Meeting Called to Order and Roll Call

Remind Public that no food or drink is allowed in the Council Chambers

Remind Public of Cell Phone Ordinance SBPC #815-02-08

Invocation by Pastor Trevor Truitt with Celebration Church

Pledge of Allegiance by Councilmember Luna

Recognize Elected Officials

APPROVAL OF MINUTES

Motion to approve the minutes of the January 15, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 25, 2019. (Council Chair)

RECOGNITION

Councilmember’s for a District Update

Guy McInnis, President's Report

Recognize the Public

PUBLIC HEARINGS

Summary No. 3679
Planning Commission recommended APPROVAL on 1/3/19
Introduced by: Administration on 1/15/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

RESOLUTIONS

Adopt Resolution SBPC #1908-02-19, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

Beer and/or Liquor Permit(s)

1. Old Arabi Café, LLC dba Arabi Po Boy 650 Friscoville Avenue, Arabi, La 70032
Owner: Larry & Luann Landry (Renewal) (Beer & Liquor)

2. The Palm's Casino & Truck Stop Inc. dba The Palms Truck Stop 8001-A W. St Bernard Highway, Arabi, La 70032 Owners: Charles L. Bienvenu & John R. Bienvenu Jr. (Renewal) (Beer & Liquor)
3. The Palm’s Casino & Truck Stop, Inc. dba The Palm’s Casino 8001-C St. Bernard Highway, Arabi, La 70032 Member: Charles L. Bienvenu & John R. Bienvenu Jr. (Renewal) (Beer & Liquor)

4. Karcrist Services, LLC dba Sabor Latino 7543 W. Judge Perez Dr., Chalmette, La 70043 Owner: Mayra Z. Taylor & Sabor Latino (Renewal) (Beer & Liquor)

5. Kiet Tuan Tang, LLC dba Keith’s Seafood & Poyboy’s 3514 Paris Road, Chalmette, La 70043 Member: Kiet Tuan Tang (Renewal) (Beer Only)


7. MJROD, LLC dba Chalmette Rotolo’s 8109 W. Judge Perez Dr., Ste. A, Chalmette, La 70043 Owner: Jason Cook (Renewal) (Beer & Liquor)

8. J. Fernandez, LLC dba Julie’s Tavern 8431 W. St. Bernard Highway, Chalmette, La 70043 Owner: Julie T. Fernandez (Renewal) (Beer & Liquor)

9. Meraux Tackle Box, LLC dba Meraux Tackle Box 3124 E. Judge Perez Dr. Ste. A, Meraux, La 70075 Owner: Harry M. Fisher (Renewal) (Beer & Liquor)

Special Event

1. Name of Organization: Knights Of Columbus #8442
   Address: 2621 Colonial Blvd, Violet
   Event: Knights of Columbus #8442 Crawfish Cook-off
   Location: 2621 Colonial Blvd, Violet, La 70092
   Date: March 30, 2019
   Time: 7AM-6PM
   Contact: Clifford Bertucci

7. Adopt Resolution SBPC #1909-02-19, a resolution supporting the approval of a project presented by the District C Council Representative on the Parks and Parkways Commission. (Councilmember Luna)

8. Adopt Resolution SBPC #1910-02-19, a resolution authorizing acceptance of a 2019 Local Roads Safety Program Grant for the St. Bernard Parish Signing and Striping Project (Project H.0009175 superceding 2013 Grant) in the maximum amount of $180,000.00. (Administration)
9. Adopt Resolution SBPC #1911-02-19, a resolution supporting the Parish President to sign an agreement with the Department of the Army, represented by the U.S. Army Engineer, for design for the Louisiana Coastal Area beneficial use of Dredged Material Program, Mississippi River/St Bernard Parish Wetlands Project. (Administration)

10. Adopt Resolution SBPC #1912-02-19, a resolution supporting the introduction and passage of Legislation to enable St. Bernard Parish to impose and collect a Hotel/Motel Tax to fund the services provided by the St. Bernard Parish Fire Department to Hotels and Motels. (Councilmember Lewis)

11. Adopt Resolution SBPC #1913-02-19, a resolution to allow an Automotive Dismantling Permit at the existing Scrap Facility located at 5020 Paris Road. (Councilmember Lewis)

ADOPTION

12. Summary No. 3672
   Introduced by: Councilmember Lewis on 12/4/18
   Public Hearing held on 12/18/18

   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.

13. Summary No. 3679
   Planning Commission recommended APPROVAL on 1/3/19
   Introduced by: Administration on 1/15/19
   Public Hearing held on 2/5/19

   AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

INTRODUCTION

14. Summary No. 3680
   Planning Commission recommended APPROVAL on 1/22/19
   Introduced by: Administration on 2/5/19

   AN ORDINANCE TO APPROVE DOCKET Z-2019-002, PETITION OF SBPG FOR A GLOBAL ZONING CHANGE FOR PROPERTIES WHERE EXISTING BARS, NIGHTCLUBS, OR LOUNGES ARE LOCATED TO C-3 (HIGHWAY COMMERCIAL) DISTRICT ZONING.
15. **Summary No. 3681**  
Planning Commission recommended **APPROVAL** on 1/22/19  
Introduced by: Administration on 2/5/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-003, PETITION OF LOUIS CHARBONNET III FOR A ZONING CHANGE FROM C-1 AND C-2 TO A-1 TO OPERATE A FUNERAL HOME. PROPERTY LOCATION: 4905, 4909, 4913, 4917 AND 4925 E. JUDGE PEREZ DR. VIOLET, LA 70092.

16. **Summary No. 3682**  
Introduced by: Councilmember Luna on 2/5/19

AN ORDINANCE TO **AMEND** CHAPTER 3; ALCOHOLIC BEVERAGES, SECTION SEC. 3-26.1; SALE, DELIVERY, DISPENSING, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

17. **Summary No. 3683**  
Introduced by: Councilmember Gorbaty on 2/5/19

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-4, GENERAL PROVISIONS; SUBSECTION 22-4-3, EXCEPTIONS AND MODIFICATIONS; SUBSUBSECTION 22-4-3.2; EXCEPTIONS TO AREA REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

18. **Summary No. 3684**  
Introduced by: Administration on 2/5/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2119-12-18, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

19. **Summary No. 3685**  
Introduced by: Administration on 2/5/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2119-12-18, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**OTHER MATTERS**

20. Motion to discuss and take action as it relates to Tax Exemption Application #20170154.

21. Motion to discuss and take action as it relates to Tax Exemption Application #20170155.

22. Motion to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for December 2018.
23. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

EXECUTIVE SESSION

24. Motion to enter into Executive Session to discuss Fucich Contracting, Inc. v. Shread-Kuyrkendall and Assoc. Inc. & St. Bernard, USDC, E.D.,LA 18-02885.

25. Motion to enter into Executive Session to discuss CDM Smith v. SBPG, EDLA No. 18-05392.

Next Regular scheduled Council Meeting will be held Tuesday, February 19, 2019 @ 3:00 p.m.

Approved by: Richard “Richie” Lewis  Time: 12:30 p.m.  Date: 2/1/2019
On motion of XXXX, seconded by XXXX, it was moved to approve the minutes of the January 15, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 25, 2019.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Wednesday, January 15, 2019 at three o’clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:00 p.m. Members present: Councilmembers: Council Chair, Richard “Richie” Lewis, Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel “Monty” Montelongo and Kerri Callais.

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

Carol T. Brown with JCITA Ministries delivered the invocation and Councilmember Gorbaty led the Pledge of Allegiance.

#1 On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to approve the minutes of the January 2, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 11, 2019.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared adopted on the 15th day of January, 2019.

#2 On joint motion of the Council, without objection and by unanimous consent, it was moved to recognize the League of Angels Organization.

#3 Councilmember’s District Update
A copy of this update is on file with the minutes of this meeting.

On the motion of the Chair, without objection and by unanimous consent, It was moved to recognize Donnie Bourgeois with the Capital Projects Department for an update on Bluebird Park and Heights/Alexander Park.

#4 President’s Report
A copy of this report was entered into the official record and is on file with the minutes of this meeting.

#5 Recognize the Public
No one signed up to speak.

#6 Summary No. 3677
Introduced by: Council on 1/2/19

AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE
On motion of Mrs. Alcon, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

**RESOLUTION SBPC #1904-01-19**

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. Madison Enterprises, LLC dba Gerald’s Donuts & Restaurant 6901 St. Claude Ave., Arabi, La 70032 Owner: Richard J. Lewis (**Renewal** (Beer & Liquor))
2. Lion Bar, LLC dba Juan’s Bar 7419 W. St. Bernard Highway, Arabi, La 70032 Owners: Henry Lion, III & Tammy Lion (**Renewal** (Beer & Liquor))
3. Lehrmann’s Inc. dba Lehrmann’s Bar 135 W. St. Bernard Highway, Chalmette, La 70043 Member: Ronald Lehrmann Jr. (**Renewal** (Beer & Liquor))
4. M&R Services Hispanos, LLC dba Latin Market 8823 W. Judge Perez Dr., Chalmette, La 70043 Owner: Mena Fahaim (**Renewal** (Beer & Liquor))
5. Murphy Oil USA, Inc. dba Murphy USA #7217 8001-A W. Judge Perez Dr., Chalmette, La 70043 Member: Shariff Hassan (**Renewal** (Beer & Liquor))
6. Last Stop Food Mart, LLC dba Last Stop Food Mart 4513 E. LA Highway 46, St. Bernard, La 70085 Owner: Margaret Karmer (**Renewal** (Beer & Liquor))

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

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

**NAYS:** None

**ABSENT:** None

**DID NOT VOTE:** Luna

**ABSTAIN:** Callais

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

And the motion was declared **adopted** on the 15th day of January, 2019.

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

**RESOLUTION SBPC #1905-01-19**

A RESOLUTION AUTHORIZING THE ADOPTION OF THE CDBG-D/R MONITORING PLAN UPDATE.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 15th day of January, 2019.
On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to adopt the following resolution:

**RESOLUTION SBPC #1906-01-19**

A RESOLUTION TO APPROVE AN ITINERANT PERMIT FOR “LEFT TURN RACING LLC” TO BE OPERATIONAL AT MUNICIPAL NUMBER: 3501 PARIS ROAD IN CHALMETTE, LA.

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

**YEAS:** McCloskey, Gorbaty  
**NAYS:** Luna, Alcon, Montelongo, Callais  
**ABSENT:** None

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

And the motion was declared failed on the 15th day of January, 2019.

On the motion of Ms. Callais, seconded by Mrs. Alcon, it was moved to amend the agenda to include and adopt item #16 Resolution SBPC #1907-01-19.

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

**YEAS:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais  
**NAYS:** None  
**ABSENT:** None

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

And the motion was declared adopted on the 15th day of January, 2019.

On motion of Mrs. Callais, seconded by Mr. McCloskey, it was moved to adopt the following resolution:

**RESOLUTION SBPC #1907-01-19**

A RESOLUTION TO AUTHORIZE THE PARISH PRESIDENT TO PROMOTE CO-INTERIM DIRECTORS OF THE DEPARTMENT OF PUBLIC WORKS DEPARTMENT UNTIL A NEW DIRECTOR IS HIRED.

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

**YEAS:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais  
**NAYS:** None  
**ABSENT:** None

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

And the motion was declared adopted on the 15th day of January, 2019.

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

**Summary No. 3677**

Introduced by: Council on 1/2/19  
Public Hearing held on 1/15/19
AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Councilmember Luna offered an amendment to Summary No. 3677, but this amendment dies due to lack of a second.

Discussion ensued on item as originally submitted.

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

**ORDINANCE SBPC #2132-01-19**

Summary No. 3677
Introduced by: Council on 1/2/19
Public Hearing held on 1/15/19

AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP 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, Gorbaty, Alcon, Montelongo, Callais

**NAYS:** Luna

**ABSENT:** None

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

And the motion was declared adopted on the 15th day of January, 2019.

#11 On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to introduce the following ordinance:

Summary No. 3679
Planning Commission recommended APPROVAL on 1/3/19
Introduced by: Administration on 1/15/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO.

PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

On the motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to amend Summary No. 3679 to include the following amendment under “Conditions”:

8. The applicant shall adhere to all American Disabilities Act requirements subject to the review and approval of the staff of the Department of Community Development.

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

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

**NAYS:** None
ABSENT: None

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

And the motion was declared adopted on the 15th day of January, 2019.

On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to introduce the following ordinance as amended:

**Summary No. 3679**
Planning Commission recommended APPROVAL on 1/3/19
Introduced by: Administration on 1/15/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared adopted on the 15th day of January, 2019.

#12 Coastal Zone Advisory Committee
No action taken.

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #13, #14, and #15 in globo.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared adopted on the 15th day of January, 2019.

#13 On the motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss Cajun Industries, LLC, et al v. Sheriff James Pohlmann, Ex Officio Tax Collector St. Bernard Parish, 34th Judicial District Court No. 13-1229, Division "E".

#14 On the motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss James Hartman, Jr. v. St. Bernard Parish 34 JDC No. 18-0177, OWC #, 17-1951,17-1954 & 17-1956.

#15 On the motion of the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss St. Bernard Parish Government v. Lake Borgne Basin Levee District and
Southeast Louisiana Flood Protection Authority - East, No. 18-0865 "E", Lambert "Joe" Hassinger - No. 18-1065 "C" and Lambert "Joe" Hassinger - No. 18-1066 "A".

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 15th day of January, 2019.

On motion of the Chair, without objection and by unanimous consent, it was moved to return to Regular Session.

**#13** On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of legal counsel in the matter of Cajun Industries, LLC, et al v. Sheriff James Pohlmann, Ex Officio Tax Collector St. Bernard Parish, 34th Judicial District Court No. 13-1229, Division "E".

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 15th day of January, 2019.

**#14** On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of legal counsel in the matter of James Hartman, Jr. v. St. Bernard Parish 34 JDC No. 18-0177, OWC #, 17-1951,17-1954 & 17-1956.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 15th day of January, 2019.

**#15** On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of legal counsel in the matter of St. Bernard Parish Government v. Lake Borgne Basin Levee District and Southeast Louisiana Flood Protection Authority - East, No. 18-0865 "E", Lambert "Joe" Hassinger - No. 18-1065 "C" and Lambert "Joe" Hassinger - No. 18-1066 "A".

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

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

**NAYS:** None
ABSENT: None

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

And the motion was declared adopted on the 15th day of January, 2019.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:29 p.m. on the 15th day of January, 2019.

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   Richard “Richie” Lewis
ROXANNE ADAMS   RICHARD “RICHIE” LEWIS
CLERK OF COUNCIL COUNCIL CHAIR
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, FEBRUARY 5, 2019 SEVEN (7:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JANUARY 15, 2019 COUNCIL MEETING:

Summary No. 3679
Planning Commission recommended APPROVAL on 1/3/19
Introduced by: Administration on 1/15/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve Docket Z-2019-001, petition of Myrty Mendoza for a Conditional Use Permit to operate an Abuse Addiction Treatment Facility, for the following described property: Lot 55 Gallo Ext Corner of Judge Perez & Gallo

PROPERTY LOCATION: 1520 E. Judge Perez Dr. Chalmette, LA 70043.

Planning Commission recommends APPROVAL with the following WAIVERS AND CONDITIONS:

WAIVERS:

1. A waiver of the requirements of Section 22-3-1 - Existing nonconforming use to allow the petitioned property a change of use to a less conforming use: Pharmacy to Abuse Addiction Treatment Facility.

2. A waiver of the requirements of Section 22-3-13 - Discontinuance of legally nonconforming site development standards to allow the proposed development plan to conform to the site development standards, as reasonably achievable as determined by the director of community development, in section 22-7 site development standards and approved by planning commission.

3. A waiver of the requirements of Chapter 22-7-3.4(i) – Parking Lot Design to include permit a reduction of the 25’ setback to a 0’ setback along the front property line and a reduction of the 10’
setback to a 0’ setback along the east side of the structure, as shown on the existing development.

4. A waiver of the requirements of Chapter 22-7-3.2 – Number of Parking Spaces to include a parking space reduction from 22 spaces plus four (4) per licensed healthcare provider to the existing and non-conforming 13 spaces currently developed.

CONDITIONS:

1. The applicant shall submit a Landscape Plan prepared by a Louisiana Licensed Landscape Architect and meet all of the requirements of Chapter 22-7-1 – Landscape regulations and Chapter 22-7-2 – Planting, maintenance and removal of trees on public land, subject to the review and approval of the staff of the Department of Community Development.

2. The applicant shall erect a 7’ in height solid wood fence along the rear and western side property lines, subject to the review and approval of the Department of Community Development.

3. The applicant shall place a commercial trash dumpster and pen at the property.

4. The applicant shall provide 24-hr closed-circuit television (CCTV) surveillance security systems and one (1) security guard stationed at the facility during all operational hours.

5. The applicant shall remove all vending machines outside of building.

6. The applicant shall place no loitering signs in parking lot.

7. The applicant shall not have any benches or seating areas outside building.

8. The applicant shall meet all requirements of the American Disabilities Act and approved by the Department of Community Development.

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

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1908-02-19

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. Old Arabi Café, LLC dba Arabi Po Boy 650 Friscoville Avenue, Arabi, La 70032 Owner: Larry & Luann Landry (Renewal) (Beer & Liquor)

2. The Palm’s Casino & Truck Stop Inc. dba The Palms Truck Stop 8001-A W. St Bernard Highway, Arabi, La 70032 Owners: Charles L. Bienvenu & John R. Bienvenu Jr. (Renewal) (Beer & Liquor)

3. The Palm’s Casino & Truck Stop, Inc. dba The Palm’s Casino 8001-C St. Bernard Highway, Arabi, La 70032 Member: Charles L. Bienvenu & John R. Bienvenu Jr. (Renewal) (Beer & Liquor)

4. Karcrist Services, LLC dba Sabor Latino 7543 W. Judge Perez Dr., Chalmette, La 70043 Owner: Mayra Z. Taylor & Sabor Latino (Renewal) (Beer & Liquor)

5. Kiet Tuan Tang, LLC dba Keith’s Seafood & Poyboy’s 3514 Paris Road, Chalmette, La 70043 Member: Kiet Tuan Tang (Renewal) (Beer Only)


7. MJROD, LLC dba Chalmette Rotolo’s 8109 W. Judge Perez Dr., Ste. A, Chalmette, La 70043 Owner: Jason Cook (Renewal) (Beer & Liquor)

8. J. Fernandez, LLC dba Julie’s Tavern 8431 W. St. Bernard Highway, Chalmette, La 70043 Owner: Julie T. Fernandez (Renewal) (Beer & Liquor)
9. Meraux Tackle Box, LLC dba Meraux Tackle Box 3124 E. Judge Perez Dr. Ste. A, Meraux, La 70075 Owner: Harry M. Fisher (Renewal) (Beer & Liquor)

Special Event

1. Name of Organization: Knights Of Columbus #8442
   Address: 2621 Colonial Blvd, Violet
   Event: Knights of Columbus #8442 Crawfish Cook-off
   Location: 2621 Colonial Blvd, Violet, La 70092
   Date: March 30, 2019
   Time: 7AM-6PM
   Contact: Clifford Bertucci

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

YEAS:

NAYS:

ABSENT:

ABSTAIN:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.
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 15, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 15th day of January, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1909-02-19

A RESOLUTION SUPPORTING THE APPROVAL OF A PROJECT PRESENTED BY THE DISTRICT C COUNCIL REPRESENTATIVE ON THE PARKS AND PARKWAYS COMMISSION.

WHEREAS, the District C Goodchildren Playground tree planting is estimated to cost up to $951.84 for 8 trees, planting and irrigation bags.

NOW THEREFORE BE IT RESOLVED, the St. Bernard Parish Council, does hereby support the approval of the landscaping project at the Goodchildren Playground presented by the District C Council Representative on the Parks and Parkways Commission.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.
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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1910-02-19

A RESOLUTION AUTHORIZING ACCEPTANCE OF A 2019 LOCAL ROADS SAFETY PROGRAM GRANT FOR THE ST. BERNARD PARISH SIGNING AND STRIPING PROJECT (PROJECT H.0009175 SUPERCEDED 2013 GRANT) IN THE MAXIMUM AMOUNT OF $180,000.00

WHEREAS, the federal transportation act, known as The Moving Ahead for Progress in the 21st Century Act (MAP-21), authorizes federal funding for highway safety improvements in the State of Louisiana through a number of State grant programs; and

WHEREAS, these highway safety grant programs in Louisiana are administered by the Louisiana Department of Transportation and Development (DOTD); and

WHEREAS, DOTD has adopted the Louisiana Strategic Highway Safety Plan, known as Destination Zero Deaths, to guide the administration of these grants aimed at reducing deaths and fatalities; and

WHEREAS, Destination Zero Deaths recognizes the need to increase local community participation in highway safety and has allocated funding to increase that participation; and

WHEREAS, St. Bernard Parish Government applied for and received a $30,000.00 Local Road Safety Program Grant in 2013 to construct specific pedestrian crossing safety improvements at three Chalmette locations, and

WHEREAS, St. Bernard Parish Government was unable to complete this grant due to a lack of funding to construct the improvements specified in the grant award; and

WHEREAS, DOTD has revised the program requirements and administration of the Local Road Safety Program to make it more effective in directing resources to areas most needed; and
WHEREAS, St. Bernard Parish qualifies as an area with a higher number of crashes where safety improvements on select local roads could be effective in reducing crashes; and

WHEREAS, DOTD is willing to re-vamp St. Bernard Parish’s 2013 grant and expand it to include additional roadways; and

WHEREAS, St. Bernard Parish adopted the 2017 St. Bernard Parish Bikeways and Pedestrian Plan and DOTD is willing to consider signing and striping improvements to further implement the Parish’s plan as part of the safety improvements constructed under this grant (funding permitting); and

WHEREAS, the new grant will be administered and implemented by DOTD working closely with St. Bernard Parish Grants and Capital Projects Departments; and

WHEREAS, DOTD’s engineering consultant will evaluate and select improvements to be implemented in consultation with Parish representatives; and

WHEREAS, a preliminary list of 26 streets will be evaluated for improvement based on State highway crash data; and

WHEREAS, DOTD has allocated up to $180,000 for signing, striping and safety improvements with a final budget to be prepared following completion of the engineering analysis by DOTD; and

WHEREAS, this grant is 100% federally funded and no matching funds are required by St. Bernard Parish Government.

NOW THEREFORE BE IT RESOLVED the St. Bernard Parish Council does hereby authorize the acceptance of this Local Roads Safety Program Grant and the following conditions as required by the grant program including:

1) that this grant supersedes the 2013 Chalmette Intersections Safety Improvements Grant (Project H.009175)
2) That DOTD will be responsible for implementing the project including engineering, construction, environmental reviews, administration, and testing.
3) That St. Bernard will be responsible for any right-of-way, utility relocations, and non-highway enhancements added to the project (none anticipated at this time).
4) That the Parish has designated a DOTD qualified Responsible-in-Charge to be the Parish’s representative on this project.

**BE IT FURTHER RESOLVED**, the St. Bernard Parish Council, does hereby authorize the President of St. Bernard Parish Government to sign and execute all grant agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with this Local Roads Highway Safety Program Grant.

**BE IT FURTHER RESOLVED**, the St. Bernard Parish Council, does hereby authorize the Parish Responsible-in-Charge to execute all grant documents required in connection with this Local Roads Highway Safety Program Grant.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as **XXX**.

And the motion was declared **adopted** on the 5th day of February, 2019.

**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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1911-02-19

A RESOLUTION SUPPORTING THE PARISH PRESIDENT TO SIGN AN AGREEMENT WITH THE DEPARTMENT OF THE ARMY, REPRESENTED BY THE U.S. ARMY ENGINEER, FOR DESIGN FOR THE LOUISIANA COASTAL AREA BENEFICIAL USE OF DREDGED MATERIAL PROGRAM, MISSISSIPPI RIVER/ST BERNARD PARISH WETLANDS PROJECT.

WHEREAS, Federal funds were provided in Federal Fiscal Year 2016 to initiate the design of marsh and ridge creation and restoration sites in St. Bernard Parish, Louisiana through the beneficial placement of dredged material sourced from the routine operation and maintenance dredging of the federal navigation “Mississippi River, Baton Rouge to the Gulf of Mexico, Louisiana Project”;

WHEREAS, construction of the Project is authorized by Title VII, Section 7000(d) of the Water Resources Development Act of 2007;

WHEREAS, Section 103 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2213), specifies the cost-sharing requirements applicable to construction of the Project, and Section 105(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2215), provides that the costs of design shall be shared in the same percentages as construction of the Project;

WHEREAS, based on the Project's primary project purpose of aquatic ecosystem restoration, the parties agree that the Non-Federal Sponsor shall contribute 25 percent of the total design costs under this Agreement;

WHEREAS, pursuant to Section 221(a)(4) of the Flood Control Act of 1970, as amended (42 U.S.C. 1962d-5b(a)), the Non-Federal Sponsor may perform or provide in-kind contributions for credit towards the non-Federal share of the total design costs; and

WHEREAS, the Government and Non-Federal Sponsor have the full authority and capability to perform in accordance with the terms of this Agreement.

WHEREAS, it is in the best interest of the citizens of St. Bernard Parish for St. Bernard Parish Government to sign said agreement.
NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority of St. Bernard Parish, does hereby support the efforts of the Parish President, on behalf of St. Bernard Parish Government, to execute the agreement for Design for the Louisiana Coastal Area Beneficial Use of Dredged Material Program, Mississippi River/St. Bernard Parish Wetlands Project.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
On motion of Mr. XXXX, seconded by Mr. XXXX it was moved to adopt the following resolution:

RESOLUTION SBPC #1912-02-19

A RESOLUTION SUPPORTING THE INTRODUCTION AND PASSAGE OF LEGISLATION TO ENABLE ST. BERNARD PARISH TO IMPOSE AND COLLECT A HOTEL/MOTEL TAX TO FUND THE SERVICES PROVIDED BY THE ST. BERNARD PARISH FIRE DEPARTMENT TO HOTELS AND MOTELS.

WHEREAS, the Louisiana State Legislature has the authority to enact legislation that would allow St. Bernard Parish to impose and collect a Hotel/Motel Tax within the confines of St. Bernard Parish to fund the services provided by the St. Bernard Parish Fire Department to Hotels and Motels.

WHEREAS, it is in the best interest of the citizens of St. Bernard Parish for the state Legislature to enact legislation authorizing the imposition and collection of a Hotel/Motel Tax in St. Bernard Parish in order to fund the services provided by the St. Bernard Parish Fire Department to Hotels and Motels.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority of St. Bernard Parish, supports Representative Raymond E. Garofalo, Jr.’s efforts to introduce and pass legislation authorizing the imposition and collection of a Hotel/Motel Tax in St. Bernard Parish of $3.00 per night, upon a vote of the citizens, in order to fund the services provided by the St. Bernard Parish Fire Department to Hotels and Motels.

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

YEAS:

NAYS:

ABSENT:
The Council Chair, Mr. Lewis, cast his vote as **XXX**.

And the motion was declared **adopted** on the 5th day of February, 2019.

---

**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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL

#11

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

RESOLUTION SBPC #1913-02-19

A RESOLUTION TO APPROVE AN AUTOMOTIVE DISMANTLING PERMIT AT THE EXISTING SCRAP FACILITY LOCATED AT 5020 PARIS ROAD.

WHEREAS, Chapter 13 Section 13-1 of the St. Bernard Parish Code of Ordinances requires a permit to be issued for automotive dismantling; and,

WHEREAS, this permit does not allow for the selling of parts to the public; and,

WHEREAS, all dismantling activity shall be for scrap purposes only; and,

WHEREAS, vehicles cannot be stored for a period no longer than 30 days; and,

WHEREAS, this permit does not grant the opening or operation of said location as a junkyard.

NOW THEREFORE BE IT RESOLVED, the St. Bernard Parish Council, the Governing Authority, does hereby approve an Automotive Dismantling Permit at the existing Scrap Facility located at 5020 Paris Road.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.
C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL

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

Summary No. 3672
Introduced by: Councilmember Lewis on 12/4/18
Public Hearing held on 12/18/18

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.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends 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 as attached in Exhibit “A”.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Mr. Lewis, cast his vote as **XXX**.

And the motion was declared adopted on the 5th day of February, 2019.

__________________________  _______________________
ROXANNE ADAMS              RICHARD "RICHIE" LEWIS
CLERK OF COUNCIL            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 ________________________________
Abuse Addiction Treatment Facility: A facility that provides services related to prevention and/or treatment of the abuse/addiction of controlled dangerous substances, drugs or inhalants, alcohol, problem or compulsive gambling, or a combination of the above. The facility shall be licensed by the State of Louisiana to provide treatment to clients diagnosed with abuse/addiction disease/disorders and provide related support and prevention intervention to families, the public, and those individuals identified as having greater than normal risk for developing abuse/addiction disease/disorders. If the facility is residential, it shall be deemed a Residential Care Facility for the purpose of identifying zoning districts in which the use is permitted.

Pain Management Clinic. A clinic that focuses on the diagnosis and management of chronic pain. A pain management clinic focuses on procedures to deal with specific types of pain like your back and neck. In addition to medications, this type of clinic can help you manage pain with physical, behavioral, and psychological therapies. Pain management clinic may also teach you about your pain, coach you on lifestyle changes, and offer complementary or alternative medicine.
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<td>Heliports and private landing strips</td>
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<td>Cemeteries, crematories, and mausoleums</td>
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<td>Clubs and lodges</td>
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<td>Churches, temples, Sunday schools, parish house</td>
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<td>Public/private schools, academic institutions</td>
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<td>Recreational vehicle parks (19)</td>
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<td>Motor vehicle dealerships (new or used)</td>
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</table>
On motion of XXXX, seconded by XXXX, it was moved to **adopt** the following ordinance:

**Summary No. 3679**
Planning Commission recommended **APPROVAL** on 1/3/19
Introduced by: Administration on 1/15/19
Public Hearing held on 2/5/19

**AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.**

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

**SECTION 1.** The St. Bernard Parish Council does hereby approve Docket Z-2019-001, petition of Myrty Mendoza for a Conditional Use Permit to operate an Abuse Addiction Treatment Facility, for the following described property: Lot 55 Gallo Ext Corner of Judge Perez & Gallo

**PROPERTY LOCATION: 1520 E. Judge Perez Dr. Chalmette, LA 70043.**

**Planning Commission recommends APPROVAL with the following WAIVERS AND CONDITIONS:**

**WAIVERS:**

1. A waiver of the requirements of Section 22-3-1 - Existing nonconforming use to allow the petitioned property a change of use to a less conforming use: Pharmacy to Abuse Addiction Treatment Facility.

2. A waiver of the requirements of Section 22-3-13 - Discontinuance of legally nonconforming site development standards to allow the proposed development plan to conform to the site development standards, as reasonably achievable as determined by the director of community development, in section 22-7 site development standards and approved by planning commission.

3. A waiver of the requirements of Chapter 22-7-3.4(i) – Parking Lot Design to include permit a reduction of the 25’ setback to a 0’ setback along the front property line and a reduction of the 10’
setback to a 0’ setback along the east side of the structure, as shown on the existing development.

4. A waiver of the requirements of Chapter 22-7-3.2 – Number of Parking Spaces to include a parking space reduction from 22 spaces plus four (4) per licensed healthcare provider to the existing and non-conforming 13 spaces currently developed.

CONDITIONS:

1. The applicant shall submit a Landscape Plan prepared by a Louisiana Licensed Landscape Architect and meet all of the requirements of Chapter 22-7-1 – Landscape regulations and Chapter 22-7-2 – Planting, maintenance and removal of trees on public land, subject to the review and approval of the staff of the Department of Community Development.

2. The applicant shall erect a 7’ in height solid wood fence along the rear and western side property lines, subject to the review and approval of the Department of Community Development.

3. The applicant shall place a commercial trash dumpster and pen at the property.

4. The applicant shall provide 24-hr closed-circuit television (CCTV) surveillance security systems and one (1) security guard stationed at the facility during all operational hours.

5. The applicant shall remove all vending machines outside of building.

6. The applicant shall place no loitering signs in parking lot.

7. The applicant shall not have any benches or seating areas outside building.

8. The applicant shall meet all requirements of the American Disabilities Act and approved by the Department of Community Development.

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.
February 5, 2019

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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

**Summary No. 3680**
Planning Commission recommended **APPROVAL** on 1/22/19
Introduced by: Administration on 2/5/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-002, PETITION OF SBPG FOR A GLOBAL ZONING CHANGE FOR PROPERTIES WHERE EXISTING BARS, NIGHTCLUBS, OR LOUNGES ARE LOCATED TO C-3 (HIGHWAY COMMERCIAL) DISTRICT ZONING.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council does hereby approve Docket Z-2019-002, petition of SBPG for a global zoning change for properties where existing bars, nightclubs, or lounges are located to C-3 (highway commercial) district zoning.

**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.

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

**YEAS:**

**NAYS:**

**ABSENT:**
The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

Summary No. 3681
Planning Commission recommended APPROVAL on 1/22/19
Introduced by: Administration on 2/5/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-003, PETITION OF LOUIS CHARBONNET III FOR A ZONING CHANGE FROM C-1 AND C-2 TO A-1 TO OPERATE A FUNERAL HOME. PROPERTY LOCATION: 4905, 4909, 4913, 4917 AND 4925 E. JUDGE PEREZ DR. VIOLET, LA 70092.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:


Property Location: 4905, 4909, 4913, 4917 and 4925 E. Judge Perez Dr. Violet, LA 70092.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL

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

Summary No. 3682
Introduced by: Councilmember Luna on 2/5/19

AN ORDINANCE TO AMEND CHAPTER 3; ALCOHOLIC BEVERAGES, SECTION SEC. 3-26.1; SALE, DELIVERY, DISPENSING, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 3; Alcoholic Beverages, Section Sec. 3-26.1; sale, delivery, dispensing, possession and consumption of alcoholic beverages as attached in Exhibit “A”.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
February 5, 2019

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as xxxx.

And the motion was declared xxxx on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
Chapter 3 - ALCOHOLIC BEVERAGES

Sec. 3-26.1. - Sale, delivery, dispensing, possession and consumption of alcoholic beverages

(a) **Supremacy**. All provisions of this section shall supersede, though not repeal, any provision of the St. Bernard Code of Ordinances that may be in conflict with this section; may impose a limitation or restriction upon this section; may serve to limit, prohibit, or reduce the penalties that are imposed by this section; or may appear to require that administrative procedures be exhausted or followed before a prosecution may be brought under this section.

(b) **Venue.** The Courts of the 34th Judicial District shall have Jurisdiction over prosecutions for any violation of this section.

(c) **Sale, delivery, or dispensing of alcoholic beverages for on premises consumption.** Limitations on sales, **hours of operation**, closing time, possession and consumption.

1. All businesses, establishments, persons, firms or corporations who are licensed by the parish to sell, deliver, or dispense alcoholic beverages pursuant to a permit for the retail sale of alcoholic beverages for consumption on the premises, shall close their doors to entry at 4:00 a.m. daily and shall remain closed until 6:00 a.m. daily.

2. No holder of a permit for the retail sale of alcoholic beverages for on premises consumption, nor any employee of a holder, shall sell, deliver, or dispense nor allow the sale, delivery to a customer, or dispensing of any alcoholic beverage upon the licensed premises between the hours of 4:00 a.m. and 6:00 a.m. daily.

3. No person shall request or solicit the holder, nor any employee of a holder, of a permit for the retail sale of alcoholic beverages for on premises consumption, to sell, deliver, or dispense any alcoholic beverage upon the licensed premises in violation of this section.

4. All persons on the premises at the time of closing designated herein and who are not the permit holder or an employee of the permit holder, shall be required to leave the premises by 4:15 a.m. and may not leave the premises in possession of any alcoholic beverage.

5. No person, whether patron, customer, employee or otherwise, shall at any time, while on the outside of the building of the premises and/or the parking area of a holder of a permit for the retail sale of alcoholic beverages for on premises consumption, possess any alcoholic beverage in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise unless said container is unopened and sealed.

6. Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or from which a straw does not protrude.

(d) **Sale, delivery, or dispensing of alcoholic beverages for off premises consumption.** Limitations on sales, possession, and consumption.
(1) All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Bernard to sell alcoholic beverages at retail for off premises consumption, and their employees, shall be prohibited from selling, delivering, or dispensing alcoholic beverages between the hours of 4:00 a.m. and 6:00 a.m. daily.

(2) No person, whether patron, customer, employee or otherwise, shall at any time, consume any alcoholic beverage on the premises of a holder of a permit for the retail sale of alcoholic beverages for off premises consumption.

(3) No holder of a permit for the retail sale of alcoholic beverages for off premises consumption, nor their employees, shall knowingly permit any individual, whether patron, customer, employee or otherwise, to consume any alcoholic beverage on the premises.

(4) No person, whether patron, customer, employee or otherwise, shall at any time, while on the premises of a holder of a permit for the retail sale of alcoholic beverages for off premises consumption, possess any alcoholic beverage in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise unless said container is unopened and sealed.

(5) No holder of a permit for the retail sale of alcoholic beverages for off premises consumption, nor their employees, shall knowingly permit any individual, whether patron, customer, employee or otherwise, to remove any alcoholic beverage from the premises in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise, unless said container is unopened and sealed.

(6) Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or from which a straw does not protrude.

(7) Paragraphs (d)(1), (d)(2), (d)(3), (d)(4), and (d)(5) herein constitute separate offenses within the context of this section.

(8) Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or from which a straw does not protrude.

(e) Required notices.

(1) All holders of permits for the sale of alcoholic beverages shall post a conspicuous notice inside their premises, not less than eleven (11) inches by seventeen (17) inches in size, as well as by each exit, stating that it is illegal to sell, deliver, dispense, or remove any alcoholic beverages from the premises between the hours of 4:00 a.m. and 6:00 a.m. and that said violators shall be subject to fine and/or imprisonment as provided in parish ordinances.

(2) All holders of permits for the sale of alcoholic beverages for off premises consumption shall, in addition to the foregoing notice, post a conspicuous notice inside their premises, not less than eleven (11) inches by seventeen (17) inches in size, as well as by each exit, stating that it is illegal at any time to open or consume any alcoholic beverage on the premises and that said
violators shall be subject to fine and/or imprisonment as provided in parish ordinances. This notice may be stated as part of the same notice required in (e)(1).

(f) **Exceptions.**

(1) The provisions of this section shall not apply on the following days: January 1; the Saturday, Sunday, and Monday preceding Mardi Gras Day; and Mardi Gras Day itself, but said days shall be counted as calendar days for the purposes of the imposition of penalties hereunder.

(2) **Restaurants and cafeterias, which derive sixty (60) percent or more of their total business from the sale of food items, shall be exempt from the closure provisions of this section provided however, that such restaurants or cafeterias shall be prohibited from selling or dispensing alcoholic beverages between the hours of 4:00 a.m. and 6:00 a.m. daily.**

(3) All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Bernard only to sell alcoholic beverages at retail for off-premise consumption, shall be exempt from the closure provisions but not the prohibition of alcoholic beverage sales.

(g) **Penalties:** Any person, permit holder, or employee of any permit holder who violates any of the provisions of this section shall be sentenced as follows:

(1) For the first offense, a fine of not more than two hundred dollars ($200.00), and/or imprisonment for not more than five (5) days in jail, plus costs of the court;

(2) For the second offense occurring within any period of time consisting of seven hundred thirty (730) consecutive calendar days from the commission of the first offense, a fine of not more than five hundred dollars ($500.00) and/or imprisonment for not more than ten (10) days in jail, plus costs of the court; and/or if applicable, the judicial suspension for up thirty (30) days of the permit to sell or dispense alcoholic beverages;

(3) For the third offense occurring within any period of time consisting of seven hundred thirty (730) consecutive calendar days from the commission of first offense, a fine of not more than five hundred dollars ($500.00) and imprisonment for not less than five (5) nor more than fifteen (15) days in jail, plus costs of the court; and if applicable, the judicial suspension for not less than thirty (30) days nor more than one hundred eighty-five (185) days of the permit to sell or dispense alcoholic beverages; For the fourth offense occurring within any period of time consisting of seven hundred thirty (730) consecutive calendar days from the commission of the first offense, a fine of not more than five hundred dollars ($500.00) and imprisonment for not less than fifteen (15) nor more than thirty (30) days in jail, plus costs of the court; and, if applicable, the judicial revocation of the permit to sell or dispense alcoholic beverages for a period of two (2) years.

(h) **Notification.** The clerk of court shall forward to the chief administrative officer (CAO) and clerk of council a copy of the final disposition by the 34th Judicial District Court of any charges brought hereunder.

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

**Summary No. 3683**
Introduced by: Councilmember Gorbaty on 2/5/19

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-4, GENERAL PROVISIONS; SUBSECTION 22-4-3, EXCEPTIONS AND MODIFICATIONS; SUBSUBSECTION 22-4-3.2; EXCEPTIONS TO AREA REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Parish Council hereby amends Chapter 22 Zoning, Section 22-4 General Provisions, SubSection 22-4-3 Exceptions and Modifications SubSubSection 22-4-3.2 Exceptions to area regulations as attached in Exhibit “A”.

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**SECTION 3.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as xxxx.

And the motion was declared xxxx on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
Chapter 22  Zoning  
Section 22-4  General provisions  
SubSection 22-4-3 Exceptions and modifications  

SubSubSub Section 22-4-3.2 Exceptions to area regulations  

(a) Lots with less than a forty-foot frontage: Where a lot or parcel of land has an area less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of passage of the ordinance from which this chapter derives, such lot, tract or parcel may be used only for single-family residential purposes or for any nonresidential purposes permitted in the district in which the property is located. The proposed development shall be approved by the director of community development (design review) and then shall receive final approval from the planning commission (resolution).

(b) Non-conforming lots with a forty-foot frontage or greater: Where a lot or parcel of land has an area less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of the building permit application, such lot, tract or parcel may be used only for single-family residential purposes or for any nonresidential purposes permitted in the district in which the property is located. The proposed development shall be approved by the director of community development (design review).

(c) No cemetery or mausoleum may be located on a site less than fifteen (15) acres in size.

(d) Where any lot or parcel of land located in an approved subdivision or phased subdivision which has been subdivided or resubdivided prior to December 23, 1996, and has received final approval, shall not be subdivided or resubdivided under five thousand (5,000) square feet and said lot or parcel of land shall have no less than a fifty-foot frontage.

(e) Non-conforming lots in R-2 (Two-Family Residential) districts: Where a lot or parcel of land has an area less than the minimum requirements for the R-2 (Two-Family Residential) district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of the building permit application, such lot, tract or parcel may be used for either single-family or two-family residential purposes or for any nonresidential purposes permitted in the district in which the property is located, subject to the following:

1. R-2 non-conforming lots shall have a minimum frontage lot width of 40’ and a minimum lot area of 4,000 sq. ft.
2. All new or substantially renovated development shall meet the provisions of Section 22-5-3 – Residential zoning districts (bulk and area requirements and Section 22-7-3.2 – Off-street parking and loading requirements (number of parking spaces).
3. R-2 non-conforming lot width between 40’ and 50’ shall only be permitted one (1) driveway per lot frontage, adjacent to public right-of-way. Not more than two (2) vehicles shall be allowed per ‘stacked’ parking area design.
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

Summary No. 3684
Introduced by: Administration on 2/5/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2119-12-18, AN ORDINANCE TO ADOPT THE 2019 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 2019 is hereby amended as per attached in Exhibit “A”.

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department’s specific budget.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
February 5, 2019

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
### St. Bernard Parish Government

**Proposed 2019 Budget Amendment 2-19-2019**

**Summary No. 3684**

**Ordinance SBPC #XXXX-XX-XX**

### This Budget Amendment is to increase the funding needed to complete construction in the Council Chambers.

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### This Budget Amendment is to increase the funding needed for the FEMA Drainage Arbitration.

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### This Budget Amendment is to carry over the Go Coast Project into 2019.

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### This Budget Amendment is to increase Professional Services for Assessure Systems and offset with revenues to be collected from entities within the Parish whom collect Ad Valorems.

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Net Effect on Fund Balance

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Net Effect on Fund Balance

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**This Budget Amendment is to increase the Heights Park budget with LLT funding.**

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<th>Account Type</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Revenue</td>
<td>Revenue</td>
<td>$180,000</td>
<td></td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>180,000</td>
<td></td>
</tr>
</tbody>
</table>

Net Effect on Fund Balance

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>$</th>
<th>$-</th>
</tr>
</thead>
</table>

Net Effect on Fund Balance

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>$0.00</th>
<th>$0.00</th>
</tr>
</thead>
</table>

**This Budget Amendment is to budget for the Local Roads Safety Program Grant for the St. Bernard Parish Signing and Striping Project.**

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

Summary No. 3685
Introduced by: Administration on 2/5/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2119-12-18, AN ORDINANCE TO ADOPT THE 2019 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 2019 is hereby amended as per attached in Exhibit “A”.

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department’s specific budget.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.

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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
<table>
<thead>
<tr>
<th>Object</th>
<th>Account Code</th>
<th>Org</th>
<th>Project</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
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<td>5004310</td>
<td>489074</td>
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<td>Insurance Proceeds</td>
<td>Revenues</td>
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<tr>
<td>5004310</td>
<td>571001</td>
<td>0000</td>
<td></td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>1,463,708</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

$ - $ 25,000.00

*This Budget Amendment is to budget the replacement of the damaged protective dolphin at the raw water intake at the Water Treatment Plant and the corresponding insurance proceeds.*
On motion of Mr. XXXX, seconded by Ms. XXXX, it was moved to take action regarding the Industrial Tax Exemption Application #20170154.

NOTICE OF ACTION

WHEREAS, notice is hereby given to the Louisiana Department of Economic Development (“Department”) of the following action by the St. Bernard Parish Council, the governing authority, pursuant to §503(H)(1) of the Industrial Tax Exemption Program Rules:

WHEREAS, Industrial Tax Exemption Application #20170154 has been placed on the agenda for a public meeting of the St. Bernard Parish Council, notice of which is attached hereto.

WHEREAS, the St. Bernard Parish Council, the governing authority, has conducted a public meeting on Industrial Tax Exemption Application #20170154 and voted to xxxxxx the Application.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.
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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

____________________
ROXANNE ADAMS
CLERK OF COUNCIL
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, FEBRUARY 5, 2019 AT SEVEN O'CLOCK P.M.

On motion of Mr. XXXX, seconded by Ms. XXXX, it was moved to take
action regarding the Industrial Tax Exemption Application #20170155.

NOTICE OF ACTION

WHEREAS, notice is hereby given to the Louisiana Department of
Economic Development (“Department”) of the following action by the St. Bernard
Parish Council, the governing authority, pursuant to §503(H)(1) of the Industrial Tax
Exemption Program Rules:

WHEREAS, Industrial Tax Exemption Application #20170155 has been
placed on the agenda for a public meeting of the St. Bernard Parish Council, notice
of which is attached hereto.

WHEREAS, the St. Bernard Parish Council, the governing authority, has
conducted a public meeting on Industrial Tax Exemption Application #20170155 and
voted to xxxxxxx the Application.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 5th day of February, 2019.
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, February 5, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 5th day of February, 2019.

__________________
ROXANNE ADAMS
CLERK OF COUNCIL