		BAD HOSE, TRANSMISSION AND BODY WORK
MOSQUITO	MC-14	1FDJF37Y25EA5610	1995 F-350	1995	101,862	BODY DAMAGE, BAD ENGINE WAS IN ACCIDENT
MOSQUITO	MC-17	1FDJF37HXTEA85027	1996 F-350	1996		BAD REAR BED, DOORS, FRONT BUMPER TIRES AND BRAKES COST NOT WORTH REPAIRING
MOSQUITO	MC-21	1GDJC34D86E189790	2006 GMC 3500	2006	30,000	NEEDS NEW DASH BOARD BRAKES, TIRES AND LIGHTS, COST NOT WORTH REPAIRING
ADMIN	ADMIN	2GCEC13T561115683	SILVERADO	2005		A/C SYSTEM, BRAKES, TIRES, FRONT ENGINE NEEDS REPAIRS
ADMIN	ADMIN	284FP44331R218699	DODGE VAN	2000		EXHAUST SYSTEM, FRONT END, BRAKES, TIRES NEED REPAIR. TRANSMISSIN SLIPS
RS	C-10	1FMPU18L5WLB58845	EXPEDITION	1998	80,276	TRANSMISSION AND DASH NEED TO BE REPLACED, A/C, TIRES AND BRAKES BAD
RS	C-6	1FMZU73K05UA39961	EXPLORER	2005	113,030	WATER PUMP, FRONT END BAD, NEEDS BODY WORK AND INSIDE REPAIRS
OEP	OEP	1FMPU155T6LA16416	EXPEDITION XLT	2006		NEEDS SERVICE, TIRES, BRAKES. VEHICLE HAS NOT BEEN IN USE FOR OVER A YEAR
RS	RS	3GKEC16Z25G274302	YUKON XL	2005	101,402	NEEDS DECK GEAR BOX COST NOT WORTH REPAIRING
FIRE	FIRE	1GNEC16Z15R208309	2005 CHEVY SUBURBAN	2005	127,709	HAS BEEN USED FOR PARTS.
ROAD	T8	33194	KUBOTA ZD331 ZERO TURN	2009		HYD COVER LEAKS, GEAR BOX SPINDER BAD
ROAD	T10	ID# 3028104986	M95400TL TRACTOR	2009		DECK DAMAGE AND BAD GEAR BOX
ROAD	T12	30152	KUBOTA ZD331 ZERO TURN	2009		ENGINE BAD AND CRANK SHAFT BAD. BEEN SITTING FOR YEARS
ROAD	T13	17887	KUBOTA ZD331 ZERO TURN	2009		HYD AND HOSE LEAKS, BAD CLUTCH AND FRONT END

**2016 VEHICLE/EQUIPMENT AUCTION ITEMS**

DEPT	UNIT	VIN	DESCRIPTION	YEAR	MILES	NOTES
ROAD	T18	10042	M5640SU	2010		NEEDS NEW ENGINE AND HOSE FITTING PARTS MISSING
ROAD	T19	ROPS82980659	6610 TRACTOR	1989		HYD CYLINDER LEAKS BAD ELECTRICAL SYSTEM
ROAD	T26	33199	KUBOTA ZD331 ZERO TURN	2013		HAS BEEN BROKEN FOR YEARS. WATER HOSE
ROAD	E5	N856591	YALE FORKLIFT	1991		HYDROLIC LEAK, HOSES, ELECTRICAL SYSTEM BAD
ROAD	E7	T00317A116688	JOHN DEERE skid loader	2006		HYDROLIC LEAK, HOSES, PARKED FOR YEARS
W&S		SER# 190432	ONEN GEN 100KW	1980		WENT UNDER WATER
W&S		SER# L7607892	ONEN GEN 30KW	1980		WENT UNDER WATER
ROAD		DEUT25DZXL065042	PUMP	2005		NEEDS GEAR BOX
ROAD		SER #12-09941	BUSH HOG 5 FOOT	2009		PARTS ONLY
ROAD		SER# 12-36534	BUSH HOG TRIPPLE WING	2009		BROKEN GLASS FRONT ENTRY DOOR. HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	733	1GBE4V1927FA425655	BUS	2007	131,301	PARTS ONLY
TRANSIT	734	1GBE4V1997F425846	BUS	2007	148,752	DOESN'T START, BROKEN GLASS FRONT ENTRY DOOR. HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	735	1GBEV1907F4235895	BUS	2007	89,608	DOESN'T START HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	736	1GBEV1907F425881	BUS	2007		PARTS ONLY
TRANSIT	737	1GBEV1907F425964	BUS	2007	149,618	NEEDS BRAKES AND BATTERY.
TRANSIT	738	1GBEV1907F425939	BUS	2007	108,525	NEEDS BATTERY AND NEW TIRE
TRANSIT	740	1GBEV1907F425918	BUS	2007	115,751	NEEDS NEW BATTERY, NO HYDRYO BOOST AND HAS A FLAT TIRE
<b>ROAD</b>	<b>452</b>	<b>JJGN595NJAC538052</b>	<b>CASE BACKHOE</b>	<b>2010</b>		
<b>ROAD</b>	<b>450</b>	<b>1FNX21S62EC406990</b>	<b>F250 PICKUP</b>	<b>2002</b>		
<b>ROAD</b>	<b>T23</b>	<b>SERIAL #02980378</b>	<b>TS100A - SLOPEMOWER</b>			
<b>ROAD</b>		<b>SERIAL #12-36536</b>	<b>BUSH HOG TRIPLE WING</b>			

## **PUBLIC HEARING NOTICE**

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, NOVEMBER 2, 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 OCTOBER 18, 2016 COUNCIL MEETING:

### **Summary No. 3432**

Introduced by: Administration on 10/18/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

**WHEREAS**, the purpose of this ordinance is to include twenty-one (21) properties, recently transferred from the Louisiana Land Trust (LLT) to the Parish, in the Builder Bundle III program adopted by Parish Council SBPC #1716-12-15. The St. Bernard Parish Council further finds that the Louisiana Land Trust has successfully implemented the Builder Bundle concept pursuant to Parish Council Resolution SBPC #1078-09-13, utilizing these properties owned by Louisiana Land Trust. Many of these properties were successfully awarded under Builder Bundle III while in LLT's inventory and have been transferred to the Parish.

### **ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:**

**SECTION 1.** The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to convey the former Louisiana Land Trust properties listed in Exhibit "A" to builders in accordance with the Builder Bundle III program established by ordinance #1716-12-15.

**SECTION 2.** The Parish President and the Chief Administrative Officer each is hereby authorized to execute all instruments necessary to effectuate the conveyances authorized by this ordinance, and are further authorized to execute any and all additional instruments necessary to implement the program, including instruments necessary to enforce the requirements of the Builder Bundle III program or to reacquire, claw back, or accept a reversion of any property on behalf of the St. Bernard Parish in the event that a purchaser under the program fails to comply with its requirements. It is recognized and agreed the Parish President and/or Chief Administrative Officer may nominate a designee by use of a power of attorney to transfer, sell, and auction, the properties in Exhibit "A" in accordance with the laws of Louisiana.

**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 this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

**Exhibit "A"**  
**Summary No. 3432**  
**Ordinance SBPC #xxxx-xx-xx**

<b>BER</b>	<b>Address</b>
400704	1904 KARL ST
400705	1903 ROSE ST
400702	1811 ALEXANDER
400703	1815 ALEXANDER
043764	1819 ALEXANDER
006115	124 SEAL DR
106060	137 SEAL DR
143205	112 SEAL DR
610334	113 SEAL DR
620334	121 SEAL DR
400399	3837 NORWOOD DR
400400	3829 NORWOOD DR
400403	3816 DOMINIQUE DR
610401	3817 NORWOOD DR
620401	3825 NORWOOD DR
400396	3908 DOMINIQUE DR
400397	3916 DOMINIQUE DR
400398	3840 DOMINIQUE DR
610402	3820 DOMINIQUE DR
620402	3828 DOMINIQUE DR
049221	3913 NORWOOD DR

# #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 WEDNESDAY, NOVEMBER 2, 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 #1651-11-16

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:

<u>Establishment</u>	<u>Beer and/or Liquor Permit(s)</u>	<u>Beer</u>	<u>Liquor</u>
1. EMA Inc. dba South Lake Foods 7532 E. Judge Perez Dr., Violet, LA 70092 Owner: Manuel & Eva Nicosia		X	X
2. Frozen Fantasies, LLC dba Frozen Fantasies 3120 E. Judge Perez Dr., Meraux, LA 70075 Owners: Harry Meraux Fisher, III & Herbie Meraux Fisher		X	X
3. GTN Convenience, LLC dba Sammy's Discount Express 1609/11 E. St. Bernard Hwy., Chalmette, LA 70043 Owner: Mai Nguyen		X	X
4. Guillory, Lura Mae dba Guillory's 8317 E. St. Bernard Hwy., St. Bernard LA 70085 Owner: Lura Mae Guillory		X	
5. Gulf Outlet Marina Boat Launch Inc. dba Gulf Outlet Marina Boat Launch 255 Marina Rd. Chalmette, LA 70043 Owner: Robert C. Berthelot & Raymie B. Anderson		X	
6. Mary Sinh LLC dba Banh Mi Boys 113 E. Judge Perez Dr. Chalmette, LA 70043 Owner: Thoa Nguyen		X	

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Extract #15 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #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 WEDNESDAY, NOVEMBER 2, 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 #1652-11-16**

A RESOLUTION REQUESTING THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF WILDLIFE AND FISHERIES, TO CONDUCT A SURVEY AND AN ASSESSMENT OF THE REMAINING ANCHORS AND OTHER RELICS OF THE BP OIL SPILL IN THE VICINITY OF ST. BERNARD PARISH; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER ANY AND ALL RELEVANT DOCUMENTS.

**WHEREAS**, the BP spill was a tremendous ecological and environmental disaster that affected both the people and the wildlife of coastal Louisiana; and

**WHEREAS**, the residents and the commercial fisherman of St. Bernard Parish were directly affected by both the spill and the recovery from the spill; and

**WHEREAS**, the response to the spill included the installation of several miles of oil absorbent booms across many of the passes and cuts connecting the Gulf of Mexico to the inland waterways; and

**WHEREAS**, these booms were held in place by a series of unmarked anchors that were installed at multiple locations across the coast; and

**WHEREAS**, these anchors remain below the water surface, posing a serious threat to recreational and commercial vessels, as well as the nets, traps, and other equipment used by the commercial fishing industry in south Louisiana; and

**WHEREAS**, the fisherman of St. Bernard Parish have had nets torn, lines broken, and valuable catch lost due to these unseen and remaining obstructions; and

**WHEREAS**, St. Bernard Parish Government believes these obstructions should be identified and removed as soon as possible; and

**WHEREAS**, St. Bernard Parish Government asks, the Department of Wildlife and Fisheries share any information gained from this assessment with the Parish, commercial fisherman and the recreational fisherman of the Parish in order to avoid further damage to fishing gear, equipment, and bodily injury to the citizens; and

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Extract #16 continued  
November 2, 2016

**WHEREAS**, St. Bernard Parish Government request the Department of Wildlife and Fisheries to prepare a plan for the removal of any such obstructions as quickly as possible; and

**WHEREAS**, this resolution was sponsored for the Administration by Councilmembers

**WHEREAS**, it is recommended by the Administration of St. Bernard Parish Government that the Council does hereby approve a request to the State of Louisiana, through the Department of Wildlife and Fisheries, to conduct a survey and an assessment of the remaining anchors and other relics of the BP Spill in the vicinity of St. Bernard Parish; and authorizes the Parish President to sign, execute and administer any and all relevant documents.

**THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council convened in regular session on Wednesday, November 2, 2016 and hereby approves a request to the State of Louisiana, through the Department of Wildlife and Fisheries, to conduct a survey and an assessment of the remaining anchors and other relics of the BP Spill in the vicinity of St. Bernard Parish; and authorizes the Parish President to sign, execute and administer said change order and any and all relevant documents.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be forwarded to: State of Louisiana, Department of Wildlife and Fisheries, ATTN: Charlie Melancon, Secretary, P.O. Box 98000, Baton Rouge, La. 70808; St. Bernard Parish Government: Department of Public Works, and the Office of the Parish Administrator.

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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

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Extract #16 continued  
November 2, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #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 WEDNESDAY, NOVEMBER 2, 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 #1653-10-16**

A RESOLUTION DECLARING THE INTENTION OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO ISSUE TAXABLE UTILITIES REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION DOLLARS (\$13,000,000) FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING AND ACQUIRING ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER PORTION OF THE COMBINED WATER AND SEWER SYSTEM OF SAID PARISH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

**WHEREAS**, the Parish of St. Bernard, State of Louisiana (the "Issuer") now owns and operates a combined waterworks plant system and sewer system (the "System") as a revenue-producing work of public improvement; and,

**WHEREAS**, the Parish Council of the Parish of St. Bernard, State of Louisiana, as governing authority of the Issuer, proposes that bonds, or other evidence of indebtedness, will be issued by the Issuer in the manner prescribed by and under the authority of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:1011, *et seq.*), and other constitutional and statutory authority (the "Act"), payable solely from the income and revenues of the System, subject to the prior payment of the reasonable and necessary expenses of operating and maintaining the System; and

**WHEREAS**, this governing authority now desires to give notice of intention pursuant to the Act to issue not exceeding \$13,000,000 of bonds or other indebtedness to finance improvements to the water portion of the System; and

**NOW, THEREFORE, BE IT RESOLVED** by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

Intent to Issue Revenue Bonds. Pursuant to and in compliance with the provisions of the Act, and other constitutional and statutory authority, this Governing Authority does hereby declare its intention to issue not exceeding Thirteen Million Dollars (\$13,000,000) of Taxable Utilities Revenue Bonds, or other evidences of indebtedness (collectively, the "Bonds"), in the name of the Issuer, in one or more series, the proceeds of which, will be used to pay the cost of constructing and acquiring additions, extensions and improvements to the water portion of the

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Extract #17 continued  
November 2, 2016

System, a work of public improvement (the "Project"), and for paying costs of issuance.

All of the Bonds shall be limited and special revenue bonds of the Issuer, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived or to be derived by the Issuer from the operation of the System, after paying the reasonable and necessary expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the Issuer, nor shall they constitute an indebtedness or pledge of the general credit of the Issuer. The Bonds shall be of such series, bear such dates, mature at such time or times, not to exceed twenty-two (22) years from their date of issuance, bear interest at such rate or rates not exceeding two and forty-five hundredths percent (2.45%) per annum, be sold at such price or prices, be in such denomination or denominations, be in fully registered form, carry such registration privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as the Issuer may provide by ordinance(s) adopted at the time or times of issuance of the Bonds.

[NOTE: following tweaks are so this language conforms more closely to R.S. 39:1018]

The Issuer will, in such ordinance(s), enter into such covenants with the future owner or owners of the Bonds as to the management and operation of the System, the imposition and collection of fees and charges for the services furnished thereby, the disposition of such fees and revenues, the issuance of future bonds and other debt obligations and the creation of future liens and encumbrances against the System and the revenues thereof, the carrying of insurance on the System, the disposition of the proceeds of insurance, the keeping of books and records, and other pertinent matters as may be deemed necessary by this Governing Authority to assure the marketability of the Bonds, consistent with the provisions of the Act and other applicable laws and regulations. Such ordinance(s) will also include remedies in case of default, provision for the issuance of parity bonds, and such additional covenants, agreements and provisions as are judged advisable or necessary by the Issuer for the security of the registered owners of the Bonds, including sinking funds and reserves for the payment of principal and interest on the Bonds and an adequate depreciation fund for those repairs, extensions and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

Sale of Bonds. The Bonds will be sold at a private sale to the Drinking Water Revolving Loan Fund, and may be issued and sold in installments as needed, all as provided for in the Act and other statutory authority.

Public Hearing. This Governing Authority will meet in open and public session, on TUESDAY, DECEMBER 6, 2016 at SEVEN O'CLOCK (7:00) P.M., at the Council Chambers of the St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana, or at an earlier or later regular or special meeting of the Governing Authority to be determined by the Parish Council, in consultation with bond counsel and duly advertised in the manner provided by law, to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition or petitions duly signed by the electors of the Issuer in an aggregate number not less than five percent (5%) of the number of the electors of the Issuer voting in the last special or general election held in the Issuer object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the Issuer who vote at a special election held for that purpose in the manner provided by Chapter 6-B, Title 18 of the Louisiana Revised Statutes of 1950. Any such petition shall be accompanied by a certificate of the St. Bernard Parish Registrar of Voters certifying that the signers of the petition are registered electors of the Issuer and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last tax election held in the Issuer, all as provided by the Act.

Notice of Intention. The Issuer is hereby authorized, empowered and directed to publish an appropriate notice of the intention of the Issuer to issue the Bonds in accordance with the provisions of this resolution and the Act. Such notice of intention shall be published in four (4) consecutive weekly issues of the official journal of the Issuer, and shall be in substantially the following form, with any such changes as may be necessary upon the advice of bond counsel:

\* \* \* \* \*

**NOTICE OF INTENTION TO ISSUE  
NOT EXCEEDING \$13,000,000 OF  
TAXABLE UTILITIES REVENUE BONDS OF THE  
PARISH OF ST. BERNARD, STATE OF LOUISIANA**

As provided by a resolution adopted by the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Issuer"), on November 2, 2016, the Issuer HEREBY DECLARES ITS INTENTION to issue up to Thirteen Million Dollars (\$13,000,000) of Taxable Utilities Revenue Bonds (the "Bonds"), for the purpose of paying the cost of constructing and acquiring additions, extensions and improvements to the water portion of the combined water and sewer system of the Issuer (the "System"), and for paying costs of issuance of the Bonds.

The Bonds will be limited and special revenue bonds of the Issuer, secured by and payable solely from the revenues of the System, after there have been paid from those revenues the reasonable and necessary expenses of operating and

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Extract #17 continued  
November 2, 2016

maintaining the System. The Bonds will not be a charge on the other income and revenues of the Issuer, nor shall they constitute an indebtedness or pledge of the general credit of the Issuer. The Bonds will be issued pursuant to Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended, and/or other applicable laws (collectively, the "Act").

The Bonds will be issued and authorized by ordinance(s) adopted by the governing authority of the Issuer, in one or more series, will mature up to twenty-two (22) years from their date of issuance, will bear interest at rates up to two and forty-five hundredths percent (2.45%) per annum, and will be subject to prepayment anytime without penalty.

As provided by the Act, all of the other details of the Bonds will be set forth in the ordinance(s) authorizing their issuance, including the following: covenants relating to the management and operation of the System, the imposition and collection of fees and charges for the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and other debt obligations and the creation of future liens and encumbrances against the System and the revenues thereof, and all other pertinent matters as may be necessary to the authorization and issuance of the Bonds.

The Bonds are expected to be sold at a private sale, as provided for in the Act, to the Drinking Water Revolving Loan Fund, and the Bonds will also be approved by the State Bond Commission prior to their delivery.

THE PUBLIC IS HEREBY NOTIFIED that the governing authority of the Issuer will meet in open and public session on TUESDAY, DECEMBER 6, 2016 at SEVEN O'CLOCK (7:00) P.M., at the Council Chambers of the St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana, or at another regular or special meeting of the governing authority as may be determined by the Parish Council of the Issuer in consultation with bond counsel and duly advertised in the manner provided by law, to hear any objections to the proposed issuance of the Bonds. If at such hearing a petition duly signed by electors of the Issuer in a number not less than five percent (5%) of the number of such electors voting in the last special or general election object to the issuance of the Bonds, then the Bonds shall not be issued until approved at an election held for that purpose. Any such petition must be accompanied by a certificate of the St. Bernard Parish Registrar of Voters certifying that the signers of the petition(s) are registered electors of the Issuer and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last tax election held in the Issuer, all as provided by the Act.

PARISH OF ST. BERNARD,  
STATE OF LOUISIANA

\* \* \* \* \*

State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of not to exceed \$13,000,000 of Taxable Utilities Revenue Bonds of the Issuer (or such lesser amount as may be determined by the Parish Council), to mature on or before twenty-two (22) years from the date thereof and to bear interest at a rate not to exceed two and forty-five hundredths percent (2.45%) per annum, as described above. A certified copy of this resolution shall be submitted to the State Bond Commission, together with a request for prompt consideration and approval of this application.

By virtue of the Issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns, to full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the State Bond Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

Employment of Bond Counsel. The governing authority finds and determines that a real necessity exists for the employment of bond counsel in connection with the issuance of the Bonds, and accordingly Foley & Judell, L.L.P., of New Orleans, Louisiana, are hereby employed as Bond Counsel to the Issuer to do and perform comprehensive legal and co-ordinate professional work of a traditional legal nature with respect to the issuance and sale of the Bonds. Said Bond Counsel shall prepare and submit to this governing authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of the Bonds, shall counsel and advise this governing authority as to the issuance and sale thereof, and shall furnish their opinion covering the legality of the issuance thereof.

The fee of Bond Counsel in connection with the issuance of each series of the Bonds is hereby fixed at a sum not to exceed the fees provided by the Attorney General's Guidelines for Fees and Services of Bond Attorneys for comprehensive legal and coordinate professional work in the issuance of revenue bonds, said fee to be payable solely out of funds derived from the sale of the Bonds and to be contingent upon the issuance, sale and delivery thereof. The Director of Finance is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel on file with the Director of Finance. A certified copy of this resolution shall be forwarded to

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Extract #17 continued  
November 2, 2016

the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Finance of the Issuer is hereby empowered and directed to make payment to said counsel of the fees herein provided for under the conditions herein enumerated.

Effect of Delivery of Bonds. Upon issuance and delivery of the Bonds, the prior approval for \$10,000,000 of Utilities Revenue Bonds, being the unissued bonds of not exceeding \$21,000,000 of Utilities Revenue Bonds, authorized pursuant to a public hearing held on March 3, 2015 and approved by the State Bond Commission on April 16, 2015 (Application #L15-136), shall terminate and the Issuer will not be authorized to issue said balance of authorized but unissued bonds pursuant to said approvals.

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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of the Council of the Parish of St. Bernard, State of Louisiana (the "Issuer"), do hereby certify that the foregoing pages constitute a true and correct copy of a resolution adopted by the Parish Council of the Issuer on November 2, 2016, declaring the intention of the Parish of St. Bernard, State of Louisiana, to issue Taxable Utilities Revenue Bonds, in one or more series, in an amount not to exceed Thirteen Million Dollars (\$13,000,000) for the purpose of paying the cost of constructing and acquiring additions, extensions and improvements to the water portion of the combined water and sewer system of said Parish; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 2<sup>nd</sup> day of November, 2016.

---

Clerk of the Council

**#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 WEDNESDAY, NOVEMBER 2, 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 #1654-11-16**

A RESOLUTION APPOINTING A NEW MEMBER TO THE PLANNING COMMISSION.

**WHEREAS**, there is a vacancy on the St. Bernard Parish Planning Commission, and;

**WHEREAS**, this Council is desirous of filling the aforementioned board and vacancy.

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following to the Planning Commission:

<u>MEMBER</u>	<u>EXPIRATION DATE</u>	<u>DISTRICT</u>
Ryan Randall	September 2020	At-Large East

**BE IT FURTHER RESOLVED**, that this term shall be effective immediately upon adoption of this Resolution.

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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

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Extract #18 continued  
November 2, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 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 WEDNESDAY, NOVEMBER 2, 2016 AT SEVEN O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-XX-XX**

**Summary No. 3429**

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

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 #19 continued  
November 2, 2016

**SECTION 3.** Any funds collected for the Park shall be deposited with the St. Bernard Parish Government Finance Department which funds will be solely used for the Park.

**SECTION 4.** 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 5.** 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

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Extract #19 continued  
November 2, 2016

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

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

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

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

**Summary No. 3429**

**St. Bernard Parish Government**

**Proposed 2016 Budget Amendment 10-18-2016**

<u>FUND</u>	<u>G/L ACCOUNT CODE</u>			<u>ACCOUNT TITLE</u>	<u>ACCOUNT TYPE</u>	<u>ENTRY AMOUNT</u>	
	<u>COST CENTER</u>	<u>PROJECT</u>	<u>LEDGER CODE</u>			<u>INCREASE</u>	<u>DECREASE</u>
078	6110	0000	505456	Salaries	Expenditure	\$ 90,000.00	
078	6110	0000	505466	Payroll taxes	Expenditure	\$ 7,200.00	
078	6110	0000	530453	R&M Bldg & Facilities	Expenditure	\$ 20,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$117,200.00

*The budget amendment is to increase the budget for part-time concession, referees, score keepers salaries and related payroll taxes and to increase repairs & maintenance due to terminates.*

<u>FUND</u>	<u>G/L ACCOUNT CODE</u>			<u>ACCOUNT TITLE</u>	<u>ACCOUNT TYPE</u>	<u>ENTRY AMOUNT</u>	
	<u>COST CENTER</u>	<u>PROJECT</u>	<u>LEDGER CODE</u>			<u>INCREASE</u>	<u>DECREASE</u>
61	6110	0	530453	R&M Bldg & Facilities	Expenditure	\$10,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$10,000.00

*The budget amendment is to increase the budget for concrete work on Phase I at Val Riess.*

**#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 WEDNESDAY, NOVEMBER 2, 2016 AT SEVEN O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-XX-XX**

**Summary No. 3430**

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to create and insert Appendix F; Reasonable Accommodation under the Fair Housing Act to the St. Bernard Parish Code of Ordinances.

**SECTION 1.** the St. Bernard Parish Council does hereby create and insert "Exhibit A" as attached Appendix F; Reasonable Accommodation under the Fair Housing Act to the St. Bernard Parish Code of Ordinances.

**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 #20 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

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

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

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

**EXHIBIT “A”**  
**SUMMARY NO. 3430**  
**ORDINANCE SBPC #XXXX-XX-XX**

**APPENDIX F**  
**REASONABLE ACCOMMODATION UNDER THE**  
**FAIR HOUSING ACT**

**Sec. 1. Purpose**

It is the policy of St. Bernard Parish, pursuant to the Fair Housing Amendments Act of 1988, to provide people with disabilities reasonable accommodation in ordinances, rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The purpose of these provisions is to provide a process for making requests for reasonable accommodation to land use and zoning decisions, ordinances and procedures regulating the siting, funding, development and use of housing for people with disabilities. In these regulations, “use of housing” includes, but is not limited to, housing related services and the use and enjoyment of the property.

**Sec. 2. Definitions**

Act. The Fair Housing Amendments Act of 1988.

Applicant. The individual making the request for reasonable accommodation pursuant to these Regulations.

The DEPARTMENT. Community Development.

DIRECTOR. The Director of Community Development.

Disability. Any person who has a physical or mental impairment that substantially limits one or more major life activities; anyone who is regarded as having such impairment; anyone who has a record of such impairment; or any disability that qualifies as a disability under the Act. People who are currently using illegal substances are not covered under the Act, unless they have a separate disability.

**Sec. 3. Notice to the Public of Availability of Accommodation Process**

At all counters where application is made for a permit, license or other authorization for the siting, funding, development or use of housing, a notice in the form set forth in Exhibit A shall be prominently displayed advising applicants that they may request a reasonable accommodation of existing ordinances, rules, policies, practices and procedures. Forms for requesting an accommodation shall be available in all departments where decisions are made regulating the siting, funding, development and use of housing.

**Sec. 4. Requesting Reasonable Accommodation**

In order to make specific housing available to an individual with a disability, any person may request a reasonable accommodation in the ordinances, rules, policies, practices and procedures regulating the siting, funding, development or use of housing by completing a “Fair Housing Accommodation Request” form, which shall be supplied by the DEPARTMENT, and filing it with the DEPARTMENT.

- A. If an individual needs assistance in making the request for reasonable accommodation, the DEPARTMENT shall provide the assistance necessary to ensure that the process is accessible to the applicant.
- B. A request for reasonable accommodation in ordinances, rules, policies, practices and/or procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing; at the outset or during the approval process.

#### **Sec. 5. Review of Requests for Reasonable Accommodation**

- A. When a request for reasonable accommodation is filed with the DEPARTMENT, it is referred to the DIRECTOR for review and consideration. The DIRECTOR shall issue a written decision within thirty (30) days of the date of the application and may grant the reasonable accommodation request with or without modification or deny the request.
- B. If necessary to reach a decision on the request for reasonable accommodation, the DIRECTOR may request further information from the applicant consistent with the Act, specifying in detail what information is required.
- C. Not more than thirty (30) days after receiving a written request for reasonable accommodation, the DIRECTOR shall issue a written decision on the request; provided that, in the event that the DIRECTOR requests further information pursuant to the above paragraph, the running of this period shall be tolled (stopped) until the applicant responds to the request.

#### **Sec. 6. Factors for Considering Requests for Reasonable Accommodation**

The DIRECTOR shall consider the following factors and any other relevant factors when deciding whether a requested accommodation is reasonable:

- Is the housing, which is the subject of the request for reasonable accommodation, to be used by an individual(s) protected under the Act?
- Is the request for accommodation necessary to make specific housing available to an individual(s) protected under the Act?
- Whether the requested accommodation would impose an undue financial, administrative or other burden on the Parish?
- Whether the requested accommodation would require a fundamental alteration in the nature of a program?

#### **Sec. 7. Written Decision on the Request for Reasonable Accommodation**

- A. The DIRECTOR'S written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the DIRECTOR'S findings on the factors set forth in Sec. 6, above. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process as set forth below. The DIRECTOR shall send a Notice of Decision to the applicant by certified mail.

#### **Sec. 8. Appeals**

- A. Within thirty (30) days of the date of the DIRECTOR'S written decision, the applicant may appeal the decision by filing an Appeal of Denial of Fair Housing Accommodation Request form, which

shall be supplied by the DEPARTMENT, with the Board of Zoning Adjustments. Delivery of the appeal to the DEPARTMENT shall constitute filing of the Appeal.

- B. If the DIRECTOR fails to render a written decision on the request for reasonable accommodation within the time period allotted by Sec. 5, above, the applicant shall be entitled to file an appeal to the Board of Zoning Adjustments within ninety (90) days of the date the applicant filed the request for reasonable accommodation with the DIRECTOR.
- C. An applicant may request reasonable accommodation in the procedure by which an appeal will be conducted. If an applicant needs assistance in filing an appeal, the Parish shall provide the assistance that is necessary to ensure that the appeal process is accessible to the applicant.
- D. All appeals shall contain a statement of the grounds for the appeal.
- E. Upon receipt of an appeal, the DEPARTMENT shall refer the appeal to the Board of Zoning Adjustments within seven days. The Board of Zoning Adjustments shall hear the appeal at its next available meeting that allows sufficient time to fulfill any public notice requirements.
- F. Nothing in these provisions shall preclude an aggrieved individual from seeking any other state or federal remedy available.

# NOTICE OF FAIR HOUSING ACCOMMODATION PROCEDURES FOR PEOPLE WITH DISABILITIES

*THIS IS NOT A COMPREHENSIVE EXPLANATION OF YOUR RIGHTS UNDER  
THE FEDERAL FAIR HOUSING AMENDMENTS ACT.*

You may request a reasonable accommodation to ordinances, rules, policies, practices and procedures for the siting, development and use of housing, including housing related services or facilities, if you meet all of the following:

- You have a disability\* or the housing is for people with disabilities;
- You may need a reasonable accommodation to existing rules and regulations to have equal opportunity to housing AND;
- Your request for accommodation would not be an undue burden on the parish.

If you believe that you satisfy the above criteria and are entitled to a reasonable accommodation under the Fair Housing Amendments Act of 1988, you may obtain a Fair Housing Accommodation Request form from the front desk. If you need assistance in applying for a reasonable accommodation, the DEPARTMENT will assist you.

\*The Fair Housing act defines “disability” as any of the following: a physical or mental impairment that substantially limits one or more major life activities; a record of having such an impairment or; being regarded as having such an impairment. The Fair Housing Act does not protect individuals currently using illegal substances, unless they have a separate disability.

## **EXHIBIT A**

**#21**

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 WEDNESDAY, NOVEMBER 2, 2016 AT SEVEN O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-XX-XX**

**Summary No. 3431**

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the St. Bernard Parish Council authorizes and approves the public auction to be held on October 20, 2016 which auction surplus Road Department equipment;

**WHEREAS**, said auction to be publicly advertised via public notice September 30, 2016, October 7, 2016 and October 14, 2016 in the St. Bernard Voice;

**WHEREAS**, the equipment listed in Exhibit "A" was surplus and not needed for a public purpose.

**SECTION 1.** St. Bernard Parish Council the governing authority for St. Bernard parish does hereby authorize the Road Department to hold a public auction for all items listed in Exhibit "A" in accordance with Louisiana Revised Statute 49:125.

**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 of this Ordinance with the invalid portions omitted.

Page -2-  
Extract #21 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

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

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

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

USER	UNIT#	VIN #	DESCRIPTION	YEAR	PLATE#	MILES	COND

		SER# 190432	ONEN GEN 100KW			N/A	WILL RUN
		SER# L7607892	ONEN GEN 30KW			N/A	WILL RUN

		SER# 011245	SCAG	2006		N/A	DON'T RUN
		SER# 014100	SCAG	2006		3759	DON'T RUN
		SER# 013071	SCAG	2006		10448	DON'T RUN

**Exhibit "A"**  
**Summary No. 3431**  
**Ordinance SBPC #xxxx-11-16**

2016 VEHICLE/EQUIPMENT AUCTION ITEMS						
DEPT	UNIT	VIN	DESCRIPTION	YEAR	MILES	NOTES
ROAD	414	1GCEK19V51E283648	CHEVY 1500 PICK UP	2001	205,148	VALVE SEAL LEAKS CAUSING TO SMOKE FRONT BUMPER, REAR BUMPER AND BODY WORK
ROAD	429	1FTSW30L1YEA84684	FORD F350 PICK UP	1998	157,580	SPARK PLUGS, BLOW OUT CYLINDER NEEDS BODY WORK HIGH MILES
ROAD	430	1FTPW14565FB51633	FORD F150 PICK UP	2005	138,469	TRANSMISSION SLIPS NEEDS BRAKES AND LOT OF MILES
ROAD	431	1FTPX2766WKC14939	FORD F150 PICK UP	1998	140,642	FRONT AND REAR BUMPER DAMAGE. CLEAN OUT FUEL SYSTEM, NEEDS BRAKES AND TIRES
ROAD	432	1FTPX2763WKC14946	FORD F250 PICK UP	1990	134,288	HEAD GASKET BAD, WATER COMES OUT EXHAUST
ROAD	477	1FTPF18L5YKB36822	FORD F150 PICK UP	2000		NEEDS NEW COMPUTER AND FRONT ENGINE
ROAD	442	IHTWDAARX5J151014	FLUSH TRUCK	2004	42,450	BAD ELECTRICAL SYSTEM AND EXHAUST
ROAD	451	CJF0069213	CASE BACKHOE	2006		PARTS MISSING
ROAD	455	N53387636	CASE BACKHOE	2006		PARTS MISSING
ROAD	474	1HTMMAAN66H327182	TRASH TRUCK	2005	10,062	PARTS MISSING, TURBO CHARGE BAD
ROAD	490	1FDNK74C5RVA19880	FORD F700 BOX TRUCK	1994		CLUTCH SLIPS AND MASSIVE BODY WORK
ROAD	M-1	1FTRX12W46NA08250	Ford F150	2005	100,000	DAMAGED IN ACCIDENT
W&S	509	1FTRF17263NB46123	03-F-150	2003		BAD DASH BOARD, CLUTCH
W&S	512	1B7HC16X2WS705805	98 DODGE RAM	1998	100,000	ENGINE WILL RUN TRANSMISSION SLIPS BAD, BAD BODY DAMAGE, COST NOT WORTH REPAIRING
W&S	516	1FTNF20516EA14212	06 F-250	2006	125,000	EXHAUST SYSTEM, INJECTION SYSTEM, TIRE AND BRAKES NEEDS TO BE REPLACED BODY DAMAGE
W&S	526	1GCFC29TXYZ159352	2005 CHEVY	2005	188,000	BAD BODY DAMAGE, BAD COOLANT SYSTEM, BRAKS AND TIRES, COST NOT WORTH REPAIRING
W&S	533	1B7HC16X6WS705807	1998 DODGE RAM	1998	102,616	NEEDS COMPLETE SERVICE, VALVE SEALS BAD, COST NOT WORTH REPAIRING
W&S	535	1FTRF17W53NB76703	F-150	2003	177,874	ENGINE SEALS LEAK, OIL LEAKS IN FUEL SYSTEM, BAD BRAKS, TRANSMISSION, TIRES AND COOLANT SYSTEM
W&S	510	1FDXW46P36ED45166	F-450	2006	123,254	ENGINE SEALS LEAK, OIL LEAKS IN FUEL SYSTEM, BAD BRAKS, TRANSMISSION, TIRES AND COOLANT SYSTEM
W&S	511	1FDXW45PGED91367	F-450	2006	101,383	EXHAUST SYSTEM, INJECTION SYSTEM, TIRE AND BRAKES NEEDS TO BE REPLACED BODY DAMAGE
W&S	516	1FTNF20516EA47545	F-250	2006	109,486	BAD BRAKES, DOOR JAM, BODY WORK, COST NOT WORTH REPAIRING, VEHICLE NOT IN USE
INSURANCE	INS1	1FMZU71XOYZC15882	FORD EXPLORER	2000	130,000	ENGINE HEAD CRACKED, BAD BRAKES, TIRES AND BODY WORK COST NOT WORTH REPAIRING
MOSQUITO	MC-2	1FTPX2768WKC14943	F-250	1998	166,490	NEEDS TUNE UP BEEN SITTING FOR LONG TIME
MOSQUITO	MC-21	1GDJC34086E184790	GMC 3500	2005		BAD HOSE, TRANSMISSION AND BODY WORK
MOSQUITO	MC-14	1FDJF37Y25EA5610	1995 F-350	1995	101,862	BODY DAMAGE, BAD ENGINE WAS IN ACCIDENT
MOSQUITO	MC-17	1FDJF37HXTEA85027	1996 F-350	1996		BAD REAR BED, DOORS, FRONT BUMPER TIRES AND BRAKES COST NOT WORTH REPAIRING
MOSQUITO	MC-21	1GDJC34D86E189790	2006 GMC 3500	2006	30,000	NEEDS NEW DASH BOARD BRAKES, TIRES AND LIGHTS, COST NOT WORTH REPAIRING
ADMIN	ADMIN	2GCEC13T561115683	SILVERADO	2005		A/C SYSTEM, BRAKES, TIRES, FRONT ENGINE NEEDS REPAIRS
ADMIN	ADMIN	284FP44331R218699	DODGE VAN	2000		EXHAUST SYSTEM, FRONT END, BRAKES, TIRES NEED REPAIR. TRANSMISSIN SLIPS
RS	C-10	1FMPU18L5WLB58845	EXPEDITION	1998	80,276	TRANSMISSION AND DASH NEED TO BE REPLACED, A/C, TIRES AND BRAKES BAD
RS	C-6	1FMZU73K05UA39961	EXPLORER	2005	113,030	WATER PUMP, FRONT END BAD, NEEDS BODY WORK AND INSIDE REPAIRS
OEP	OEP	1FMPU155T6LA16416	EXPEDITION XLT	2006		NEEDS SERVICE, TIRES, BRAKES. VEHICLE HAS NOT BEEN IN USE FOR OVER A YEAR
RS	RS	3GKEC16Z25G274302	YUKON XL	2005	101,402	NEEDS DECK GEAR BOX COST NOT WORTH REPAIRING
FIRE	FIRE	1GNEC16Z15R208309	2005 CHEVY SUBURBAN	2005	127,709	HAS BEEN USED FOR PARTS.
ROAD	T8	33194	KUBOTA ZD331 ZERO TURN	2009		HYD COVER LEAKS, GEAR BOX SPINDER BAD
ROAD	T10	ID# 3028104986	M95400TL TRACTOR	2009		DECK DAMAGE AND BAD GEAR BOX
ROAD	T12	30152	KUBOTA ZD331 ZERO TURN	2009		ENGINE BAD AND CRANK SHAFT BAD. BEEN SITTING FOR YEARS
ROAD	T13	17887	KUBOTA ZD331 ZERO TURN	2009		HYD AND HOSE LEAKS, BAD CLUTCH AND FRONT END

**2016 VEHICLE/EQUIPMENT AUCTION ITEMS**

DEPT	UNIT	VIN	DESCRIPTION	YEAR	MILES	NOTES
ROAD	T18	10042	M5640SU	2010		NEEDS NEW ENGINE AND HOSE FITTING PARTS MISSING
ROAD	T19	ROPS82980659	6610 TRACTOR	1989		HYD CYLINDER LEAKS BAD ELECTRICAL SYSTEM
ROAD	T26	33199	KUBOTA ZD331 ZERO TURN	2013		HAS BEEN BROKEN FOR YEARS. WATER HOSE
ROAD	E5	N856591	YALE FORKLIFT	1991		HYDROLIC LEAK, HOSES, ELECTRICAL SYSTEM BAD
ROAD	E7	T00317A116688	JOHN DEERE skid loader	2006		HYDROLIC LEAK, HOSES, PARKED FOR YEARS
W&S		SER# 190432	ONEN GEN 100KW	1980		WENT UNDER WATER
W&S		SER# L7607892	ONEN GEN 30KW	1980		WENT UNDER WATER
ROAD		DEUT25DZXL065042	PUMP	2005		NEEDS GEAR BOX
ROAD		SER #12-09941	BUSH HOG 5 FOOT	2009		PARTS ONLY
ROAD		SER# 12-36534	BUSH HOG TRIPPLE WING	2009		BROKEN GLASS FRONT ENTRY DOOR. HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	733	1GBE4V1927FA425655	BUS	2007	131,301	PARTS ONLY
TRANSIT	734	1GBE4V1997F425846	BUS	2007	148,752	DOESN'T START, BROKEN GLASS FRONT ENTRY DOOR. HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	735	1GBEV1907F4235895	BUS	2007	89,608	DOESN'T START HAS NOT BEEN IN SERVICE SINCE PRIOR TO 2015
TRANSIT	736	1GBEV1907F425881	BUS	2007		PARTS ONLY
TRANSIT	737	1GBEV1907F425964	BUS	2007	149,618	NEEDS BRAKES AND BATTERY.
TRANSIT	738	1GBEV1907F425939	BUS	2007	108,525	NEEDS BATTERY AND NEW TIRE
TRANSIT	740	1GBEV1907F425918	BUS	2007	115,751	NEEDS NEW BATTERY, NO HYDRYO BOOST AND HAS A FLAT TIRE
<b>ROAD</b>	<b>452</b>	<b>JJGN595NJAC538052</b>	<b>CASE BACKHOE</b>	<b>2010</b>		
<b>ROAD</b>	<b>450</b>	<b>1FNX21S62EC406990</b>	<b>F250 PICKUP</b>	<b>2002</b>		
<b>ROAD</b>	<b>T23</b>	<b>SERIAL #02980378</b>	<b>TS100A - SLOPEMOWER</b>			
<b>ROAD</b>		<b>SERIAL #12-36536</b>	<b>BUSH HOG TRIPLE WING</b>			

**#22**

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 WEDNESDAY, NOVEMBER 2, 2016 AT SEVEN O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-XX-XX**

**Summary No. 3432**

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

**WHEREAS**, the purpose of this ordinance is to include twenty-one (21) properties, recently transferred from the Louisiana Land Trust (LLT) to the Parish, in the Builder Bundle III program adopted by Parish Council SBPC #1716-12-15. The St. Bernard Parish Council further finds that the Louisiana Land Trust has successfully implemented the Builder Bundle concept pursuant to Parish Council Resolution SBPC #1078-09-13, utilizing these properties owned by Louisiana Land Trust. Many of these properties were successfully awarded under Builder Bundle III while in LLT's inventory and have been transferred to the Parish.

**ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:**

**SECTION 1.** The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to convey the former Louisiana Land Trust properties listed in Exhibit "A" to builders in accordance with the Builder Bundle III program established by ordinance #1716-12-15.

**SECTION 2.** The Parish President and the Chief Administrative Officer each is hereby authorized to execute all instruments necessary to effectuate the conveyances authorized by this ordinance, and are further authorized to execute any and all additional instruments necessary to implement the program, including instruments necessary to enforce the requirements of the Builder Bundle III program or to reacquire, claw back, or accept a reversion of any property on behalf of the St. Bernard Parish in the event that a purchaser under the program fails to comply with its requirements. It is recognized and agreed the Parish President and/or Chief Administrative Officer may nominate a designee by use of a power of attorney to transfer, sell, and auction, the properties in Exhibit "A" in accordance with the laws of Louisiana.

**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 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

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

Page -3-  
Extract #22 continued  
November 2, 2016

Parish President

\_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council

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

Received by

\_\_\_\_\_

**Exhibit "A"**  
**Summary No. 3432**  
**Ordinance SBPC #xxxx-xx-xx**

<b>BER</b>	<b>Address</b>
400704	1904 KARL ST
400705	1903 ROSE ST
400702	1811 ALEXANDER
400703	1815 ALEXANDER
043764	1819 ALEXANDER
006115	124 SEAL DR
106060	137 SEAL DR
143205	112 SEAL DR
610334	113 SEAL DR
620334	121 SEAL DR
400399	3837 NORWOOD DR
400400	3829 NORWOOD DR
400403	3816 DOMINIQUE DR
610401	3817 NORWOOD DR
620401	3825 NORWOOD DR
400396	3908 DOMINIQUE DR
400397	3916 DOMINIQUE DR
400398	3840 DOMINIQUE DR
610402	3820 DOMINIQUE DR
620402	3828 DOMINIQUE DR
049221	3913 NORWOOD DR

**#23**

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 WEDNESDAY, NOVEMBER 2, 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. 3433**

Introduced by: Administration on 11/2/16

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 #23 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**St. Bernard Parish Government  
Summary No. 3433  
Proposed 2016 Budget Amendment 11-02-2016**

FUND	G/L ACCOUNT CODE			LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT					INCREASE	DECREASE
001	4040	0000		440311	Adoption Fees	Revenue	\$ 12,000.00	
001	4040	0000		510461	Supplies - Operating	Expenditure	9,000.00	
001	4040	0000		536460	Professional Services - Vet	Expenditure	3,000.00	
				391000	Net Effect on Fund Balance		\$0.00	\$0.00

*The budget amendment is to increase revenues and offset with additional needed operating and supplies for Animal Control.*

FUND	G/L ACCOUNT CODE			LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT					INCREASE	DECREASE
077	5113	0000		420552	Federal Reimb - CSBG	Revenue	\$ 5,910.00	
077	5113	0000		510130	Supplies - Food & Drink	Expenditure	5,910.00	
				391000	Net Effect on Fund Balance		\$0.00	\$0.00

*The budget amendment is to increase grant revenues and offset with an expenditure for additional CSBG funding.*

FUND	G/L ACCOUNT CODE			LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT					INCREASE	DECREASE
060	3425	0000		499010	Transfer in from General Fund	Revenue	\$ 20,500.00	
060	3425	0000		535448	Professional Services	Expenditure	25,000.00	
				391000	Net Effect on Fund Balance		\$0.00	\$0.00
001	2015	0000		440342	Rents and Leases	Revenue	\$ 20,500.00	
001	2320	0000		599060	Transfer out to Community Development	Expenditure	25,000.00	
001	2317	0000		535448	Professional Service	Expenditure		2,000.00
001	2320	0000		510460	Stationary & Office Supplies	Expenditure		1,200.00
001	4042	0000		530442	R&M Bldgs.	Expenditure		1,300.00
				391000	Net Effect on Fund Balance		\$0.00	\$0.00

FUND	G/L ACCOUNT CODE			LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT					INCREASE	DECREASE
078	6110	0000		440361	Alcohol Slaes - USSSA	Revenue	\$ 7,000.00	
078	6110	0000		440393	Leisure Service Fees	Revenue	3,000.00	
078	6110	0000		440344	Cleaning Fee Collected	Revenue	2,000.00	
078	6110	0000		440345	Security Charges Collected	Revenue	2,000.00	
078	6110	0000		440315	Entrance Fees	Revenue	1,419.00	
078	6110	0000		525428	Utilities - Gas	Expenditure	4,800.00	
078	6110	0000		525429	Utilities - Electric	Expenditure	35,000.00	
078	6110	0000		510160	Concession Product - Food/Drink	Expenditure	4,000.00	
				391000	Net Effect on Fund Balance		\$0.00	\$28,381.00

*The budget amendment is to increase expenditures associated with utilities at Val Reiss and concession product.*

	Budget	Projections	
Utilities - Gas	525428	14,982	19,738
Utilities - Electric	525429	105,000	139,865
			96,526
			49,587
			146,113
			117,200
			Budget amendment from 10/18/16
			28,913
			Fund Balance remaining
			28,381
			532

*Needs to be zero or positive*

FUND	G/L ACCOUNT CODE			LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT					INCREASE	DECREASE
078	6110	0091		480392	Donations	Revenue	\$ 5,000.00	
078	6110	0091		510461	Supplies Operating	Expenditure	5,000.00	
				391000	Net Effect on Fund Balance		\$0.00	\$0.00

**#24**

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 WEDNESDAY, NOVEMBER 2, 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. 3434**

Introduced by: Administration on 11/2/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the Parish considers the equipment listed on the attached Exhibit "A" as surplus and this property is not needed for a public purpose,

**WHEREAS**, the Parish intends to transfer this equipment in compliance with state law,

**SECTION 1.** The property on the attached Exhibit "A" is hereby declared surplus and is not needed for any public purpose.

**SECTION 2.** The President of St. Bernard Parish or his designee is hereby authorized to execute any documents necessary to transfer the equipment listed on the attached Exhibit "A" in compliance with state law.

**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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #24 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT A  
SUMMARY NO. 3434**

**Equipment to be Surplus**

2007

KME PUMPER

VIN#1GNSCHEC7FR205554

**#25**

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 WEDNESDAY, NOVEMBER 2, 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. 3435**

Introduced by: Councilman Gorbaty on 11/2/16

AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK

**WHEREAS**, the Parish acquired ownership of property in the former Village Square Area with grant funds that require that the property be used as green space; and

**WHEREAS**, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to empower the Park and Parkway Commission to raise funds for the development of a public park bearing the name "St. Bernard Town Center Park", that would include such green space amenities as a dog park, a pitch and putt course, a soccer field, a softball field and other green space amenities at the site of the former Village Square area.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That the Park and Parkway Commission (hereinafter "the Commission") is hereby empowered to raise private and public funds for the development of a public park bearing the name "St. Bernard Town Center Park", (hereinafter "the Park"), that would include such green space amenities as a dog park, a pitch and putt course, a soccer field, a softball field and other green space amenities at the site of the former Village Square area. The Commission is further empowered to recruit volunteers to assist in the project.

**SECTION 2.** That the development will be based upon the St. Bernard Parish Planning Commission Economic Development Plan previously adopted by the Planning Commission. The green space amenities to be developed at the Park must be approved by a majority vote of the Parish President or his written designee, Council Member, District B, and Planning Commission Member, District B, taken at a Public Meeting held in compliance with the Louisiana Open Meetings Law.

Page -2-  
Extract #25 continued  
November 2, 2016

**SECTION 3.** Any funds collected for the Park shall be deposited with the St. Bernard Parish Government Finance Department which funds will be solely used for the Park.

**SECTION 4.** 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 5.** 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 2016.

Page -3-  
Extract #25 continued  
November 2, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #26

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 WEDNESDAY, NOVEMBER 2, 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. 3436**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That **DOCKET Z-2016-018**, Petition of Michael Fincher for a Zoning Change from "R-2, (Two Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:

Two certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, designated as Lots 7 and L. Property Location: 3201 Paris Road, 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 #26 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #27

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 WEDNESDAY, NOVEMBER 2, 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. 3437**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council does hereby amend Chapter 22; Zoning, Section 2; Interpretation, Subsection 4; Definitions, Section 4; General Provisions, Subsection 2.14; Accessory Buildings and Structures, Section 5; Residential zoning districts, Subsection 5; Permitted accessory buildings and structures and Section 6; Commercial and industrial zoning districts, Subsection 5; Permitted accessory uses to the St. Bernard Parish Code of Ordinances as 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 #27 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3437**  
**ORDINANCE SBPC #XXXX-XX-XX**

**Chapter 22 – Zoning**  
**Section 2 – Interpretation**  
**Subsection 4 - Definitions**

*Accessory building and accessory uses:*

- (a) *Accessory building.* A structurally detached building, except by roof, subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building and not used as a place of habitation.

**Note: For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.**

- (b) *Accessory use.* A subordinate use which is incidental to and customary or necessary in connection with the principally permitted use of a building or a principally permitted use, and which is located on the same lot with such principal building or use.

**Shipping Container or similar items:**

- (a) **A standardized reusable vessel that was originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities or having a similar appearance to and similar characteristics of cargo containers.**

---

**Chapter 22 – Zoning**  
**Section 4 – General Provisions**  
**Subsection 2.14 - Accessory Buildings and Structures**

- (a) The following provisions shall regulate the location of accessory buildings with respect to required yards:
- (1) Accessory buildings shall be prohibited in any required front yard or side street side yard.
  - (2) Where an accessory building is located in a zone requiring a side yard and such building is entirely to the rear of the principal structure, the accessory building shall be distant at least three (3) feet (sky clearance) from any adjoining lot line.
  - (3) Where any portion of an accessory building projects between a principal structure and the side lot line, the accessory building shall comply with the required side yard restriction for a principal structure in the zone in which it is located.
  - (4) Where a corner lot adjoins in the rear a lot in any residential zone, no part of an accessory building within twenty-five (25) feet of the common lot line shall extend closer to the street than the actual or required depth, whichever is less, of the front yard for the principal structure on the adjoining lot.

**EXHIBIT "A"**  
**SUMMARY NO. 3437**  
**ORDINANCE SBPC #XXXX-XX-XX**

- (b) Accessory buildings shall not exceed one (1) story or thirteen (13) feet in height except for barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.
  - (c) Where any portion of or entire accessory building in a residential zone occupies the required rear yard, said portion or entire accessory building shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall it exceed the lot coverage nor the total square footage of the building to which it is accessory.
  - (d) There shall not be more than one (1) accessory building or structure permitted to cover any part of a required rear or side yard with the following exceptions:
    - (1) Dish antennas in any zone.
    - (2) A second accessory storage shed, gazebo, cabana, greenhouse or similar structure shall be permitted so long as the total square footage of all accessory buildings in the required rear yard does not exceed seventy (70) percent of this area.
  - (e) Metal accessory buildings shall not exceed one hundred twenty (120) square feet and nine (9) feet in height; and shall not be located closer than fifty (50) feet to a front property line.
  - (f) For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.**
    - (1) A shipping container or similar items are prohibited from the following zoning districts: R-1, R-2, R-3, R-1(M), R-4, RO, C-1, C-2, C-3 and SBV.**
    - (2) Shipping containers or similar items are not subject to variances or waivers by the Board of Zoning Adjustments in zoning districts where prohibited.**
    - (3) Shipping containers or similar items may be used for the temporary location of an office, equipment and/or materials storage structure during non-residential construction which is taking place on the property where the shipping container or similar item is located, subject to an active building permit.**
    - (4) The temporary placement of portable site storage containers (PODS) not exceeding 150 square feet in total area on residentially zoned properties, or on properties the primary use of which is residential, for a limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year. An extension is subject to the review and approval of the Director of the Department of Community Development.**
-

**EXHIBIT "A"**  
**SUMMARY NO. 3437**  
**ORDINANCE SBPC #XXXX-XX-XX**

No accessory building or structure shall be constructed or placed in such a manner that it could be used as a dwelling unit. All accessory buildings or structures must be permitted by the department of community development, and such structure must be accompanied by a completed dwelling with a certificate of occupancy unless they are being used for a lawful commercial purpose in the appropriate zone with the exception of barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.

1. The following accessory buildings and structures are permitted in the rear and side yards:
  - a. Storage sheds, detached garages and carports, playhouses, swimming pools, bath houses, antenna, dishes, and other outbuildings or structures.
  - b. Fences, stone walls, and retaining wall. (Retaining walls shall not have to comply with setbacks.)
  - c. Dog houses, runs, kennels, and penned areas.
2. An accessory building or structure that does not comply with the above requirements may be permitted by variance if the board of zoning adjustments finds that such accessory building or structure will be compatible with the location in which it is proposed to be built after considering:
  - a. The character of the neighborhood and area;
  - b. The size and shape of the lot;
  - c. The location of the accessory structure; and
  - d. The proposed use of the accessory structure.
3. Fences are permitted on lots without a dwelling when they share a common property line with a lot with an occupied dwelling (with a certificate of occupancy) under same ownership. The property shall meet the following conditions:
  - a. When a servitude separates adjacent lots under common ownership, the property owner shall submit written approval from the servitude holder to the department of community development prior to the issuance of the fence permit.  
Fences shall have at least one (1) latched gate or opening to the lot.
4. All detached residential accessory buildings and structures shall be subject to the following conditions (This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones):
  - a. Residential accessory buildings and structures shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall the size exceed one thousand two hundred (1,200) square feet under roof with the enclosed portion not to exceed five hundred (500) square feet. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
  - b. Accessory buildings and structures with plumbing improvements shall meet parish requirements for elevated dwellings.
    1. Plumbing improvements shall consist of not more than a toilet, sink, washer and dryer.
  - c. Property owners who have received a variance to build an accessory building or structure with an enclosure exceeding five hundred (500) square feet shall meet the parish's requirements for elevated dwellings.
  - d. Residential accessory buildings and structures shall not exceed thirteen (13) feet in height.
  - e. Residential accessory buildings and structures must be fenced in. Garages may not be fenced in on the front side of a dwelling in instances where there is an impervious driveway leading to the structure. In instances where a garage is located on a lot which

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has a rear yard that fronts a street, the structure must be fenced in along the width of the rear property setback. A portion of the rear property setback may remain unfenced only for the width of the required rear impervious driveway leading to the garage. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.

- f. When used as an accessory to a dwelling, metal storage buildings shall not exceed one hundred twenty (120) square feet in area and nine (9) feet in height. Metal storage buildings shall not front a rear property setback when said property has a rear property line which fronts a street. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
  - g. Portable storage units such as PODS are allowed in any district for a period not to exceed thirty (30) days and shall only be permitted in the rear or side yard in accordance with the provisions outlined in section 22-5-5.4.e of this chapter. Mobile homes, travel trailers, and recreational vehicles may not be used as portable storage units.
- 5. A shipping container or similar items are prohibited from all residential and commercial zoning districts and not subject to variance or waiver from the Board of Zoning Adjustment.**
- 

**Chapter 22 – Zoning**  
**Section 6 – Commercial and industrial zoning districts**  
**Subsection 5 - Permitted accessory uses**

22-6-5.1. *Outdoor storage.* Outdoor storage may be permitted in business, rural and industrial zones under the following conditions:

- a. *Materials.*
  - 1. All outdoor bulk storage items, including recyclable materials, shall be in approved, enclosed containers.
  - 2. No outside storage shall be placed outdoors that will attract animals or insects.
  - 3. No perishable merchandise shall be stored outdoors.
- b. *Location requirements.*
  - 1. Any outdoor storage and all structures required for stored materials shall have been shown and designated on an approved site plan as outdoor storage.
  - 2. No outdoor storage shall be allowed in the required front, side, or rear yards, or buffers.
  - 3. No outdoor storage shall be allowed such as will reduce the amount of parking in parking areas below the minimum required for the site.
  - 4. All outdoor storage shall be buffered from residential zones and uses with a twenty-foot-wide landscaped buffer.
  - 5. Outdoor storage shall be screened by a **fence, wall or hedge (subject to district regulations)** ~~minimum six-foot privacy fence~~ so as not to be visible from any street, residential, or municipal property.
  - 6. Any outdoor storage, including shipping containers or similar items, shall not be considered as a principle use in any zone.**

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~~6. Maximum height of stored material shall be six (6) feet.~~

- c. *Industrial zone requirements.* In the industrial zones, outside storage of materials shall be subject to the following additional provisions:
1. Outside storage shall be located to the rear or the side of the principal building.
  2. A landscape buffer shall be provided surrounding all storage areas;
  - ~~3. Box trailers are permitted provided such storage is screened; and~~
  3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed a maximum height of twenty-five (25) feet.
  4. Shipping Containers or similar items shall be located behind the front façade of any structure and at the rear of the building. A shipping container may be permitted along the side of a building, subject to the review and approval of the Director of the Department of Community Development.
    - a. The shipping container shall be completely screened from view with fencing not to exceed 10' in height.
- d. *Rural zone requirements.* In the rural (A-1) zones, outside storage of materials shall be subject to the following additional provisions:
- ~~1. Outdoor storage shall be located to the rear of the principle structure and 100' from the any property line fronting onto a public roadway.~~
  - ~~2. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.~~
- e. *Commercial zone requirements.* In the commercial zones, outside storage of materials shall be subject to the following additional provisions:
- ~~1. Outdoor storage shall be located to the rear or side of the principle structure.~~
  - ~~2. A landscape buffer shall be provided surrounding all storage areas;~~
  - ~~3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.~~
  - ~~4. Shipping Containers or similar items shall be prohibited.~~

**#28**

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 WEDNESDAY, NOVEMBER 2, 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. 3438**

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council does hereby amend Chapter 5; Buildings; Construction and related activities, Section 23; Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee to the St. Bernard Parish Code of Ordinances as 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.

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Extract #28 continued  
November 2, 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 **xxxxxxx** on the 2<sup>nd</sup> day of November, 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 Wednesday, November 2, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of November, 2016.

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ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
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CHAPTER 5 - BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES

SECTION 23 - APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED  
STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE.

Sec. 5-23. - Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee.

In addition to any other requirement that may be in any other sections of the St. Bernard Code of Ordinances, the following requirements shall apply to any raised or elevated structure:

- (1) Exterior perimeter columns or pilings that support a raised structure and which have more than five (5) feet of exposed height from the ground contact point to the bottom edge of the exterior perimeter of the main structure support beams or support members shall be covered on all sides, or their entire circumference, using one or more of the follow finishing treatment(s):
  - a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
  - b. A finished brick or masonry veneer surface.
  - c. A finished and stained, painted or colored stucco or patterned masonry surface.
  - d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
  - e. A finished and stained or painted solid wood siding.
  - f. The design and construction of all support columns and/or pilings shall meet the acceptable ASCE standards for load bearing supports, all applicable International Building Code requirements and all applicable fire code regulations for elevated structures.
- (2) Additionally, the exterior space between columns shall be enclosed with non-support bearing walls as follows:
  - a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
  - b. A finished brick or masonry veneer surface.
  - c. A finished and stained, painted or colored stucco or patterned masonry surface.
  - d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
  - e. A finished and stained or painted wood siding or other commercially available siding material.
  - f. All doors or windows in the forgoing wall construction must be in conformance with the building codes of St. Bernard Parish.

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- g. The design and construction of such exterior walls shall meet the acceptable ASCE standards and all applicable International Building Code requirements, including standards for break away walls and appropriate venting of solid walls.
- (3) If the finished surface is painted or otherwise finished with a coating or colored in any manner, the color of said coating or coloring agent shall be the same as the predominant color of the exterior painted portions of the elevated structure.
- (4) All covered wood support columns shall have removable inspection access areas sufficient in size to allow for visual inspection for infestation of termite or other wood destroying pests. The top edge of the inspection access area(s) shall not be more than eighteen (18) inches above the support column ground contact point.
- (5) For structures elevated five (5) feet or below, the following requirement shall be followed:
- a. Structures shall be skirted **across the entire front and ten (10) feet on both sides, starting from the front corner of the structure.** ~~to enclose the open air area below the floor of the elevated structure.~~
  - b. Finishing treatments of structures elevated five (5) feet or below shall be consistent with the guidelines enumerated in subsection (1) of this section.
  - c. Venting shall be in place in the surrounding exterior materials to meet at least a one (1) square inch vented space for every one (1) square foot of enclosed material or meet the established building code requirements of the International Building Code, whichever requires greater venting capacity at the time of the construction.
- (6) Slab built homes which are not elevated, and which are rebuilt or repaired after experiencing exterior damage due to fire, flood, or other natural disaster shall be repaired to a level that is consistent with the design, quality, and structure of the predominant existing and compliant homes in the immediate neighborhood as defined as being within five hundred (500) feet of the structure in question.
- (7) Any relief or variance of this section shall require a petition to the Board of Building Standards and Appeals. The Board of Building Standards and Appeals shall have the power to give an interpretation or grant a variance under this section.