

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

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

(504) 278-4228

(504) 278-4209 (fax)

Posted 1/12/22

Tuesday, January 18, 2022

3:00 p.m.

Council Chambers

Page 1 of 3

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 Councilmember Callais
- E. Pledge of Allegiance by Councilmember Moran
- F. Recognize Elected Officials

## APPROVAL OF MINUTES

1. Motion to approve the minutes from the January 4, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 14, 2022. (Council Chair)

## RECOGNITION

2. Motion to proclaim January 2022 as "School Board Member Recognition Month" in St. Bernard Parish. (Administration)
3. Motion to recognize Donnie Bourgeois with the Capital Projects Department for an update. (Councilmember Callais)
4. Councilmember's for a District Update
5. **Guy McLinnis**, President's Report
6. Recognize the Public

## PUBLIC HEARINGS

7. **Summary No. 3987**  
Introduced by: Councilmember McCloskey on 12/21/21

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2172-06-19**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

8. **Summary No. 3988**  
Introduced by: Administration on 1/4/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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## 9. Summary No. 3989

Introduced by: Council on 1/4/22

AN ORDINANCE TO **REPEAL AND REPLACE** IN ITS ENTIRETY, ANY AND ALL ORDINANCES PERTAINING TO THE CREATION OF THE HOSPITAL SERVICE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, DESCRIBING AND DEFINING THE BOUNDARIES THEREOF AND APPOINTING FIVE (5) COMMISSIONERS OF SAID HOSPITAL SERVICE DISTRICT.

## RESOLUTIONS

10. Adopt **Resolution SBPC #2199-01-22**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

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

1. Kiet Tuan Tang, LLC., dba Keith's Seafood and Po-boys – 3514 Paris Road, Chalmette, LA 70043. Owner(s): Kiet Tuan Tang (**Renewal**) (**Beer Only**)

### Special Event(s)

- |    |                          |   |
|----|--------------------------|---|
| 1. | Name of Organization:    | Louisiana Crawfish Festival   |
|    | Address of Organization: | 2107 Paris Road Chalmette, La. 70043  |
|    | Name of Event:           | Louisiana Crawfish Festival   |
|    | Type of Event:           | Festival  |
|    | Date(s) of Event:        | March 17 <sup>th</sup> -20 <sup>th</sup> , 2022   |
|    | Time(s) of Event:        | 17 <sup>th</sup> - 2PM -11PM, 18 <sup>th</sup> - 2PM -12AM, 19 <sup>th</sup> -<br>10AM -12AM and 20 <sup>th</sup> - 10AM - 11PM |
|    | Contact Person:          | Terry Gutierrez   |

11. Adopt **Resolution SBPC #2200-01-22**, a resolution to appoint members to the St. Bernard Parish Hospital Service District. (Administration)
12. Adopt **Resolution SBPC #2201-01-22**, a resolution authorizing an application for the T-Mobile Hometown Grants Program. (Administration)
13. Adopt **Resolution SBPC #2202-01-22**, a resolution canceling an election called by a resolution adopted on December 7, 2021, to authorize the levy of a special tax in the Parish of St. Bernard, State of Louisiana; and providing for other matters in connection therewith. (Councilmember Lewis)
14. Adopt **Resolution SBPC #2203-01-22**, a resolution appointing a new member to the regional Planning Commission. (Council)
15. Adopt **Resolution SBPC #2204-01-22**, a resolution to appoint a member to the St. Bernard Parish Library Board. (Council)

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16. Adopt **Resolution SBPC #2205-01-22**, a resolution endorsing Lynn Oaks School participation in the LA Enterprise Zone Program Advance Notification #20210511-EZ. (Council)
17. Adopt **Resolution SBPC #2206-01-22**, a resolution respectfully requesting the Louisiana State Legislatures and Federal Delegation to fund an Infrastructure Project using the funds associated with Louisiana's portion of the Federal Infrastructure Bill. (Councilmember Moran)

### ADOPTIONS

18. **Summary No. 3987**  
Introduced by: Councilmember McCloskey on 12/21/21  
Public Hearing held on 1/18/22  
  
AN ORDINANCE TO AMEND **ORDINANCE SBPC #2172-06-19**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.
19. **Summary No. 3988**  
Introduced by: Administration on 1/4/22  
Public Hearing held on 1/18/22  
  
AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.
20. **Summary No. 3989**  
Introduced by: Council on 1/4/22  
Public Hearing held on 1/18/22  
  
AN ORDINANCE TO **REPEAL AND REPLACE** IN ITS ENTIRETY, ANY AND ALL ORDINANCES PERTAINING TO THE CREATION OF THE HOSPITAL SERVICE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, DESCRIBING AND DEFINING THE BOUNDARIES THEREOF AND APPOINTING FIVE (5) COMMISSIONERS OF SAID HOSPITAL SERVICE DISTRICT.

### OTHER MATTERS

21. 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, February 1, 2022 @ 7:00 p.m.

Approved by: *Herri Callais* Time: 11:28 a.m. Date: 1/12/21

**#1**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

On motion of XXXX, seconded by XXXX, it was moved to approve the minutes from the January 4, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 14, 2022.

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

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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, JANUARY 4, 2022 AT 7:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Tuesday, January 4, 2022 at seven o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 7:00 p.m. Members present: Council Vice-Chair Richard "Richie" Lewis, Councilmembers Gillis McCloskey, Joshua "Josh" Moran, Howard Luna, Wanda Alcon, and Fred Everhardt, Jr.

Councilmembers absent is Kerri Callais.

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

Councilmember McCloskey delivered the invocation and led the Pledge of Allegiance.

**#1** On motion of Mr. Moran, seconded by Mr. McCloskey, it was moved to approve the minutes from the December 21, 2021 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, December 31, 2021.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

**#2** On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to proclaim Mary Hand an Honorary Citizen of St. Bernard Parish for her service on the Hospital Service District Board.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

**#3 Councilmember's District Update**

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

**#4 President's Report**

Will follow the meeting on Channel 76

**#6 Recognize the Public**

- Ray Doran – Arabi, LA

Council Vice-Chair took a Chairman's Privilege to allow Mr. Robbie Showalter or Ray Doran to speak.

On motion of the Council Vice-Chair, without objection and by unanimous consent, items #18 and #19 will be moved up the agenda and addressed at this time.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

# Minutes of the St. Bernard Parish Council Meeting of January 4, 2022

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**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **RESOLUTION SBPC #2197-01-22**

A RESOLUTION RESPECTFULLY REQUESTING THE PORT OF NEW ORLEANS HOLD A PUBLIC INFORMATIONAL MEETING IN THE COUNCIL CHAMBERS IN ST. BERNARD PARISH FOR ITS RESIDENTS.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **RESOLUTION SBPC #2198-01-22**

A RESOLUTION REGARDING LOUISIANA INTERNATIONAL TERMINAL (LIT)'s ENVIRONMENTAL IMPACT ON ST. BERNARD PARISH.

On motion of Mr. Everhardt, seconded by Mrs. Alcon, it was moved to amend the last WHEREAS to read "has actively and aggressively pursued with land purchase..."

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

Discussion ensued on the item as amended;

Mr. Everhardt has respectfully requested a letter of support from the Parish President.

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

### **RESOLUTION SBPC #2198-01-22**

A RESOLUTION REGARDING LOUISIANA INTERNATIONAL TERMINAL (LIT)'s ENVIRONMENTAL IMPACT ON ST. BERNARD PARISH.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

# Minutes of the St. Bernard Parish Council Meeting of January 4, 2022

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And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

#6

## Summary No. 3976

Introduced by: Council on 12/21/21

AN ORDINANCE TO DECLARE THE MALAPPORTIONMENT STATUS OF THE CURRENT DISTRICTING PLAN OF THE PARISH'S SINGLE MEMBER ELECTION DISTRICTS OF THE ST. BERNARD PARISH COUNCIL UTILIZING THE POPULATION DATA FROM THE 2020 FEDERAL DECENNIAL CENSUS; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

#7

## Summary No. 3977

Introduced by: Administration on 12/21/21

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

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

#8

## Summary No. 3978

Introduced by: Administration on 12/21/21

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

#9

## Summary No. 3979

Introduced by: Councilmember Luna on 12/21/21

AN ORDINANCE TO DECLARE CERTAIN PARISH OWNED PROPERTIES AS SURPLUS AND TO AUTHORIZE THE EXCHANGE OF SAME FOR PROPERTY OWNED BY STEVE LOMBARDO, JR.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

#10

## Summary No. 3980

Planning Commission recommended **APPROVAL** on 12/14/21

Introduced by: Administration on 12/21/21

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-4, GENERAL PROVISIONS, SUBSECTION 22-4-3, EXCEPTIONS AND MODIFICATIONS; SUB-SUBSECTION 22-4-3.3, EXCEPTIONS TO YARD REQUIREMENTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

#11

## Summary No. 3981

Planning Commission recommended **APPROVAL** on 12/14/21

Introduced by: Administration on 12/21/21

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-2, INTERPRETATION; SUBSECTION 22-2-4, DEFINITIONS; AND SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 22-6-4, PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

#12

## Summary No. 3982

Planning Commission recommended **DENIAL** on 12/14/21

Introduced by: Administration on 12/21/21

AN ORDINANCE TO APPROVE **DOCKET Z-2021-024**, PETITION OF BREANNA LANCASTER FOR A CONDITIONAL USE TO OPERATE A RECREATIONAL VEHICLE STORAGE. PROPERTY LOCATION: 4924 E. LA HWY 46, ST. BERNARD LA 70085.

**A COPY OF THIS PUBLIC HEARING IS ON FILE AT THE CLERK OF COUNCIL'S OFFICE.**

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## #13 Summary No. 3983

Planning Commission recommended **APPROVAL** on 12/14/21  
Introduced by: Administration on 12/21/21

AN ORDINANCE TO APPROVE **DOCKET Z-2021-025**, PETITION OF JACOB ZEAIRS FOR A CONDITIONAL USE TO BUILD A NEW PRIVATE GARDEN. PROPERTY LOCATION: 6801 N. PETERS ST. ARABI, LA 70032.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

## #14 Summary No. 3985

Introduced by: Councilmember Moran on 12/21/21

AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE I, IN GENERAL; SECTION 11-2, ENFORCEMENT OF GRASS CUTTING REQUIREMENTS; VIOLATIONS; PENALTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

## #15 Summary No. 3986

Introduced by: Councilmember Moran on 12/21/21

AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE II, SOLID WASTE DISPOSAL; JUNK; DIVISION 1, GENERALLY; SECTION 11-20, LITTERING GENERALLY AND SECTION 11-34, EVICTIONS; PLACEMENT OF ABANDONED PROPERTY OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

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

### **RESOLUTION SBPC #2195-01-22**

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. Haider Management, LLC., dba Stella Maris Café & Grocery – 7555 West Judge Perez Drive, Arabi, LA 70032. Member(s): Nashat Haider **(Renewal) (Beer and Liquor)**
2. Kelly Enterprises of La., LLC., dba Pastry Pantry Café – 2531 Paris Road, Chalmette, LA 70043. Owner(s): Mark and Dawn Hamilton **(Renewal) (Beer Only)**
3. The Kitchen Table Café, LLC., dba The Kitchen Table Café – 7005 St. Claude Ave., Arabi, LA 70032. Owner(s): Kevin T. Hackett and Donna M. Cauato **(Renewal) (Beer and Liquor)**
4. M & P Servicios Hispanos, LLC., dba Latin Market – 8823 West Judge Perez Drive, Chalmette, LA 70043. Owner(s): Mena Fahaim **(Renewal) (Beer and Liquor)**
5. Meraux Tackle Box, LLC., dba Meraux Tackle Box – 3124 East Judge Perez Drive, Suite A, Meraux, LA 70075. Owner(s): Harry M. Fisher, Jr. **(Renewal) (Beer and Liquor)**
6. Money Honey, LLC., dba Zig's Last Stop Lounge – 308 East Judge Perez Drive, Chalmette, LA 70043. Member(s): Thomas Pacaccio, Jr. **(Renewal) (Beer and Liquor)**
7. Moneymaker, LLC., dba Zig's Hideout – 105 Bayou Road, St. Bernard, LA 70085. Owner(s): Thomas Pacaccio, Jr. **(Renewal) (Beer and Liquor)**
8. Murphy Oil USA, Inc., dba Murphy USA #7217 – 8001-A West Judge Perez Drive., Chalmette, LA 70043. Manager: Samuel Adams **(Renewal) (Beer and Liquor)**

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

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**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

**RESOLUTION SBPC #2196-01-22**

A RESOLUTION TO APPOINT MEMBERS TO THE ST. BERNARD PARISH HOSPITAL SERVICE DISTRICT.

Discussion ensued;

On motion of Mr. McCloskey, seconded by Mr. Luna it was moved to **table** this item until the January 18<sup>th</sup> Council Meeting.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **NAY**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

**ORDINANCE SBPC #2399-01-22**

**Summary No. 3976**

Introduced by: Council on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO DECLARE THE MALAPPORTIONMENT STATUS OF THE CURRENT DISTRICTING PLAN OF THE PARISH'S SINGLE MEMBER ELECTION DISTRICTS OF THE ST. BERNARD PARISH COUNCIL UTILIZING THE POPULATION DATA FROM THE 2020 FEDERAL DECENNIAL CENSUS; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

**ORDINANCE SBPC #2400-01-22**

**Summary No. 3977**

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

# Minutes of the St. Bernard Parish Council Meeting of January 4, 2022

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

Discussion ensued;

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

## **ORDINANCE SBPC #2401-01-22**

### **Summary No. 3978**

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

## **ORDINANCE SBPC #2402-01-22**

### **Summary No. 3979**

Introduced by: Councilmember Luna on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO DECLARE CERTAIN PARISH OWNED PROPERTIES AS SURPLUS AND TO AUTHORIZE THE EXCHANGE OF SAME FOR PROPERTY OWNED BY STEVE LOMBARDO, JR.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **Summary No. 3980**

Planning Commission recommended **APPROVAL** on 12/14/21

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

# Minutes of the St. Bernard Parish Council Meeting of January 4, 2022

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AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-4, GENERAL PROVISIONS, SUB-SECTION 22-4-3, EXCEPTIONS AND MODIFICATIONS; SUB-SUBSECTION 22-4-3.3, EXCEPTIONS TO YARD REQUIREMENTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to amend Summary No. 3980 as follows:

(j) **Commercial and Industrial districts:** On every corner lot there shall be provided on the side street a side yard equal in depth to one-half (1/2) the required front yard depth on the side street; ~~the front yard requirements of a residential district shall prevail over that of a commercial or industrial use.~~ **Residential and agricultural districts:** ~~In residential districts, the side street yard setback depth for corner lots shall be 10', regardless of front yard depth.~~ On every corner lot there shall be provided on the side street a side yard equal in depth to ten (10) feet.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **ORDINANCE SBPC #2403-01-22**

#### **Summary No. 3980**

Planning Commission recommended **APPROVAL** on 12/14/21

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-4, GENERAL PROVISIONS, SUB-SECTION 22-4-3, EXCEPTIONS AND MODIFICATIONS; SUB-SUBSECTION 22-4-3.3, EXCEPTIONS TO YARD REQUIREMENTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **ORDINANCE SBPC #2404-01-22**

#### **Summary No. 3981**

Planning Commission recommended **APPROVAL** on 12/14/21

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-2, INTERPRETATION; SUBSECTION 22-2-4, DEFINITIONS; AND SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUB-SECTION 22-6-4, PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

# Minutes of the St. Bernard Parish Council Meeting of January 4, 2022

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**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **ORDINANCE SBPC #2405-01-22**

#### **Summary No. 3982**

Planning Commission recommended **DENIAL** on 12/14/21

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO APPROVE **DOCKET Z-2021-024**, PETITION OF BREANNA LANCASTER FOR A CONDITIONAL USE TO OPERATE A RECREATIONAL VEHICLE STORAGE. PROPERTY LOCATION: 4924 E. LA HWY 46, ST. BERNARD LA 70085.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

### **ORDINANCE SBPC #2406-01-22**

#### **Summary No. 3983**

Planning Commission recommended **APPROVAL** on 12/14/21

Introduced by: Administration on 12/21/21

Public Hearing held on 1/4/22

AN ORDINANCE TO APPROVE **DOCKET Z-2021-025**, PETITION OF JACOB ZEAIRS FOR A CONDITIONAL USE TO BUILD A NEW PRIVATE GARDEN. PROPERTY LOCATION: 6801 N. PETERS ST. ARABI, LA 70032.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

**#28** On motion of the Council Vice-Chair, without objection and by unanimous consent, it was moved to **table** the following ordinance until the February 1<sup>st</sup> Council Meeting:

#### **Summary No. 3985**

Introduced by: Councilmember Moran on 12/21/21

Public Hearing held on 1/4/22

Tabled on 1/4/22 until 2/1/22

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AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE I, IN GENERAL; SECTION 11-2, ENFORCEMENT OF GRASS CUTTING REQUIREMENTS; VIOLATIONS; PENALTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

**#29** On motion of the Vice-Chair, without objection and by unanimous consent, it was moved to **table** the following ordinance until the February 1<sup>st</sup> Council Meeting:

## Summary No. 3986

Introduced by: Councilmember Moran on 12/21/21

Public Hearing held on 1/4/22

Tabled on 1/4/22 until 2/1/22

AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE II, SOLID WASTE DISPOSAL; JUNK; DIVISION 1, GENERALLY; SECTION 11-20, LITTERING GENERALLY AND SECTION 11-34, EVICTIONS; PLACEMENT OF ABANDONED PROPERTY OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

## Summary No. 3988

Introduced by: Administration on 1/4/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

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

## Summary No. 3989

Introduced by: Council on 1/4/22

AN ORDINANCE TO **REPEAL** AND **REPLACE** IN ITS ENTIRETY, ANY AND ALL ORDINANCES PERTAINING TO THE CREATION OF THE HOSPITAL SERVICE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA,

**Minutes of the St. Bernard Parish Council Meeting of January 4, 2022**

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DESCRIBING AND DEFINING THE BOUNDARIES THEREOF AND APPOINTING FIVE (5) COMMISSIONERS OF SAID HOSPITAL SERVICE DISTRICT.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022.

**#32** On motion of the Vice-Chair, without objection and by unanimous consent, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for November, 2021.

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

**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of January, 2022

**#33 Coastal Zone Advisory Committee**

No action taken.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:38 p.m. on the 4<sup>th</sup> day of January, 2022.

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

*Richard "Richie" Lewis*

RICHARD "RICHIE" LEWIS  
COUNCIL VICE-CHAIR

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JANUARY 18, 2022 THREE (3:00) 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 DECEMBER 21, 2021 COUNCIL MEETING:

### **Summary No. 3987**

Introduced by: Councilmember McCloskey on 12/21/21

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2172-06-19**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

**WHEREAS**, it is the desire of the St. Bernard Parish Council to amend Ordinance SBPC #2172-06-19, "An ordinance outlining group health, life and dental insurance benefits for active employees and retirees of the St. Bernard Parish Government."

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of St. Bernard, State of Louisiana (The "Parish Council"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (The "Parish"), that:

**SECTION 2.** Retirees. For the purpose of group insurance benefits eligibility, a Retiree of the St. Bernard Parish Government is defined as those Employees of St. Bernard Parish Government, including the St. Bernard Parish Water Division, St. Bernard Parish District Attorney's Office, St. Bernard Parish Registrar of Voters' Office and the St. Bernard Parish Fire Department, who at the time of retirement, meet all of the following criteria:

1. Classified as an active, bona fide employee; and
2. Vested in the retirement system in both age and years of creditable service; and

3. Receiving a check drawn against St. Bernard Parish Government funds in whole or in part as payment of their salary as an active employee or immediately prior to any excused leave of absence; and
4. Enrolled in or eligible for parish sponsored group benefits; and
5. Eligible to begin receiving a pension check from a retirement system listed below.
  - a. Parochial Employees Retirement System, PERS
  - b. Firefighters Retirement Service
  - c. Louisiana District Attorney's Association
  - d. Registrar of Voters Employees' Retirement System;

And in order to be eligible for group insurance benefits as a Retiree, the above are subject to:

1. Employees must be vested for a minimum of 7 years of creditable service in a St. Bernard Parish Government participating retirement system and the 7 creditable years must be served working for the St. Bernard Parish Government; and
2. In the event of a Disability Retirement, the employee must have served the minimum number of creditable years required under the disability guidelines of the participating retirement system working for the St. Bernard Parish Government.

As of the date of the adoption of this Ordinance, all active employees currently contributing to a St. Bernard Parish Government retirement system will be considered "Grandfathered" and eligible for group insurance benefits upon retirement based on age and years of creditable service as outlined in the guidelines of the participating retirement system.

For the purposes of this Ordinance, Library and Work Force Investment Act, "WIA" are not considered retirees of the St. Bernard Parish Government.

**SECTION 3.** Active Employees. For the purpose of group insurance benefits eligibility, an Eligible Employee of the St. Bernard Parish Government is defined as those Employees of St. Bernard Parish Government, including the St. Bernard Parish Water Division, St. Bernard Parish District Attorney's Office, St. Bernard Parish Registrar of Voters' Office and the St. Bernard Parish Fire Department, who are:

1. Classified as an active, bona fide employee; and
2. Meet the minimum hours of work mandated under Health Care Reform and all other eligibility provisions required by group insurance guidelines; and
3. Receiving a check drawn against St. Bernard Parish Government funds in whole or in part as payment of their salary as an active employee or immediately prior to any excused leave of absence.

For the purposes of this Ordinance, Library and Work Force Investment Act, "WIA" are not considered employees of the St. Bernard Parish Government.

**SECTION 4.** Group Insurance. It is the intent of the St. Bernard Parish Government to provide group health, life and Fire Department dental benefits to Eligible Employees and Retirees. If at some time in the future, the government is unable to afford to obtain these benefits and must either reduce its monetary contribution or cease to provide group health, life or dental benefits, both active and retired employee benefit premium contributions will similarly be reduced or ceased.

The St. Bernard Parish Government may offer one group insurance plan for both active and retired employees, separate group insurance plans for active and retired employees (pre-65 retirees and/or post 65 retirees) or any combination depending on market availability of product and price. Neither type of coverage or benefit contribution is vested.

It is the responsibility of each employee/retiree to apply for benefits. Enrollment is not automatic unless set forth by Health Care Reform. No retroactive benefits will be provided.

St. Bernard Parish Government will not provide Executive Benefits or additional benefits nor make higher premium contributions on behalf of directors, managers or other select individuals.

"COBRA" –The Consolidated Omnibus Budget Reconciliation Act hereafter referred to as "COBRA" will be applied according to federal guidelines for each applicable group plan offered by the St. Bernard Parish Government. The St. Bernard Parish Government will not make any contribution towards the COBRA premium.

**SECTION 5.** Allocation of Premiums. The allocation of health, life and dental premiums are as follows:

**Health Insurance:**

1. St. Bernard Parish Government Employees & Retirees:

- a. Single Coverage - The St. Bernard Parish Government shall pay 100% of the monthly Single coverage insurance premium for Eligible Employees and Retirees who are enrolled in the St. Bernard Parish Government group health insurance program.
- b. Family Coverage – The St. Bernard Parish Government shall pay 40% towards the monthly Dependent cost for Employees and Pre-65 Retirees who elect Family Coverage. The Employee and Pre-65 Retiree shall be responsible for pay 60% of the monthly Dependent cost. (The Dependent cost is determined by subtracting the billed Single premium from the billed Family premium.)
- c. **Combined Coverage- The St. Bernard Parish Government shall pay 100% of the monthly Family coverage insurance premium for members of the same immediate family both employed by or retired through St. Bernard Parish Government who elect to combine coverage under one family coverage plan where eligible. (100% of the monthly single coverage insurance premium afforded one employee or retiree is used to pay the employee funded 60% of the monthly dependent cost of the other employee's or retiree's family coverage election.)**

Post-65 Retirees Family Coverage – The St. Bernard Parish Government shall not contribute towards the cost of the Post-65 Dependent premium.

2. Fire Department Employees & Retirees:

- a. The St. Bernard Parish Government shall pay 70% of the monthly group insurance premium for Eligible Fire Department Employees and Retirees whether Single or Family coverage is elected under the St. Bernard Parish Government group health insurance program.
- b. Fire Department Employees and Retirees shall be responsible for paying 30% of the monthly group insurance premiums whether Single

or Family coverage is elected under the St. Bernard Parish Government group health insurance program.

- a. If the employee's 30% contribution of the monthly group insurance Premium is higher than the Health Care Reform Act, "Affordable" healthcare guideline(s), using the safe harbor method(s) applied by St. Bernard Parish Government, the affected employees' monthly group Insurance premium will be adjusted accordingly as mandated.

**Orphaned Dependents:** "Orphan Dependents" is an insurance industry term that applies if a Retiree is eligible for Medicare and enrolled in the Post-65 group health insurance program but their spouse and/or dependent(s) are not eligible for Medicare. Eligible dependent(s) will be allowed to remain on the group insurance plan offered to the Active Employee and Pre-65 Retirees until such time they cease to be an eligible dependent or become eligible for Medicare. The Retiree shall be responsible for paying the applicable Dependent cost under the group policy(ies) that both the Post-65 Retiree and any Dependents are insured. Dependent coverage is subject to group insurance policy eligibility, guidelines and provisions.

**Allocation of Premium Cap:** Should the group hospitalization insurance premiums increase by more than 25% in a calendar year, the allocation of premiums as stated in this Ordinance shall be revisited.

**Life Insurance:**

Life Insurance is paid at 100% by the St. Bernard Parish Government for:

Active Employees:

- a. \$10,000 minimum coverage on eligible employees; and
- b. \$1,000 for each eligible dependent

Retired Employees:

- a. \$10,000 minimum coverage on eligible retirees.

**Dental Insurance:**

Parish Government Employees and Retirees:

- a. The dental plan offered to eligible employees and retirees will be a voluntary product.
- b. The St. Bernard Parish Government shall have no responsibility to pay

any portion of the group dental insurance premium.

Fire Department Employees and Retirees:

- a. The St. Bernard Parish Government shall be responsible for paying 70% of the monthly group insurance premium for all Eligible Employees and Retirees whether single or family coverage is elected under the group insurance plan
- b. Eligible Employees and Retiree shall be responsible for paying 30% of the monthly group insurance premiums whether single or family coverage is elected under the group insurance plan.

All employee/retiree insurance premiums contributions must remain current and paid up-to-date. Delinquent premiums may result in coverage being cancelled from the last month paid.

**SECTION 6.** Medicare Eligible Retirees. All retirees who are Medicare eligible must elect Medicare Parts A & B, and Part D in certain circumstances, and pay all necessary premiums. Participation in a St. Bernard Parish Government sponsored group medical plan is contingent upon Medicare enrollment. St. Bernard Parish Government does not reimburse the Retiree for any Medicare premiums.

**Non-Eligible Medicare Retirees** – Any Retiree who is not eligible for Medicare will be allowed to stay on the group health plan with the same “in-force” health benefits as active employees subject to group insurance policy eligibility, guidelines and provisions.

**SECTION 7.** Health Care Reform. The enactment of comprehensive health care reform has many implications for employers and employees. St. Bernard Parish Government’s future group coverage decisions for both active and retired employees will be determined by these complex changes to the health care markets and systems. Many decisions regarding Retiree coverage are likely to be influenced by the availability and modifications of Medicare. It is the intent of the St. Bernard Parish Government to maintain our role in providing health insurance for both active and retired employees in accordance with the evolving Patient Protection and Affordable Care Act and its regulations.

**SECTION 8.** Severability. Should any provision of this Ordinance or the application thereof be hereafter held to be invalid or contrary to Health Care Reform or any other federal, state or local law, or any group insurance provisions or guidelines, the invalidity or default shall not affect other provision or application of this Ordinance; and provisions of this Ordinance are hereby declared severable.

**SECTION 9.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President and beginning January 1, 2015. 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.

BY DIRECTION OF

*Richard "Richie" Lewis*

RICHARD "RICHIE" LEWIS  
COUNCIL CHAIR

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JANUARY 18, 2022 THREE (3:00) 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 JANUARY 4, 2022 COUNCIL MEETING:

### **Summary No. 3988**

Introduced by: Administration on 1/4/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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

**St. Bernard Parish Government**  
**Proposed 2022 Budget Amendment 1-18-2022**  
**Summary No. 3988**  
**Ordinance SBPC #XXXX-XX-XX**

<u>Org</u>	<u>Account Code</u>	<u>Object</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
					<u>Increase</u>	<u>Decrease</u>
1002010 - Council		501000	Salaries	Expenditure	1,825	
1004040 - Animal Control		501000	Salaries	Expenditure	7,369	
1004042 - Maintenance		501000	Salaries	Expenditure	11,102	
1002320 - Finance		499101	Transfer from Sales Tax	Revenue	20,296	
1012400 - Sales Tax		599100	Transfer to Gen Fund	Expenditure	20,296	
2543310 - Fire		501000	Salaries	Expenditure	1,895	
2543310 - Fire		499101	Transfer from Sales Tax	Revenue	1,895	
1012400 - Sales Tax		599254	Transfer to Fire	Expenditure	1,895	
2616110 - Recreation		501000	Salaries	Expenditure	1,896	
2616200 - Tourism		501000	Salaries	Expenditure	1,763	
2616110 - Recreation		499101	Transfer from Sales Tax	Revenue	3,659	
1012400 - Sales Tax		599261	Transfer to Recreation	Expenditure	3,659	
2624010 - PW Main		501000	Salaries	Expenditure	1,855	
2624015 - Road		501000	Salaries	Expenditure	19,586	
2624010 - PW Main		499101	Transfer from Sales Tax	Revenue	21,441	
1012400 - Sales Tax		599262	Transfer to Public Works	Expenditure	21,441	
2644200 - Sanitation		501000	Salaries	Expenditure	23,018	
2644200 - Sanitation		499101	Transfer from Sales Tax	Revenue	23,018	
1012400 - Sales Tax		599264	Transfer to Sanitation	Expenditure	23,018	
2654300 - Canals & Drain		501000	Salaries	Expenditure	15,102	
2775120 - Housing		501000	Salaries	Expenditure	7,226	
2775120 - Housing		499101	Transfer from Sales Tax	Revenue	7,226	
1012400 - Sales Tax		599277	Transfer to Housing	Expenditure	7,226	
2797010 - Transit		501000	Salaries	Expenditure	5,219	
2797010 - Transit		499101	Transfer from Sales Tax	Revenue	5,219	
1012400 - Sales Tax		599279	Transfer to Transit	Expenditure	5,219	
5004310 - W&S		501000	Salaries	Expenditure	55,690	
5004310 - W&S		499101	Transfer from Sales Tax	Revenue	55,690	
1012400 - Sales Tax		599500	Transfer to W&S	Expenditure	55,690	
5786010 - Civic Center		501000	Salaries	Expenditure	1,896	
5786010 - Civic Center		499101	Transfer from Sales Tax	Revenue	1,896	
1012400 - Sales Tax		599578	Transfer to Civic Center	Expenditure	1,896	
<i>Net Effect on Fund Balance</i>					<u>\$ -</u>	<u>\$ 155,442</u>

*To budget for the increase in personnel expenses related to the pay increase to 12.64/hr minimum.*

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JANUARY 18, 2022 THREE (3:00) 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 JANUARY 4, 2022 COUNCIL MEETING:

### **Summary No. 3989**

Introduced by: Council on 1/4/22

AN ORDINANCE TO **REPEAL AND REPLACE** IN ITS ENTIRETY, ANY AND ALL ORDINANCES PERTAINING TO THE CREATION OF THE HOSPITAL SERVICE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, DESCRIBING AND DEFINING THE BOUNDARIES THEREOF AND APPOINTING FIVE (5) COMMISSIONERS OF SAID HOSPITAL SERVICE DISTRICT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Hospital Service District shall be governed by a board of five commissioners, hereafter referred to as commission, who shall be qualified voters and residents of the district. The commission shall be appointed by the Governing Authority of St. Bernard Parish (the Council). Two of the first commissioners so appointed shall serve for two years, two for four years and one for six years. Terms thereafter shall comply with LA RS 46:1053.

**SECTION 2.** All vacancies shall be filled by the governing authority of St. Bernard Parish (the Council) in compliance with LA RS 46:1053

**SECTION 3.** No Hospital Service District Commissioner, or Commissioner's immediate family members, shall execute any business transactions with the Hospital Service District or any of its contractors while serving as a Hospital Service District Commissioner or for two (2) years subsequently from vacating their Commissioner position.

**SECTION 4.** That a copy of this ordinance be published in the official journal of the Parish of St. Bernard, Louisiana, as provided by law.

**SECTION 5.** That this ordinance being an ordinance affecting the public peace, health and safety, shall be in full force and effect immediately upon its adoption, and that all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 6.** This ordinance shall Repeal and Replace the following ordinances after the passage of this ordinance.

- Ordinance SBPC #797-11-07
- Ordinance SBPC #883-07-08
- Ordinance SBPC #976-04-09
- Ordinance SBPC #1284-02-12

**SECTION 7.** 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 8.** 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

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

# #10

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

## RESOLUTION SBPC #2199-01-22

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. Kiet Tuan Tang, LLC., dba Keith's Seafood and Po-boys – 3514 Paris Road, Chalmette, LA 70043. Owner(s): Kiet Tuan Tang **(Renewal)**  
**(Beer Only)**

### Special Event(s)

1. Name of Organization: Louisiana Crawfish Festival  
Address of Organization: 2107 Paris Road  
Chalmette, La. 70043  
Name of Event: Louisiana Crawfish Festival  
Type of Event: Festival  
Date(s) of Event: March 17<sup>th</sup>-20<sup>th</sup>, 2022  
Time(s) of Event: 17<sup>th</sup>- 2PM -11PM, 18<sup>th</sup>- 2PM -  
12AM, 19<sup>th</sup>- 10AM -12AM and  
20<sup>th</sup>- 10AM - 11PM  
Contact Person: Terry Gutierrez

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

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Extract #10 continued  
January 18, 2022

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

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ROXANNE ADAMS  
CLERK OF COUNCIL

**#11**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O’CLOCK P.M.

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

**RESOLUTION SBPC #2200-01-22**

A RESOLUTION TO APPOINT MEMBERS TO THE ST. BERNARD PARISH HOSPITAL SERVICE DISTRICT.

**WHEREAS**, there are two expired terms on the St. Bernard Parish Hospital Service District causing vacancies on said board, and;

**WHEREAS**, this Council is desirous to appoint and fill this term.

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

<u>Member</u>	<u>Expiration Date</u>
XXXX	January 2027
XXXX	January 2027

**BE IT FURTHER RESOLVED**, that this appointment is effective immediately with the passage 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 **adopted** on the 18<sup>th</sup> day of January, 2022.

Page -2-  
Extract #11 continued  
January 18, 2022

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

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ROXANNE ADAMS  
CLERK OF COUNCIL

## #12

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O’CLOCK P.M.

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

### **RESOLUTION SBPC #2201-01-22**

A RESOLUTION AUTHORIZING AN APPLICATION FOR THE T-MOBILE HOMETOWN GRANTS PROGRAM.

**WHEREAS** T-Mobile has enacted the T-Mobile Hometown Grant Program providing up to \$50,000 to communities with populations less than 50,000 to build, rebuild, or refresh community spaces that help foster local connections within a town; and,

**WHEREAS**, the St. Bernard Parish Government (“the Parish”) intends to use funds for the installation of permanent electrical lights, speakers, etc. at the Torres Park Bandstand to facilitate community events and increased access to Torres Park in St. Bernard Parish, Louisiana (the “Project”).

**NOW THEREFORE, BE IT RESOLVED** and ordered that Jason Stopa, Director of Community Development, is authorized to apply for, accept, decline, modify, or cancel the contemplated application for the T-Mobile Hometown Grant in connection with the Project, and is further authorized to execute all documents necessary to apply for and accept any funds received through the Program on behalf of the Parish;

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

Page -2-  
Extract #12 continued  
January 18, 2022

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal of the Parish of St. Bernard on this 18<sup>th</sup> day of January, 2022.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #13

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

### **RESOLUTION SBPC #2202-01-22**

A RESOLUTION CANCELING AN ELECTION CALLED BY A RESOLUTION ADOPTED ON DECEMBER 7, 2021, TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

**WHEREAS**, this Parish Council of the Parish of St. Bernard, State of Louisiana, adopted a resolution on December 7, 2021, ordering and calling a special election to be held in the Parish of St. Bernard, State of Louisiana (the "Parish"), on March 26, 2022, to authorize the levy of a special tax therein (the "Election Resolution"); and

**WHEREAS**, it is the desire of this Parish Council to cancel the election to be held in the Parish on said date;

**NOW, THEREFORE, BE IT RESOLVED** by the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish, that:

**SECTION 1.** The election to be held in the Parish on March 26, 2022, for the purpose set forth above is hereby canceled.

**SECTION 2.** The Council Chair and/or Clerk of Council are hereby authorized and empowered to (i) furnish a copy of this resolution to all election officials and officers charged with conducting the March 26, 2022, election, and (ii) notify said election officials and officers that said election has been canceled.

Page -2-  
Extract #13 continued  
January 18, 2022

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

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ROXANNE ADAMS  
CLERK OF COUNCIL

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), the governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), do hereby certify that the foregoing page constitutes a true and correct copy of a resolution adopted by the Governing Authority on January 18, 2022, canceling an election called by a resolution adopted on December 7, 2021, to authorize the levy of a special tax in the Parish; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Chalmette, Louisiana, on this, the 18<sup>th</sup> day of January, 2022.

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Clerk of Council

# #14

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #2203-01-22**

A RESOLUTION APPOINTING A NEW MEMBER TO THE REGIONAL PLANNING COMMISSION.

**WHEREAS**, due to the resignation of Roxanne Adams there is a vacancy on the Regional Planning Commission.

**BE IT RESOLVED**, the St. Bernard Parish Council, the Governing Authority, does hereby make the following appointments to the vacant positions on the Regional Planning Commission, effective January 18, 2022, in accordance with Chapter 18, Article II, Section 18-21, Subsection (f) of the St. Bernard Parish Code of Ordinances.

<u>Name</u>	<u>Date Appointed</u>	<u>Length of Term</u>
XXXXX	January 18, 2022	January 8, 2024

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

Page -2-  
Extract #14 continued  
January 18, 2022

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #15

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

### **RESOLUTION SBPC #2204-01-22**

A RESOLUTION TO APPOINT A MEMBER TO THE ST. BERNARD PARISH LIBRARY BOARD.

**WHEREAS**, there is one vacancy that exists on the St. Bernard Library Board due to expiring terms; and,

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

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following to the St. Bernard Parish Library Board of Control:

Member  
XXXXX

Expiration Date  
January 2024

**BE IT FURTHER RESOLVED**, that these appointments are effective immediately with the passage 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 **adopted** on the 18<sup>th</sup> day of January, 2022.

Page -2-  
Extract #15 continued  
January 18, 2022

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

---

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 TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

### **RESOLUTION SBPC #2205-01-22**

A RESOLUTION ENDORSING LYNN OAKS SCHOOL PARTICIPATION IN THE LA ENTERPRISE ZONE PROGRAM ADVANCE NOTIFICATION **#20210511-EZ**.

**WHEREAS**, the Louisiana Enterprise Zone Program enacted in accordance with Act 18 of the 2016 First Extraordinary Session offers significant incentives for economic development for some of the most distressed areas in the Parish of St. Bernard; and,

**WHEREAS**, the Louisiana Department of Economic Development has designated the Parish of St. Bernard as an Enterprise Zone eligible for participation based on demographic and economic factors; and,

**WHEREAS**, in accordance with the Louisiana Enterprise Zone Program requirements the parish agrees:

- a. To participate in the enterprise zone program.
- b. To assist the LA Department of Economic Development in evaluating progress made in any enterprise zone within its jurisdiction.
- c. Participant will not be eligible for local benefits.

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the governing authority does hereby endorse Lynn Oaks School, **Project #20210511-EZ** to participate in the Louisiana Enterprise Zone Program.

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Extract #15 continued  
January 18, 2022

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 **xxxxx** on the 18<sup>th</sup> day of January, 2022.

#### 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 St. Bernard, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal of the Parish of St. Bernard on this 18<sup>th</sup> day of January, 2022.

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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 TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

**RESOLUTION SBPC #2206-01-22**

A RESOLUTION RESPECTFULLY REQUESTING THE LOUISIANA STATE LEGISLATURES AND FEDERAL DELEGATION FUND A INFRASTRUCTURE PROJECT USING THE FUNDS ASSOCIATED WITH LOUISIANA'S PORTION OF THE FEDERAL INFRASTRUCTURE BILL.

**WHEREAS**, St. Bernard Parish is the fastest growing community in the state; and,

**WHEREAS**, One of many goals of St. Bernard Parish Government is to promote economic development and quality of life through more opportunities for our residents in the form of new and higher paying jobs; and,

**WHEREAS**, St. Bernard Parish's current infrastructure road, rail, and drainage cannot sustain the projected rate of population growth or support any large scale future development projects; and,

**WHEREAS**, the growth of St. Bernard Parish will be adversely effected without funding for new infrastructure projects and improvements to existing infrastructure; and,

**WHEREAS**, the Federal Infrastructure Bill has funding available for road, rail, and drainage infrastructure projects; and,

**WHEREAS**, the St. Bernard Parish Government is requesting assistance from the Louisiana State Legislatures and Federal Delegation to engineer and fund much needed infrastructure to aid the future developments and growth of St. Bernard Parish.

Page -2-  
Extract #17 continued  
January 18, 2022

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 18, 2022.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of January, 2022.

---

ROXANNE ADAMS  
CLERK OF 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 TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

### **Summary No. 3987**

Introduced by: Councilmember McCloskey on 12/21/21

Public Hearing held on 1/18/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2172-06-19**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

**WHEREAS**, it is the desire of the St. Bernard Parish Council to amend Ordinance SBPC #2172-06-19, "An ordinance outlining group health, life and dental insurance benefits for active employees and retirees of the St. Bernard Parish Government."

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of St. Bernard, State of Louisiana (The "Parish Council"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (The "Parish"), that:

**SECTION 2.** Retirees. For the purpose of group insurance benefits eligibility, a Retiree of the St. Bernard Parish Government is defined as those Employees of St. Bernard Parish Government, including the St. Bernard Parish Water Division, St. Bernard Parish District Attorney's Office, St. Bernard Parish Registrar of Voters' Office and the St. Bernard Parish Fire Department, who at the time of retirement, meet all of the following criteria:

1. Classified as an active, bona fide employee; and
2. Vested in the retirement system in both age and years of creditable service; and

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Extract #18, continued  
January 18, 2022

3. Receiving a check drawn against St. Bernard Parish Government funds in whole or in part as payment of their salary as an active employee or immediately prior to any excused leave of absence; and
4. Enrolled in or eligible for parish sponsored group benefits; and
5. Eligible to begin receiving a pension check from a retirement system listed below.
  - a. Parochial Employees Retirement System, PERS
  - b. Firefighters Retirement Service
  - c. Louisiana District Attorney's Association
  - d. Registrar of Voters Employees' Retirement System;

And in order to be eligible for group insurance benefits as a Retiree, the above are subject to:

1. Employees must be vested for a minimum of 7 years of creditable service in a St. Bernard Parish Government participating retirement system and the 7 creditable years must be served working for the St. Bernard Parish Government; and
2. In the event of a Disability Retirement, the employee must have served the minimum number of creditable years required under the disability guidelines of the participating retirement system working for the St. Bernard Parish Government.

As of the date of the adoption of this Ordinance, all active employees currently contributing to a St. Bernard Parish Government retirement system will be considered "Grandfathered" and eligible for group insurance benefits upon retirement based on age and years of creditable service as outlined in the guidelines of the participating retirement system.

For the purposes of this Ordinance, Library and Work Force Investment Act, "WIA" are not considered retirees of the St. Bernard Parish Government.

**SECTION 3.** Active Employees. For the purpose of group insurance benefits eligibility, an Eligible Employee of the St. Bernard Parish Government is defined as those Employees of St. Bernard Parish Government, including the St. Bernard Parish Water Division, St. Bernard Parish District Attorney's Office, St. Bernard Parish Registrar of Voters' Office and the St. Bernard Parish Fire Department, who are:

Page -3-  
Extract #18, continued  
January 18, 2022

1. Classified as an active, bona fide employee; and
2. Meet the minimum hours of work mandated under Health Care Reform and all other eligibility provisions required by group insurance guidelines; and
3. Receiving a check drawn against St. Bernard Parish Government funds in whole or in part as payment of their salary as an active employee or immediately prior to any excused leave of absence.

For the purposes of this Ordinance, Library and Work Force Investment Act, "WIA" are not considered employees of the St. Bernard Parish Government.

**SECTION 4.** Group Insurance. It is the intent of the St. Bernard Parish Government to provide group health, life and Fire Department dental benefits to Eligible Employees and Retirees. If at some time in the future, the government is unable to afford to obtain these benefits and must either reduce its monetary contribution or cease to provide group health, life or dental benefits, both active and retired employee benefit premium contributions will similarly be reduced or ceased.

The St. Bernard Parish Government may offer one group insurance plan for both active and retired employees, separate group insurance plans for active and retired employees (pre-65 retirees and/or post 65 retirees) or any combination depending on market availability of product and price. Neither type of coverage or benefit contribution is vested.

It is the responsibility of each employee/retiree to apply for benefits. Enrollment is not automatic unless set forth by Health Care Reform. No retroactive benefits will be provided.

St. Bernard Parish Government will not provide Executive Benefits or additional benefits nor make higher premium contributions on behalf of directors, managers or other select individuals.

"COBRA" –The Consolidated Omnibus Budget Reconciliation Act hereafter referred to as "COBRA" will be applied according to federal guidelines for each applicable group plan offered by the St. Bernard Parish Government. The St. Bernard Parish Government will not make any contribution towards the COBRA premium.

**SECTION 5.** Allocation of Premiums. The allocation of health, life and dental premiums are as follows:

**Health Insurance:**

1. St. Bernard Parish Government Employees & Retirees:

- a. Single Coverage - The St. Bernard Parish Government shall pay 100% of the monthly Single coverage insurance premium for Eligible Employees and Retirees who are enrolled in the St. Bernard Parish Government group health insurance program.
- b. Family Coverage – The St. Bernard Parish Government shall pay 40% towards the monthly Dependent cost for Employees and Pre-65 Retirees who elect Family Coverage. The Employee and Pre-65 Retiree shall be responsible for pay 60% of the monthly Dependent cost. (The Dependent cost is determined by subtracting the billed Single premium from the billed Family premium.)
- c. **Combined Coverage- The St. Bernard Parish Government shall pay 100% of the monthly Family coverage insurance premium for members of the same immediate family both employed by or retired through St. Bernard Parish Government who elect to combine coverage under one family coverage plan where eligible. (100% of the monthly single coverage insurance premium afforded one employee or retiree is used to pay the employee funded 60% of the monthly dependent cost of the other employee's or retiree's family coverage election.)**

Post-65 Retirees Family Coverage – The St. Bernard Parish Government shall not contribute towards the cost of the Post-65 Dependent premium.

2. Fire Department Employees & Retirees:

- a. The St. Bernard Parish Government shall pay 70% of the monthly group insurance premium for Eligible Fire Department Employees and Retirees whether Single or Family coverage is elected under the St. Bernard Parish Government group health insurance program.
- b. Fire Department Employees and Retirees shall be responsible for paying 30% of the monthly group insurance premiums whether Single

or Family coverage is elected under the St. Bernard Parish Government group health insurance program.

- a. If the employee's 30% contribution of the monthly group insurance Premium is higher than the Health Care Reform Act, "Affordable" healthcare guideline(s), using the safe harbor method(s) applied by St. Bernard Parish Government, the affected employees' monthly group Insurance premium will be adjusted accordingly as mandated.

**Orphaned Dependents:** "Orphan Dependents" is an insurance industry term that applies if a Retiree is eligible for Medicare and enrolled in the Post-65 group health insurance program but their spouse and/or dependent(s) are not eligible for Medicare. Eligible dependent(s) will be allowed to remain on the group insurance plan offered to the Active Employee and Pre-65 Retirees until such time they cease to be an eligible dependent or become eligible for Medicare. The Retiree shall be responsible for paying the applicable Dependent cost under the group policy(ies) that both the Post-65 Retiree and any Dependents are insured. Dependent coverage is subject to group insurance policy eligibility, guidelines and provisions.

**Allocation of Premium Cap:** Should the group hospitalization insurance premiums increase by more than 25% in a calendar year, the allocation of premiums as stated in this Ordinance shall be revisited.

**Life Insurance:**

Life Insurance is paid at 100% by the St. Bernard Parish Government for:

Active Employees:

- a. \$10,000 minimum coverage on eligible employees; and
- b. \$1,000 for each eligible dependent

Retired Employees:

- a. \$10,000 minimum coverage on eligible retirees.

**Dental Insurance:**

Parish Government Employees and Retirees:

- a. The dental plan offered to eligible employees and retirees will be a voluntary product.
- b. The St. Bernard Parish Government shall have no responsibility to pay

any portion of the group dental insurance premium.

Fire Department Employees and Retirees:

- a. The St. Bernard Parish Government shall be responsible for paying 70% of the monthly group insurance premium for all Eligible Employees and Retirees whether single or family coverage is elected under the group insurance plan
- b. Eligible Employees and Retiree shall be responsible for paying 30% of the monthly group insurance premiums whether single or family coverage is elected under the group insurance plan.

All employee/retiree insurance premiums contributions must remain current and paid up-to-date. Delinquent premiums may result in coverage being cancelled from the last month paid.

**SECTION 6.** Medicare Eligible Retirees. All retirees who are Medicare eligible must elect Medicare Parts A & B, and Part D in certain circumstances, and pay all necessary premiums. Participation in a St. Bernard Parish Government sponsored group medical plan is contingent upon Medicare enrollment. St. Bernard Parish Government does not reimburse the Retiree for any Medicare premiums.

**Non-Eligible Medicare Retirees** – Any Retiree who is not eligible for Medicare will be allowed to stay on the group health plan with the same “in-force” health benefits as active employees subject to group insurance policy eligibility, guidelines and provisions.

**SECTION 7.** Health Care Reform. The enactment of comprehensive health care reform has many implications for employers and employees. St. Bernard Parish Government’s future group coverage decisions for both active and retired employees will be determined by these complex changes to the health care markets and systems. Many decisions regarding Retiree coverage are likely to be influenced by the availability and modifications of Medicare. It is the intent of the St. Bernard Parish Government to maintain our role in providing health insurance for both active and retired employees in accordance with the evolving Patient Protection and Affordable Care Act and its regulations.

**SECTION 8.** Severability. Should any provision of this Ordinance or the application thereof be hereafter held to be invalid or contrary to Health Care Reform or any other federal, state or local law, or any group insurance provisions or guidelines, the invalidity or default shall not affect other provision or application of this Ordinance; and provisions of this Ordinance are hereby declared severable.

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Extract #18, continued  
January 18, 2022

**SECTION 9.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President and beginning January 1, 2015. 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.

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

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

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

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

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

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

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

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Extract #18, continued  
January 18, 2022

Returned to Clerk of the Council

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

Received by

\_\_\_\_\_

## #19

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

### **Summary No. 3988**

Introduced by: Administration on 1/4/22

Public Hearing held on 1/18/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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  
January 18, 2022

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

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

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

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

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

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

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

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

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

**St. Bernard Parish Government**  
**Proposed 2022 Budget Amendment 1-18-2022**  
**Summary No. 3988**  
**Ordinance SBPC #XXXX-XX-XX**

<u>Org</u>	<u>Account Code</u>	<u>Object</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
					<u>Increase</u>	<u>Decrease</u>
1002010 - Council		501000	Salaries	Expenditure	1,825	
1004040 - Animal Control		501000	Salaries	Expenditure	7,369	
1004042 - Maintenance		501000	Salaries	Expenditure	11,102	
1002320 - Finance		499101	Transfer from Sales Tax	Revenue	20,296	
1012400 - Sales Tax		599100	Transfer to Gen Fund	Expenditure	20,296	
2543310 - Fire		501000	Salaries	Expenditure	1,895	
2543310 - Fire		499101	Transfer from Sales Tax	Revenue	1,895	
1012400 - Sales Tax		599254	Transfer to Fire	Expenditure	1,895	
2616110 - Recreation		501000	Salaries	Expenditure	1,896	
2616200 - Tourism		501000	Salaries	Expenditure	1,763	
2616110 - Recreation		499101	Transfer from Sales Tax	Revenue	3,659	
1012400 - Sales Tax		599261	Transfer to Recreation	Expenditure	3,659	
2624010 - PW Main		501000	Salaries	Expenditure	1,855	
2624015 - Road		501000	Salaries	Expenditure	19,586	
2624010 - PW Main		499101	Transfer from Sales Tax	Revenue	21,441	
1012400 - Sales Tax		599262	Transfer to Public Works	Expenditure	21,441	
2644200 - Sanitation		501000	Salaries	Expenditure	23,018	
2644200 - Sanitation		499101	Transfer from Sales Tax	Revenue	23,018	
1012400 - Sales Tax		599264	Transfer to Sanitation	Expenditure	23,018	
2654300 - Canals & Drain		501000	Salaries	Expenditure	15,102	
2775120 - Housing		501000	Salaries	Expenditure	7,226	
2775120 - Housing		499101	Transfer from Sales Tax	Revenue	7,226	
1012400 - Sales Tax		599277	Transfer to Housing	Expenditure	7,226	
2797010 - Transit		501000	Salaries	Expenditure	5,219	
2797010 - Transit		499101	Transfer from Sales Tax	Revenue	5,219	
1012400 - Sales Tax		599279	Transfer to Transit	Expenditure	5,219	
5004310 - W&S		501000	Salaries	Expenditure	55,690	
5004310 - W&S		499101	Transfer from Sales Tax	Revenue	55,690	
1012400 - Sales Tax		599500	Transfer to W&S	Expenditure	55,690	
5786010 - Civic Center		501000	Salaries	Expenditure	1,896	
5786010 - Civic Center		499101	Transfer from Sales Tax	Revenue	1,896	
1012400 - Sales Tax		599578	Transfer to Civic Center	Expenditure	1,896	
<i>Net Effect on Fund Balance</i>					<u>\$ -</u>	<u>\$ 155,442</u>

*To budget for the increase in personnel expenses related to the pay increase to 12.64/hr minimum.*

## #20

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 18, 2022 AT THREE O'CLOCK P.M.

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

### **Summary No. 3989**

Introduced by: Council on 1/4/22

Public Hearing held on 1/18/22

AN ORDINANCE TO **REPEAL AND REPLACE** IN ITS ENTIRETY, ANY AND ALL ORDINANCES PERTAINING TO THE CREATION OF THE HOSPITAL SERVICE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, DESCRIBING AND DEFINING THE BOUNDARIES THEREOF AND APPOINTING FIVE (5) COMMISSIONERS OF SAID HOSPITAL SERVICE DISTRICT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Hospital Service District shall be governed by a board of five commissioners, hereafter referred to as commission, who shall be qualified voters and residents of the district. The commission shall be appointed by the Governing Authority of St. Bernard Parish (the Council). Two of the first commissioners so appointed shall serve for two years, two for four years and one for six years. Terms thereafter shall comply with LA RS 46:1053.

**SECTION 2.** All vacancies shall be filled by the governing authority of St. Bernard Parish (the Council) in compliance with LA RS 46:1053

**SECTION 3.** No Hospital Service District Commissioner, or Commissioner's immediate family members, shall execute any business transactions with the Hospital Service District or any of its contractors while serving as a Hospital Service District Commissioner or for two (2) years subsequently from vacating their Commissioner position.

**SECTION 4.** That a copy of this ordinance be published in the official journal of the Parish of St. Bernard, Louisiana, as provided by law.

**SECTION 5.** That this ordinance being an ordinance affecting the public peace, health and safety, shall be in full force and effect immediately upon its adoption, and that all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 6.** This ordinance shall Repeal and Replace the following ordinances after the passage of this ordinance.

- Ordinance SBPC #797-11-07
- Ordinance SBPC #883-07-08
- Ordinance SBPC #976-04-09
- Ordinance SBPC #1284-02-12

**SECTION 7.** 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 8.** 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 above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of January, 2022.

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ROXANNE ADAMS  
CLERK OF COUNCIL

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KERRI CALLAIS  
COUNCIL CHAIR

Page -3-  
Extract #20, continued  
January 18, 2022

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

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

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

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

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

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